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VOLUME IV



NOTE: The fourth volume consists of the Journal proceedings proper, together with the Appendices and Indexes for the same of the First Extraordinary Session (May 4-June 26), Second Extraordinary Session (October 16, 2017-January 8, 2018) and Third Extraordinary Session (December 4, 2017) of the Eighty-Third Legislature, 2017.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1002—A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 and §17A-4-10 of said code; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund by increasing Division of Motor Vehicles administrative fees and motor fuel excise taxes; changing the flat rate component of the motor fuel excise tax from 20.5 cents to 25 cents per invoiced gallon of motor fuel and on each gallon equivalent for alternative fuel; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; increasing said administrative Division of Motor Vehicles fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1003—A Bill to repeal §17-16A-18a, §17-16A-23 and §17-16A-30 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-1, §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22 and §17-16A-29 of said code; to amend said code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; adding the power of the authority to study, investigate and evaluate, and, if feasible, develop and implement a single fee program, including promulgate rules; adding the power of the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring that priority consideration be given to construction, maintenance and repair of public highways and bridges in certain counties within the state when determining expenditures from the State Road Construction Account; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; eliminating approval by county commissions and establishment by Governor of local committees prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges;

adding the power of the Division of Motor Vehicles to act as collection agent for the authority under any single fee program; expanding the grounds for refusing to register a motor vehicle; ability to charge a fee for the single fee program; and creating a misdemeanor offense.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Petitions

Senator Stollings presented a petition from Linda Lovejoy and fifty-three Boone County residents, requesting construction of a bridge from Route 17 to Powell Creek in Boone County, West Virginia.

Referred to the Committee on Transportation and Infrastructure.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Friday, May 5, 2017, at 11 a.m.

FRIDAY, MAY 5, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable C. Edward Gaunch, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Kenny Mann, a senator from the tenth district.

Pending the reading of the Journal of Thursday, May 4, 2017,

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

On motion of Senator Ferns, the Senate recessed until 2:30 p.m. today.

Upon expiration of the recess, the Senate reconvened.

On motion of Senator Ferns, the special order of business set for this position on the calendar (*consideration of executive nominations*) was postponed and made a special order of business for Tuesday, May 16, 2017, at 11 a.m.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bill was introduced and read by its title:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1004—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §11-13A-3f and §11-13A-3g; to amend and reenact §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto a new section, designated §11-15-3d; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; to amend said code by adding thereto a new section, designated §11-24-4c; and to amend and reenact §11-24-23a of said code, all relating generally to taxation; imposing graduated rate severance tax on privilege of producing coal as of specified date; imposing graduated rate severance tax on privilege of producing natural gas as of specified date; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; increasing rate

of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; imposing temporary additional income tax on persons with West Virginia taxable incomes of \$300,000 or more as of specified date; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified rehabilitation expenditures made after specified date; temporarily increasing rate of corporation net income tax; and making technical corrections in various sections.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill (S. B. 1004) was read a second time.

On motion of Senator Karnes, the following amendment to the bill was reported by the Clerk:

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13A-3f; that §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §11-15-3d; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-21-4g and §11-21-12j; that §11-21-8a and §11-21-8e of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §11-24-4c; and that §11-24-23a of said code be amended and reenacted, all to read as follows:

ARTICLE 13A. SEVERANCE AND BUSINESS PRIVILEGE TAX ACT.

§11-13A-3f. Severance tax on privilege of producing coal after June 30, 2017.

(a) Notwithstanding the provisions of section three of this article, the rate of tax on the privilege of engaging or continuing within this state in the business of severing, extracting, reducing to possession, and producing coal for sale, profit or commercial use shall, for all tons of coal produced on and after July 1, 2017, is as follows. The basis of the tax is per ton revenue based on FOB mine realizations:

(1) For all tons of metallurgical grade coal produced on and after July 1, 2017, except for tons of thin seam coal:

If gross income from sale of coal

During the reporting period is: The rate of tax is:

Not more than \$75 per ton..... 4.5%

\$75.01 to \$150 per ton..... 5.0%

More than \$150 per ton..... 5.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one cent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all metallurgical grade coal, except thin seam coal, during the reporting period, by tons of all metallurgical grade coal, except thin seam coal, sold by the taxpayer during the reporting period;

(2) For all tons of steam grade coal produced on and after July 1, 2017, except for tons of thin seam coal:

If gross income from sale of coal

during the reporting period is: The rate of tax is:

| | |
|--|--------------|
| <u>Less than \$42 per ton.....</u> | <u>2.5%</u> |
| <u>\$42 or more per ton but less than \$49 per ton</u> | <u>3.25%</u> |
| <u>\$49 or more per ton but less than \$56 per ton</u> | <u>4.0%</u> |
| <u>\$56 per ton but less than \$61 per ton.....</u> | <u>5.0%</u> |
| <u>\$61 per ton but less than \$70 per ton.....</u> | <u>5.5%</u> |
| <u>\$70 per ton but less than \$74 per ton.....</u> | <u>6.5%</u> |
| <u>\$74 or more per ton.....</u> | <u>8.0%</u> |

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all steam grade coal during the reporting period, exclusive of sales of thin seam coal, by the tons of all tons of all steam grade coal sold by the taxpayer during the reporting period but not including tons of thin seam coal.

(3) For tons of coal produced from seams of coal less than thirty-seven inches thick on and after July 1, 2017:

If gross income from sale of coal

during the reporting period is: **The rate of tax is:**

Not more than \$75 per ton 0.5%

\$75.01 to \$150 per ton 1.0%

More than \$150 per to..... 1.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of the tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal purchased from seams less than thirty-seven inches thick during the reporting period, by tons of all coal produced from seams less than thirty-seven inches thick during the reporting period; and

(4) For tons of coal produced from seams of coal at least thirty-seven inches thick, but not more than forty-five inches thick on and after July 1, 2017:

If gross income from sale of coal

during the reporting period is: **The rate of tax is:**

Not more than \$75 per ton..... 1.5%

\$75.01 to \$150 per ton 2.0%

More than \$150 per ton..... 2.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal produced from seams of coal at least thirty-seven inches

thick but not more than forty-five inches thick during the reporting period, by tons of all coal produced from seams at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period.

(b) In the event that subsection (a) of this section is found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, and that decision becomes final, this section shall become null and void by operation of law and the tax due shall be determined under section three of this article for the tax year or years involved in the litigation and all subsequent years.

(c) Definition of metallurgical coal and steam coal. – For purposes of this section:

(1) Metallurgical coal is bituminous coal that is not steam coal.

(2) Steam coal is coal sold to an end-user or other intermediary that is intended for combustion by coal-fired electric generating units.

(3) The determination of whether coal is metallurgical coal or steam coal is made when the coal is first sold.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property or custom software and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of sales or services tangible personal

property, custom software or taxable service purchased, excluding gasoline and special fuel sales, which remain taxable at the rate of 5¢ on the dollar of sales five percent: *Provided*, That on and after July 1, 2017, the tax imposed by this article shall be seven percent of the purchase price, excluding sales of motor vehicles, which shall remain taxable at five percent of the sales price; and sales of motor fuels, which remain taxable at the rate of five percent of the average wholesale selling price of motor fuel.

(c) Calculation tax on fractional parts of a dollar until January 1, 2004.— There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:

(1) On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.

(2) On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.

(3) On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.

(4) On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.

(5) On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.

(6) On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.

(7) If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the fractional part of the dollar if in excess of 84¢. For example, the tax

~~on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from \$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢. *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (c) does not apply to sales made after December 31, 2003.~~

~~(d)~~ (c) *Calculation of tax on fractional parts of a dollar after December 31, 2003.* – Beginning January 1, 2004, the The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

~~(e)~~ (d) *No aggregation of separate sales transactions, exception for coin-operated devices.*— Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.

~~(f)~~ (e) *Rate of tax on certain mobile homes.* – Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003~~, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to six percent of fifty percent of the sales price: *Provided*, That on and after July 1, 2017, notwithstanding any provision of this article to the contrary, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to seven percent of fifty percent of the sales price.

~~(g)~~ (f) *Construction; custom software.* – ~~After December 31, 2003, whenever~~ Whenever the words “tangible personal property” or “property” appear in this article, the same shall also include the words “custom software”.

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.* – The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

§11-15-3d. Imposition of consumers sales tax on telecommunications service and ancillary services.

(a) Notwithstanding the provisions of section eight of this article or any other provision of this code to the contrary, on and after July 1, 2017, “telecommunications service,” and “ancillary services” as defined in section twenty, article fifteen-b of this chapter, shall be subject to the consumers sales and service tax imposed by this article, and the use tax imposed by article fifteen-a of this chapter: *Provided*, That payment of the tax imposed under this article or under article fifteen-a of this chapter on prepaid wireless services is sufficient to fulfill the mandate of this section, and prepaid wireless services shall not be subjected to double taxation under this article: *Provided, however*, That this section shall not be interpreted to prevent imposition of any other lawfully imposed municipal tax or fee or any other tax or fee lawfully imposed under any state or federal law, or the laws of any subdivision thereof on such prepaid wireless services.

(b) The tax imposed by this section shall be in addition to any municipal utilities tax, municipal consumers sales and service tax and use tax, or other tax lawfully imposed on telephone service, telecommunications service and ancillary services.

(c) The sale of telecommunications service and ancillary services on which tax is imposed by this section shall be subject to the sourcing rules set forth in sections nineteen and twenty, article fifteen-b of this chapter.

(d) Notwithstanding the fact that a service provider did not meet the threshold amount for the previous calendar year that

would cause accelerated payment to be made in the current year, the accelerated payment rule imposed under subsection (g), section sixteen of this article applies to the tax imposed by this section if the service provider's total combined monthly remittance of the taxes levied by this article and article fifteen-a of this chapter for any calendar month beginning on and after July 1, 2017, exceeds, or can reasonably be expected to exceed, \$100,000.

§11-15-9. Exemptions.

(a) *Exemptions for which exemption certificate may be issued.*

– A person having a right or claim to any exemption set forth in this subsection may, in lieu of paying the tax imposed by this article and filing a claim for refund, execute a certificate of exemption, in the form required by the Tax Commissioner, and deliver it to the vendor of the property or service in the manner required by the Tax Commissioner. However, the Tax Commissioner may, by rule, specify those exemptions authorized in this subsection for which exemption certificates are not required. The following sales of tangible personal property and services are exempt as provided in this subsection:

(1) Sales of gas, steam and water delivered to consumers through mains or pipes and sales of electricity;

(2) Sales of textbooks required to be used in any of the schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to the West Virginia Department of Education and the Arts, ~~the board of Trustees of the University System of West Virginia or the board of directors for Higher Education Policy Commission or the Council for Community and Technical College Education for universities and colleges located in this state;~~

(3) Sales of property or services to this state, its institutions or subdivisions, governmental units, institutions or subdivisions of other states: *Provided*, That the law of the other state provides the same exemption to governmental units or subdivisions of this state and to the United States, including agencies of federal, state or local governments for distribution in public welfare or relief work;

(4) Sales of vehicles which are titled by the Division of Motor Vehicles and which are subject to the tax imposed by section four, article three, chapter seventeen-a of this code or like tax;

(5) Sales of property or services to churches which make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food for meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(6) Sales of tangible personal property or services to a corporation or organization which has a current registration certificate issued under article twelve of this chapter, which is exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, and which is:

(A) A church or a convention or association of churches as defined in Section 170 of the Internal Revenue Code of 1986, as amended;

(B) An elementary or secondary school which maintains a regular faculty and curriculum and has a regularly enrolled body of pupils or students in attendance at the place in this state where its educational activities are regularly carried on;

(C) A corporation or organization which annually receives more than one half of its support from any combination of gifts, grants, direct or indirect charitable contributions or membership fees;

(D) An organization which has no paid employees and its gross income from fundraisers, less reasonable and necessary expenses incurred to raise the gross income (or the tangible personal property or services purchased with the net income), is donated to an organization which is exempt from income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended;

(E) A youth organization, such as the Girl Scouts of the United States of America, the Boy Scouts of America or the YMCA Indian

Guide/Princess Program and the local affiliates thereof, which is organized and operated exclusively for charitable purposes and has as its primary purpose the nonsectarian character development and citizenship training of its members;

(F) For purposes of this subsection:

(i) The term “support” includes, but is not limited to:

(I) Gifts, grants, contributions or membership fees;

(II) Gross receipts from fundraisers which include receipts from admissions, sales of merchandise, performance of services or furnishing of facilities in any activity which is not an unrelated trade or business within the meaning of Section 513 of the Internal Revenue Code of 1986, as amended;

(III) Net income from unrelated business activities, whether or not the activities are carried on regularly as a trade or business;

(IV) Gross investment income as defined in Section 509(e) of the Internal Revenue Code of 1986, as amended;

(V) Tax revenues levied for the benefit of a corporation or organization either paid to or expended on behalf of the organization; and

(VI) The value of services or facilities (exclusive of services or facilities generally furnished to the public without charge) furnished by a governmental unit referred to in Section 170(c)(1) of the Internal Revenue Code of 1986, as amended, to an organization without charge. This term does not include any gain from the sale or other disposition of property which would be considered as gain from the sale or exchange of a capital asset or the value of an exemption from any federal, state or local tax or any similar benefit;

(ii) The term “charitable contribution” means a contribution or gift to or for the use of a corporation or organization, described in Section 170(c)(2) of the Internal Revenue Code of 1986, as amended; and

(iii) The term “membership fee” does not include any amounts paid for tangible personal property or specific services rendered to members by the corporation or organization;

(G) The exemption allowed by this subdivision does not apply to sales of gasoline or special fuel or to sales of tangible personal property or services to be used or consumed in the generation of unrelated business income as defined in Section 513 of the Internal Revenue Code of 1986, as amended. The exemption granted in this subdivision applies only to services, equipment, supplies and materials used or consumed in the activities for which the organizations qualify as tax-exempt organizations under the Internal Revenue Code and does not apply to purchases of gasoline or special fuel which are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(7) An isolated transaction in which any taxable service or any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property or by his or her representative for the owner’s account, the sale, transfer, offer for sale or delivery not being made in the ordinary course of repeated and successive transactions of like character by the owner or on his or her account by the representative: *Provided*, That nothing contained in this subdivision may be construed to prevent an owner who sells, transfers or offers for sale tangible personal property in an isolated transaction through an auctioneer from availing himself or herself of the exemption provided in this subdivision, regardless of where the isolated sale takes place. The Tax Commissioner may propose a legislative rule for promulgation pursuant to article three, chapter twenty-nine-a of this code which he or she considers necessary for the efficient administration of this exemption;

(8) Sales of tangible personal property or of any taxable services rendered for use or consumption in connection with the commercial production of an agricultural product the ultimate sale of which is subject to the tax imposed by this article or which would have been subject to tax under this article: *Provided*, That sales of tangible personal property and services to be used or consumed in the construction of or permanent improvement to real property and sales of gasoline and special fuel are not exempt: *Provided*,

however, That nails and fencing may not be considered as improvements to real property;

(9) Sales of tangible personal property to a person for the purpose of resale in the form of tangible personal property: *Provided*, That sales of gasoline and special fuel by distributors and importers is taxable except when the sale is to another distributor for resale: *Provided, however*, That sales of building materials or building supplies or other property to any person engaging in the activity of contracting, as defined in this article, which is to be installed in, affixed to or incorporated by that person or his or her agent into any real property, building or structure is not exempt under this subdivision;

(10) Sales of newspapers when delivered to consumers by route carriers;

(11) Sales of drugs, durable medical goods, mobility-enhancing equipment and prosthetic devices dispensed upon prescription and sales of insulin to consumers for medical purposes. The amendment to this subdivision shall apply to sales made after December 31, 2003;

(12) Sales of radio and television broadcasting time, preprinted advertising circulars and newspaper and outdoor advertising space for the advertisement of goods or services;

(13) Sales and services performed by day care centers;

(14) Casual and occasional sales of property or services not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character by a corporation or organization which is exempt from tax under subdivision (6) of this subsection on its purchases of tangible personal property or services. For purposes of this subdivision, the term “casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character” means sales of tangible personal property or services at fundraisers sponsored by a corporation or organization which is exempt, under subdivision (6) of this

subsection, from payment of the tax imposed by this article on its purchases when the fundraisers are of limited duration and are held no more than six times during any twelve-month period and “limited duration” means no more than eighty-four consecutive hours: *Provided*, That sales for volunteer fire departments and volunteer school support groups, with duration of events being no more than eighty-four consecutive hours at a time, which are held no more than eighteen times in a twelve-month period for the purposes of this subdivision are considered “casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of a like character”;

(15) Sales of property or services to a school which has approval from the ~~board of Trustees of the University System of West Virginia or the board of Directors of the state College System~~ Higher Education Policy Commission or the Council for Community and Technical College Education to award degrees, which has its principal campus in this state and which is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended: *Provided*, That sales of gasoline and special fuel are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(16) Sales of lottery tickets and materials by licensed lottery sales agents and lottery retailers authorized by the state Lottery Commission, under the provisions of article twenty-two, chapter twenty-nine of this code;

(17) Leases of motor vehicles titled pursuant to the provisions of article three, chapter seventeen-a of this code to lessees for a period of thirty or more consecutive days;

(18) Notwithstanding the provisions of section eighteen or eighteen-b of this article or any other provision of this article to the contrary, sales of propane to consumers for poultry house heating purposes, with any seller to the consumer who may have prior paid the tax in his or her price, to not pass on the same to the consumer, but to make application and receive refund of the tax from the Tax Commissioner pursuant to rules which are promulgated after being

proposed for legislative approval in accordance with chapter twenty-nine-a of this code by the Tax Commissioner;

(19) Any sales of tangible personal property or services purchased and lawfully paid for with food stamps pursuant to the federal food stamp program codified in 7 U. S. C. §2011, *et seq.*, as amended, or with drafts issued through the West Virginia special supplement food program for women, infants and children codified in 42 U. S. C. §1786;

(20) Sales of tickets for activities sponsored by elementary and secondary schools located within this state;

~~(21) Sales of electronic data processing services and related software: *Provided, That, for the purposes of this subdivision, "electronic data processing services" means:*~~

~~(A) The processing of another's data, including all processes incident to processing of data such as keypunching, keystroke verification, rearranging or sorting of previously documented data for the purpose of data entry or automatic processing and changing the medium on which data is sorted, whether these processes are done by the same person or several persons; and~~

~~(B) Providing access to computer equipment for the purpose of processing data or examining or acquiring data stored in or accessible to the computer equipment;~~

~~(22) (21) Tuition charged for attending educational summer camps;~~

~~(23) (22) Dispensing of services performed by one corporation, partnership or limited liability company for another corporation, partnership or limited liability company when the entities are members of the same controlled group or are related taxpayers as defined in Section 267 of the Internal Revenue Code. "Control" means ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation, equity interests of a partnership or membership interests of a limited liability company entitled to vote or~~

ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company;

~~(24)~~ (23) Food for the following are exempt:

(A) Food purchased or sold by a public or private school, school-sponsored student organizations or school-sponsored parent-teacher associations to students enrolled in the school or to employees of the school during normal school hours; but not those sales of food made to the general public;

(B) Food purchased or sold by a public or private college or university or by a student organization officially recognized by the college or university to students enrolled at the college or university when the sales are made on a contract basis so that a fixed price is paid for consumption of food products for a specific period of time without respect to the amount of food product actually consumed by the particular individual contracting for the sale and no money is paid at the time the food product is served or consumed;

(C) Food purchased or sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program to provide food to low-income persons at or below cost;

(D) Food sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program operating in West Virginia for a minimum of five years to provide food at or below cost to individuals who perform a minimum of two hours of community service for each unit of food purchased from the organization;

(E) Food sold in an occasional sale by a charitable or nonprofit organization, including volunteer fire departments and rescue squads, if the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is actually expended for that purpose;

(F) Food sold by any religious organization at a social or other gathering conducted by it or under its auspices, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenue obtained from selling the food is actually used in carrying out those functions and activities: *Provided*, That purchases made by the organizations are not exempt as a purchase for resale; or

(G) Food sold by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, when the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(25)~~ (24) Sales of food by little leagues, midget football leagues, youth football or soccer leagues, band boosters or other school or athletic booster organizations supporting activities for grades kindergarten through twelve and similar types of organizations, including scouting groups and church youth groups, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenues obtained from selling the food is actually used in supporting or carrying on functions and activities of the groups: *Provided*, That the purchases made by the organizations are not exempt as a purchase for resale;

~~(26)~~ (25) Charges for room and meals by fraternities and sororities to their members: *Provided*, That the purchases made by a fraternity or sorority are not exempt as a purchase for resale;

~~(27)~~ (26) Sales of or charges for the transportation of passengers in interstate commerce;

~~(28)~~ (27) Sales of tangible personal property or services to any person which this state is prohibited from taxing under the laws of the United States or under the Constitution of this state;

~~(29)~~ (28) Sales of tangible personal property or services to any person who claims exemption from the tax imposed by this article

or article fifteen-a of this chapter pursuant to the provision of any other chapter of this code;

~~(30)~~ (29) Charges for the services of opening and closing a burial lot;

~~(31)~~ (30) Sales of livestock, poultry or other farm products in their original state by the producer of the livestock, poultry or other farm products or a member of the producer's immediate family who is not otherwise engaged in making retail sales of tangible personal property; and sales of livestock sold at public sales sponsored by breeders or registry associations or livestock auction markets: *Provided*, That the exemptions allowed by this subdivision may be claimed without presenting or obtaining exemption certificates provided the farmer maintains adequate records;

~~(32)~~ (31) Sales of motion picture films to motion picture exhibitors for exhibition if the sale of tickets or the charge for admission to the exhibition of the film is subject to the tax imposed by this article and sales of coin-operated video arcade machines or video arcade games to a person engaged in the business of providing the machines to the public for a charge upon which the tax imposed by this article is remitted to the Tax Commissioner: *Provided*, That the exemption provided in this subdivision may be claimed by presenting to the seller a properly executed exemption certificate;

~~(33)~~ (32) Sales of aircraft repair, remodeling and maintenance services when the services are to an aircraft operated by a certified or licensed carrier of persons or property, or by a governmental entity, or to an engine or other component part of an aircraft operated by a certificated or licensed carrier of persons or property, or by a governmental entity and sales of tangible personal property that is permanently affixed or permanently attached as a component part of an aircraft owned or operated by a certificated or licensed carrier of persons or property, or by a governmental entity, as part of the repair, remodeling or maintenance service and sales of machinery, tools or equipment directly used or consumed exclusively in the repair, remodeling or maintenance of aircraft,

aircraft engines or aircraft component parts for a certificated or licensed carrier of persons or property or for a governmental entity;

~~(34) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs;~~

~~(35)~~ (33) Sales of services by individuals who babysit for a profit: *Provided*, That the gross receipts of the individual from the performance of baby-sitting services do not exceed \$5,000 in a taxable year;

~~(36)~~ (34) Sales of services by public libraries or by libraries at academic institutions or by libraries at institutions of higher learning;

~~(37)~~ (35) Commissions received by a manufacturer's representative;

~~(38) Sales of primary opinion research services when:~~

~~(A) The services are provided to an out-of-state client;~~

~~(B) The results of the service activities, including, but not limited to, reports, lists of focus group recruits and compilation of data are transferred to the client across state lines by mail, wire or other means of interstate commerce, for use by the client outside the State of West Virginia; and~~

~~(C) The transfer of the results of the service activities is an indispensable part of the overall service.~~

~~For the purpose of this subdivision, the term "primary opinion research" means original research in the form of telephone surveys, mall intercept surveys, focus group research, direct mail surveys, personal interviews and other data collection methods commonly used for quantitative and qualitative opinion research studies;~~

~~(39)~~ (36) Sales of property or services to persons within the state when those sales are for the purposes of the production of value-added products: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies and

materials directly used or consumed by those persons engaged solely in the production of value-added products: *Provided, however,* That this exemption may not be claimed by any one purchaser for more than five consecutive years, except as otherwise permitted in this section.

For the purpose of this subdivision, the term “value-added product” means the following products derived from processing a raw agricultural product, whether for human consumption or for other use. For purposes of this subdivision, the following enterprises qualify as processing raw agricultural products into value-added products: Those engaged in the conversion of:

(A) Lumber into furniture, toys, collectibles and home furnishings;

(B) Fruits into wine;

(C) Honey into wine;

(D) Wool into fabric;

(E) Raw hides into semifinished or finished leather products;

(F) Milk into cheese;

(G) Fruits or vegetables into a dried, canned or frozen product;

(H) Feeder cattle into commonly accepted slaughter weights;

(I) Aquatic animals into a dried, canned, cooked or frozen product; and

(J) Poultry into a dried, canned, cooked or frozen product;

~~(40)~~ (37) Sales of music instructional services by a music teacher and artistic services or artistic performances of an entertainer or performing artist pursuant to a contract with the owner or operator of a retail establishment, restaurant, inn, bar, tavern, sports or other entertainment facility or any other business location in this state in which the public or a limited portion of the public may assemble to hear or see musical works or other artistic

works be performed for the enjoyment of the members of the public there assembled when the amount paid by the owner or operator for the artistic service or artistic performance does not exceed \$3,000: *Provided*, That nothing contained herein may be construed to deprive private social gatherings, weddings or other private parties from asserting the exemption set forth in this subdivision. For the purposes of this exemption, artistic performance or artistic service means and is limited to the conscious use of creative power, imagination and skill in the creation of aesthetic experience for an audience present and in attendance and includes, and is limited to, stage plays, musical performances, poetry recitations and other readings, dance presentation, circuses and similar presentations and does not include the showing of any film or moving picture, gallery presentations of sculptural or pictorial art, nude or strip show presentations, video games, video arcades, carnival rides, radio or television shows or any video or audio taped presentations or the sale or leasing of video or audio tapes, air shows or any other public meeting, display or show other than those specified herein: *Provided, however*, That nothing contained herein may be construed to exempt the sales of tickets from the tax imposed in this article. The State Tax Commissioner shall propose a legislative rule pursuant to article three, chapter twenty-nine-a of this code establishing definitions and eligibility criteria for asserting this exemption which is not inconsistent with the provisions set forth herein: *Provided further*, That nude dancers or strippers may not be considered as entertainers for the purposes of this exemption;

~~(41)~~ (38) Charges to a member by a membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, for membership in the association or organization, including charges to members for newsletters prepared by the association or organization for distribution primarily to its members, charges to members for continuing education seminars, workshops, conventions, lectures or courses put on or sponsored by the association or organization, including charges for related course materials prepared by the association or organization or by the speaker or speakers for use during the continuing education seminar, workshop, convention, lecture or

course, but not including any separate charge or separately stated charge for meals, lodging, entertainment or transportation taxable under this article: *Provided*, That the association or organization pays the tax imposed by this article on its purchases of meals, lodging, entertainment or transportation taxable under this article for which a separate or separately stated charge is not made. A membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, may elect to pay the tax imposed under this article on the purchases for which a separate charge or separately stated charge could apply and not charge its members the tax imposed by this article or the association or organization may avail itself of the exemption set forth in subdivision (9) of this subsection relating to purchases of tangible personal property for resale and then collect the tax imposed by this article on those items from its member;

~~(42)~~ (39) Sales of governmental services or governmental materials by county assessors, county sheriffs, county clerks or circuit clerks in the normal course of local government operations;

~~(43)~~ (40) Direct or subscription sales by the Division of Natural Resources of the magazine currently entitled *Wonderful West Virginia* and by the Division of Culture and History of the magazine currently entitled *Goldenseal* and the journal currently entitled *West Virginia History*;

~~(44)~~ (41) Sales of soap to be used at car wash facilities;

~~(45)~~ (42) Commissions received by a travel agency from an out-of-state vendor;

~~(46)~~ (43) The service of providing technical evaluations for compliance with federal and state environmental standards provided by environmental and industrial consultants who have formal certification through the West Virginia Department of Environmental Protection or the West Virginia Bureau for Public Health or both. For purposes of this exemption, the service of providing technical evaluations for compliance with federal and state environmental standards includes those costs of tangible

personal property directly used in providing such services that are separately billed to the purchaser of such services and on which the tax imposed by this article has previously been paid by the service provider;

~~(47)~~ (44) Sales of tangible personal property and services by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, if the sole purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(48)~~ (45) Lodging franchise fees, including royalties, marketing fees, reservation system fees or other fees assessed after December 1, 1997, that have been or may be imposed by a lodging franchiser as a condition of the franchise agreement; ~~and~~

~~(49)~~ (46) Sales of the regulation size United States flag and the regulation size West Virginia flag for display; and

(47) The services of “professional employer organizations” as defined in subsection (g), section two, article forty-six-a, chapter thirty-three of this code.

(b) *Refundable exemptions.* — Any person having a right or claim to any exemption set forth in this subsection shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit, or as provided in section nine-d of this article, give to the vendor his or her West Virginia direct pay permit number. The following sales of tangible personal property and services are exempt from tax as provided in this subsection:

(1) Sales of property or services to bona fide charitable organizations who make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food, meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(2) Sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing, transportation, transmission, communication, production of natural resources, gas storage, generation or production or selling electric power, provision of a public utility service or the operation of a utility service or the operation of a utility business, in the businesses or organizations named in this subdivision and does not apply to purchases of gasoline or special fuel;

(3) Sales of property or services to nationally chartered fraternal or social organizations for the sole purpose of free distribution in public welfare or relief work: *Provided*, That sales of gasoline and special fuel are taxable;

(4) Sales and services, fire fighting or station house equipment, including construction and automotive, made to any volunteer fire department organized and incorporated under the laws of the State of West Virginia: *Provided*, That sales of gasoline and special fuel are taxable; and

(5) Sales of building materials or building supplies or other property to an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, which are to be installed in, affixed to or incorporated by the organization or its agent into real property or into a building or structure which is or will be used as permanent low-income housing, transitional housing, an emergency homeless shelter, a domestic violence shelter or an emergency children and youth shelter if the shelter is owned, managed, developed or operated by an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended; ~~and~~

~~(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided*, That in lieu of any refund or credit to the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision: *Provided, however*, That by June 15 of each fiscal year, the division~~

~~shall provide to the Tax Department an itemized listing of highways projects with the amount of funds expended for highway construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent.~~

(c) *Effective date.* – The amendments to subsection (a) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect beginning July 1, 2017, and apply to sales made on and after that date. The amendments to subsection (b) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect July 1, 2017, and shall be construed to prohibit all future transfers to the State Road Fund established in the State Treasury pursuant to section fifty-two, article six of the Constitution of West Virginia, under this section of taxes imposed by this article and article fifteen-a of this chapter.

§11-15-9b. Exemption for purchases of tangible personal property and services for direct use in research and development.

(a) Sales of tangible personal property and services after June 30, 2002, directly used or consumed in the activity of research and development are exempt from tax imposed by this article. Any person having a right or claim to the exemption set forth in this section shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit or give to the vendor the person's West Virginia direct pay permit number in accordance with the provisions of section nine-d of this article.

(b) For purposes of this article:

(1) "Directly used or consumed in the activity of research and development" means used or consumed in those activities or

operations which constitute an integral and essential part of research and development, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to research and development.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activity of research and development include only:

(i) In the case of tangible personal property, physical incorporation of property into tangible personal property that is the subject of, or directly used in, research and development;

(ii) Causing a direct physical, chemical or other change upon property that is the subject of, or directly used in, research and development;

(iii) Transporting or storing property that is the subject of, or directly used in, research and development;

(iv) Measuring or verifying a change in property that is the subject of, or directly used in, research and development;

(v) Physically controlling or directing the physical movement or operation of property that is the subject of, or directly used in, research and development;

(vi) Directly and physically recording the flow of property that is the subject of, or directly used in, research and development;

(vii) Producing energy for property that is the subject of, or directly used in, research and development;

(viii) Controlling or otherwise regulating atmospheric or other environmental conditions required for research and development;

(ix) Serving as an operating supply for property that is the subject of, or directly used in, research and development;

(x) Maintenance or repair of property, including maintenance equipment, that is directly used in research and development;

(xi) Storage, removal or transportation of economic or other waste resulting from the activity of research and development;

(xii) Pollution control or environmental quality or environmental protection activity directly relating to the activity of research and development, and personnel, plant, property or community safety or security activity directly relating to the activity of research and development; or

(xiii) Otherwise being used as an integral and essential part of research and development.

(B) Uses of property or services which do not constitute direct use or consumption in the activity of research and development include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Planning or scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to research and development, rather than an integral and essential part of these activities.

(2) "Research and development" means systematic scientific, engineering or technological study and investigation in a field of knowledge in the physical, computer or software sciences, often involving the formulation of hypotheses and experimentation, for the purpose of revealing new facts, theories or principles, or increasing scientific knowledge, which may reveal the basis for new or enhanced products, equipment or manufacturing processes. Research and development includes, but is not limited to, design, refinement and testing of prototypes of new or improved products, or design, refinement and testing of manufacturing processes

before commercial sales relating thereto have begun. For purposes of this section commercial sales include, but are not limited to, sales of prototypes or sales for market testing.

(A) Research and development does not include:

(i) Market research;

(ii) Sales research;

(iii) Efficiency surveys;

(iv) Consumer surveys;

(v) Product market testing;

(vi) Product testing by product consumers or through consumer surveys for evaluation of consumer product performance or consumer product usability;

(vii) The ordinary testing or inspection of materials or products for quality control (quality control testing);

(viii) Management studies;

(ix) Advertising;

(x) Promotions;

(xi) The acquisition of another's patent, model, production or process or investigation or evaluation of the value or investment potential related thereto;

(xii) Research in connection with literary, historical or similar projects;

(xiii) Research in the social sciences, economics, humanities or psychology and other nontechnical activities; and

(xiv) The providing of sales services or any other service, whether technical service or nontechnical service.

~~(c) No provision of this section may be interpreted to alter, abrogate or impede application of the exemption for sales of primary opinion research services set forth in section nine of this article.~~

§11-15-9h. Exemptions for sales of computer hardware and software directly incorporated into manufactured products; certain leases; sales of electronic data processing service; sales of computer hardware and software directly used in communication; sales of educational software; sales of Internet advertising; sales of high-technology business services directly used in fulfillment of a government contract; sales of tangible personal property for direct use in a high-technology business or Internet advertising business; definitions.

(a) In order to modernize the exemptions from tax contained in this article as a result of technological advances in computers and the expanded role of computers, the Internet and global instant communications in business and to encourage computer software developers, computer hardware designers, systems engineering firms, ~~electronic data processing companies~~ and other high-technology companies to locate and expand their businesses in West Virginia, the following sales of tangible personal property and software are exempt:

(1) Sales of computer hardware or software (including custom designed software) to be directly incorporated by a manufacturer into a manufactured product. For purposes of this subsection, the payment of licensing fees for the right to incorporate hardware or software developed by persons other than the manufacturer into a manufactured product is exempt from the tax imposed by this article;

(2) Sales of computer hardware or software (including custom designed software) directly used in communication as defined in this article;

~~(3) Sales of electronic data processing services;~~

~~(4)~~ (3) Sales of educational software required to be used in any of the public schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to administration, regulation, certification or approval of the Department of Education, the Department of Education and the Arts or the Higher Education Policy Commission;

~~(5)~~ (4) Sales of Internet advertising of goods and services;

~~(6)~~ (5) Sales of high-technology business services to high-technology businesses which enter into contracts with this state, its institutions and subdivisions, governmental units, institutions or subdivisions of other states, or with the United States, including agencies of federal, state or local governments for direct use in fulfilling the government contract; and

~~(7)~~ (6) Sales of prewritten computer software, computers, computer hardware, servers and building materials and tangible personal property to be installed into a building or facility for direct use in a high-technology business or an Internet advertising business.

(b) *Definitions.* –

As used in this article, the following terms have the following meanings:

(1) “Computer hardware” means a computer, as defined in article fifteen-b of this chapter, and the directly and immediately connected physical equipment involved in the performance of data processing or communications functions, including data input, data output, data processing, data storage, and data communication apparatus that is directly and immediately connected to the computer. The term “computer hardware” does not include computer software.

(2) “High-technology business” means and is limited to businesses primarily engaged in the following activities: Computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development;

network design and development; design and development of new manufactured products which incorporate computer hardware and software; electronic data processing; network management, maintenance, engineering, administration and security services; website management, maintenance, engineering, administration and security services and computer systems management, maintenance, engineering, administration and security services. High-technology business as defined herein is intended to include businesses which engage in the activities enumerated in this definition as their primary business activity, and not as a secondary or incidental activity and not as an activity in support of or incidental to business activity not specifically enumerated in this definition.

(3) “High-technology business services” means and is limited to computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; electronic data processing; computer systems management; computer systems maintenance; computer systems engineering; computer systems administration and computer systems security services.

(4) “Internet advertising business” means a for-profit business that is engaged, for monetary remuneration, in the primary business activity of announcing, or calling public attention to, goods or services in order to induce the public to purchase those goods or services, and which uses the Internet as its sole advertising communications medium. For purposes of this definition, Internet advertising must be the primary business activity of the business and not a secondary or incidental activity and not an activity in support of or incidental to other business activity.

(5) “Network” means a group of two or more computer systems linked together.

(6) “Server” means a computer or device on a network that manages network resources.

(c) The amendments to this section made in the first extraordinary session of the Legislature in ~~2009~~ 2017 shall apply to purchases made on and after July 1, ~~2009~~ 2017.

ARTICLE 15A. USE TAX.

§11-15A-2. Imposition of tax; ~~six percent~~ tax rate; inclusion of services as taxable; transition rules; allocation of tax and transfers.

(a) An excise tax is hereby levied and imposed on the use in this state of tangible personal property, custom software or taxable services, to be collected and paid as provided in this article or article fifteen-b of this chapter, at the rate of six percent of the purchase price of the property or taxable services, except as otherwise provided in this article: *Provided, That on and after July 1, 2017, the tax imposed by this article shall be collected and paid, as provided in this article or article fifteen-b of this chapter, at the rate of seven percent of the purchase price of the tangible personal property, custom software or taxable services, except as otherwise provided in this article.*

(b) *Calculation of tax on fractional parts of a dollar.* -- The tax computation under subsection (a) of this section shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(c) "Taxable services," for the purposes of this article, means services of the nature that are subject to the tax imposed by article fifteen of this chapter. In this article, wherever the words "tangible personal property" or "property" appear, the same shall include the words "or taxable services," where the context so requires.

(d) Use tax is hereby imposed upon every person using tangible personal property, custom software, ~~or telecommunication service,~~ ancillary services or other taxable service within this state. That

person's liability is not extinguished until the tax has been paid. A receipt with the tax separately stated thereon issued by a retailer engaged in business in this state, or by a foreign retailer who is authorized by the Tax Commissioner to collect the tax imposed by this article, relieves the purchaser from further liability for the tax to which the receipt refers.

(e) Purchases of tangible personal property or taxable services made for the government of the United States or any of its agencies by ultimate consumers is subject to the tax imposed by this section. Industrial materials and equipment owned by the federal government within the State of West Virginia of a character not ordinarily readily obtainable within the state, is not subject to use tax when sold, if the industrial materials and equipment would not be subject to use taxes if sold outside of the state for use in West Virginia.

(f) This article does not apply to purchases made by counties or municipal corporations.

§11-15A-10. Payment to Tax Commissioner.

(a) Each retailer required or authorized, pursuant to section six, six-a or seven, or pursuant to article fifteen-b of this chapter, to collect the tax imposed in section two of this article, is required to pay to the Tax Commissioner the amount of the tax on or before the twentieth day of the month next succeeding each calendar month, except as otherwise provided in this article or article fifteen-b of this chapter.

(b) Each certified service provider for a Model I seller shall pay to the Tax Commissioner the tax levied by this article on or before the twentieth day of the month next succeeding the calendar month in which the tax accrued, except as otherwise provided in this article or article fifteen-b of this chapter.

(c) At that time, each retailer, seller or certified service provider shall file with the Tax Commissioner a return for the preceding monthly period, except as otherwise provided in this article or article fifteen-b of this chapter, in the form prescribed by the Tax

Commissioner showing the sales price of any or all tangible personal property, custom software and taxable services sold by the retailer or seller during the preceding quarterly period, the use of which is subject to the tax imposed by this article, and any other information the Tax Commissioner may consider necessary for the proper administration of this article. The return shall be accompanied by a remittance of the amount of the tax, for the period covered by the return, except as otherwise provided in this article or article fifteen-b of this chapter: *Provided*, That where the tangible personal property or custom software is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part of the sum is extended over a period longer than sixty days from the date of the sale, the retailer may collect and remit each monthly period that portion of the tax equal to ~~six~~ seven percent of that portion of the purchase price actually received during the monthly period.

(d) The Tax Commissioner may, upon request and a proper showing of the necessity to do so, grant an extension of time not to exceed thirty days for making any return and payment.

(e) Returns shall be signed by the retailer or seller or his or her duly authorized agent, and must be certified by him or her to be correct, except as otherwise provided in this article or article fifteen-b of this chapter.

(f) *Accelerated payment.* —

(1) ~~For calendar years beginning after December 31, 2002,~~ ~~taxpayers~~ Taxpayers whose average monthly payment of the taxes levied by this article and article fifteen of this chapter during the previous calendar year exceeds \$100,000, shall remit the tax attributable to the first fifteen days of June each year on or before June 20 of said month.

(2) For purposes of complying with subdivision (1) of this subsection, the taxpayer shall remit an amount equal to the amount of tax imposed by this article and article fifteen of this chapter on actual taxable sales of tangible personal property and custom software and sales of taxable services during the first fifteen days

of June or, at the taxpayer's election, taxpayer may remit an amount equal to fifty percent of taxpayer's liability for tax under this article on taxable sales of tangible personal property and custom software and sales of taxable services made during the preceding month of May.

(3) For a business which has not been in existence for a full calendar year, the total tax due from the business during the prior calendar year shall be divided by the number of months, including fractions of a month, that it was in business during the prior calendar year; and if that amount exceeds \$100,000, the tax attributable to the first fifteen days of June each year shall be remitted on or before June 20 of said month as provided in subdivision (2) of this subsection.

(4) When a taxpayer required to make an advanced payment of tax under subdivision (1) of this subsection makes out its return for the month of June, which is due on July 20, the taxpayer may claim as a credit against its liability under this article for tax on taxable transactions during the month of June, the amount of the advanced payment of tax made under subdivision (1) of this subsection.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-4g. Rate of tax – Taxable years beginning on or after January 1, 2018.

(a) General. – For taxable years beginning on and after January 1, 2018, the tax imposed by section three of this article shall be determined under either subsections (b), (c) or (d) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is

entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

taxable income is: **The tax is:**

Not over \$20,000 1.85% of taxable income

Over \$20,000 but not over \$35,000 1.85% of the first \$20,000 of taxable income plus 3.65% of taxable income over \$20,000

Over \$35,000 1.85% of the first \$20,000 of taxable income plus 3.65% of taxable income between \$20,000 and \$35,000 plus 5.45% of taxable income over \$35,000

(c) Rate of tax on married individuals filing separate returns. – In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia

taxable income is: **The tax is:**

Not over \$10,000 1.85% of taxable income

Over \$10,000 but not over \$17,500 1.85% of the first \$10,000 of taxable income plus 3.65% of taxable income over \$10,000

Over \$17,500 1.85% of the first \$10,000 of taxable income plus 3.65% of taxable income between \$10,000 and \$17,500 plus 5.45% of taxable income over \$17,500

(d) Additional tax bracket for taxable years beginning January 1, 2018, January 1, 2019, and January 1, 2020. – For taxable years beginning January 1, 2018, January 1, 2019, and January 1, 2020, the rates imposed pursuant to the tables in subsections (b) and (c)

of this subsection shall be determined in accordance with the following tables:

(1) For every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; every husband and wife who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust:

If the West Virginia

taxable income is: **The tax is:**

Not over \$20,000 1.85% of taxable income

Over \$20,000 but not over \$35,000 1.85% of the first \$20,000 of taxable income plus 3.65% of taxable income over \$20,000

Over \$35,000 but not over \$300,000 1.85% of the first \$20,000 of taxable income plus 3.65% of taxable income between \$20,000 and \$35,000 plus 5.45% of taxable income over \$35,000

Over \$300,000 1.85% of the first \$20,000 of taxable income plus 3.65% of taxable income between \$20,000 and \$35,000 plus 5.45% of taxable income between \$35,000 and \$300,000 plus 6.0% of taxable income over \$300,000

(2) For married individuals filing separate returns under this article:

If the West Virginia

taxable income is: **The tax is:**

Not over \$10,000 1.85% of taxable income

Over \$10,000 but not over \$17,500 1.85% of the first \$10,000 of taxable income plus 3.65% of taxable income over \$10,000

Over \$17,500 but not over \$150,000 1.85% of the first \$10,000 of taxable income plus 3.65% of taxable income between \$10,000 and \$17,500 plus 5.45% of taxable income over \$17,500

Over \$150,000 1.85% of the first \$10,000 of taxable income plus 3.65% of taxable income between \$10,000 and \$17,500 plus 5.45% of taxable income between \$17,500 and \$150,000 plus 6.0% of taxable income over \$150,000

(d) Personal income tax rate reduction in years subsequent to 2018.

(1) For tax years beginning on and after January 1, 2019, the personal income tax rates imposed by this article in each of the income brackets shown in this section shall be reduced by one-tenth of one percentage point for each \$110 million by which the actual general fund revenue collections for the fiscal year ending on June 30 exceeds the actual general revenue collections of the 2017 fiscal year.

(A) Once the rates of the personal income tax imposed by this article have been reduced pursuant to this subsection, these rates shall not again be raised.

(B) Additional reductions of one-tenth of one percentage point shall occur only for each additional \$110 million by which the actual general fund revenue collections for the fiscal year ending on June 30 exceed the actual general revenue collections of the 2017 fiscal year.

(2) The personal income tax rate reductions mandated by this subsection when conditions are met shall continue until the rates equal zero percent.

(3) Each and every provision of this article is repealed for all tax periods beginning and after January 1 of the first year in which all of the rates in all of the brackets of the personal income tax reach zero percent.

(4) Beginning on October 1, 2018, and on October 1 of each subsequent calendar year, the Tax Commissioner shall publish the

following information on the Tax Department's web site along with other relevant publications and documents:

(A) The personal income tax rates for the current calendar year;

(B) The general revenue collections for the fiscal year ending June 30 of that calendar year;

(C) The difference between general revenue collections for the most recently concluded fiscal year and those for the 2017 fiscal year;

(D) The amount of reduction in the personal income tax rates that will result by application of subdivision (1) of this subsection; and

(E) The personal income tax rates to be imposed for the calendar year beginning January 1 of the next calendar year.

(5) Any and all tax liabilities, if any, arising for taxable periods prior to the date the personal income tax is repealed shall be determined, administered, assessed and collected as if the tax imposed by this article had not been repealed; and the rights and duties of taxpayers and the state shall be fully and completely preserved.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities

prior to the tax year beginning January 1, 2019: *Provided further,* That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state, that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as “certified historic structures,” and further defined as a “qualified rehabilitated building,” as defined under §47(c)(1), Title 26 of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.

§11-21-8e. ~~Carryback~~ Credit carryback, carryforward.

(a) Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section eight-a of this article which may not be taken in the taxable year to which the credit applies qualifies for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided,* That the amount of the credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however,* That for tax years beginning on and after January 1, 2019, any unused portion of the

credit authorized by section eight-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may be carried over to each of the next ten tax years following the unused credit year until used or forfeited due to lapse of time.

(b) Effective for taxable years beginning on and after January 1, 2001, credits granted to an electing small business corporation (S corporation), limited partnership, general partnership, limited liability company or multiple owners of property shall be passed through to the shareholders, partners, members or owners, either pro rata or pursuant to an agreement among the shareholders, partners, members or owners documenting an alternative distribution method. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide the method of reporting the alternative method of distribution authorized by this section.

§11-21-12j. Decreasing modification reducing federal adjusted gross income for military retirement income after December 31, 2018.

(a) In lieu of the provisions for military retirement income in section twelve of this article, for taxable years beginning on and after January 1, 2019, the entire amount of military retirement income, including retirement income from the regular Armed Forces, Reserves, and National Guard, paid by the United States or this state after December 31, 2018, that is included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification of federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

(b) In the event that any provision of this section is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons other than those specified in this section, this section shall become null and void by operation of law.

ARTICLE 24. CORPORATE NET INCOME TAX.**§11-24-4c. Rate of tax – Taxable years beginning on or after January 1, 2018 but before January 1, 2020.**

(a) In lieu of the rate of tax specified in section four of this article, for taxable years beginning on and after January 1, 2018, but before January 1, 2020, the tax imposed by section four of this article shall be levied at the rate of 7.5 percent of West Virginia taxable income.

(b) For taxable years beginning on or after January 1, 2020, the rate of tax shall be that specified in section four of this article.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019; Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or if the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment

of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as “certified historic building”, and further defined as a “qualified rehabilitated building”, as defined under §47(c)(1), Title 26, of the United States Code, as amended.

On motion of Senator Romano, the following amendments to Senator Karnes’ amendment to the bill (S. B. 1004) were reported by the Clerk and considered simultaneously:

On page four, section three, subsection (a), by striking out the word “seven” and inserting in lieu thereof the words “six and seven-tenths”;

On page six, section three, subsection (e), by striking out the word “seven” and inserting in lieu thereof the words “six and seven-tenths”;

On page twenty-nine, section two, subsection (a), by striking out the word “seven” and inserting in lieu thereof the words “six and seven-tenths”;

On page thirty-one, section ten, subsection (c), by striking out the word “seven” and inserting in lieu thereof the words “six and seven-tenths”;

On page thirty-three, section four-g, subsection (d), subdivision (1), by striking out the words “not over \$300,000” and inserting in lieu thereof the words “not over \$100,000”;

On page thirty-three, section four-g, subsection (d), subdivision (1), by striking out the words “Over \$300,000” and inserting in lieu thereof the words “Over \$100,000”;

On page thirty-three, section four-g, subsection (d), subdivision (1), by striking out the words “\$300,000 plus 6.0% of taxable

income over \$300,000” and inserting in lieu thereof the words “\$100,000 plus 6.0% of taxable income over \$100,000”;

On page thirty-four, section four-g, subsection (d), subdivision (2), by striking out the words “not over \$150,000” and inserting in lieu thereof the words “not over \$50,000”;

On page thirty-four, section four-g, subsection (d), subdivision (2), by striking out the words “Over \$150,000” and inserting in lieu thereof the words “Over \$50,000”;

And,

On page thirty-four, section four-g, subsection (d), subdivision (2), by striking out the words “\$150,000 plus 6.0% of taxable income over \$150,000” and inserting in lieu thereof the words “\$50,000 plus 6.0% of taxable income over \$50,000”.

Following discussion,

The question being on the adoption of Senator Romano’s amendments to Senator Karnes’ amendment to the bill, the same was put and did not prevail.

Senator Woelfel arose to a point of order stating that he demanded a roll call be taken on the question while the vote itself was being taken.

Which point of order, the President ruled well taken.

The question again being on the adoption of Senator Romano’s amendments to Senator Karnes’ amendment to the bill, and on this question, Senator Woelfel demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—12.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Mullins, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—21.

Absent: Maroney—1.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Romano's amendments to Senator Karnes' amendment to the bill rejected.

The question now being on the adoption of Senator Karnes' amendment to the bill, the same was put and prevailed.

The bill (S. B. 1004), as amended, was then ordered to engrossment and third reading.

Engrossed Senate Bill 1004 was then read a third time and put upon its passage.

(Senator Ferns in the Chair.)

Pending discussion,

The question being "Shall Engrossed Senate Bill 1004 pass?"

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

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

The nays were: Unger—1.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) passed.

On motion of Senator Karnes, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1004—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto a new section, designated §11-15-3d; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-12j; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto a new section, designated §11-24-4c; and to amend and reenact §11-24-23a of said code, all relating generally to the Tax Reduction Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumer sales and service tax exemption for services of professional employer organizations; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; temporarily increasing rate of corporation net income tax; and making technical corrections in various sections.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: Unger—1.

Absent: Maroney—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1004) takes effect from passage.

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

Thereafter, at the request of Senator Blair, and by unanimous consent, the remarks by Senator Carmichael (Mr. President) regarding the passage of Engrossed Senate Bill 1004 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the ninth order of business.

Senate Bill 1001, Raising salary for classroom teachers.

On second reading, coming up in regular order, was reported by the Clerk.

On motion of Senator Ferns, the bill was committed to the Committee on Rules.

Senate Bill 1002, Increasing DMV fees and motor fuel excise tax.

On second reading, coming up in regular order, was reported by the Clerk.

Senator Ferns moved that the bill be committed to the Committee on Rules.

Following discussion,

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

Senate Bill 1003, Relating generally to WV Parkways Authority.

On second reading, coming up in regular order, was reported by the Clerk.

On motion of Senator Ferns, the bill was referred to the Committee on Rules.

At the request of Senator Ferns, and by unanimous consent, the Senate returned to the sixth order of business.

At the request of Senator Ferns, unanimous consent being granted, Senator Carmichael (Mr. President) offered the following resolution from the floor:

Senate Concurrent Resolution 101—Providing for an adjournment of the Legislature until May 15, 2017.

Resolved by the Legislature of West Virginia:

That when adjournment is taken by the two houses of the Legislature at the close of their respective sessions on May 5, 2017, such adjournment shall be until 11 a.m. on May 15, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the Speaker of the House of Delegates and the President of the Senate.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

Without objection, the Senate returned to the third order of business.

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

Eng. Senate Bill 1004, Relating generally to taxation.

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

Senate Concurrent Resolution 101, Providing for adjournment of Legislature until May 15, 2017.

Under authority of Senate Concurrent Resolution 101, hereinbefore adopted,

On motion of Senator Ferns, the Senate adjourned until Monday, May 15, 2017, at 11 a.m.

MONDAY, MAY 15, 2017

Pursuant to the adjournment of May 5, 2017, under authority of

Senate Concurrent Resolution 101, Providing for adjournment of Legislature until May 15, 2017.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at eleven o'clock a.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mike Hall, a senator from the fourth district.

Pending the reading of the Journal of Friday, May 5, 2017,

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

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

The Clerk presented the following communication from a state agency as required by the provisions of law:

Senior Services, Bureau of (§16-5P-14)

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplement to the proclamation dated May 3, 2017, from His Excellency, the Governor, which was read by the Clerk:

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston**

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, by adding items six and seven, as follows:

SIXTH: A bill increasing the consumer sales and use tax on motor vehicles; and

SEVENTH: A bill authorizing the furlough state employees in the event of certain fiscal emergencies, as declared by the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this fifteenth day of May, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

**JIM JUSTICE
GOVERNOR**

By the Governor

**MAC WARNER
SECRETARY OF STATE**

Senator Carmichael (Mr. President) then laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:

**Jim Justice
Governor of West Virginia**

May 15, 2017

**Senate Executive Message 2
First Extraordinary Session 2017**

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

24. For Member, West Virginia University Board of Governors, Elmer F. Coppoolse, Bethesda, Maryland, for the term ending June 30, 2018.

25. For Member, Aeronautics Commission, Gerald Sites, Petersburg, Grant County, for the term ending June 30, 2020.
26. For Member, Aeronautics Commission, Brian Thompson, Huntington, Cabell County, for the term ending June 30, 2018.
27. For Member, Aeronautics Commission, Tracy Karin Miller, Bridgeport, Harrison County, for the term ending June 30, 2019.
28. For Member, West Virginia Public Employees Grievance Board, Holly S. Planinsic, Wheeling, Ohio County, for the term ending June 30, 2017.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,

Jim Justice
Governor

cc: Clerk of the Senate
Assistant Clerk of the Senate
Senate Confirmations Chair

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for Tuesday, May 16, 2017, at 11 a.m.

The Senate proceeded to the sixth order of business.

At the request of Senator Plymale, and by unanimous consent, Senators Plymale and Woelfel offered the following resolution from the floor:

Senate Resolution 103—Recognizing the City of Huntington for being named the grand prize winner in the America's Best Communities competition.

Whereas, Launched in September 2014 to inspire revitalization and growth in small towns and rural communities across the country, America's Best Communities challenged local leaders to bring their neighbors together to envision a stronger future and build a strategy to improve lives and livelihoods; and

Whereas, About 350 communities entered and advanced in the competition based on the effectiveness of the revitalization plans developed, fine-tuned and implemented over the course of three years; and

Whereas, Huntington's revitalization plan, known as the Huntington Innovation Project (HIP), will transform neighborhoods and blighted spaces where the old manufacturing and coal-sector economy has declined into hip hubs for advanced making, innovative manufacturing and healthy community improvements, all connected by high-speed broadband. Huntington will spark this revitalization through key initiatives in its three most distressed neighborhoods: The West End, Fairfield and Highlawn; and

Whereas, After an exhaustive three-year process, the City of Huntington, West Virginia, was named the grand prize winner in the America's Best Communities competition and was awarded \$3 million in cash to implement the Huntington Innovation Project; and

Whereas, The City of Huntington has demonstrated a strong desire and will to revitalize its community for the betterment of its citizens and is shining example to the people of West Virginia of what can be accomplished with dedication, innovation and spirit; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes the City of Huntington for being named the grand prize winner in the America's Best Communities competition; and, be it

Further Resolved, That the Senate extends its sincere congratulations to the City of Huntington and its people for this outstanding accomplishment; and, be it

Further Resolved, That the Senate extends its best wishes to the City of Huntington as it implements the Huntington Innovation Project; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Mayor of the City of Huntington, Steve Williams.

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

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senators Plymale, Woelfel and Hall regarding the adoption of Senate Resolution 103 were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, the Senate recessed for one minute.

Upon expiration of the recess, the Senate reconvened.

On motion of Senator Ferns, the Senate recessed until 3 p.m. today.

Upon expiration of the recess, the Senate reconvened.

Senator Trump then moved that the Senate adjourn until tomorrow, Tuesday, May 16, 2017, at 11 a.m.

The question being on the adoption of Senator Trump's aforesated motion, and on this question, Senator Trump demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope,

Sypolt, Trump, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: Unger—1.

Absent: Maroney, Miller and Takubo—3.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Trump's motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Tuesday, May 16, 2017, at 11 a.m.

TUESDAY, MAY 16, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan J. Ferns, a senator from the first district.

Pending the reading of the Journal of Monday, May 15, 2017,

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

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

The Senate then proceeded to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 1, dated May 4, 2017, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 1 is submitted:

1. For Member, West Virginia Board of Physical Therapy, D.C. Offutt, Jr., Barboursville, Cabell County, for the term ending June 30, 2019.

2. For Member, West Virginia Board of Physical Therapy, Jessica Santrock, Culloden, Lincoln County, for the term ending June 30, 2020.

3. For Member, Council for Community and Technical College Education, Charles A. Parker, Ripley, Jackson County, for the term ending December 20, 2018.

4. For Member, Council for Community and Technical College Education, Kenneth Boggs, Keyser, Mineral County, for the term ending December 20, 2019.

5. For Member, Council for Community and Technical College Education, Tracy Karin Miller, Bridgeport, Harrison County, for the term ending December 20, 2018.

6. For Member, Council for Community and Technical College Education, The Honorable Harry Keith White, Gilbert, Mingo County, for the term ending December 20, 2020.

7. For Member, West Virginia Board of Education, Debra K. Sullivan, Charleston, Kanawha County, for the term ending November 4, 2025.

8. For Member, West Virginia Board of Education, Joseph Wallace, Elkins, Randolph County, for the term ending November 4, 2024.

9. For Member, Unemployment Compensation Board of Review, The Honorable Jack Yost, Wellsburg, Brooke County, for the term ending January 1, 2023.

10. For Member, Municipal Home Rule Board, Brian Jones, Morgantown, Monongalia County, to serve at the will and pleasure of the Governor.

11. For Member, Municipal Home Rule Board, Mark A. Polen, Cross Lanes, Kanawha County, to serve at the will and pleasure of the Governor.

12. For Member, National Coal Heritage Area Authority, Ralph Triplett, Branchland, Lincoln County, for the term ending June 30, 2021.

13. For Member, Industrial Council, Debra Scudiere, Westover, Monongalia County, for the term ending June 30, 2020.

14. For Member, Industrial Council, Bengy K. Swanson, Pentress, Monongalia County, for the term ending June 30, 2020.

15. For Director/State Forester, West Virginia Division of Forestry, Barry L. Cook, Beckley, Raleigh County, to serve at the will and pleasure of the Governor.

16. For Member, Design-Build Board, Richard Forren, Fairmont, Marion County, for the term ending July 7, 2017.

17. For Member, Design-Build Board, Roy M. Smith, Beckley, Raleigh County, for the term ending July 7, 2019.

18. For Member, Design-Build Board, Ronnie Spradling, St. Albans, Kanawha County, for the term ending July 7, 2019.

19. For Member, Design-Build Board, Jim Matheney, Charleston, Kanawha County, for the term ending July 7, 2017.

20. For Member, Design-Build Board, Chad Riley, Bridgeport, Harrison County, for the term ending July 7, 2017.

21. For Member, Design-Build Board, Keith A. McClanahan, Eleanor, Putnam County, for the term ending July 7, 2019.

22. For Member, Design-Build Board, David G. Hammond, Charleston, Kanawha County, for the term ending July 7, 2017.

23. For Member, Design-Build Board, Ginny Favede, Wheeling, Ohio County, for the term ending July 7, 2019.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Carmichael (Mr. President) laid before the Senate the following executive messages:

Senate Executive Message 1, dated May 4, 2017 (*shown in the Senate Journal of Thursday, May 4, 2017, pages \ through \, inclusive*).

And,

Senate Executive Message 2, dated May 15, 2017 (*shown in the Senate Journal of yesterday, Monday, May 15, 2017, pages \ and *).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations.

The question being on the adoption of Senator Boley's aforestated motion.

The roll was then taken; and

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Stollings and Takubo—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's aforestated motion had prevailed.

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in Senate Executive Message 2.

The question being on the adoption of Senator Boley's aforestated motion.

The roll was then taken; and

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Stollings and Takubo—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's aforestated motion had prevailed.

Consideration of executive nominations having been concluded,

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1005—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-1-24; to amend said code by adding thereto a new section, designated §4-2-13; to amend said code by adding thereto a new section, designated §4-3-6; to amend said code by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5 and §5-30-6; and to amend said code by adding thereto a new section, designated §51-3-19, all relating generally to the furlough of public employees during declared fiscal emergency; defining terms; permitting declaration of fiscal emergency by Governor under certain defined circumstances; permitting Governor to issue executive orders instituting furloughs of certain state employees; setting forth conditions of furlough; providing for termination of declared fiscal emergency; authorizing furlough of employees by constitutional officers; setting forth conditions of furlough of those employees; authorizing President of the Senate to furlough employees of State Senate; authorizing Speaker of the House of Delegates to furlough employees of the House of Delegates; authorizing President of the Senate and Speaker of the House of Delegates jointly to direct furlough of employees of Legislative Auditor and Joint Committee on Government and Finance; setting forth conditions of furlough of legislative employees; authorizing Supreme Court of Appeals to furlough employees and personnel of Supreme Court of Appeals; authorizing Supreme Court of Appeals to issue orders directing or authorizing furlough of other employees and personnel of circuit courts, family courts and magistrate courts; and setting forth terms of furlough of judicial employees.

Referred to the Committee on the Judiciary.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1006—A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c and §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 and §17A-4-10 of said code; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing rate of motor fuel excise tax as of specified date; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; increasing said administrative Division of Motor Vehicles fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1007—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated

§11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-3e; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; and to amend and reenact §11-24-23a of said code, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumers sales and service tax exemption for services of professional employer organizations; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the Senate recessed until 2 p.m. today.

Upon expiration of the recess, the Senate reconvened.

On motion of Senator Ferns, the Senate recessed until 4 p.m. today.

Upon expiration of the recess, the Senate reconvened.

At the request of Senator Ferns, and by unanimous consent, the Senate returned to the consideration of

Senate Bill 1007, Tax Reform Act of 2017.

Having been introduced, read a first time and ordered to second reading in earlier proceedings today, was again reported by the Clerk.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Rucker and Takubo—4.

The bill (S. B. 1007) was read a second time.

On motion of Senator Karnes, the following amendment to the bill was reported by the Clerk:

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13A-3f; that §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-15-3d and 11-15-3e; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that §11-21-8a and §11-21-8e of said code be amended and reenacted; that said code be amended by adding thereto three

new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; that §11-24-23a of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §11-24-4c, all to read as follows:

ARTICLE 13A. SEVERANCE AND BUSINESS PRIVILEGE TAX ACT.

§11-13A-3f. Severance tax on privilege of producing coal after June 30, 2017.

(a) Notwithstanding the provisions of section three of this article, the rate of tax on the privilege of engaging or continuing within this state in the business of severing, extracting, reducing to possession, and producing coal for sale, profit or commercial use shall, for all tons of coal produced after June 30, 2017, is as follows. The basis of the tax is per ton revenue based on FOB mine realizations:

(1) For all tons of metallurgical grade coal produced after June 30, 2017, except for tons of thin seam coal:

If gross income from sale of coal

During the reporting period is: The rate of tax is:

Not more than \$75 per ton..... 4.5%

\$75.01 to \$150 per ton..... 5.0%

More than \$150 per ton..... 5.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one cent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all metallurgical grade coal, except thin seam coal, during the reporting period, by tons of all metallurgical grade coal, except thin seam coal, sold by the taxpayer during the reporting period;

(2) For all tons of steam grade coal produced after June 30, 2017, except for tons of thin seam coal:

If gross income from sale of coal

during the reporting period is: _____ The rate of tax is:

Less than \$42 per ton..... 2.5%

\$42 or more per ton but less than \$49 per ton 3.25%

\$49 or more per ton but less than \$56 per ton 4.0%

\$56 per ton but less than \$61 per ton..... 5.0%

\$61 per ton but less than \$70 per ton..... 5.5%

\$70 per ton but less than \$74 per ton..... 6.5%

\$74 or more per ton..... 8.0%

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all steam grade coal during the reporting period, exclusive of sales of thin seam coal, by the tons of all tons of all steam grade coal sold by the taxpayer during the reporting period but not including tons of thin seam coal.

(3) For tons of coal produced from seams of coal less than thirty-seven inches thick after June 30, 2017:

If gross income from sale of coal

during the reporting period is: _____ The rate of tax is:

Not more than \$75 per ton..... 0.5%

\$75.01 to \$150 per ton..... 1.0%

More than \$150 per ton 1.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of the tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal purchased from seams less than thirty-seven inches thick during the reporting period, by tons of all coal produced from seams less than thirty-seven inches thick during the reporting period; and

(4) For tons of coal produced from seams of coal at least thirty-seven inches thick, but not more than forty-five inches thick after June 30, 2017:

If gross income from sale of coal

during the reporting period is: The rate of tax is:

Not more than \$75 per ton 1.5%

\$75.01 to \$150 per ton 2.0%

More than \$150 per ton 2.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal produced from seams of coal at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period, by tons of all coal produced from seams at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period.

(b) In the event that subsection (a) of this section is found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, and that decision becomes final,

this section shall become null and void by operation of law and the tax due shall be determined under section three of this article for the tax year or years involved in the litigation and all subsequent years.

(c) Definition of metallurgical coal and steam coal. – For purposes of this section:

(1) Metallurgical coal is bituminous coal that is not steam coal.

(2) Steam coal is coal sold to an end-user or other intermediary that is intended for combustion by coal-fired electric generating units.

(3) The determination of whether coal is metallurgical coal or steam coal is made when the coal is first sold.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-2. Definitions.

(a) *General.* — When used in this article and article fifteen-a of this chapter, words defined in subsection (b) of this section have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions.*

(1) “Business” includes all activities engaged in or caused to be engaged in with the object of gain or economic benefit, direct or indirect, and all activities of the state and its political subdivisions which involve sales of tangible personal property or the rendering of services when those service activities compete with or may compete with the activities of other persons.

(2) “Communication” means all telephone, radio, light, light wave, radio telephone, telegraph and other communication or means of communication, whether used for voice communication, computer data transmission or other encoded symbolic information

transfers and includes commercial broadcast radio, commercial broadcast television and cable television.

(3) “Contracting”:

(A) *In general.* — “Contracting” means and includes the furnishing of work, or both materials and work, for another (by a sole contractor, general contractor, prime contractor, subcontractor or construction manager) in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for removal or demolition of a building or structure, or any part thereof, or for the alteration, improvement or development of real property. Contracting also includes services provided by a construction manager so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(B) *Form of contract not controlling.* — An activity that falls within the scope of the definition of contracting constitutes contracting regardless of whether the contract governing the activity is written or verbal and regardless of whether it is in substance or form a lump sum contract, a cost-plus contract, a time and materials contract, whether or not open-ended, or any other kind of construction contract.

(C) *Special rules.* For purposes of this definition:

(i) The term “structure” includes, but is not limited to, everything built up or composed of parts joined together in some definite manner and attached or affixed to real property or which adds utility to real property or any part thereof or which adds utility to a particular parcel of property and is intended to remain there for an indefinite period of time;

(ii) The term “alteration” means, and is limited to, alterations which are capital improvements to a building or structure or to real property;

(iii) The term “repair” means, and is limited to, repairs which are capital improvements to a building or structure or to real property;

(iv) The term “decoration” means, and is limited to, decorations which are capital improvements to a building or structure or to real property;

(v) The term “improvement” means, and is limited to, improvements which are capital improvements to a building or structure or to real property;

(vi) The term “capital improvement” means improvements that are affixed to or attached to and become a part of a building or structure or the real property or which add utility to real property, or any part thereof, and that last or are intended to be relatively permanent. As used herein, “relatively permanent” means lasting at least a year in duration without the necessity for regularly scheduled recurring service to maintain the capital improvement. “Regular recurring service” means regularly scheduled service intervals of less than one year;

(vii) Contracting does not include the furnishing of work, or both materials and work, in the nature of hookup, connection, installation or other services if the service is incidental to the retail sale of tangible personal property from the service provider’s inventory: *Provided*, That the hookup, connection or installation of the foregoing is incidental to the sale of the same and performed by the seller thereof or performed in accordance with arrangements made by the seller thereof. Examples of transactions that are excluded from the definition of contracting pursuant to this subdivision include, but are not limited to, the sale of wall-to-wall carpeting and the installation of wall-to-wall carpeting, the sale, hookup and connection of mobile homes, window air conditioning units, dishwashers, clothing washing machines or dryers, other household appliances, drapery rods, window shades, venetian blinds, canvas awnings, free-standing industrial or commercial equipment and other similar items of tangible personal property. Repairs made to the foregoing are within the definition of contracting if the repairs involve permanently affixing to or

improving real property or something attached thereto which extends the life of the real property or something affixed thereto or allows or intends to allow the real property or thing permanently attached thereto to remain in service for a year or longer; and

(viii) The term “construction manager” means a person who enters into an agreement to employ, direct, coordinate or manage design professionals and contractors who are hired and paid directly by the owner or the construction manager. The business activities of a “construction manager” as defined in this subdivision constitute contracting, so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(4) Digital code” is defined in section three-e of this article;

(5) “Digital products” is defined in section three-e of this article;

~~(4)~~ (6) “Directly used or consumed” in the activities of manufacturing, transportation, transmission, communication or the production of natural resources means used or consumed in those activities or operations which constitute an integral and essential part of the activities, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to the activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include only:

(i) In the case of tangible personal property, physical incorporation of property into a finished product resulting from manufacturing production or the production of natural resources;

(ii) Causing a direct physical, chemical or other change upon property undergoing manufacturing production or production of natural resources;

(iii) Transporting or storing property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(iv) Measuring or verifying a change in property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(v) Physically controlling or directing the physical movement or operation of property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(vi) Directly and physically recording the flow of property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(vii) Producing energy for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(viii) Facilitating the transmission of gas, water, steam or electricity from the point of their diversion to property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(ix) Controlling or otherwise regulating atmospheric conditions required for transportation, communication, transmission, manufacturing production or production of natural resources;

(x) Serving as an operating supply for property undergoing transmission, manufacturing production or production of natural resources, or for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xi) Maintaining or repairing of property, including maintenance equipment, directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xii) Storing, removal or transportation of economic waste resulting from the activities of manufacturing, transportation, communication, transmission or the production of natural resources;

(xiii) Engaging in pollution control or environmental quality or protection activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources and personnel, plant, product or community safety or security activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources; or

(xiv) Otherwise using as an integral and essential part of transportation, communication, transmission, manufacturing production or production of natural resources.

(B) Uses of property or services which do not constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to transportation, communication, transmission, manufacturing production or production of natural resources, rather than an integral and essential part of these activities.

~~(5)~~ (7) "Directly used or consumed" in the activities of gas storage, the generation or production or sale of electric power, the

provision of a public utility service or the operation of a utility business means used or consumed in those activities or operations which constitute an integral and essential part of those activities or operation, as contrasted with and distinguished from activities or operations which are simply incidental, convenient or remote to those activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include only:

(i) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power and appliances, which are used immediately in production or generation activities and equipment, machinery, supplies, tools and repair parts used to keep in operation exempt production or generation devices. For purposes of this subsection, production or generation activities shall commence from the intake, receipt or storage of raw materials at the production plant site;

(ii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the transmission or distribution of gas, water and electricity to the public, and equipment, machinery, tools, repair parts and supplies used to keep in operation exempt transmission or distribution devices, and these vehicles and their equipment as are specifically designed and equipped for those purposes are exempt from the tax when used to keep a transmission or distribution system in operation or repair. For purposes of this subsection, transmission or distribution activities shall commence from the close of production at a production plant or wellhead when a product is ready for transmission or distribution to the public and shall conclude at the point where the product is received by the public;

(iii) Tangible personal property, custom software, digital code, digital products, or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the storage of gas or water, and equipment, machinery, tools, supplies and repair parts used to keep in operation exempt storage devices;

(iv) Tangible personal property, custom software, digital code, digital products, or services used immediately in the storage, removal or transportation of economic waste resulting from the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business;

(v) Tangible personal property, custom software, digital code, digital products, or services used immediately in pollution control or environmental quality or protection activity or community safety or security directly relating to the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business.

(B) Uses of property, digital code, digital products, or services which would not constitute direct use or consumption in the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to the activities of gas storage, generation or production or sale of electric

power, the provision of public utility service or the operation of a utility business.

~~(6)~~ (8) “Gas storage” means the injection of gas into a storage reservoir or the storage of gas for any period of time in a storage reservoir or the withdrawal of gas from a storage reservoir engaged in by businesses subject to the business and occupation tax imposed by sections two and two-e, article thirteen of this chapter.

~~(7)~~ (9) “Generating or producing or selling of electric power” means the generation, production or sale of electric power engaged in by businesses subject to the business and occupation tax imposed by section two, two-d, two-m or two-n, article thirteen of this chapter.

~~(8)~~ (10) “Gross proceeds” means the amount received in money, credits, property or other consideration from sales and services within this state, without deduction on account of the cost of property sold, amounts paid for interest or discounts or other expenses whatsoever. Losses may not be deducted, but any credit or refund made for goods returned may be deducted.

~~(9)~~ (11) “Includes” and “including”, when used in a definition contained in this article, does not exclude other things otherwise within the meaning of the term being defined.

~~(10)~~ (12) “Manufacturing” means a systematic operation or integrated series of systematic operations engaged in as a business or segment of a business which transforms or converts tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed.

~~(11)~~ (13) “Person” means any individual, partnership, association, corporation, limited liability company, limited liability partnership or any other legal entity, including this state or its political subdivisions or an agency of either, or the guardian, trustee, committee, executor or administrator of any person.

~~(12)~~ (14) “Personal service” includes those: (A) Compensated by the payment of wages in the ordinary course of employment;

and (B) rendered to the person of an individual without, at the same time, selling tangible personal property, such as nursing, barbering, shoe shining, manicuring and similar services.

~~(13)~~ (15) “Prepaid wireless calling service” means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number decline with use in a known amount.

~~(14)~~ (16) Production of natural resources.

(A) “Production of natural resources” means, except for oil and gas, the performance, by either the owner of the natural resources or another, of the act or process of exploring, developing, severing, extracting, reducing to possession and loading for shipment and shipment for sale, profit or commercial use of any natural resource products and any reclamation, waste disposal or environmental activities associated therewith and the construction, installation or fabrication of ventilation structures, mine shafts, slopes, boreholes, dewatering structures, including associated facilities and apparatus, by the producer or others, including contractors and subcontractors, at a coal mine or coal production facility.

(B) For the natural resources oil and gas, “production of natural resources” means the performance, by either the owner of the natural resources, a contractor or a subcontractor, of the act or process of exploring, developing, drilling, well-stimulation activities such as logging, perforating or fracturing, well-completion activities such as the installation of the casing, tubing and other machinery and equipment and any reclamation, waste disposal or environmental activities associated therewith, including the installation of the gathering system or other pipeline to transport the oil and gas produced or environmental activities associated therewith and any service work performed on the well or well site after production of the well has initially commenced.

(C) All work performed to install or maintain facilities up to the point of sale for severance tax purposes is included in the “production of natural resources” and subject to the direct use concept.

(D) “Production of natural resources” does not include the performance or furnishing of work, or materials or work, in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for the alteration, improvement or development of real property, by persons other than those otherwise directly engaged in the activities specifically set forth in this subdivision as “production of natural resources”.

~~(15)~~ (17) “Providing a public service or the operating of a utility business” means the providing of a public service or the operating of a utility by businesses subject to the business and occupation tax imposed by sections two and two-d, article thirteen of this chapter.

~~(16)~~ (18) “Purchaser” means a person who purchases tangible personal property, custom software or a service taxed by this article.

~~(17)~~ (19) “Sale”, “sales” or “selling” includes any transfer of the possession or ownership of tangible personal property, digital code, digital products, or custom software for a consideration, including a lease or rental, when the transfer or delivery is made in the ordinary course of the transferor’s business and is made to the transferee or his or her agent for consumption or use or any other purpose. “Sale” also includes the furnishing of a service for consideration. Notwithstanding anything to the contrary in this code, effective after the thirtieth day of June, two thousand eight, “sale” also includes the furnishing of prepaid wireless calling service for consideration.

~~(18)~~ (20) “Service” or “selected service” includes all nonprofessional activities engaged in for other persons for a consideration, which involve the rendering of a service as distinguished from the sale of tangible personal property, digital

code, digital products, or custom software, but does not include contracting, personal services or the services rendered by an employee to his or her employer or any service rendered for resale: *Provided,* That the term “service” or “selected service” does not include payments received by a vendor of tangible personal property as an incentive to sell a greater volume of such tangible personal property under a manufacturer’s, distributor’s or other third party’s marketing support program, sales incentive program, cooperative advertising agreement or similar type of program or agreement, and these payments are not considered to be payments for a “service” or “selected service” rendered, even though the vendor may engage in attendant or ancillary activities associated with the sales of tangible personal property as required under the programs or agreements

~~(19)~~ (21) “Streamlined Sales and Use Tax Agreement” or “agreement”, when used in this article, has the same meaning as when used in article fifteen-b of this chapter, except when the context in which the word “agreement” is used clearly indicates that a different meaning is intended by the Legislature.

~~(20)~~ (22) “Tax” includes all taxes, additions to tax, interest and penalties levied under this article or article ten of this chapter.

~~(21)~~ (23) “Tax Commissioner” means the State Tax Commissioner or his or her delegate. The term “delegate” in the phrase “or his or her delegate”, when used in reference to the Tax Commissioner, means any officer or employee of the State Tax Division duly authorized by the Tax Commissioner directly, or indirectly by one or more redelegations of authority, to perform the functions mentioned or described in this article or rules promulgated for this article.

~~(22)~~ (24) “Taxpayer” means any person liable for the tax imposed by this article or additions to tax, penalties and interest imposed by article ten of this chapter.

~~(23)~~ (25) “Transmission” means the act or process of causing liquid, natural gas or electricity to pass or be conveyed from one place or geographical location to another place or geographical

location through a pipeline or other medium for commercial purposes: Provided: That on and after July 1, 2017, transmission shall not include the conveyance by pipeline of natural gas, natural gas liquids, oil or other mineral.

~~(24)~~ (26) “Transportation” means the act or process of conveying, as a commercial enterprise, passengers or goods from one place or geographical location to another place or geographical location.

~~(25)~~ (27) “Ultimate consumer” or “consumer” means a person who uses or consumes services, digital code, digital products, or personal property.

~~(26)~~ (28) “Vendor” means any person engaged in this state in furnishing services taxed by this article or making sales of tangible personal property, digital code, digital products, or custom software. “Vendor” and “seller” are used interchangeably in this article.

(c) *Additional definitions.* — Other terms used in this article are defined in article fifteen-b of this chapter, which definitions are incorporated by reference into article fifteen of this chapter. Additionally, other terms used in this section may be defined in other sections of this article. ~~may define terms primarily used in the section in which the term is defined.~~

§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property, digital code, digital products or custom software and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of ~~sales or services~~ tangible personal

property, digital code, digital product, custom software or taxable service purchased, excluding gasoline and special fuel sales, which remain taxable at the rate of 5¢ on the dollar of sales five percent: Provided, That on and after July 1, 2017, the tax imposed by this article shall be six and ninety-five hundredths percent of the purchase price, excluding sales of motor vehicles, which shall remain taxable as provided in section three-c of this article, and sales of motor fuels, which remain taxable at the rate of five percent of the average wholesale selling price of motor fuel.

(c) Calculation tax on fractional parts of a dollar until January 1, 2004.— There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:

(1) On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.

(2) On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.

(3) On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.

(4) On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.

(5) On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.

(6) On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.

(7) If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the

~~fractional part of the dollar if in excess of 84¢. For example, the tax on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from \$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢: *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (c) does not apply to sales made after December 31, 2003.~~

~~(d)~~ (c) *Calculation of tax on fractional parts of a dollar after December 31, 2003.* – Beginning January 1, 2004, the The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(e) (d) *No aggregation of separate sales transactions, exception for coin-operated devices.* — Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.

(f) (e) *Rate of tax on certain mobile homes.* – Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003~~, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to six percent of fifty percent of the sales price: *Provided*, That on and after July 1, 2017, notwithstanding any provision of this article to the contrary, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to six and ninety-five hundredths percent of fifty percent (50%) of the sales price.

~~(g)~~ (f) *Construction; custom software.* – ~~After December 31, 2003, whenever~~ Whenever the words “tangible personal property” or “property” appear in this article, the same shall also include the words “custom software”.

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.* – The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

§11-15-3d. Imposition of consumers sales tax on telecommunications service and ancillary services.

(a) Notwithstanding the provisions of section eight of this article or any other provision of this code to the contrary, on and after July 1, 2017, “telecommunications service,” and “ancillary services” as defined in section twenty, article fifteen-b of this chapter, shall be subject to the consumers sales and service tax imposed by this article, and the use tax imposed by article fifteen-a of this chapter: *Provided*, That payment of the tax imposed under this article or under article fifteen-a of this chapter on prepaid wireless services is sufficient to fulfill the mandate of this section, and prepaid wireless services shall not be subjected to double taxation under this article: *Provided, however*, That this section shall not be interpreted to prevent imposition of any other lawfully imposed municipal tax or fee or any other tax or fee lawfully imposed under any state or federal law, or the laws of any subdivision thereof on such prepaid wireless services.

(b) The tax imposed by this section shall be in addition to any municipal utilities tax, municipal consumers sales and service tax and use tax, or other tax lawfully imposed on telephone service, telecommunications service and ancillary services.

(c) The sale of telecommunications service and ancillary services on which tax is imposed by this section shall be subject to the sourcing rules set forth in sections nineteen and twenty, article fifteen-b of this chapter.

(d) Notwithstanding the fact that a service provider did not meet the threshold amount for the previous calendar year that

would cause accelerated payment to be made in the current year, the accelerated payment rule imposed under subsection (g), section sixteen of this article applies to the tax imposed by this section if the service provider's total combined monthly remittance of the taxes levied by this article and article fifteen-a of this chapter for any calendar month beginning on and after July 1, 2017, exceeds, or can reasonably be expected to exceed, \$100,000.

§11-15-3e. Imposition of consumers sales tax on digital products.

(a) Notwithstanding any other provision of this code to the contrary, on and after July 1, 2017, sales of digital code and sales of digital products electronically transferred to the purchaser shall be subject to the consumers sales and service tax imposed by this article, and the use of digital code and the use of digital products electronically transferred to the purchaser shall be subject to the use tax imposed by article fifteen-a of this chapter. The tax imposed by this article shall apply to sales of digital code and to sales of digital products electronically transferred to the purchaser regardless of whether the digital product is provided for permanent use or less than permanent use and regardless of whether continued payment is required.

(b) Definitions. —

(1) "Designated digital products" means digital audio works, digital audio-visual works, digital books, video game digital products and digital automated services that are electronically transferred to a purchaser.

(2) "Digital audio-visual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sound, if any. Digital audio-visual works include such items as motion pictures, movies, music videos, news and entertainment and live events. Digital audio-visual works do not include audio greeting cards sent by electronic mail. Digital audio-visual works includes the digital code, or a subscription to or access to a digital code, for receiving, accessing, or otherwise obtaining digital audio-visual-works.

(3) “Digital audio works” means works that result from the fixation of a series of musical, spoken, or other sounds including ringtones. Digital audio works includes such items as the following which may either be prerecorded or live: songs, music, readings of books or other written materials, speeches, ringtones, or other sound recordings. Digital audio works does not include audio greeting cards sent by electronic mail. Unless the context provides otherwise, in this chapter digital audio works includes the digital code, or a subscription to or access to a digital code, for receiving, accessing, or otherwise obtaining digital audio works.

(4) “Digital automated services” defined.

(A) “Digital automated service,” except as provided in paragraph (B) of this subdivision (3), means any service transferred electronically that uses one or more software applications.

(B) “ Digital automated service “ does not include:

(i) Any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale, or transfer of financial instruments. For purposes of this section, “financial instruments” include cash, accounts receivable and payable, loans and notes receivable and payable, debt securities, equity securities, as well as derivative contracts such as forward contracts, swap contracts, and options;

(iii) Dispensing cash or other physical items from a machine;

(iv) Payment processing services;

(vi) Telecommunications services and ancillary services as those terms are defined article fifteen-b of this chapter; or

(vii) The internet and internet access.

(5) “Digital books” means works that are generally recognized in the ordinary and usual sense as “books.” It includes works of

fiction and nonfiction and short stories. It does not include periodicals, magazines, newspapers, or other news or information productions, chat rooms, or weblogs. Unless the context provides otherwise, in this chapter digital books includes the digital code, or a subscription to access to a digital code, for receiving, accessing, or otherwise obtaining digital books.

(6) “Digital code” means a code which provides a purchaser with a right to obtain one or more digital products. “Digital code” does not include a code that represents a stored monetary value that is deducted from the total as it is used by the purchaser. “Digital code” also does not include a code that represents a redeemable card, gift card, or gift certificate that entitles the holder to select digital products of an indicated cash value, which digital products are subject to tax when the digital product is selected. A digital code may be obtained by any means, including e-mail or by tangible means regardless of its designation as song code, video code, book code, or some other term.

(7) “Digital goods” defined.

(A) “Digital goods,” except as provided in this subdivision, means sounds, images, data, facts, or information, or any combination thereof, transferred electronically, including, but not limited to, designated digital products and other products transferred electronically not included within the definition of designated digital products.

(B) The term “ digital goods “ does not include:

(i) Telecommunications services and ancillary services as those terms are defined in article fifteen-b of this chapter;

(ii) Computer software as defined in article fifteen-b of this chapter;

(iii) The internet and internet access service as those terms are defined the Internet Tax Freedom Act, Title 47, U.S.C. § 151 note, as existing on July 1, 2009.

(8) “Digital products” means digital audio-visual works, digital audio works, digital automated services, digital books, other digital products and designated digital products.

(9) “Electronically transferred” or “transferred electronically” means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.

(10) “Internet access service” means a service that enables users to access content, information, electronic mail, or other services offered over the Internet and may also include access to proprietary content, information, and other services as part of a package of services offered to consumers. The term does not include telecommunications services.

(11) “Other digital products” means and includes, but is not limited to, the following when electronically transferred:

(A) Greeting cards.

(B) Periodicals.

(C) Magazines.

(C) Video or electronic games.

(D) Newspapers or other news or information products.

(12) “Ringtone” means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication

(c) The sales digital code and digital products on which tax is imposed by this section shall be subject to the transaction sourcing rules in article fifteen-b of this chapter.

(d) For purposes of this section, the sale, license, lease, or rental of or the storage, use, or other consumption of a digital code is treated the same as the sale, license, lease, or rental of or the

storage, use, or other consumption of any digital product to which the digital code relates.

§11-15-9. Exemptions.

(a) *Exemptions for which exemption certificate may be issued.*

– A person having a right or claim to any exemption set forth in this subsection may, in lieu of paying the tax imposed by this article and filing a claim for refund, execute a certificate of exemption, in the form required by the Tax Commissioner, and deliver it to the vendor of the property or service in the manner required by the Tax Commissioner. However, the Tax Commissioner may, by rule, specify those exemptions authorized in this subsection for which exemption certificates are not required. The following sales of tangible personal property and services are exempt as provided in this subsection:

(1) Sales of gas, steam and water delivered to consumers through mains or pipes and sales of electricity;

(2) Sales of textbooks required to be used in any of the schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to the West Virginia Department of Education and the Arts, ~~the board of Trustees of the University System of West Virginia or the board of directors for~~ Higher Education Policy Commission or the Council for Community and Technical College Education for universities and colleges located in this state;

(3) Sales of property or services to this state, its institutions or subdivisions, governmental units, institutions or subdivisions of other states: *Provided*, That the law of the other state provides the same exemption to governmental units or subdivisions of this state and to the United States, including agencies of federal, state or local governments for distribution in public welfare or relief work;

(4) Sales of vehicles which are titled by the Division of Motor Vehicles and which are subject to the tax imposed by section four, article three, chapter seventeen-a of this code or like tax;

(5) Sales of property or services to churches which make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food for meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(6) Sales of tangible personal property or services to a corporation or organization which has a current registration certificate issued under article twelve of this chapter, which is exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, and which is:

(A) A church or a convention or association of churches as defined in Section 170 of the Internal Revenue Code of 1986, as amended;

(B) An elementary or secondary school which maintains a regular faculty and curriculum and has a regularly enrolled body of pupils or students in attendance at the place in this state where its educational activities are regularly carried on;

(C) A corporation or organization which annually receives more than one half of its support from any combination of gifts, grants, direct or indirect charitable contributions or membership fees;

(D) An organization which has no paid employees and its gross income from fundraisers, less reasonable and necessary expenses incurred to raise the gross income (or the tangible personal property or services purchased with the net income), is donated to an organization which is exempt from income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended;

(E) A youth organization, such as the Girl Scouts of the United States of America, the Boy Scouts of America or the YMCA Indian Guide/Princess Program and the local affiliates thereof, which is organized and operated exclusively for charitable purposes and has

as its primary purpose the nonsectarian character development and citizenship training of its members;

(F) For purposes of this subsection:

(i) The term “support” includes, but is not limited to:

(I) Gifts, grants, contributions or membership fees;

(II) Gross receipts from fundraisers which include receipts from admissions, sales of merchandise, performance of services or furnishing of facilities in any activity which is not an unrelated trade or business within the meaning of Section 513 of the Internal Revenue Code of 1986, as amended;

(III) Net income from unrelated business activities, whether or not the activities are carried on regularly as a trade or business;

(IV) Gross investment income as defined in Section 509(e) of the Internal Revenue Code of 1986, as amended;

(V) Tax revenues levied for the benefit of a corporation or organization either paid to or expended on behalf of the organization; and

(VI) The value of services or facilities (exclusive of services or facilities generally furnished to the public without charge) furnished by a governmental unit referred to in Section 170(c)(1) of the Internal Revenue Code of 1986, as amended, to an organization without charge. This term does not include any gain from the sale or other disposition of property which would be considered as gain from the sale or exchange of a capital asset or the value of an exemption from any federal, state or local tax or any similar benefit;

(ii) The term “charitable contribution” means a contribution or gift to or for the use of a corporation or organization, described in Section 170(c)(2) of the Internal Revenue Code of 1986, as amended; and

(iii) The term “membership fee” does not include any amounts paid for tangible personal property or specific services rendered to members by the corporation or organization;

(G) The exemption allowed by this subdivision does not apply to sales of gasoline or special fuel or to sales of tangible personal property or services to be used or consumed in the generation of unrelated business income as defined in Section 513 of the Internal Revenue Code of 1986, as amended. The exemption granted in this subdivision applies only to services, equipment, supplies and materials used or consumed in the activities for which the organizations qualify as tax-exempt organizations under the Internal Revenue Code and does not apply to purchases of gasoline or special fuel which are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(7) An isolated transaction in which any taxable service or any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property or by his or her representative for the owner’s account, the sale, transfer, offer for sale or delivery not being made in the ordinary course of repeated and successive transactions of like character by the owner or on his or her account by the representative: *Provided*, That nothing contained in this subdivision may be construed to prevent an owner who sells, transfers or offers for sale tangible personal property in an isolated transaction through an auctioneer from availing himself or herself of the exemption provided in this subdivision, regardless of where the isolated sale takes place. The Tax Commissioner may propose a legislative rule for promulgation pursuant to article three, chapter twenty-nine-a of this code which he or she considers necessary for the efficient administration of this exemption;

(8) Sales of tangible personal property or of any taxable services rendered for use or consumption in connection with the commercial production of an agricultural product the ultimate sale of which is subject to the tax imposed by this article or which would have been subject to tax under this article: *Provided*, That sales of tangible personal property and services to be used or consumed in the construction of or permanent improvement to real property and sales of gasoline and special fuel are not exempt: *Provided*,

however, That nails and fencing may not be considered as improvements to real property;

(9) Sales of tangible personal property to a person for the purpose of resale in the form of tangible personal property: *Provided*, That sales of gasoline and special fuel by distributors and importers is taxable except when the sale is to another distributor for resale: *Provided, however*, That sales of building materials or building supplies or other property to any person engaging in the activity of contracting, as defined in this article, which is to be installed in, affixed to or incorporated by that person or his or her agent into any real property, building or structure is not exempt under this subdivision;

(10) Sales of newspapers when delivered to consumers by route carriers;

(11) Sales of drugs, durable medical goods, mobility-enhancing equipment and prosthetic devices dispensed upon prescription and sales of insulin to consumers for medical purposes. The amendment to this subdivision shall apply to sales made after December 31, 2003;

(12) Sales of radio and television broadcasting time, preprinted advertising circulars and newspaper and outdoor advertising space for the advertisement of goods or services;

(13) Sales and services performed by day care centers;

(14) Casual and occasional sales of property or services not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character by a corporation or organization which is exempt from tax under subdivision (6) of this subsection on its purchases of tangible personal property or services. For purposes of this subdivision, the term “casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character” means sales of tangible personal property or services at fundraisers sponsored by a corporation or organization which is exempt, under subdivision (6) of this

subsection, from payment of the tax imposed by this article on its purchases when the fundraisers are of limited duration and are held no more than six times during any twelve-month period and “limited duration” means no more than eighty-four consecutive hours: *Provided*, That sales for volunteer fire departments and volunteer school support groups, with duration of events being no more than eighty-four consecutive hours at a time, which are held no more than eighteen times in a twelve-month period for the purposes of this subdivision are considered “casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of a like character”;

(15) Sales of property or services to a school which has approval from the ~~board of Trustees of the University System of West Virginia or the board of Directors of the state College System~~ Higher Education Policy Commission or the Council for Community and Technical College Education to award degrees, which has its principal campus in this state and which is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended: *Provided*, That sales of gasoline and special fuel are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(16) Sales of lottery tickets and materials by licensed lottery sales agents and lottery retailers authorized by the state Lottery Commission, under the provisions of article twenty-two, chapter twenty-nine of this code;

(17) Leases of motor vehicles titled pursuant to the provisions of article three, chapter seventeen-a of this code to lessees for a period of thirty or more consecutive days;

(18) Notwithstanding the provisions of section eighteen or eighteen-b of this article or any other provision of this article to the contrary, sales of propane to consumers for poultry house heating purposes, with any seller to the consumer who may have prior paid the tax in his or her price, to not pass on the same to the consumer, but to make application and receive refund of the tax from the Tax Commissioner pursuant to rules which are promulgated after being

proposed for legislative approval in accordance with chapter twenty-nine-a of this code by the Tax Commissioner;

(19) Any sales of tangible personal property or services purchased and lawfully paid for with food stamps pursuant to the federal food stamp program codified in 7 U. S. C. §2011, *et seq.*, as amended, or with drafts issued through the West Virginia special supplement food program for women, infants and children codified in 42 U. S. C. §1786;

(20) Sales of tickets for activities sponsored by elementary and secondary schools located within this state;

~~(21) Sales of electronic data processing services and related software: *Provided, That, for the purposes of this subdivision, "electronic data processing services" means:*~~

~~(A) The processing of another's data, including all processes incident to processing of data such as keypunching, keystroke verification, rearranging or sorting of previously documented data for the purpose of data entry or automatic processing and changing the medium on which data is sorted, whether these processes are done by the same person or several persons; and~~

~~(B) Providing access to computer equipment for the purpose of processing data or examining or acquiring data stored in or accessible to the computer equipment;~~

~~(22)~~ (21) Tuition charged for attending educational summer camps;

~~(23)~~ (22) Dispensing of services performed by one corporation, partnership or limited liability company for another corporation, partnership or limited liability company when the entities are members of the same controlled group or are related taxpayers as defined in Section 267 of the Internal Revenue Code. "Control" means ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation, equity interests of a partnership or membership interests of a limited liability company entitled to vote or

ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company;

~~(24)~~ (23) Food for the following are exempt:

(A) Food purchased or sold by a public or private school, school-sponsored student organizations or school-sponsored parent-teacher associations to students enrolled in the school or to employees of the school during normal school hours; but not those sales of food made to the general public;

(B) Food purchased or sold by a public or private college or university or by a student organization officially recognized by the college or university to students enrolled at the college or university when the sales are made on a contract basis so that a fixed price is paid for consumption of food products for a specific period of time without respect to the amount of food product actually consumed by the particular individual contracting for the sale and no money is paid at the time the food product is served or consumed;

(C) Food purchased or sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program to provide food to low-income persons at or below cost;

(D) Food sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program operating in West Virginia for a minimum of five years to provide food at or below cost to individuals who perform a minimum of two hours of community service for each unit of food purchased from the organization;

(E) Food sold in an occasional sale by a charitable or nonprofit organization, including volunteer fire departments and rescue squads, if the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is actually expended for that purpose;

(F) Food sold by any religious organization at a social or other gathering conducted by it or under its auspices, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenue obtained from selling the food is actually used in carrying out those functions and activities: *Provided*, That purchases made by the organizations are not exempt as a purchase for resale; or

(G) Food sold by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, when the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(25)~~ (24) Sales of food by little leagues, midget football leagues, youth football or soccer leagues, band boosters or other school or athletic booster organizations supporting activities for grades kindergarten through twelve and similar types of organizations, including scouting groups and church youth groups, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenues obtained from selling the food is actually used in supporting or carrying on functions and activities of the groups: *Provided*, That the purchases made by the organizations are not exempt as a purchase for resale;

~~(26)~~ (25) Charges for room and meals by fraternities and sororities to their members: *Provided*, That the purchases made by a fraternity or sorority are not exempt as a purchase for resale;

~~(27)~~ (26) Sales of or charges for the transportation of passengers in interstate commerce;

~~(28)~~ (27) Sales of tangible personal property or services to any person which this state is prohibited from taxing under the laws of the United States or under the Constitution of this state;

~~(29)~~ (28) Sales of tangible personal property or services to any person who claims exemption from the tax imposed by this article

or article fifteen-a of this chapter pursuant to the provision of any other chapter of this code;

~~(30)~~ (29) Charges for the services of opening and closing a burial lot;

~~(31)~~ (30) Sales of livestock, poultry or other farm products in their original state by the producer of the livestock, poultry or other farm products or a member of the producer's immediate family who is not otherwise engaged in making retail sales of tangible personal property; and sales of livestock sold at public sales sponsored by breeders or registry associations or livestock auction markets: *Provided*, That the exemptions allowed by this subdivision may be claimed without presenting or obtaining exemption certificates provided the farmer maintains adequate records;

~~(32)~~ (31) Sales of motion picture films to motion picture exhibitors for exhibition if the sale of tickets or the charge for admission to the exhibition of the film is subject to the tax imposed by this article and sales of coin-operated video arcade machines or video arcade games to a person engaged in the business of providing the machines to the public for a charge upon which the tax imposed by this article is remitted to the Tax Commissioner: *Provided*, That the exemption provided in this subdivision may be claimed by presenting to the seller a properly executed exemption certificate;

~~(33)~~ (32) Sales of aircraft repair, remodeling and maintenance services when the services are to an aircraft operated by a certified or licensed carrier of persons or property, or by a governmental entity, or to an engine or other component part of an aircraft operated by a certificated or licensed carrier of persons or property, or by a governmental entity and sales of tangible personal property that is permanently affixed or permanently attached as a component part of an aircraft owned or operated by a certificated or licensed carrier of persons or property, or by a governmental entity, as part of the repair, remodeling or maintenance service and sales of machinery, tools or equipment directly used or consumed exclusively in the repair, remodeling or maintenance of aircraft,

aircraft engines or aircraft component parts for a certificated or licensed carrier of persons or property or for a governmental entity;

~~(34) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs;~~

~~(35)~~ (33) Sales of services by individuals who babysit for a profit: *Provided*, That the gross receipts of the individual from the performance of baby-sitting services do not exceed \$5,000 in a taxable year;

~~(36)~~ (34) Sales of services by public libraries or by libraries at academic institutions or by libraries at institutions of higher learning;

~~(37)~~ (35) Commissions received by a manufacturer's representative;

~~(38) Sales of primary opinion research services when:~~

~~(A) The services are provided to an out-of-state client;~~

~~(B) The results of the service activities, including, but not limited to, reports, lists of focus group recruits and compilation of data are transferred to the client across state lines by mail, wire or other means of interstate commerce, for use by the client outside the State of West Virginia; and~~

~~(C) The transfer of the results of the service activities is an indispensable part of the overall service.~~

~~For the purpose of this subdivision, the term "primary opinion research" means original research in the form of telephone surveys, mall intercept surveys, focus group research, direct mail surveys, personal interviews and other data collection methods commonly used for quantitative and qualitative opinion research studies;~~

~~(39)~~ (36) Sales of property or services to persons within the state when those sales are for the purposes of the production of value-added products: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies and

materials directly used or consumed by those persons engaged solely in the production of value-added products: *Provided, however,* That this exemption may not be claimed by any one purchaser for more than five consecutive years, except as otherwise permitted in this section.

For the purpose of this subdivision, the term “value-added product” means the following products derived from processing a raw agricultural product, whether for human consumption or for other use. For purposes of this subdivision, the following enterprises qualify as processing raw agricultural products into value-added products: Those engaged in the conversion of:

(A) Lumber into furniture, toys, collectibles and home furnishings;

(B) Fruits into wine;

(C) Honey into wine;

(D) Wool into fabric;

(E) Raw hides into semifinished or finished leather products;

(F) Milk into cheese;

(G) Fruits or vegetables into a dried, canned or frozen product;

(H) Feeder cattle into commonly accepted slaughter weights;

(I) Aquatic animals into a dried, canned, cooked or frozen product; and

(J) Poultry into a dried, canned, cooked or frozen product;

~~(40)~~ (37) Sales of music instructional services by a music teacher and artistic services or artistic performances of an entertainer or performing artist pursuant to a contract with the owner or operator of a retail establishment, restaurant, inn, bar, tavern, sports or other entertainment facility or any other business location in this state in which the public or a limited portion of the public may assemble to hear or see musical works or other artistic

works be performed for the enjoyment of the members of the public there assembled when the amount paid by the owner or operator for the artistic service or artistic performance does not exceed \$3,000: *Provided*, That nothing contained herein may be construed to deprive private social gatherings, weddings or other private parties from asserting the exemption set forth in this subdivision. For the purposes of this exemption, artistic performance or artistic service means and is limited to the conscious use of creative power, imagination and skill in the creation of aesthetic experience for an audience present and in attendance and includes, and is limited to, stage plays, musical performances, poetry recitations and other readings, dance presentation, circuses and similar presentations and does not include the showing of any film or moving picture, gallery presentations of sculptural or pictorial art, nude or strip show presentations, video games, video arcades, carnival rides, radio or television shows or any video or audio taped presentations or the sale or leasing of video or audio tapes, air shows or any other public meeting, display or show other than those specified herein: *Provided, however*, That nothing contained herein may be construed to exempt the sales of tickets from the tax imposed in this article. The State Tax Commissioner shall propose a legislative rule pursuant to article three, chapter twenty-nine-a of this code establishing definitions and eligibility criteria for asserting this exemption which is not inconsistent with the provisions set forth herein: *Provided further*, That nude dancers or strippers may not be considered as entertainers for the purposes of this exemption;

~~(41)~~ (38) Charges to a member by a membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, for membership in the association or organization, including charges to members for newsletters prepared by the association or organization for distribution primarily to its members, charges to members for continuing education seminars, workshops, conventions, lectures or courses put on or sponsored by the association or organization, including charges for related course materials prepared by the association or organization or by the speaker or speakers for use during the continuing education seminar, workshop, convention, lecture or

course, but not including any separate charge or separately stated charge for meals, lodging, entertainment or transportation taxable under this article: *Provided*, That the association or organization pays the tax imposed by this article on its purchases of meals, lodging, entertainment or transportation taxable under this article for which a separate or separately stated charge is not made. A membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, may elect to pay the tax imposed under this article on the purchases for which a separate charge or separately stated charge could apply and not charge its members the tax imposed by this article or the association or organization may avail itself of the exemption set forth in subdivision (9) of this subsection relating to purchases of tangible personal property for resale and then collect the tax imposed by this article on those items from its member;

~~(42)~~ (39) Sales of governmental services or governmental materials by county assessors, county sheriffs, county clerks or circuit clerks in the normal course of local government operations;

~~(43)~~ (40) Direct or subscription sales by the Division of Natural Resources of the magazine currently entitled *Wonderful West Virginia* and by the Division of Culture and History of the magazine currently entitled *Goldenseal* and the journal currently entitled *West Virginia History*;

~~(44)~~ (41) Sales of soap to be used at car wash facilities;

~~(45)~~ (42) Commissions received by a travel agency from an out-of-state vendor;

~~(46)~~ (43) The service of providing technical evaluations for compliance with federal and state environmental standards provided by environmental and industrial consultants who have formal certification through the West Virginia Department of Environmental Protection or the West Virginia Bureau for Public Health or both. For purposes of this exemption, the service of providing technical evaluations for compliance with federal and state environmental standards includes those costs of tangible

personal property directly used in providing such services that are separately billed to the purchaser of such services and on which the tax imposed by this article has previously been paid by the service provider;

~~(47)~~ (44) Sales of tangible personal property and services by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, if the sole purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(48)~~ (45) Lodging franchise fees, including royalties, marketing fees, reservation system fees or other fees assessed after December 1, 1997, that have been or may be imposed by a lodging franchiser as a condition of the franchise agreement; ~~and~~

~~(49)~~ (46) Sales of the regulation size United States flag and the regulation size West Virginia flag for display; and

(47) The services of “professional employer organizations” as defined in subsection (g), section two, article forty-six-a, chapter thirty-three of this code.

(b) *Refundable exemptions.* — Any person having a right or claim to any exemption set forth in this subsection shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit, or as provided in section nine-d of this article, give to the vendor his or her West Virginia direct pay permit number. The following sales of tangible personal property and services are exempt from tax as provided in this subsection:

(1) Sales of property or services to bona fide charitable organizations who make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food, meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(2) Sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing, transportation, transmission, communication, production of natural resources, gas storage, generation or production or selling electric power, provision of a public utility service or the operation of a utility service or the operation of a utility business, in the businesses or organizations named in this subdivision and does not apply to purchases of gasoline or special fuel;

(3) Sales of property or services to nationally chartered fraternal or social organizations for the sole purpose of free distribution in public welfare or relief work: *Provided*, That sales of gasoline and special fuel are taxable;

(4) Sales and services, firefighting or station house equipment, including construction and automotive, made to any volunteer fire department organized and incorporated under the laws of the State of West Virginia: *Provided*, That sales of gasoline and special fuel are taxable; and

(5) Sales of building materials or building supplies or other property to an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, which are to be installed in, affixed to or incorporated by the organization or its agent into real property or into a building or structure which is or will be used as permanent low-income housing, transitional housing, an emergency homeless shelter, a domestic violence shelter or an emergency children and youth shelter if the shelter is owned, managed, developed or operated by an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended; ~~and~~

~~(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided*, That in lieu of any refund or credit to the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision: *Provided, however*, That by June 15 of each fiscal year, the division~~

~~shall provide to the Tax Department an itemized listing of highways projects with the amount of funds expended for highway construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent.~~

(c) *Effective date.* – The amendments to subsection (a) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect beginning July 1, 2017, and apply to sales made on and after that date. The amendments to subsection (b) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect June 1, 2017, and shall be construed to prohibit all future transfers to the State Road Fund established in the State Treasury pursuant to section fifty-two, article six of the Constitution of West Virginia, under this section of taxes imposed by this article and article fifteen-a of this chapter.

§11-15-9b. Exemption for purchases of tangible personal property and services for direct use in research and development.

(a) Sales of tangible personal property and services after June 30, 2002, directly used or consumed in the activity of research and development are exempt from tax imposed by this article. Any person having a right or claim to the exemption set forth in this section shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit or give to the vendor the person's West Virginia direct pay permit number in accordance with the provisions of section nine-d of this article.

(b) For purposes of this article:

(1) "Directly used or consumed in the activity of research and development" means used or consumed in those activities or

operations which constitute an integral and essential part of research and development, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to research and development.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activity of research and development include only:

(i) In the case of tangible personal property, physical incorporation of property into tangible personal property that is the subject of, or directly used in, research and development;

(ii) Causing a direct physical, chemical or other change upon property that is the subject of, or directly used in, research and development;

(iii) Transporting or storing property that is the subject of, or directly used in, research and development;

(iv) Measuring or verifying a change in property that is the subject of, or directly used in, research and development;

(v) Physically controlling or directing the physical movement or operation of property that is the subject of, or directly used in, research and development;

(vi) Directly and physically recording the flow of property that is the subject of, or directly used in, research and development;

(vii) Producing energy for property that is the subject of, or directly used in, research and development;

(viii) Controlling or otherwise regulating atmospheric or other environmental conditions required for research and development;

(ix) Serving as an operating supply for property that is the subject of, or directly used in, research and development;

(x) Maintenance or repair of property, including maintenance equipment, that is directly used in research and development;

(xi) Storage, removal or transportation of economic or other waste resulting from the activity of research and development;

(xii) Pollution control or environmental quality or environmental protection activity directly relating to the activity of research and development, and personnel, plant, property or community safety or security activity directly relating to the activity of research and development; or

(xiii) Otherwise being used as an integral and essential part of research and development.

(B) Uses of property or services which do not constitute direct use or consumption in the activity of research and development include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Planning or scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to research and development, rather than an integral and essential part of these activities.

(2) "Research and development" means systematic scientific, engineering or technological study and investigation in a field of knowledge in the physical, computer or software sciences, often involving the formulation of hypotheses and experimentation, for the purpose of revealing new facts, theories or principles, or increasing scientific knowledge, which may reveal the basis for new or enhanced products, equipment or manufacturing processes. Research and development includes, but is not limited to, design, refinement and testing of prototypes of new or improved products, or design, refinement and testing of manufacturing processes

before commercial sales relating thereto have begun. For purposes of this section commercial sales include, but are not limited to, sales of prototypes or sales for market testing.

(A) Research and development does not include:

(i) Market research;

(ii) Sales research;

(iii) Efficiency surveys;

(iv) Consumer surveys;

(v) Product market testing;

(vi) Product testing by product consumers or through consumer surveys for evaluation of consumer product performance or consumer product usability;

(vii) The ordinary testing or inspection of materials or products for quality control (quality control testing);

(viii) Management studies;

(ix) Advertising;

(x) Promotions;

(xi) The acquisition of another's patent, model, production or process or investigation or evaluation of the value or investment potential related thereto;

(xii) Research in connection with literary, historical or similar projects;

(xiii) Research in the social sciences, economics, humanities or psychology and other nontechnical activities; and

(xiv) The providing of sales services or any other service, whether technical service or nontechnical service.

~~(c) No provision of this section may be interpreted to alter, abrogate or impede application of the exemption for sales of primary opinion research services set forth in section nine of this article~~

§11-15-9h. Exemptions for sales of computer hardware and software directly incorporated into manufactured products; certain leases; sales of electronic data processing service; sales of computer hardware and software directly used in communication; sales of educational software; sales of Internet advertising; sales of high-technology business services directly used in fulfillment of a government contract; sales of tangible personal property for direct use in a high-technology business or Internet advertising business; definitions.

(a) In order to modernize the exemptions from tax contained in this article as a result of technological advances in computers and the expanded role of computers, the Internet and global instant communications in business and to encourage computer software developers, computer hardware designers, systems engineering firms, ~~electronic data processing companies~~ and other high-technology companies to locate and expand their businesses in West Virginia, the following sales of tangible personal property and software are exempt:

(1) Sales of computer hardware or software (including custom designed software) to be directly incorporated by a manufacturer into a manufactured product. For purposes of this subsection, the payment of licensing fees for the right to incorporate hardware or software developed by persons other than the manufacturer into a manufactured product is exempt from the tax imposed by this article;

(2) Sales of computer hardware or software (including custom designed software) directly used in communication as defined in this article;

~~(3) Sales of electronic data processing services;~~

~~(4)~~ (3) Sales of educational software required to be used in any of the public schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to administration, regulation, certification or approval of the Department of Education, the Department of Education and the Arts or the Higher Education Policy Commission;

~~(5)~~ (4) Sales of Internet advertising of goods and services;

~~(6)~~ (5) Sales of high-technology business services to high-technology businesses which enter into contracts with this state, its institutions and subdivisions, governmental units, institutions or subdivisions of other states, or with the United States, including agencies of federal, state or local governments for direct use in fulfilling the government contract; and

~~(7)~~ (6) Sales of prewritten computer software, computers, computer hardware, servers and building materials and tangible personal property to be installed into a building or facility for direct use in a high-technology business or an Internet advertising business.

(b) *Definitions.* –

As used in this article, the following terms have the following meanings:

(1) “Computer hardware” means a computer, as defined in article fifteen-b of this chapter, and the directly and immediately connected physical equipment involved in the performance of data processing or communications functions, including data input, data output, data processing, data storage, and data communication apparatus that is directly and immediately connected to the computer. The term “computer hardware” does not include computer software.

(2) “High-technology business” means and is limited to businesses primarily engaged in the following activities: Computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development;

network design and development; design and development of new manufactured products which incorporate computer hardware and software; electronic data processing; network management, maintenance, engineering, administration and security services; website management, maintenance, engineering, administration and security services and computer systems management, maintenance, engineering, administration and security services. High-technology business as defined herein is intended to include businesses which engage in the activities enumerated in this definition as their primary business activity, and not as a secondary or incidental activity and not as an activity in support of or incidental to business activity not specifically enumerated in this definition.

(3) “High-technology business services” means and is limited to computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; electronic data processing; computer systems management; computer systems maintenance; computer systems engineering; computer systems administration and computer systems security services.

(4) “Internet advertising business” means a for-profit business that is engaged, for monetary remuneration, in the primary business activity of announcing, or calling public attention to, goods or services in order to induce the public to purchase those goods or services, and which uses the Internet as its sole advertising communications medium. For purposes of this definition, Internet advertising must be the primary business activity of the business and not a secondary or incidental activity and not an activity in support of or incidental to other business activity.

(5) “Network” means a group of two or more computer systems linked together.

(6) “Server” means a computer or device on a network that manages network resources.

(c) The amendments to this section made in the first extraordinary session of the Legislature in ~~2009~~ 2017 shall apply to purchases made on and after July 1, ~~2009~~ 2017.

ARTICLE 15A. USE TAX.

§11-15A-2. Imposition of tax; ~~six percent~~ tax rate; inclusion of services as taxable; transition rules; allocation of tax and transfers.

(a) An excise tax is hereby levied and imposed on the use in this state of tangible personal property, digital code, digital products, custom software or taxable services, to be collected and paid as provided in this article or article fifteen-b of this chapter, at the rate of six percent of the purchase price of the property or taxable services, except as otherwise provided in this article: Provided, That on and after July 1, 2017, the tax imposed by this article shall be collected and paid, as provided in this article or article fifteen-b of this chapter, at the rate of six and ninety-five hundredths percent of the purchase price of the tangible personal property, digital code, digital products, custom software or taxable services, except as otherwise provided in this article.

(b) *Calculation of tax on fractional parts of a dollar.* — The tax computation under subsection (a) of this section shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(c) “Taxable services,” for the purposes of this article, means services of the nature that are subject to the tax imposed by article fifteen of this chapter. In this article, wherever the words “tangible personal property” or “property” appear, the same shall include the words “or taxable services,” where the context so requires.

(d) Use tax is hereby imposed upon every person using tangible personal property, custom software, digital code, digital product,

~~or~~ telecommunication service, ancillary services, or other taxable service within this state. That person's liability is not extinguished until the tax has been paid. A receipt with the tax separately stated thereon issued by a retailer engaged in business in this state, or by a foreign retailer who is authorized by the Tax Commissioner to collect the tax imposed by this article, relieves the purchaser from further liability for the tax to which the receipt refers.

(e) Purchases of tangible personal property or taxable services made for the government of the United States or any of its agencies by ultimate consumers is subject to the tax imposed by this section. Industrial materials and equipment owned by the federal government within the State of West Virginia of a character not ordinarily readily obtainable within the state, is not subject to use tax when sold, if the industrial materials and equipment would not be subject to use taxes if sold outside of the state for use in West Virginia.

(f) This article does not apply to purchases made by counties or municipal corporations.

§11-15A-10. Payment to Tax Commissioner.

(a) Each retailer required or authorized, pursuant to section six, six-a or seven, or pursuant to article fifteen-b of this chapter, to collect the tax imposed in section two of this article, is required to pay to the Tax Commissioner the amount of the tax on or before the twentieth day of the month next succeeding each calendar month, except as otherwise provided in this article or article fifteen-b of this chapter.

(b) Each certified service provider for a Model I seller shall pay to the Tax Commissioner the tax levied by this article on or before the twentieth day of the month next succeeding the calendar month in which the tax accrued, except as otherwise provided in this article or article fifteen-b of this chapter.

(c) At that time, each retailer, seller or certified service provider shall file with the Tax Commissioner a return for the preceding monthly period, except as otherwise provided in this article or

article fifteen-b of this chapter, in the form prescribed by the Tax Commissioner showing the sales price of any or all tangible personal property, custom software and taxable services sold by the retailer or seller during the preceding quarterly period, the use of which is subject to the tax imposed by this article, and any other information the Tax Commissioner may consider necessary for the proper administration of this article. The return shall be accompanied by a remittance of the amount of the tax, for the period covered by the return, except as otherwise provided in this article or article fifteen-b of this chapter: *Provided*, That where the tangible personal property or custom software is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part of the sum is extended over a period longer than sixty days from the date of the sale, the retailer may collect and remit each monthly period that portion of the tax equal to ~~six~~ six and ninety-five hundredths percent of that portion of the purchase price actually received during the monthly period.

(d) The Tax Commissioner may, upon request and a proper showing of the necessity to do so, grant an extension of time not to exceed thirty days for making any return and payment.

(e) Returns shall be signed by the retailer or seller or his or her duly authorized agent, and must be certified by him or her to be correct, except as otherwise provided in this article or article fifteen-b of this chapter.

(f) *Accelerated payment.* —

(1) ~~For calendar years beginning after December 31, 2002,~~ ~~taxpayers~~ Taxpayers whose average monthly payment of the taxes levied by this article and article fifteen of this chapter during the previous calendar year exceeds \$100,000, shall remit the tax attributable to the first fifteen days of June each year on or before June 20 of said month.

(2) For purposes of complying with subdivision (1) of this subsection, the taxpayer shall remit an amount equal to the amount of tax imposed by this article and article fifteen of this chapter on

actual taxable sales of tangible personal property and custom software and sales of taxable services during the first fifteen days of June or, at the taxpayer's election, taxpayer may remit an amount equal to fifty percent of taxpayer's liability for tax under this article on taxable sales of tangible personal property and custom software and sales of taxable services made during the preceding month of May.

(3) For a business which has not been in existence for a full calendar year, the total tax due from the business during the prior calendar year shall be divided by the number of months, including fractions of a month, that it was in business during the prior calendar year; and if that amount exceeds \$100,000, the tax attributable to the first fifteen days of June each year shall be remitted on or before June 20 of said month as provided in subdivision (2) of this subsection.

(4) When a taxpayer required to make an advanced payment of tax under subdivision (1) of this subsection makes out its return for the month of June, which is due on July 20, the taxpayer may claim as a credit against its liability under this article for tax on taxable transactions during the month of June, the amount of the advanced payment of tax made under subdivision (1) of this subsection.

Article 21. PERSONAL INCOME TAX.

§11-21-4g. Rate of tax – Taxable years beginning on or after January 1, 2018.

(a) General. – For taxable years beginning on and after January 1, 2018 but before January 1, 2019, the tax imposed by section three of this article shall be determined under either subsections (b) or (c) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his

or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|---|---|
| <u>Less than \$20,000</u> | <u>2.25% of taxable income</u> |
| <u>\$20,000 or more but less than \$35,000</u> | <u>\$450.00 plus 3.95% of taxable income in excess of \$20,000</u> |
| <u>\$35,000 or more but less than \$250,000</u> | <u>\$1,042.50 plus 5.65% of taxable income in excess of \$35,000</u> |
| <u>\$250,000 or more</u> | <u>\$13,190.00 plus 6.0% of taxable income in excess of \$250,000</u> |

(c) Rate of tax on married individuals filing separate returns. – In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|--|---|
| <u>Less than \$10,000</u> | <u>2.25% of taxable income</u> |
| <u>\$10,000 or more but less than \$17,500</u> | <u>\$225 plus 3.95% of taxable income in excess of \$10,000</u> |

| | |
|---|--|
| <u>\$17,500 or more but less than \$125,000</u> | <u>\$521.25 plus 5.65% of taxable income in excess of \$17,500</u> |
| <u>\$125,000 or more</u> | <u>\$6,595.00 plus 6% of taxable income in excess of \$125,000</u> |

§11-21-4h. Rate of tax – Taxable years beginning on or after January 1, 2019.

(a) General. – For taxable years beginning on and after January 1, 2019, the tax imposed by section three of this article shall be determined under either subsections (b), (c) or (d) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|--|--|
| <u>Less than \$20,000</u> | <u>1.85% of taxable income</u> |
| <u>\$20,000 or more but less than \$35,000</u> | <u>\$370.00 plus 3.65% of taxable income in excess of \$20,000</u> |

| | |
|---|---|
| <u>\$35,000 or more but less than \$250,000</u> | <u>\$917.50 plus 5.45% of taxable income in excess of \$35,000</u> |
| <u>\$250,000 or more</u> | <u>\$12,635.00 plus 6.0% of taxable income in excess of \$250,000</u> |

(c) Rate of tax on married individuals filing separate returns.
– In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|---|--|
| <u>Less than \$10,000</u> | <u>1.85% of taxable income</u> |
| <u>\$10,000 or more but less than \$17,500</u> | <u>\$185 plus 3.65% of taxable income in excess of \$10,000</u> |
| <u>\$17,500 or more but less than \$125,000</u> | <u>\$458.75 plus 5.45% of taxable income in excess of \$17,500</u> |
| <u>Over \$125,000</u> | <u>\$6,317.50 plus 6% of taxable income in excess of \$125,000</u> |

(d) Personal income tax rate reduction in years subsequent to 2019.

(1) Beginning in 2018, and each fiscal year thereafter in which the net amount of the increase in the general revenue fund from the previous rate reduction trigger exceeds \$110 million, adjusted upward by one-half of the annual growth in the consumer price

index for the current fiscal year, as compared to the consumer price index for the immediately preceding fiscal year, the rates of tax specified in subsections (b) and (c) of this section shall reduce by one-tenth of one percentage point until the rates become zero: *Provided*, That each rate reduction required by this subdivision shall take effect for the tax year that begins immediately after the current fiscal year ends.

(2) In any fiscal year when subdivision (1) of this subsection does not apply, but the net amount of increase deposited in the general revenue fund is 65% or more of the annually adjusted \$110 million amount, adjusted upward by one-half of the annual growth in the consumer price index for the current fiscal year as compared to the consumer price index for the immediately preceding fiscal year, there shall be no rate reduction for the tax year immediately after the current fiscal year ends.

(3) In any fiscal year when subdivisions (1) and (2) of this subsection do not apply, but the net amount of increase deposited in the general revenue fund is less than 65% of the annually adjusted \$110 million amount, adjusted upward by one-half of the annual growth in the consumer price index for the current fiscal year as compared to the consumer price index for the immediately preceding fiscal year, there shall be no rate reduction for the tax year immediately after the current fiscal year ends; and the annually adjusted \$110 million amount, adjusted upward by one-half of the annual growth in the consumer price index for the current fiscal year as compared to the consumer price index for the immediately preceding fiscal year, shall be increased by 150 percent for the next ensuing fiscal year.

(4) When subdivision (3) of this subsection applies, and in the next ensuing fiscal year the increase in net revenue deposited in the general revenue fund exceeds 150 percent of the annually adjusted \$110 million amount specified in subdivision (3), then the reduction of the rates of tax specified in subsection (b) and (c) shall resume for the taxable year that begins immediately after the current fiscal year.

(e) *Rules.*

(1) “Consumer price index” means the most recent consumer price index for all urban consumers published by the United States Department of Labor.

(2) “Consumer price index for any fiscal year” shall for purposes of this section mean the average of the federal consumer price index as of the close of the twelve-month period ending on the thirtieth day of June for the fiscal year.

(f) All tax liabilities, if any arising for tax years that begin prior to the tax year in which the rates of tax in subsections (b) and (c) become zero, shall be determined, administered, assessed, and collected using the tax rate or rates in effect for the taxable year in issue.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for

the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state, that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as “certified historic structures,” and further defined as a “qualified rehabilitated building,” as defined under §47(c)(1), Title 26 of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U.S.C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.

§11-21-8e. ~~Carryback~~ Credit carryback, carryforward.

(a) Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section eight-a of this article which may not be taken in the taxable year to which the credit applies qualifies for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided*, That the amount of the credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may be carried over to each of the next ten tax years following the unused credit year until used or forfeited due to lapse of time.

(b) Effective for taxable years beginning on and after January 1, 2001, credits granted to an electing small business corporation (S corporation), limited partnership, general partnership, limited

liability company or multiple owners of property shall be passed through to the shareholders, partners, members or owners, either pro rata or pursuant to an agreement among the shareholders, partners, members or owners documenting an alternative distribution method. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide the method of reporting the alternative method of distribution authorized by this section.

§11-21-12j. Decreasing modification reducing federal adjusted gross income for military retirement income after December 31, 2017.

(a) In lieu of the provisions for military retirement income in section twelve of this article, for taxable years beginning on and after January 1, 2018, the entire amount of military retirement income, including retirement income from the regular Armed Forces, Reserves, and National Guard, paid by the United States or this state after December 31, 2017, that is included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification of federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

(b) In the event that any provision of this section is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons other than those specified in this section, this section shall become null and void by operation of law.

Article 24. Corporate Net Income Tax.

§11-24-4c. Rate of tax – Taxable years beginning on or after January 1, 2018 but before January 1, 2020.

(a) In lieu of the rate of tax specified in section four of this article, for taxable year beginning on and after January 1, 2018, but before January 1, 2020, the tax imposed by section four of this article shall be levied at the rate of 7.5 percent of West Virginia taxable income.

(b) For taxable years beginning on or after January 1, 2020, the rate of tax shall be that specified in section four of this article.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019; Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or if the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state that are reviewed by the West Virginia Division of Culture and History and designated by the national park service, United States department of the interior as “certified historic building”, and further defined as a “qualified rehabilitated building”, as defined under §47(c)(1), Title 26, of the United States Code, as amended.

On motions of Senators Prezioso, Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel, the following amendments to Senator Karnes' amendment to the bill (S. B. 1007) were reported by the Clerk and considered simultaneously:

On pages forty-seven and forty-eight, by striking out all of section four-g;

On pages forty-eight through fifty-one, by striking out all of section four-h;

On pages fifty-two and fifty-three, by striking out all of section twelve-j and inserting in lieu thereof a new section, designated section twelve-j, to read as follows:

§11-21-12j. Decreasing modification reducing federal adjusted gross income for military retirement income and social security benefits after December 31, 2017.

(a) In lieu of the provisions for military retirement income in section twelve of this article, for taxable years beginning on and after January 1, 2018, the entire amount of military retirement income, including retirement income from the regular Armed Forces, Reserves, and National Guard, paid by the United States or this state after December 31, 2017, that is included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification of federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

(b) For taxable years beginning on and after January 1, 2018, the entire amount of social security benefits received pursuant to Title 42 U.S.C., Chapter 7, paid by the United States after December 31, 2017, that is included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification of federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

(c) In the event that any provision of this section is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons

other than those specified in this section, this section shall become null and void by operation of law.;

And,

By striking out the enacting section and inserting in lieu thereof a new enacting section, to read as follows:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13A-3f; that §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-15-3d and 11-15-3e; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that §11-21-8a and §11-21-8e of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §11-21-12j; that §11-24-23a of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §11-24-4c, all to read as follows:.

Following extended discussion,

The question being on the adoption of the amendments offered by Senators Prezioso, Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel to Senator Karnes' amendment to the bill (S. B. 1007), and on this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Sypolt, Unger and Woelfel—12.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Mullins, Smith, Swope, Trump, Weld and Carmichael (Mr. President)—18.

Absent: Maroney, Miller, Rucker and Takubo—4.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendments offered by

Senators Prezioso, Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel to Senator Karnes' amendment to the bill rejected.

The question now being on the adoption of Senator Karnes' amendment to the bill, the same was put and prevailed.

The bill, as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 1007 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Mullins, Smith, Swope, Sypolt, Trump, Weld and Carmichael (Mr. President)—19.

The nays were: Beach, Facemire, Jeffries, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—11.

Absent: Maroney, Miller, Rucker and Takubo—4.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1007) passed.

On motion of Senator Karnes, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1007—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-3e; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a and §11-21-8e of said code; to amend said code by adding thereto three new sections, designated §11-21-4g, §11-21-4h and §11-21-12j; to amend and reenact §11-24-23a of said code; and to amend said code by adding thereto a new section, designated §11-24-4c, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms;

increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumers sales and service tax exemption for services of professional employer organizations; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting military retirement income from personal income tax after specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; increasing rate of corporation net income tax as of specified date; and making technical corrections in various sections.

Senator Ferns moved that the bill take effect July 1, 2017.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Rucker and Takubo—4.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1007) takes effect July 1, 2017.

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

On motion of Senator Ferns, the Senate adjourned until tomorrow, Wednesday, May 17, 2017, at 11 a.m.

WEDNESDAY, MAY 17, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Michael T. Azinger, a senator from the third district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Craig Blair, a senator from the fifteenth district.

Pending the reading of the Journal of Tuesday, May 16, 2017,

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

Pending announcement of a meeting of the Committee on Rules and a majority party caucus,

On motion of Senator Ferns, the Senate recessed until 1 p.m. today.

Upon expiration of the recess, the Senate reconvened and proceeded to the fourth order of business.

Senator Carmichael (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

Senate Bill 1003, Relating generally to WV Parkways Authority.

Now on second reading, having been referred to the Committee on Rules on May 5, 2017;

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

Respectfully submitted,

Mitch Carmichael,
Chairman ex officio.

At the request of Senator Ferns, unanimous consent being granted, the bill (S. B. 1003) contained in the preceding report from the Committee on Rules was taken up for immediate consideration and read a second time.

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

The Senate proceeded to the ninth order of business.

Senate Bill 1006, Increasing funding for State Road Fund.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Senator Ferns then moved that the Senate recess until 4:30 p.m. today.

The question being on the adoption of Senator Ferns' aforestated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Rucker and Takubo—4.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate recessed until 4:30 p.m. today.

Upon expiration of the recess, the Senate reconvened.

On motion of Senator Ferns, the Senate adjourned until tomorrow, Thursday, May 18, 2017, at 6 p.m.

THURSDAY, MAY 18, 2017

The Senate met at 6 p.m.

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

Under authority of Senate Rule 1, which states in part "A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business, but two members may adjourn", there being an absence of a quorum,

On motion of Senator Sypolt, the Senate adjourned until tomorrow, Friday, May 19, 2017, at 11 a.m.

FRIDAY, MAY 19, 2017

The Senate met at 11 a.m.

(Senator Gaunch in the Chair.)

Under authority of Senate Rule 1, which states in part "A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business,

but two members may adjourn”, there being an absence of a quorum,

On motion of Senator Jeffries, the Senate adjourned until Monday, May 22, 2017, at 11 a.m.

MONDAY, MAY 22, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Ronald F. Miller, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Sue Cline, a senator from the ninth district.

Pending the reading of the Journals of Wednesday, May 16, 2017, Thursday, May 17, 2017, and Friday, May 18, 2017,

At the request of Senator Prezioso, unanimous consent being granted, the Journals were approved and the further reading thereof dispensed with.

The Senate proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 106—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new Chapter designated as, §6D-1-1, §6D-1-2, §6D-1-3, §6D-1-4, §6D-2-1, §6D-2-2, §6D-3-1, §6D-3-2, §6D-4-1, and §6D-4-2; all relating generally to conditions triggered by failure of the Governor to approve a budget; an emergency appropriation to pay for essential government functions and expenses which must stay in

operation and paid for during a temporary shutdown of government services created by the absence of budget bill for a fiscal year; setting forth legislative intent; defining terms; providing the terms, conditions, and limitations of the emergency appropriation; setting forth conditions of furlough of state employees generally; requiring the Board of Public Works to meet and approve plans for the furloughing of employees of the Executive Branch if a budget has not been approved by a certain date and specifying certain employees exempt from furlough; permitting the furlough of state employees generally; specifically, permitting the President of the Senate and Speaker of the House to institute furloughs of certain legislative employees, including employees of the State Senate, the House of Delegates, and employees of the Legislative Auditor and Joint Committee on Government and Finance; permitting Governor and Board of Public Works to furlough certain state employees in the Executive Branch; and authorizing Supreme Court of Appeals to furlough employees and personnel of Supreme Court of Appeals and personnel of circuit courts, family courts and magistrate courts.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 107—A Bill to amend and reenact §11-15-3, §11-15-8a, §11-15-9, §11-15-9b and §11-15-9h of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto two new sections, designated §11-15-3d and §11-15-35; to amend and reenact §11-15A-2 of said code; to amend and reenact §11-21-8a, §11-21-8e and §11-21-16 of said code; to amend said code by adding thereto two new sections, designated §11-21-12j and §11-21-12k; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to taxation; imposing taxes on telecommunication services and ancillary telecommunication services beginning on a specified date; eliminating exemptions from consumers sales and service tax as of July 1, 2017, on the first \$40,000 of consideration paid for the portion of the labor component for contracting services furnished

that is not otherwise exempt from the sales tax for a contract for contracting services entered into on or after a specified date, and providing exceptions in the event of certain declarations of disasters; eliminating exemptions from sales and services tax beginning on specified dates on sales of electronic data processing services and related software, on charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs, on sales of certain primary opinion research services, and on sales of services, machinery, supplies and materials directly used or consumed in the business activity of communication, but exempting all sales of services, machinery, supplies and materials directly used or consumed in the business activities of the buildout of broadband infrastructure in the state from the tax; eliminating the transfers of sales tax revenues to the State Road Fund that are collected from sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project beginning on specified date; providing for legislative and emergency rules; exempting all military retirement from personal income tax beginning on specified date; phasing in an exemption of federal social security benefits income from personal income tax for certain resident individuals beginning on specified date; increasing the personal income tax personal exemption of certain resident individuals beginning on specified date; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; and establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections.

Referred to the Select Committee on Tax Reform; and then to the Committee on Finance.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 1003, Relating generally to WV Parkways Authority.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar, with the right to amend on third reading remaining in effect.

Eng. Senate Bill 1006, Increasing funding for State Road Fund.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar, with the right to amend on third reading remaining in effect.

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

Pending announcement of a meeting of a select committee of the Senate,

Senator Ferns then moved that the Senate adjourn until tomorrow, Tuesday, May 23, 2017, at 9:30 a.m.

The question being on the adoption of Senator Ferns' aforestated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Trump, Woelfel and Carmichael (Mr. President)—28.

The nays were: Unger—1.

Absent: Clements, Maroney, Sypolt, Takubo and Weld—5.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Tuesday, May 23, 2017, at 9:30 a.m.

TUESDAY, MAY 23, 2017

The Senate met at 9:30 a.m.

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

Prayer was offered by the Honorable C. Edward Gaunch, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jeff Mullins, a senator from the ninth district.

Pending the reading of the Journal of Monday, May 22, 2017,

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

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplement to the proclamations dated May 3, 2017, and May 15, 2017, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston**A P R O C L A M A T I O N****By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, and amended by subsequent Proclamation dated the fifteenth day of May, Two Thousand Seventeen, by adding items eight, nine, ten, eleven, twelve, thirteen and fourteen, as follows:

EIGHT: A bill relating generally to the Department of Health and Human Resources and Health Care Authority; and

NINE: A bill relating to the sale of Department of Health and Human Resource operated hospitals; and

TEN: A bill relating to physician assistants; and

ELEVEN: A bill relating generally to tax procedures and administration of tax liens; and

TWELVE: A bill relating to public school support and county levy rates; and

THIRTEEN: A bill relating to volunteer fire fighter workers compensation; and

FOURTEEN: A bill enacting a state budget for fiscal year 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twenty-third day of May, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

JIM JUSTICE
GOVERNOR

By the Governor

MAC WARNER
SECRETARY OF STATE

The Senate proceeded to the fifth order of business.

Senator Karnes, from the Select Committee on Tax Reform, submitted the following report, which was received:

Your Select Committee on Tax Reform has had under consideration

Eng. Com. Sub. for House Bill 107, Relating generally to the Tax Reform Act of 2017.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Robert Karnes,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with amendments from the Select Committee on Tax Reform pending.

The Senate proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced the replacement of Senator Sypolt on the Committee on Finance with Senator Swope; the replacement of Senator Swope on the Committee on the Judiciary with Senator Sypolt; the replacement of Senator Maroney on the Committee on Finance with Senator Maynard; and the replacement of Senator Maynard on the Committee on the Judiciary with Senator Maroney.

Pending announcement of meetings of standing committees of the Senate,

Senator Ferns then moved that the Senate recess until 2 p.m. today.

The question being on the adoption of Senator Ferns' aforestated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Stollings, Swope, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maroney, Miller, Smith and Sypolt—4.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate recessed until 2 p.m. today.

Upon expiration of the recess, the Senate reconvened and, at the request of Senator Ferns, and by unanimous consent, the Senate returned to the fourth order of business.

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

Your Committee on Finance has had under consideration

Eng. Com. Sub. for House Bill 107, Relating generally to the Tax Reform Act of 2017.

With amendments from the Select Committee on Tax Reform pending;

And has also amended same.

And reports the same back with the recommendation that it do pass as last amended by the Committee on Finance.

Respectfully submitted,

Mike Hall,
Chair.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 1003, Relating generally to WV Parkways Authority.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar, with the right to amend on third reading remaining in effect.

Eng. Senate Bill 1006, Increasing funding for State Road Fund.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar, with the right to amend on third reading remaining in effect.

The Senate again proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced the replacement of Senator Swope on the Committee on Finance with Senator Sypolt; and the replacement of Senator Sypolt on the Committee on the Judiciary with Senator Swope.

On motion of Senator Ferns, the Senate adjourned until tomorrow, Wednesday, May 24, 2017, at 10 a.m.

WEDNESDAY, MAY 24, 2017

The Senate met at 10 a.m.

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

Prayer was offered by the Honorable Mike Hall, a senator from the fourth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Donna J. Boley, a senator from the third district.

Pending the reading of the Journal of Tuesday, May 23, 2017,

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

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1008—A Bill to amend and reenact §11-8-6f of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-9A-2 and §18-9A-11 of said code, all relating to public school support; removing limit on increase in total property tax revenues if the current regular levy rates of the county boards of education were to be imposed; increasing the regular levy rates for the 2018 tax year and beyond; providing that counties meeting certain requirements may decrease levy rates only to the extent the rate exceeds the county's total basic foundation program; deleting required periodic legislative review of definition of "net enrollment"; defining terms; requiring the state board to utilize the maximum levies for general current expense purposes beginning with the 2018-2019 school year calculations; and making technical changes.

Referred to the Committee on Finance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1009—A Bill to amend and reenact §11-10-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §38-10C-2 of said code, all relating generally to tax procedures and administration; requiring a notice of lien to include the lien expiration date; providing for additional circumstances in which the Tax Commissioner may withdraw tax liens; providing for the release, withdrawal or termination of lien under certain circumstances; and deleting inoperative language.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1010—A Bill to amend and reenact §33-3-33a of the Code of West Virginia, 1931, as amended, relating to the Volunteer Fire Department Workers' Compensation Premium

Subsidy Fund; providing for the deposit of moneys into the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund until June 30, 2020; providing for the expiration and closure of the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund on June 30, 2020; and providing for the transfer of any remaining moneys in the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund upon closure of such fund.

Referred to the Committee on Finance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1011—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-26, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients and the construction of a replacement facility; exempting certain laws; creating a fund; implementing a benefits package for employees; and providing statutory construction.

Referred to the Committee on Health and Human Resources.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1012—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; exempting certain laws; creating a fund; implementing a benefits package for employees; and providing statutory construction.

Referred to the Committee on Health and Human Resources.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1013—A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1014—A Bill to repeal §30-3E-8 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-5-19 of said code; to amend and reenact §30-3-5 of said code; to amend and reenact §30-3E-1, §30-3E-2, §30-3E-3, §30-3E-4, §30-3E-6, §30-3E-7, §30-3E-9, §30-3E-10, §30-3E-11, §30-3E-12, §30-3E-15, §30-3E-16 and §30-3E-17 of said code; to amend said code by adding thereto a new section, designated §30-3E-12a; and to amend and reenact §33-15-14 of said code, all relating to physician assistants; modifying board membership; substituting “collaborating physician” for “supervising physician”; defining terms; modifying the prescriptive authority of physician assistants; eliminating certain recertification requirements; eliminating the continuous national certification requirement; prohibiting an insurance plan from limiting the practice of physician assistants; adding requirements for practice agreements; granting physician assistants signatory authority on certain forms; and making conforming amendments.

Referred to the Committee on Health and Human Resources.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1015—A Bill to amend and reenact §16-2D-11 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §16-5F-1, §16-5F-2, §16-5F-3, §16-5F-4 and §16-5F-5; and to amend and reenact §16-29B-8 of said code, all relating to West Virginia Health Care Authority; defining terms; authorizing secretary to promulgate rules under provisions of new article; authorizing secretary to

investigate and report to Legislature any other providers that need to be subject to the provisions of the new article; authorizing the Secretary of the Department of Health and Human Resources, through the Health Care Authority, to request health care facilities file with the Health Care Authority health care financial disclosures; authorizing the secretary to coordinate and oversee the collection of health data of state agencies; authorizing the secretary to assess a penalty for the failure to file required financial disclosures; removing restrictive language associated with an exemption to the certificate of need process; and authorizing the Health Care Authority to assess and collect a fee into the Health Care Costs Review Fund.

Referred to the Committee on Health and Human Resources.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, the Senate recessed until 2 p.m. today.

Upon expiration of the recess, the Senate reconvened and, at the request of Senator Ferns, and by unanimous consent, returned to the fourth order of business.

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

Your Committee on Finance has had under consideration

Senate Bill 1010, Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund.

And has amended same.

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

Respectfully submitted,

Mike Hall,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (S. B. 1010) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maroney and Mullins—2.

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

Engrossed Senate Bill 1010 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1010 pass?”

Senator Boso requested a ruling from the Chair as to whether he should be excused from voting under Senate Rule 43, as he has served as a volunteer firefighter and was a recipient of the funding in this bill.

The Chair replied that any impact on Senator Boso would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Ojeda, Palumbo,

Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maroney and Mullins—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) passed.

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

Eng. Senate Bill 1010—A Bill to amend and reenact §33-3-33a of the Code of West Virginia, 1931, as amended, relating to the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund; providing for the deposit of moneys into the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund until June 30, 2020; providing for the expiration of Volunteer Fire Department Workers' Compensation Subsidy Program and closure of the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund on June 30, 2020; and providing for the transfer of any remaining moneys in the Volunteer Fire Department Workers' Compensation Premium Subsidy Fund upon closure of such fund.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Maroney and Mullins—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1010) takes effect from passage.

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

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 1011, Selling Hopemont Hospital.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 1011 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-26, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients; allowing the Secretary to determine need for a new facility; setting forth requirements for new facility; providing for continuation of licenses of existing beds; exempting certain laws; creating a fund; implementing a benefits package for employees; defining terms; and providing for statutory construction.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Tom Takubo,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 1011) contained in the

preceding report from the Committee on Health and Human Resources was taken up for immediate consideration and read a first time.

Senator Smith moved, pursuant to the provisions of Senate Rule 22, that the bill be rejected on first reading.

Following discussion,

The question being on the adoption of Senator Smith's aforestated motion, and on this question, Senator Smith demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Boso, Jeffries, Karnes, Maynard, Ojeda, Rucker, Smith, Sypolt, Unger and Woelfel—11.

The nays were: Azinger, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Mann, Miller, Palumbo, Plymale, Prezioso, Romano, Stollings, Swope, Takubo, Trump, Weld and Carmichael (Mr. President)—21.

Absent: Maroney and Mullins—2.

So, a majority of those present and voting not having voted in the affirmative, the President declared Senator Smith's aforestated motion had not prevailed.

The bill (Com. Sub. for S. B. 1011) was then ordered to second reading.

Thereafter, on motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Miller, Palumbo, Plymale, Prezioso, Rucker, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Carmichael (Mr. President)—27.

The nays were: Jeffries, Ojeda, Romano, Smith and Woelfel—5.

Absent: Maroney and Mullins—2.

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

Engrossed Committee Substitute for Senate Bill 1011 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for Senate Bill 1011 pass?”

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Karnes, Mann, Miller, Palumbo, Plymale, Prezioso, Stollings, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—21.

The nays were: Beach, Boso, Hall, Jeffries, Maynard, Ojeda, Romano, Rucker, Smith, Unger and Woelfel—11.

Absent: Maroney and Mullins—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 1011) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Miller, Palumbo, Plymale, Prezioso, Stollings, Swope, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—26.

The nays were: Jeffries, Ojeda, Romano, Rucker, Smith and Unger—6.

Absent: Maroney and Mullins—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 1011) takes effect from passage.

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

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 1014, Relating generally to physician assistants.

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

Respectfully submitted,

Tom Takubo,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (S. B. 1014) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maroney and Mullins—2.

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

Engrossed Senate Bill 1014 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1014 pass?”

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

The nays were: None.

Absent: Maroney and Mullins—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1014) passed with its title.

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

The Senate proceeded to the eighth order of business.

Senate Bill 1003, Relating generally to WV Parkways Authority.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today’s first reading calendar.

Senate Bill 1006, Increasing funding for State Road Fund.

On third reading, coming up in regular order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was reported by the Clerk.

On motion of Senator Rucker, the following amendment to the bill was reported by the Clerk:

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

That §11-14C-5 of the Code of West Virginia, 1931, as amended, be amended and reenacted; that §11-15-3c and §11-15-18b of said code be amended and reenacted; that §17A-2-13 of said code be amended and reenacted; that §17A-3-4 of said code be amended and reenacted; that §17A-4-1 of said code be amended and reenacted; that §17A-4-10 of said code as contained in Chapter 152, Acts of the Legislature, Regular Session, 2017, be amended and reenacted; that §17A-4A-10 of said code be amended and reenacted; that §17A-7-2 of said code be amended and reenacted; that §17A-10-3, §17A-10-10 and §17A-10-11 of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §17A-10-3c; that §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code be amended and reenacted; that §17C-5A-2a of said code be amended and reenacted; and that §17D-2-2 of said code be amended and reenacted, all to read as follows:

CHAPTER 11. TAXATION.**ARTICLE 14C. MOTOR FUEL EXCISE TAX.****§11-14C-5. Taxes levied; rate.**

(a) There is hereby levied on all motor fuel an excise tax composed of a flat rate equal to \$.205 per invoiced gallon and, on alternative fuel, on each gallon equivalent: Provided, That on and after July 1, 2017, the flat rate tax increases to \$0.22 per invoiced gallon of motor fuel and, on alternative fuel, on each gallon equivalent, plus a variable component comprised of:

(1) On motor fuel other than alternative fuel, either the tax imposed by section eighteen-b, article fifteen of this chapter or the tax imposed under section thirteen-a, article fifteen-a of this chapter, as applicable. ~~Provided, That the motor fuel excise tax shall take effect January 1, 2004: Provided, however, That the~~ The variable component shall be equal to five percent of the average wholesale price of the motor fuel: ~~Provided further, That the average wholesale price shall be no less than \$.97 per invoiced gallon and is computed as hereinafter prescribed in this section: And provided further~~ Provided, That on and after January 1, 2010, the average wholesale price shall be no less than \$2.34 per invoiced gallon and is computed as hereinafter prescribed in this section: Provided, however, That on and after July 1, 2017, the average wholesale price of motor fuel may not be determined to be less than \$3.04 per invoiced gallon for all gallons of motor fuel sold during the reporting period notwithstanding any provision of this code to the contrary and on and after July 1, 2017, the tax per gallon may not be less than 15.2 cents per gallon of motor fuel; and

(2) On alternative fuel, either the tax imposed by section eighteen-b, article fifteen of this chapter or the tax imposed under section thirteen-a, article fifteen-a of this chapter, as applicable. The variable component of the tax on alternative fuel ~~takes effect on January 1, 2014, with a variable component shall be~~ equal to five percent of the average wholesale price of the alternative fuel.

(b) *Determination of average wholesale price.* –

(1) To simplify determining the average wholesale price of all motor fuel, the Tax Commissioner shall, effective with the period beginning the first day of the month of the effective date of the tax and each January 1 thereafter, determine the average wholesale price of motor fuel for each annual period on the basis of sales data gathered for the preceding period of July 1 through October 31. Notification of the average wholesale price of motor fuel shall be given by the Tax Commissioner at least thirty days in advance of each January 1 by filing notice of the average wholesale price in the State Register and by other means as the Tax Commissioner considers reasonable.

(2) The “average wholesale price” means the single, statewide average per gallon wholesale price, rounded to the third decimal (thousandth of a cent), exclusive of state and federal excise taxes on each gallon of motor fuel or on each gallon equivalent of alternative fuel as determined by the Tax Commissioner from information furnished by suppliers, importers and distributors of motor fuel and alternative-fuel providers, alternative-fuel bulk end users and retailers of alternative fuel in this state, or other information regarding wholesale selling prices as the Tax Commissioner may gather or a combination of information. ~~In no event shall the average wholesale price be determined to be less than \$.97 per gallon of motor fuel. For calendar year 2009, the average wholesale price of motor fuel shall not exceed the average wholesale price of motor fuel for calendar year 2008 as determined pursuant to the notice filed by the Tax Commissioner with the Secretary of State on November 21, 2007, and published in the State Register on November 30, 2007~~ On and after January 1, 2010, in no event shall the average wholesale price be determined to be less than \$2.34 per gallon of motor fuel: Provided, That on and after July 1, 2017, the average wholesale price may not be determined to be less than \$3.04 per gallon of motor fuel. On and after January 1, 2011, the average wholesale price shall not vary by more than ten percent from the average wholesale price of motor fuel as determined by the Tax Commissioner for the previous calendar year: Provided, however, That in no case shall the average wholesale price of motor fuel be determined to be less than \$3.04 per invoiced gallon. Any limitation on the average wholesale price of motor fuel contained in this subsection shall not be applicable to alternative fuel.

(3) All actions of the Tax Commissioner in acquiring data necessary to establish and determine the average wholesale price of motor fuel, in providing notification of his or her determination prior to the effective date of a change in rate, and in establishing and determining the average wholesale price of motor fuel may be made by the Tax Commissioner without compliance with the provisions of article three, chapter twenty-nine-a of this code.

(4) In an administrative or court proceeding brought to challenge the average wholesale price of motor fuel as determined by the Tax Commissioner, his or her determination is presumed to be correct and shall not be set aside unless it is clearly erroneous.

~~(c) There is hereby levied a floorstocks tax on motor fuel held in storage outside the bulk transfer/terminal system as of the close of the business day preceding January 1, 2004, and upon which the tax levied by this section has not been paid. For the purposes of this section, "close of the business day" means the time at which the last transaction has occurred for that day. The floorstocks tax is payable by the person in possession of the motor fuel on January 1, 2004. The amount of the floorstocks tax on motor fuel is equal to the sum of the tax rate specified in subsection (a) of this section multiplied by the gallons in storage as of the close of the business day preceding January 1, 2004.~~

~~(1) Persons in possession of taxable motor fuel in storage outside the bulk transfer/terminal system as of the close of the business day preceding January 1, 2004, shall:~~

~~(A) Take an inventory at the close of the business day preceding January 1, 2004, to determine the gallons in storage for purposes of determining the floorstocks tax;~~

~~(B) Report no later than January 31, 2004, the gallons on forms provided by the commissioner; and~~

~~(C) Remit the tax levied under this section no later than June 1, 2004.~~

~~(2) In the event the tax due is paid to the commissioner on or before January 31, 2004, the person remitting the tax may deduct from their remittance five percent of the tax liability due.~~

~~(3) In the event the tax due is paid to the commissioner after June 1, 2004, the person remitting the tax shall pay, in addition to the tax, a penalty in the amount of five percent of the tax liability due.~~

~~(4) In determining the amount of floorstocks tax due under this section, the amount of motor fuel in dead storage may be excluded. There are two methods for calculating the amount of motor fuel in dead storage:~~

~~(A) If the tank has a capacity of less than ten thousand gallons, the amount of motor fuel in dead storage is two hundred gallons and if the tank has a capacity of ten thousand gallons or more, the amount of motor fuel in dead storage is four hundred gallons; or~~

~~(B) Use the manufacturer's conversion table for the tank after measuring the number of inches between the bottom of the tank and the bottom of the mouth of the drainpipe: *Provided*, That the distance between the bottom of the tank and the bottom of the mouth of the draw pipe is presumed to be six inches~~

~~(d)~~ (c) Every licensee who, on the effective date of any rate change, has in inventory any motor fuel upon which the tax or any portion thereof has been previously paid shall take a physical inventory and file a report thereof with the commissioner, in the format as required by the commissioner, within thirty days after the effective date of the rate change, and shall pay to the commissioner at the time of filing the report any additional tax due under the increased rate.

~~(e)~~ (d) The Tax Commissioner shall determine by January 1, 2014, the gasoline gallon equivalent for each alternative fuel by filing a notice of the gasoline gallon equivalent in the State Register and by other means that the Tax Commissioner considers reasonable. The Tax Commissioner may redetermine the gasoline gallon equivalent for each alternative fuel by filing a notice of the gasoline gallon equivalent in the State Register at least thirty days in advance of January 1 for the next succeeding tax year. For purposes of this notice, the Tax Commissioner may adopt or incorporate by reference provisions of the National Institute of Standards and Technology, United States Department of Commerce, the Internal Revenue Code, United States Treasury Regulations, the Internal Revenue Service publications or guidelines or other publications or guidelines which may be useful

in determining, setting or describing the gasoline gallon equivalent for each alternative fuel used as motor fuel.

(e) Effective date. — The amendments to this section enacted during the first extraordinary session of 2017 shall take effect on July 1, 2017.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-3c. Imposition of consumers sales tax on motor vehicle sales; rate of tax; use of motor vehicle purchased out of state; definition of sale; definition of motor vehicle; exemptions; collection of tax by Division of Motor Vehicles; dedication of tax to highways; legislative and emergency rules.

(a) Notwithstanding any provision of this article or article fifteen-a of this chapter to the contrary, beginning on July 1, 2008, all motor vehicle sales to West Virginia residents shall be subject to the consumers sales tax imposed by this article.

(b) *Rate of tax on motor vehicles.* — Notwithstanding any provision of this article or article fifteen-a of this chapter to the contrary, the rate of tax on the sale and use of a motor vehicle shall be five percent of its sale price, as defined in section two, article fifteen-b of this chapter: Provided, That so much of the sale price or consideration as is represented by the exchange of other vehicles on which the tax imposed by this section or section four, article three, chapter seventeen-a of this code has been paid by the purchaser shall be deducted from the total actual sale price paid for the motor vehicle, whether the motor vehicle be new or used. However, beginning July 1, 2017, the rate of tax imposed by this section shall increase to six percent of the sales price for purchases of motor vehicles made on and after that date.

(c) *Motor vehicles purchased out of state.* — Notwithstanding this article or article fifteen-a to the contrary, the tax imposed by this section shall apply to all motor vehicles, used as defined by section one, article fifteen-a of this chapter, within this state,

regardless of whether the vehicle was purchased in a state other than West Virginia.

(d) *Definition of sale.* — Notwithstanding any provision of this article or article fifteen-a of this chapter to the contrary, for purposes of this section, “sale”, “sales” or “selling” means any transfer or lease of the possession or ownership of a motor vehicle for consideration, including isolated transactions between individuals not being made in the ordinary course of repeated and successive business and also including casual and occasional sales between individuals not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions.

(e) *Definition of motor vehicle.* — For purposes of this section, “motor vehicle” means every propellable device in or upon which any person or property is or may be transported or drawn upon a highway including, but not limited to: Automobiles; buses; motor homes; motorcycles; motorboats; all-terrain vehicles; snowmobiles; low-speed vehicles; trucks, truck tractors and road tractors having a weight of less than fifty-five thousand pounds; trailers, semitrailers, full trailers, pole trailers and converter gear having a gross weight of less than two thousand pounds; and motorboat trailers, fold-down camping trailers, traveling trailers, house trailers and motor homes; except that the term “motor vehicle” does not include: Modular homes, manufactured homes, mobile homes, similar nonmotive propelled vehicles susceptible of being moved upon the highways but primarily designed for habitation and occupancy; devices operated regularly for the transportation of persons for compensation under a certificate of convenience and necessity or contract carrier permit issued by the Public Service Commission; mobile equipment as defined in section one, article one, chapter seventeen-a of this code; special mobile equipment as defined in section one, article one, chapter seventeen-a of this code; trucks, truck tractors and road tractors having a gross weight of fifty-five thousand pounds or more; trailers, semitrailers, full trailers, pole trailers and converter gear having weight of two thousand pounds or greater: Provided, That notwithstanding the provisions of section nine, article fifteen, chapter eleven of this code, the exemption from tax under this

section for mobile equipment as defined in section one, article one, chapter seventeen-a of this code; special mobile equipment defined in section one, article one, chapter seventeen-a of this code; Class B trucks, truck tractors and road tractors registered at a gross weight of fifty-five thousand pounds or more; and Class C trailers, semitrailers, full trailers, pole trailers and converter gear having weight of two thousand pounds or greater does not subject the sale or purchase of the vehicle to the consumer sales and service tax imposed by section three of this article.

(f) *Exemptions.* — Notwithstanding any other provision of this code to the contrary, the tax imposed by this section shall not be subject to any exemption in this code other than the following:

(1) The tax imposed by this section does not apply to any passenger vehicle offered for rent in the normal course of business by a daily passenger rental car business as licensed under the provisions of article six-d, chapter seventeen-a of this code. For purposes of this section, a daily passenger car means a motor vehicle having a gross weight of eight thousand pounds or less and is registered in this state or any other state. In lieu of the tax imposed by this section, there is hereby imposed a tax of not less than \$1 nor more than \$1.50 for each day or part of the rental period. The Commissioner of Motor Vehicles shall propose an emergency rule in accordance with the provisions of article three, chapter twenty-nine-a of this code to establish this tax.

(2) The tax imposed by this section does not apply where the motor vehicle has been acquired by a corporation, partnership or limited liability company from another corporation, partnership or limited liability company that is a member of the same controlled group and the entity transferring the motor vehicle has previously paid the tax on that motor vehicle imposed by this section. For the purposes of this section, control means ownership, directly or indirectly, of stock or equity interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation or equity interests of a partnership or limited liability company entitled to vote or ownership, directly or indirectly, of stock or equity interests possessing fifty percent or

more of the value of the corporation, partnership or limited liability company.

(3) The tax imposed by this section does not apply where motor vehicle has been acquired by a senior citizen service organization which is exempt from the payment of income taxes under the United States Internal Revenue Code, Title 26 U.S.C. §501(c)(3) and which is recognized to be a bona fide senior citizen service organization by the Bureau of Senior Services existing under the provisions of article five, chapter sixteen of this code.

(4) The tax imposed by this section does not apply to any active duty military personnel stationed outside of West Virginia who acquires a motor vehicle by sale within nine months from the date the person returns to this state.

(5) The tax imposed by this section does not apply to motor vehicles acquired by registered dealers of this state for resale only.

(6) The tax imposed by this section does not apply to motor vehicles acquired by this state or any political subdivision thereof or by any volunteer fire department or duly chartered rescue or ambulance squad organized and incorporated under the laws of this state as a nonprofit corporation for protection of life or property.

(7) The tax imposed by this section does not apply to motor vehicles acquired by an urban mass transit authority, as defined in article twenty-seven, chapter eight of this code, or a nonprofit entity exempt from federal and state income tax under the Internal Revenue Code for the purpose of providing mass transportation to the public at large or designed for the transportation of persons and being operated for the transportation of persons in the public interest.

(8) The tax imposed by this section does not apply to the registration of a vehicle owned and titled in the name of a resident of this state if the applicant:

(A) Was not a resident of this state at the time the applicant purchased or otherwise acquired ownership of the vehicle;

(B) Presents evidence as the Commissioner of Motor Vehicles may require of having titled the vehicle in the applicant's previous state of residence;

(C) Has relocated to this state and can present such evidence as the Commissioner of Motor Vehicles may require to show bona fide residency in this state; and

(D) Makes application to the Division of Motor Vehicles for a title and registration and pays all other fees required by chapter seventeen-a of this code within thirty days of establishing residency in this state as prescribed in subsection (a), section one-a of this article.

(9) On and after January 1, 2009, the tax imposed by this section does not apply to Class B trucks, truck tractors and road tractors registered at a gross weight of fifty-five thousand pounds or more or to Class C trailers, semitrailers, full trailers, pole trailers and converter gear having a weight of two thousand pounds or greater. If an owner of a vehicle has previously titled the vehicle at a declared gross weight of fifty-five thousand pounds or more and the title was issued without the payment of the tax imposed by this section, then before the owner may obtain registration for the vehicle at a gross weight less than fifty-five thousand pounds, the owner shall surrender to the commissioner the exempted registration, the exempted certificate of title and pay the tax imposed by this section based upon the current market value of the vehicle.

(10) The tax imposed by this section does not apply to vehicles leased by residents of West Virginia. On or after January 1, 2009, a tax is imposed upon the monthly payments for the lease of any motor vehicle leased under a written contract of lease by a resident of West Virginia for a contractually specified continuous period of more than thirty days, which tax is equal to five percent of the amount of the monthly payment, applied to each payment, and continuing for the entire term of the initial lease period. The tax shall be remitted to the Division of Motor Vehicles on a monthly basis by the lessor of the vehicle. Leases of thirty days or less are

taxable under the provisions of this article and article fifteen-a of this chapter without reference to this section.

(g) *Division of Motor Vehicles to collect.* — Notwithstanding any provision of this article, article fifteen-a and article ten of this chapter to the contrary, the Division of Motor Vehicles shall collect the tax imposed by this section: Provided, That such tax is imposed upon the monthly payments for the lease of any motor vehicle leased by a resident of West Virginia, which tax is equal to five percent of the amount of the monthly payment, applied to each payment, and continuing for the entire term of the initial lease period. The tax shall be remitted to the Division of Motor Vehicles on a monthly basis by the lessor of the vehicle.

(h) *Dedication of tax to highways.* — Notwithstanding any provision of this article or article fifteen-a of this chapter to the contrary, all taxes collected pursuant to this section, after deducting the amount of any refunds lawfully paid, shall be deposited in the State Road Fund in the State Treasury and expended by the Commissioner of Highways for design, maintenance and construction of roads in the state highway system.

(i) *Legislative rules; emergency rules.* — Notwithstanding any provision of this article, article fifteen-a and article ten of this chapter to the contrary, the Commissioner of Motor Vehicles shall promulgate legislative rules explaining and implementing this section, which rules shall be promulgated in accordance with the provisions of article three, chapter twenty-nine-a of this code and should include a minimum taxable value and set forth instances when a vehicle is to be taxed at fair market value rather than its purchase price. The authority to promulgate rules includes authority to amend or repeal those rules. If proposed legislative rules for this section are filed in the State Register before June 15, 2008, those rules may be promulgated as emergency legislative rules as provided in article three, chapter twenty-nine-a of this code.

(j) Notwithstanding any other provision of this code, effective January 1, 2009, no municipal sales or use tax or local sales or use tax or special downtown redevelopment district excise tax or

special district excise tax shall be imposed under article twenty-two, chapter seven of this code or article thirteen, chapter eight of this code or article thirteen-b of said chapter or article thirty-eight of said chapter or any other provision of this code, except this section, on sales of motor vehicles as defined in this article or on any tangible personal property excepted or exempted from tax under this section. Nothing in this subsection shall be construed to prevent the application of the municipal business and occupation tax on motor vehicle retailers and leasing companies.

§11-15-18b. Tax on motor fuel.

(a) *General.* – All sales of motor fuel and alternative fuel subject to the flat rate of the tax imposed by section five, article fourteen-c of this chapter, are subject to the tax imposed by this article and comprises the variable component of the tax imposed by section five, article fourteen-c of this chapter and is collected and remitted at the time the tax imposed by said section is remitted. Sales of motor fuel and alternative fuel upon which the tax imposed by this article has been paid is not again taxed under the provisions of this article. This section means that all gallons of motor fuel and equivalent gallons of alternative fuel sold and delivered or delivered in this state are taxed one time.

(b) *Measure of tax.* – The measure of tax imposed by this article is as follows:

(1) On sales of motor fuel, the average wholesale price as defined and determined in section five, article fourteen-c of this chapter. For purposes of maintaining revenue for highways, and recognizing that the tax imposed by this article is generally imposed on gross proceeds from sales to ultimate consumers, whereas the tax on motor fuel herein is imposed on the average wholesale price of the motor fuel; in no case, for the purposes of taxation under this article, may the average wholesale price be determined to be less than \$.97 per gallon of motor fuel for all gallons of motor fuel sold during the reporting period, notwithstanding any provision of this article to the contrary. On and after January 1, 2010, for the purpose of taxation under this article, in no case may the average wholesale price be determined

to be less than \$2.34 per gallon of motor fuel for all gallons of motor fuel sold during the reporting period notwithstanding any provision of this article to the contrary: Provided, That on and after July 1, 2017, in no case may the average wholesale price be determined to be less than \$3.04 per gallon of motor fuel for all gallons of motor fuel sold during the reporting period notwithstanding any provision of this article to the contrary and on and after July 1, 2017, the tax per gallon may not be less than 15.2 cents per gallon of motor fuel. Any limitation on the average wholesale price of motor fuel contained in this subsection shall not be applicable to alternative fuel.

(2) On sales of alternative fuel, the average wholesale price as defined and determined in section five, article fourteen-c of this chapter.

(c) *Definitions.* – For purposes of this article, the terms “gasoline” and “special fuel” and “alternative fuel” are defined as provided in section two, article fourteen-c of this chapter. Other terms used in this section have the same meaning as when used in a similar context in said article.

(d) *Tax return and tax due.* –

(1) The tax imposed by this article on sales of motor fuel shall be paid by each taxpayer on or before the last day of the calendar month by check, bank draft, certified check or money order payable to the Tax Commissioner for the amount of tax due for the preceding month notwithstanding any provision of this article to the contrary. The commissioner may require all or certain taxpayers to file tax returns and payments electronically. The return required by the commissioner shall accompany the payment of tax. If no tax is due, the return required by the commissioner shall be completed and filed on or before the last day of the month.

(2) The tax due under this article comprising the variable component of the tax due under article fourteen-c of this chapter on alternative fuel, is due and shall be collected and remitted at the time the tax imposed by section five, article fourteen-c of this chapter is due, collected and remitted.

(e) *Compliance.* – To facilitate ease of administration and compliance by taxpayers, the Tax Commissioner shall require persons liable for the tax imposed by this article on sales of motor fuel to file a combined return and make a combined payment of the tax due under this article on sales of motor fuel and the tax due under article fourteen-c of this chapter on motor fuel. In order to encourage use of a combined return each month and the making of a single payment each month for both taxes, the due date of the return and tax due under article fourteen-c of this chapter is the last day of each month notwithstanding any provision in said article to the contrary. The Tax Commissioner may prescribe reporting and payment requirements for tax due under this article on alternative fuel which accommodate the due dates and requirements prescribed in this article and article fourteen-c of this chapter, either under a separate return and payment or a combined return and payment, within the discretion of the Tax Commissioner.

(f) *Dedication of tax.* – All tax collected under the provisions of this section, after deducting the amount of refunds lawfully paid, shall be deposited in the road fund in the State Treasurer’s office and used only for the purpose of construction, reconstruction, maintenance and repair of highways and payment of principal and interest on state bonds issued for highway purposes. Notwithstanding any provision to the contrary, tax collected on the sale of aviation fuel after deducting the amount of refunds lawfully paid shall be deposited in the State Treasurer’s office and transferred to the state Aeronautical Commission to be used for the purpose of matching federal funds available for the reconstruction, maintenance and repair of public airports and airport runways.

(g) *Construction.* – This section does not tax a sale of motor fuel which this state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States.

(h) *Effective date.* – The provisions of this section take effect on January 1, 2004. The provisions of this section enacted during the 2007 legislative session take effect on January 1, 2008. The provisions of this section enacted during the 2013 regular legislative session take effect on January 1, 2014. The amendments

of this section enacted during the first extraordinary session of 2017 take effect on July 1, 2017.

**CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION,
REGISTRATION, CERTIFICATE OF TITLE AND ANTI-
THEFT PROVISIONS.**

ARTICLE 2. DIVISION OF MOTOR VEHICLES.

§17A-2-13. Authority to administer oaths and certify copies of records; information as to registration.

(a) Officers and employees of the division designated by the commissioner are, for the purpose of administering the motor vehicle laws, authorized to administer oaths and acknowledge signatures, and shall do so without fee.

(b) The commissioner and such officers of the division as he or she may designate are hereby authorized to prepare under the seal of the division and deliver upon request in conformance with article two-a of this chapter a certified copy of any record of the division, charging a fee of ~~one dollar~~ \$1.50 for each document so authenticated, and every such certified copy is admissible in any proceeding in any court in like manner as the original thereof. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

(c) Subject to the provisions of article two-a of this chapter, the commissioner and such officers of the division as he or she may designate may furnish the requested information to any person making a written request for information regarding the registration of any vehicle at a fee of ~~one dollar~~ \$1.50 for each registration about which information is furnished. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such

fee may not exceed ten percent of the total fee amount in a single year.

(d) The provisions of this section enacted in 2017 take effect on July 1, 2017.

ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF CERTIFICATES OF TITLE.

§17A-3-4. Application for certificate of title; fees; abolishing privilege tax; prohibition of issuance of certificate of title without compliance with consumer sales and service tax provisions; exceptions.

(a) Certificates of registration of any vehicle or registration plates for the vehicle, whether original issues or duplicates, may not be issued or furnished by the Division of Motor Vehicles or any other officer or agent charged with the duty, unless the applicant already has received, or at the same time makes application for and is granted, an official certificate of title of the vehicle in either an electronic or paper format. The application shall be upon a blank form to be furnished by the Division of Motor Vehicles and shall contain a full description of the vehicle, which description shall contain a manufacturer's serial or identification number or other number as determined by the commissioner and any distinguishing marks, together with a statement of the applicant's title and of any liens or encumbrances upon the vehicle, the names and addresses of the holders of the liens and any other information as the Division of Motor Vehicles may require. The application shall be signed and sworn to by the applicant. A duly certified copy of the division's electronic record of a certificate of title is admissible in any civil, criminal or administrative proceeding in this state as evidence of ownership.

(b) A tax is imposed upon the privilege of effecting the certification of title of each vehicle in the amount equal to five percent of the value of the motor vehicle at the time of the certification, to be assessed as follows:

(1) If the vehicle is new, the actual purchase price or consideration to the purchaser of the vehicle is the value of the vehicle. If the vehicle is a used or secondhand vehicle, the present market value at time of transfer or purchase is the value of the vehicle for the purposes of this section: *Provided*, That so much of the purchase price or consideration as is represented by the exchange of other vehicles on which the tax imposed by this section has been paid by the purchaser shall be deducted from the total actual price or consideration paid for the vehicle, whether the vehicle be new or secondhand. If the vehicle is acquired through gift or by any manner whatsoever, unless specifically exempted in this section, the present market value of the vehicle at the time of the gift or transfer is the value of the vehicle for the purposes of this section.

(2) No certificate of title for any vehicle may be issued to any applicant unless the applicant has paid to the Division of Motor Vehicles the tax imposed by this section which is five percent of the true and actual value of the vehicle whether the vehicle is acquired through purchase, by gift or by any other manner whatsoever, except gifts between husband and wife or between parents and children: *Provided*, That the husband or wife, or the parents or children, previously have paid the tax on the vehicles transferred to the State of West Virginia.

(3) The Division of Motor Vehicles may issue a certificate of registration and title to an applicant if the applicant provides sufficient proof to the Division of Motor Vehicles that the applicant has paid the taxes and fees required by this section to a motor vehicle dealership that has gone out of business or has filed bankruptcy proceedings in the United States bankruptcy court and the taxes and fees so required to be paid by the applicant have not been sent to the division by the motor vehicle dealership or have been impounded due to the bankruptcy proceedings: *Provided*, That the applicant makes an affidavit of the same and assigns all rights to claims for money the applicant may have against the motor vehicle dealership to the Division of Motor Vehicles.

(4) The Division of Motor Vehicles shall issue a certificate of registration and title to an applicant without payment of the tax

imposed by this section if the applicant is a corporation, partnership or limited liability company transferring the vehicle to another corporation, partnership or limited liability company when the entities involved in the transfer are members of the same controlled group and the transferring entity has previously paid the tax on the vehicle transferred. For the purposes of this section, control means ownership, directly or indirectly, of stock or equity interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation or equity interests of a partnership or limited liability company entitled to vote or ownership, directly or indirectly, of stock or equity interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company.

(5) The tax imposed by this section does not apply to vehicles to be registered as Class H vehicles or Class M vehicles, as defined in section one, article ten of this chapter, which are used or to be used in interstate commerce. Nor does the tax imposed by this section apply to the titling of Class B vehicles registered at a gross weight of fifty-five thousand pounds or more, or to the titling of Class C semitrailers, full trailers, pole trailers and converter gear: *Provided*, That if an owner of a vehicle has previously titled the vehicle at a declared gross weight of fifty-five thousand pounds or more and the title was issued without the payment of the tax imposed by this section, then before the owner may obtain registration for the vehicle at a gross weight less than fifty-five thousand pounds, the owner shall surrender to the commissioner the exempted registration, the exempted certificate of title and pay the tax imposed by this section based upon the current market value of the vehicle: *Provided, however*, That notwithstanding the provisions of section nine, article fifteen, chapter eleven of this code, the exemption from tax under this section for Class B vehicles in excess of fifty-five thousand pounds and Class C semitrailers, full trailers, pole trailers and converter gear does not subject the sale or purchase of the vehicles to the consumers sales and service tax.

(6) The tax imposed by this section does not apply to titling of vehicles leased by residents of West Virginia. A tax is imposed

upon the monthly payments for the lease of any motor vehicle leased by a resident of West Virginia, which tax is equal to five percent of the amount of the monthly payment, applied to each payment, and continuing for the entire term of the initial lease period. The tax shall be remitted to the Division of Motor Vehicles on a monthly basis by the lessor of the vehicle.

(7) The tax imposed by this section does not apply to titling of vehicles by a registered dealer of this state for resale only, nor does the tax imposed by this section apply to titling of vehicles by this state or any political subdivision thereof, or by any volunteer fire department or duly chartered rescue or ambulance squad organized and incorporated under the laws of this state as a nonprofit corporation for protection of life or property. The total amount of revenue collected by reason of this tax shall be paid into the State Road Fund and expended by the Commissioner of Highways for matching federal funds allocated for West Virginia. In addition to the tax, there is a charge of ~~\$5~~ \$10 for each original certificate of title or duplicate certificate of title so issued: *Provided*, That this state or any political subdivision of this state or any volunteer fire department or duly chartered rescue squad is exempt from payment of the charge. The Division of Motor Vehicles may adjust the fee for each original certificate or duplicate certificate of title every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in the fee may not exceed ten percent of the total fee amount in a single year.

(8) The certificate is good for the life of the vehicle, so long as the vehicle is owned or held by the original holder of the certificate and need not be renewed annually, or any other time, except as provided in this section.

(9) If, by will or direct inheritance, a person becomes the owner of a motor vehicle and the tax imposed by this section previously has been paid to the Division of Motor Vehicles on that vehicle, he or she is not required to pay the tax.

(10) A person who has paid the tax imposed by this section is not required to pay the tax a second time for the same motor

vehicle, but is required to pay a charge of ~~\$5~~ \$10 for the certificate of retitling of that motor vehicle, except that the tax shall be paid by the person when the title to the vehicle has been transferred either in this or another state from the person to another person and transferred back to the person. The Division of Motor Vehicles may adjust the fee for each original certificate of title every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.*

(11) The tax imposed by this section does not apply to any passenger vehicle offered for rent in the normal course of business by a daily passenger rental car business as licensed under the provisions of article six-d of this chapter. For purposes of this section, a daily passenger car means a Class A motor vehicle having a gross weight of eight thousand pounds or less and is registered in this state or any other state. In lieu of the tax imposed by this section, there is hereby imposed a tax of not less than \$1 nor more than \$1.50 for each day or part of the rental period. The commissioner shall propose an emergency rule in accordance with the provisions of article three, chapter twenty-nine-a of this code to establish this tax.

(12) The tax imposed by this article does not apply to the titling of any vehicle purchased by a senior citizen service organization which is exempt from the payment of income taxes under the United States Internal Revenue Code, Title 26 U.S.C. §501(c)(3) and which is recognized to be a bona fide senior citizen service organization by the senior services bureau existing under the provisions of article five, chapter sixteen of this code.

(13) The tax imposed by this section does not apply to the titling of any vehicle operated by an urban mass transit authority as defined in article twenty-seven, chapter eight of this code or a nonprofit entity exempt from federal and state income tax under the Internal Revenue Code and whose purpose is to provide mass transportation to the public at large designed for the transportation of persons and being operated for the transportation of persons in the public interest.

(14) The tax imposed by this section does not apply to the transfer of a title to a vehicle owned and titled in the name of a resident of this state if the applicant:

(A) Was not a resident of this state at the time the applicant purchased or otherwise acquired ownership of the vehicle;

(B) Presents evidence as the commissioner may require of having titled the vehicle in the applicant's previous state of residence;

(C) Has relocated to this state and can present such evidence as the commissioner may require to show bona-fide residency in this state;

(D) Presents an affidavit, completed by the assessor of the applicant's county of residence, establishing that the vehicle has been properly reported and is on record in the office of the assessor as personal property; and

(E) Makes application to the division for a title and registration, and pays all other fees required by this chapter within thirty days of establishing residency in this state as prescribed in subsection (a), section one-a of this article: *Provided*, That a period of amnesty of three months be established by the commissioner during the calendar year 2007, during which time any resident of this state, having titled his or her vehicle in a previous state of residence, may pay without penalty any fees required by this chapter and transfer the title of his or her vehicle in accordance with the provisions of this section.

(c) Notwithstanding any provisions of this code to the contrary, the owners of trailers, semitrailers, recreational vehicles and other vehicles not subject to the certificate of title tax prior to the enactment of this chapter are subject to the privilege tax imposed by this section: *Provided*, That the certification of title of any recreational vehicle owned by the applicant on June 30, 1989, is not subject to the tax imposed by this section: *Provided, however*, That mobile homes, manufactured homes, modular homes and similar nonmotive propelled vehicles, except recreational vehicles

and house trailers, susceptible of being moved upon the highways but primarily designed for habitation and occupancy, rather than for transporting persons or property, or any vehicle operated on a nonprofit basis and used exclusively for the transportation of intellectually disabled or physically disabled children when the application for certificate of registration for the vehicle is accompanied by an affidavit stating that the vehicle will be operated on a nonprofit basis and used exclusively for the transportation of intellectually disabled and physically disabled children, are not subject to the tax imposed by this section, but are taxable under the provisions of articles fifteen and fifteen-a, chapter eleven of this code.

(d) Beginning on July 1, 2008, the tax imposed under this subsection (b) of this section is abolished and after that date no certificate of title for any motor vehicle may be issued to any applicant unless the applicant provides sufficient proof to the Division of Motor Vehicles that the applicant has paid the fees required by this article and the tax imposed under section ~~three-b~~ three-c, article fifteen, chapter eleven of this code.

(e) Any person making any affidavit required under any provision of this section who knowingly swears falsely, or any person who counsels, advises, aids or abets another in the commission of false swearing, or any person, while acting as an agent of the Division of Motor Vehicles, issues a vehicle registration without first collecting the fees and taxes or fails to perform any other duty required by this chapter or chapter eleven of this code to be performed before a vehicle registration is issued is, on the first offense, guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or be confined in jail for a period not to exceed six months or, in the discretion of the court, both fined and confined. For a second or any subsequent conviction within five years, that person is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or be imprisoned in a state correctional facility for not less than one year nor more than five years or, in the discretion of the court, both fined and imprisoned.

(f) Notwithstanding any other provisions of this section, any person in the military stationed outside West Virginia or his or her dependents who possess a motor vehicle with valid registration are exempt from the provisions of this article for a period of nine months from the date the person returns to this state or the date his or her dependent returns to this state, whichever is later.

(g) No person may transfer, purchase or sell a factory-built home without a certificate of title issued by the commissioner in accordance with the provisions of this article:

(1) Any person who fails to provide a certificate of title upon the transfer, purchase or sale of a factory-built home is guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be fined not less than \$100 nor more than \$1,000, or be confined in jail for not more than one year, or both fined and confined. For each subsequent offense, the fine may be increased to not more than \$2,000, with confinement in jail not more than one year, or both fined and confined.

(2) Failure of the seller to transfer a certificate of title upon sale or transfer of the factory-built home gives rise to a cause of action, upon prosecution thereof, and allows for the recovery of damages, costs and reasonable attorney fees.

(3) This subsection does not apply to a mobile or manufactured home for which a certificate of title has been canceled pursuant to section twelve-b of this article.

(h) Notwithstanding any other provision to the contrary, whenever reference is made to the application for or issuance of any title or the recordation or release of any lien, it includes the application, transmission, recordation, transfer of ownership and storage of information in an electronic format.

(i) Notwithstanding any other provision contained in this section, nothing herein shall be considered to include modular homes as defined in subsection (i), section two, article fifteen, chapter thirty-seven of this code and built to the state building code as established by legislative rules promulgated by the State Fire

Commission pursuant to section five-b, article three, chapter twenty-nine of this code.

(j) The provisions of this section enacted in 2017 take effect on July 1, 2017.

ARTICLE 4. TRANSFERS OF TITLE OR INTEREST.

§17A-4-1. Registration expires on transfer by owner; transfer, surrender or retention of plates.

Whenever the owner of a registered vehicle transfers or assigns his or her title, or interest thereto, the registration of such vehicle shall expire: Provided, That such owner, if he or she has made application to the department within sixty days from the date of purchase to have said registration plates transferred to be used on another vehicle owned by said owner, may then operate the other vehicle for a period of sixty days, but in no event longer than sixty days from the date of original transfer. Upon such transfer, it shall be the duty of the original owner to retain the registration plates issued therefor and to immediately notify the commissioner of such transfer upon such form as may be provided therefor and to deliver to him or her the certificate of registration, whereupon the commissioner shall, upon the payment of a fee of \$~~5~~ \$10, issue a new certificate showing the use to be made of such plates. The Division of Motor Vehicles may adjust the fee for each new certificate every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: Provided, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. Such plates may then be used by such owner on another vehicle of the same class as the vehicle for which they were originally issued if such other vehicle does not require a greater license fee than was required for such original vehicle. If such other vehicle requires a greater license fee than such original vehicle, then such plates may be used by paying such difference to the commissioner. When such transfer of ownership is made to a licensed dealer in motor vehicles it shall be the duty of such dealer to immediately execute notification of transfer, in triplicate, and to have this notification properly signed by the owner making the transfer. The dealer shall

immediately forward to the department the original copy of the notification of transfer. One copy of the notification of transfer shall be given to the owner and one shall be retained by the dealer. The owner shall immediately send to the department the transfer fee of \$5 \$10 with any additional fee that may be required under the terms of this chapter. The owner's copy, properly signed by the dealer, will be the owner's identification until he or she receives a new registration card from the department.

The owner of a set of registration plates may surrender them to the commissioner together with the registration card and, upon the payment of \$5 \$10 as an exchange fee and upon the payment of such additional fees as are necessary to equalize the value of the plates surrendered with the value of registration plates desired, receive in exchange a set of plates and registration card for a vehicle of a different class.

§17A-4-10. Salvage certificates for certain wrecked or damaged vehicles; fee; penalty.

(a) In the event a motor vehicle is determined to be a total loss or otherwise designated as totaled by an insurance company or insurer, and upon payment of a total loss claim to an insured or claimant owner for the purchase of the vehicle, the insurance company or the insurer, as a condition of the payment, shall require the owner to surrender the certificate of title: *Provided*, That an insured or claimant owner may choose to retain physical possession and ownership of a total loss vehicle. If the vehicle owner chooses to retain the vehicle and the vehicle has not been determined to be a cosmetic total loss in accordance with subsection (d) of this section, the insurance company or insurer shall also require the owner to surrender the vehicle registration certificate. The term "total loss" means a motor vehicle which has sustained damages equivalent to seventy-five percent or more of the market value as determined by a nationally accepted used car value guide or meets the definition of a flood-damaged vehicle as defined in this section.

(b) The insurance company or insurer shall, prior to the payment of the total loss claim, determine if the vehicle is

repairable, cosmetically damaged or nonrepairable. Except as provided in subsection (p) of this section, within ten days of payment of the total loss claim, the insurance company or insurer shall surrender the certificate of title, a copy of the claim settlement, a completed application on a form prescribed by the commissioner and the registration certificate if the owner has chosen to keep the vehicle to the Division of Motor Vehicles.

(c) If the insurance company or insurer determines that the vehicle is repairable, the division shall issue a salvage certificate, on a form prescribed by the commissioner, in the name of the insurance company, the insurer or the vehicle owner if the owner has chosen to retain the vehicle. The certificate shall contain, on the reverse, spaces for one successive assignment before a new certificate at an additional fee is required. Upon the sale of the vehicle, the insurance company, insurer or vehicle owner if the owner has chosen to retain the vehicle, shall complete the assignment of ownership on the salvage certificate and deliver it to the purchaser. The vehicle may not be titled or registered for operation on the streets or highways of this state unless there is compliance with subsection ~~(g)~~ (h) of this section. The division shall charge a fee of ~~\$15~~ \$22.50 for each salvage title issued. The Division of Motor Vehicles may adjust the fee for each salvage title every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

(d) If the insurance company or insurer determines the damage to a totaled vehicle is exclusively cosmetic and no repair is necessary in order to legally and safely operate the motor vehicle on the roads and highways of this state, the insurance company or insurer shall, upon payment of the claim, submit the certificate of title to the division. Neither the insurance company nor the division may require the vehicle owner to surrender the registration certificate in the event of a cosmetic total loss settlement.

(1) The division shall, without further inspection, issue a title branded "cosmetic total loss" to the insured or claimant owner if the insured or claimant owner wishes to retain possession of the

vehicle, in lieu of a salvage certificate. The division shall charge a fee of \$5 ~~\$22.50~~ for each cosmetic total loss title issued. The terms “cosmetically damaged” and “cosmetic total loss” do not include any vehicle which has been damaged by flood or fire. The designation “cosmetic total loss” on a title may not be removed. The Division of Motor Vehicles may adjust the fee for each cosmetic total loss title every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

(2) If the insured or claimant owner elects not to take possession of the vehicle and the insurance company or insurer retains possession, the division shall issue a cosmetic total loss salvage certificate to the insurance company or insurer. The division shall charge a fee of \$15 ~~\$22.50~~ for each cosmetic total loss salvage certificate issued. The Division of Motor Vehicles may adjust the fee for each cosmetic total loss salvage certificate every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. The division shall, upon surrender of the cosmetic total loss salvage certificate issued under the provisions of this paragraph and payment of the five percent motor vehicle sales tax on the fair market value of the vehicle as determined by the commissioner, issue a title branded “cosmetic total loss” without further inspection.

(e) If the insurance company or insurer determines that the damage to a totaled vehicle renders it nonrepairable, incapable of safe operation for use on roads and highways and as having no resale value except as a source of parts or scrap, the insurance company or vehicle owner shall, in the manner prescribed by the commissioner, request that the division issue a nonrepairable motor vehicle certificate in lieu of a salvage certificate. The division shall issue a nonrepairable motor vehicle certificate without charge.

(f) Any owner who scraps, compresses, dismantles or destroys a vehicle without further transfer or sale for which a certificate of

title, nonrepairable motor vehicle certificate or salvage certificate has been issued shall, within forty-five days, surrender the certificate of title, nonrepairable motor vehicle certificate or salvage certificate to the division for cancellation.

(g) Any person who purchases or acquires a vehicle as salvage or scrap, to be dismantled, compressed or destroyed, shall, within forty-five days, surrender to the division the certificate of title, nonrepairable motor vehicle certificate, salvage certificate or a statement of cancellation signed by the seller, on a form prescribed by the commissioner. Subsequent purchasers of salvage or scrap are not required to comply with the notification requirement.

(h) If the motor vehicle is a “reconstructed vehicle” as defined in this section or section one, article one of this chapter, it may not be titled or registered for operation until it has been inspected by an official state inspection station and by the Division of Motor Vehicles. Following an approved inspection, an application for a new certificate of title may be submitted to the division. The applicant is required to retain all receipts for component parts, equipment and materials used in the reconstruction. The salvage certificate shall also be surrendered to the division before a certificate of title may be issued with the appropriate brand.

(i) The owner or title holder of a motor vehicle titled in this state which has previously been branded in this state or another state as salvage, reconstructed, cosmetic total loss, cosmetic total loss salvage, flood, fire, an equivalent term under another state’s laws or a term consistent with the intent of the National Motor Vehicle Title Information System established pursuant to 49 U.S.C. §30502 shall, upon becoming aware of the brand, apply for and receive a title from the Division of Motor Vehicles on which the brand “reconstructed”, “salvage”, “cosmetic total loss”, “cosmetic total loss salvage”, “flood”, “fire” or other brand is shown. The division shall charge a fee of \$5 ~~\$10~~ for each title so issued. The Division of Motor Vehicles may adjust the fee for each reconstructed, salvage, cosmetic total loss, cosmetic total loss salvage, flood, fire or other brand title issued every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*,

That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

(j) If application is made for title to a motor vehicle, the title to which has previously been branded reconstructed, salvage, cosmetic total loss, cosmetic total loss salvage, flood, fire or other brand by the Division of Motor Vehicles under this section and said application is accompanied by a title from another state which does not carry the brand, the division shall, before issuing the title, affix the brand "reconstructed", "cosmetic total loss", "cosmetic total loss salvage", "flood", "fire" or other brand to the title. The motor vehicle sales tax paid on a motor vehicle titled as reconstructed, cosmetic total loss, flood, fire or other brand under the provisions of this section shall be based on fifty percent of the fair market value of the vehicle as determined by a nationally accepted used car value guide to be used by the commissioner.

(k) The division shall charge a fee of ~~\$15~~ \$22.50 for the issuance of each salvage certificate or cosmetic total loss salvage certificate but shall not require the payment of the five percent motor vehicle sales tax. The Division of Motor Vehicles may adjust the fee for each salvage certificate or cosmetic total loss salvage certificate every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. However, upon application for a certificate of title for a reconstructed, cosmetic total loss, flood or fire damaged vehicle or other brand, the division shall collect the five percent privilege tax on the fair market value of the vehicle as determined by the commissioner unless the applicant is otherwise exempt from the payment of such privilege tax. A wrecker/dismantler/rebuilder, licensed by the division, is exempt from the payment of the five percent privilege tax upon titling a reconstructed vehicle. The division shall collect a fee of \$35 per vehicle for inspections of reconstructed vehicles. These fees shall be deposited in a special fund created in the State Treasurer's Office and may be expended by the division to carry out the provisions of this article: *Provided*, That on and after July 1, 2007, any balance in the special fund and

all fees collected pursuant to this section shall be deposited in the State Road Fund. Licensed wreckers/dismantlers/rebuilders may charge a fee not to exceed \$25 for all vehicles owned by private rebuilders which are inspected at the place of business of a wrecker/dismantler/rebuilder.

(l) As used in this section:

(1) "Reconstructed vehicle" means the vehicle was totaled under the provisions of this section or by the provisions of another state or jurisdiction and has been rebuilt in accordance with the provisions of this section or in accordance with the provisions of another state or jurisdiction or meets the provisions of subsection (n), section one, article one of this chapter.

(2) "Flood-damaged vehicle" means that the vehicle was submerged in water to the extent that water entered the passenger or trunk compartment.

(3) "Other brand" means a brand consistent with the intent of the National Motor Vehicle Title Information System established pursuant to 49 U.S.C. §30502 and rules promulgated by the United States Department of Justice to alert consumers, motor vehicle dealers or the insurance industry of the history of a vehicle.

(m) Every vehicle owner shall comply with the branding requirements for a totaled vehicle whether or not the owner receives an insurance claim settlement for a totaled vehicle.

(n) A certificate of title issued by the division for a reconstructed vehicle shall contain markings in bold print on the face of the title that it is for a reconstructed, flood- or fire damaged vehicle.

(o) Any person who knowingly provides false or fraudulent information to the division that is required by this section in an application for a title, a cosmetic total loss title, a reconstructed vehicle title or a salvage certificate or who knowingly fails to disclose to the division information required by this section to be included in the application or who otherwise violates the provisions of this section is guilty of a misdemeanor and, upon conviction

thereof, shall for each incident be fined not less than \$1,000 nor more than \$2,500, or imprisoned in jail for not more than one year, or both fined and imprisoned.

(p) Notwithstanding any other provision of law and with respect to a vehicle which the vehicle owner has not chosen to retain, if an insurance company or insurer is unable to obtain the properly endorsed certificate of title for a motor vehicle within thirty days of the payment of a total loss claim, the insurance company or insurer, at any time thereafter, may apply to the Division of Motor Vehicles for a salvage certificate, a cosmetic total loss salvage certificate or a nonrepairable motor vehicle certificate as applicable. The application shall be accompanied by evidence that the insurance company or insurer has paid a total loss claim on the vehicle, a copy of a written request for the certificate of title sent to the vehicle owner and any known lienholder by the insurance company or insurer or a designee of the insurance company or insurer, proof that the request was sent by certified mail, return receipt requested, to the last known address of the vehicle owner and any known lienholder, service to be complete upon the mailing thereof, and the required fee, if applicable. Upon receipt of a properly completed application, the division shall issue a salvage certificate, a cosmetic total loss salvage certificate or a nonrepairable motor vehicle certificate, as applicable, in the name of the insurance company or insurer. Such salvage certificate, cosmetic total loss salvage certificate or nonrepairable motor vehicle certificate shall be issued free and clear of all liens and claims of ownership.

(q) If an insurance company or insurer requests that an automobile auction take possession of a motor vehicle that is the subject of an insurance claim, and subsequently the insurance company denies coverage with respect to the motor vehicle or otherwise does not take ownership of the motor vehicle, the automobile auction may proceed as follows. At any time after the automobile auction has had possession of the motor vehicle for forty-five days, it may apply to the division for a salvage certificate or a nonrepairable motor vehicle certificate without surrendering the certificate of title for the motor vehicle. The application shall

be accompanied by a copy of a written request, on the automobile auction's letterhead, requesting that, upon payment of applicable charges, the vehicle be removed from the automobile auction's facility, proof that the request was delivered by a nationally-recognized courier service or by certified mail to the vehicle owner and any known lienholder at least fifteen days before the date of the application, and the required fee, if applicable. Upon receipt of a properly completed application, the division shall issue a salvage certificate or a nonrepairable motor vehicle certificate, as applicable, in the name of the automobile auction. Such salvage certificate or nonrepairable motor vehicle certificate shall be issued free and clear of all liens and claims of ownership.

(r) An applicant pursuant to subsection (p) or (q) of this section shall indemnify and hold harmless the Division of Motor Vehicles from any liability arising from an error or misrepresentation made by such applicant in a submission to the division pursuant to subsection (p) or (q) of this section.

(s) The provisions of this article enacted in 2017 take effect on July 1, 2017.

ARTICLE 4A. LIENS AND ENCUMBRANCES ON VEHICLES TO BE SHOWN ON CERTIFICATE OF TITLE; NOTICE TO CREDITORS AND PURCHASERS.

§17A-4A-10. Fee for recording and release of lien.

The Division of Motor Vehicles is hereby authorized to charge a fee of ~~\$5~~ \$10 for the recording of any lien either in an electronic or paper format created by the voluntary act of the owner and endorsing it upon the title certificate issued pursuant to this article. The Division of Motor Vehicles may adjust the fee for each lien recording every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. ~~and~~ the The Division of Motor Vehicles is hereby authorized to charge a fee of ~~five dollars~~ \$10 for recordation of any release of a lien created by the voluntary act of the owner. The Division of Motor

Vehicles may adjust the fee for each recording of a lien release every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in the fee may not exceed ten percent of the total fee amount in a single year: *Provided, however*, That no charge shall be made for the endorsement and recordation of liens or releases thereof as provided under section nine of this article. No charge shall be made for the issuance of a title to the owner of a vehicle upon the receipt of an electronic release of the final lien.

The provisions of this section enacted in 2017 take effect on July 1, 2017.

ARTICLE 7. SPECIAL STICKERS.

§17A-7-2. Operation of motor vehicles by dealers or other persons under special stickers; application and fees; expiration.

(a) A member of the West Virginia State Police may at any detachment office, upon application therefor on a form prescribed by the commissioner, issue to a licensed dealer or any other person other than those specified in section one of this article, a paper sticker or decal to be affixed to the left side of the rear window of a motor vehicle or to the left rear of a vehicle which is not self-propelled. Such sticker or decal shall be of a size to be designated by the commissioner and shall be serially numbered and shall have provision thereon to indicate the date of issuance thereof.

(b) A fee of ~~\$5~~ \$10 per sticker shall be collected. ~~and~~ The Division of Motor Vehicles may adjust the fee for each sticker every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. The fees will be dispersed as follows: ~~\$2.50~~ Half shall be deposited in the State Road Fund and ~~\$2.50~~ half shall be deposited in the special revenue account within the Division of Highways for the maintenance of

the West Virginia Welcome Centers and rest areas along interstate highways in this state.

(c) Such sticker or decal shall be valid for forty-eight hours after its issuance for the operation of a vehicle, whether under its own power or while being towed, one time only over the streets or highways, and upon being once affixed to a vehicle shall become invalid for subsequent use on that or any other vehicle.

(d) The provisions of this section enacted in 2017 take effect on July 1, 2017.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-3. Registration fees for vehicles equipped with pneumatic tires.

The following registration fees for the classes indicated shall be paid to the division for the registration of vehicles subject to registration under this chapter when equipped with pneumatic tires:

(a) Registration fees for the following classes shall be paid to the division annually:

(1) *Class A.* — The registration fee for motor vehicles of this class is ~~\$28.50~~ \$50. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year: *Provided, however*, That the registration fees and any other fees required by this chapter for Class A vehicles under the optional biennial staggered registration system shall be multiplied by two and paid biennially to the division.

No license fee may be charged for vehicles owned by churches, or by trustees for churches, which are regularly used for transporting parishioners to and from church services. Notwithstanding the exemption, the certificate of registration and

license plates shall be obtained the same as other cards and plates under this article.

(2) *Class B.* — The registration fee for all motor vehicles of this class is as follows:

(A) For declared gross weights of ten thousand one pounds to sixteen thousand pounds — \$28 plus \$5 for each one thousand pounds or fraction of one thousand pounds that the gross weight of the vehicle or combination of vehicles exceeds ten thousand pounds.

(B) For declared gross weights greater than sixteen thousand pounds, but less than fifty-five thousand pounds — \$78.50 plus \$10 for each one thousand or fraction of one thousand pounds that the gross weight of the vehicle or combination of vehicles exceeds sixteen thousand pounds.

(C) For declared gross weights of fifty-five thousand pounds or more — \$737.50 plus \$15.75 for each one thousand pounds or fraction of one thousand pounds that the gross weight of the vehicle or combination of vehicles exceeds fifty-five thousand pounds.

(3) *Class G.* — The registration fee for each motorcycle or parking enforcement vehicle is \$8: *Provided,* That the registration fee and any other fees required by this chapter for Class G vehicles shall be for at least one year from the date of registration and under an optional biennial registration system the annual fee shall be multiplied by two and paid biennially to the division.

(4) *Class H.* — The registration fee for all vehicles for this class operating entirely within the state is \$5; and for vehicles engaged in interstate transportation of persons, the registration fee is the amount of the fees provided by this section for Class B, reduced by the amount that the mileage of the vehicles operated in states other than West Virginia bears to the total mileage operated by the vehicles in all states under a formula to be established by the Division of Motor Vehicles.

(5) *Class J.* — The registration fee for all motor vehicles of this class is \$85. Ambulances and hearses used exclusively as

ambulances and hearses are exempt from the special fees set forth in this section.

(6) *Class M.* — The registration fee for all vehicles of this class is \$17.50.

(7) *Class X.* — The registration fee for all motor vehicles of this class is as follows:

(A) For farm trucks of declared gross weights of eight thousand one pounds to sixteen thousand pounds — \$30.

(B) For farm trucks of declared gross weights of sixteen thousand one pounds to twenty-two thousand pounds — \$60.

(C) For farm trucks of declared gross weights of twenty-two thousand one pounds to twenty-eight thousand pounds — \$90.

(D) For farm trucks of declared gross weights of twenty-eight thousand one pounds to thirty-four thousand pounds — \$115.

(E) For farm trucks of declared gross weights of thirty-four thousand one pounds to forty-four thousand pounds — \$160.

(F) For farm trucks of declared gross weights of forty-four thousand one pounds to fifty-four thousand pounds — \$205.

(G) For farm trucks of declared gross weights of fifty-four thousand one pounds to eighty thousand pounds — \$250: *Provided*, That the provisions of subsection (a), section eight, article one, chapter seventeen-e of this code do not apply if the vehicle exceeds sixty-four thousand pounds and is a truck tractor or road tractor.

(b) Registration fees for the following classes shall be paid to the division for a maximum period of three years, or portion of a year based on the number of years remaining in the three-year period designated by the commissioner:

(1) *Class R.* — The annual registration fee for all vehicles of this class is \$12.

(2) *Class T.* — The annual registration fee for all vehicles of this class is \$8.

(c) The fees paid to the division for a multiyear registration provided by this chapter shall be the same as the annual registration fee established by this section and any other fee required by this chapter multiplied by the number of years for which the registration is issued.

(d) The registration fee for all Class C vehicles is \$50. All Class C trailers shall be registered for the duration of the owner's interest in the trailer and do not expire until either sold or otherwise permanently removed from the service of the owner: *Provided*, That a registrant may transfer a Class C registration plate from a trailer owned less than thirty days to another Class C trailer titled in the name of the registrant upon payment of the transfer fee prescribed in section ten of this article.

§17A-10-3c. Additional registration fees for alternative fuel vehicles.

The annual registration fee for a vehicle fueled with hydrogen or natural gas is \$200. The annual registration fee for a vehicle operating on a combination of electricity and petrochemical fuels is \$100. Such fee is in addition to any other fee set forth in this article.

§17A-10-10. Fees upon transfer of registration and issuance of certificates of title.

A fee of \$5 ~~\$10~~ shall be paid for a transfer of registration by an owner from one vehicle to another vehicle of the same class or for surrender of registration of one vehicle in exchange for registration of a vehicle of a different class in addition to the payment of any difference in fees as provided in section one, article four of this chapter. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

A fee of ~~\$5~~ \$10 shall be paid for the transfer of registration from a deceased person to his or her legal heir or legatee as provided in section five, article four of this chapter. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

A fee of ~~\$5~~ \$10 shall be paid for the issuance of a certificate of title. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

§17A-10-11. Fees for duplicate registration plates, registration cards and certificates of title.

A fee of ~~\$5~~ \$10 shall be paid for the issuance of duplicate or substitute registration plates, registration cards or certificates of title. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year. The provisions of this article enacted in 2017 take effect on July 1, 2017.

**CHAPTER 17B. MOTOR VEHICLE DRIVER'S
LICENSES.**

**ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND
RENEWAL.**

**§17B-2-1. Drivers must be licensed; types of licenses; licensees
need not obtain local government license; motorcycle
driver license; identification cards.**

(a) (1) No person, except those hereinafter expressly exempted, may drive a motor vehicle upon a street or highway in this state or upon a subdivision street used by the public generally unless the

person has a valid driver's license issued pursuant to this code for the type or class of vehicle being driven.

(2) Any person licensed to operate a motor vehicle pursuant to this code may exercise the privilege thereby granted in the manner provided in this code and, except as otherwise provided by law, is not required to obtain any other license to exercise the privilege by a county, municipality or local board or body having authority to adopt local police regulations.

(b) The division, upon issuing a driver's license, shall indicate on the license the type or general class or classes of vehicles the licensee may operate in accordance with this code, federal law or rule. Licenses shall be issued in different colors for those drivers under age eighteen, those drivers age eighteen to twenty-one and adult drivers. The commissioner is authorized to select and assign colors to the licenses of the various age groups.

(c) The following drivers licenses classifications are hereby established:

(1) A Class A, B or C license shall be issued to those persons eighteen years of age or older with two years of driving experience who have qualified for the commercial driver's license established by chapter seventeen-e of this code and the federal Motor Carrier Safety and Improvement Act of 1999 and subsequent rules and have paid the required fee.

(2) A Class D license shall be issued to those persons eighteen years and older with one year of driving experience who operate motor vehicles other than those types of vehicles which require the operator to be licensed under the provisions of chapter seventeen-e of this code and federal law and rule and whose primary function or employment is the transportation of persons or property for compensation or wages and have paid the required fee. For the purpose of regulating the operation of motor vehicles, wherever the term "chauffeur's license" is used in this code, it means the Class A, B, C or D license described in this section or chapter seventeen-e of this code or federal law or rule: Provided, That anyone not required to be licensed under the provisions of chapter seventeen-

e of this code and federal law or rule and who operates a motor vehicle registered or required to be registered as a Class A motor vehicle, as that term is defined in section one, article ten, chapter seventeen-a of this code, with a gross vehicle weight rating of less than eight thousand one pounds, is not required to obtain a Class D license.

(3) A Class E license shall be issued to persons who have qualified for a driver's license under the provisions of this chapter and who are not required to obtain a Class A, B, C or D license and who have paid the required fee. The Class E license may be endorsed under the provisions of section seven-b of this article for motorcycle operation. The Class E or G license for a person under the age of eighteen may also be endorsed with the appropriate graduated driver license level in accordance with the provisions of section three-a of this article.

(4) A Class F license shall be issued to those persons who successfully complete the motorcycle examination procedure provided by this chapter and have paid the required fee but who do not possess a Class A, B, C, D or E driver's license.

(5) A Class G driver's license or instruction permit shall be issued to a person using bioptic telescopic lenses who has successfully completed an approved driver training program and complied with all other requirements of article two-b of this chapter.

(d) All licenses issued under this section may contain information designating the licensee as a diabetic, organ donor, as deaf or hard-of-hearing, as having any other handicap or disability or that the licensee is an honorably discharged veteran of any branch of the Armed Forces of the United States, according to criteria established by the division, if the licensee requests this information on the license. An honorably discharged veteran may be issued a replacement license without charge if the request is made before the expiration date of the current license and the only purpose for receiving the replacement license is to get the veterans designation placed on the license.

(e) No person, except those hereinafter expressly exempted, may drive a motorcycle on a street or highway in this state or on a subdivision street used by the public generally unless the person has a valid motorcycle license, a valid license which has been endorsed under section seven-b of this article for motorcycle operation or a valid motorcycle instruction permit.

(f) (1) An identification card may be issued to a person who:

(A) Is a resident of this state in accordance with the provisions of section one-a, article three, chapter seventeen-a of this code;

(B) Has reached the age of two years or, for good cause shown, under the age of two.

(C) Has paid the required fee of ~~\$2.50~~ \$5 per year. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year: *Provided, however*, That no fees or charges, including renewal fees, are required if the applicant:

(i) Is sixty-five years or older;

(ii) Is legally blind; or

(iii) Will be at least eighteen years of age at the next general, municipal or special election and intends to use this identification card as a form of identification for voting; and

(D) Presents a birth certificate or other proof of age and identity acceptable to the division with a completed application on a form furnished by the division.

(2) The identification card shall contain the same information as a driver's license except that the identification card shall be clearly marked as an identification card. The division may issue an identification card with less information to persons under the age of sixteen. An identification card may be renewed annually on application and payment of the fee required by this section.

(A) Every identification card issued to a person who has attained his or her twenty-first birthday expires on the licensee's birthday in those years in which the licensee's age is evenly divisible by five. Except as provided in paragraph (B) of this subdivision, no identification card may be issued for less than three years or for more than seven years and expires on the licensee's birthday in those years in which the licensee's age is evenly divisible by five.

(B) Every identification card issued to a person who has not attained his or her twenty-first birthday expires thirty days after the licensee's twenty-first birthday.

(C) Every identification card issued to persons under the age of sixteen shall be issued for a period of two years and expire on the last day of the month in which the applicant's birthday occurs.

(3) The division may issue an identification card to an applicant whose privilege to operate a motor vehicle has been refused, canceled, suspended or revoked under the provisions of this code.

(g) For any person over the age of fifty years who wishes to obtain a driver's license or identification card under the provisions of this section:

(1) A raised seal or stamp on the birth certificate or certified copy of the birth certificate is not required if the issuing jurisdiction does not require one; and

(2) If documents are lacking to prove all changes of name in the history of any such applicant, applicants renewing a driver's license or identification card under the provisions of this section may complete a Name Variance Approval Document as instituted by the division, so long as they can provide:

(A) Proof of identity;

(B) Proof of residency; and

(C) A valid Social Security number.

(3) The division may waive any documents necessary to prove a match between names, so long as the division determines the person is not attempting to:

- (A) Change his or her identity;
- (B) Assume another person's identity; or
- (C) Commit a fraud.

(h) A person over the age of seventy years, or who is on Social Security disability, who wishes to obtain or renew a driver's license or identification card under the provisions of this section, may not be required to furnish a copy of a birth certificate if they can provide:

- (1) Proof of identity;
- (2) Proof of residency;
- (3) A valid Social Security number; and
- (4) One of the following identifying items:

(A) A form of military identification, including a DD214 or equivalent;

(B) A U.S. passport, whether valid or expired;

(C) School records, including a yearbook;

(D) A religious document, that in the judgment of the Division is sufficient and authentic to reflect that the person was born in the United States; or

(E) An expired driver's license, employment identification card, or other reliable identification card with a recognizable photograph of the person.

(i) Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500 and, upon a second or subsequent conviction, shall be

fined not more than \$500 or confined in jail not more than six months, or both fined and confined.

§17B-2-3a. Graduated driver's license.

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

(b) Any person under the age of twenty-one, regardless of class or level of licensure, who operates a motor vehicle with any measurable alcohol in his or her system is subject to the provisions of section two, article five, chapter seventeen-c of this code and section two, article five-a of said chapter. Any person under the age of eighteen, regardless of class or licensure level, is subject to the mandatory school attendance and satisfactory academic progress provisions of section eleven, article eight, chapter eighteen of this code.

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

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

(A) Presents a completed application, as prescribed by the provisions of section six of this article, and which is accompanied by a writing, duly acknowledged, consenting to the issuance of the graduated driver's license and executed by a parent or guardian entitled to custody of the applicant;

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

(C) Passes the vision and written knowledge examination and completes the driving under the influence awareness program, as prescribed in section seven of this article;

(D) Presents a driver's eligibility certificate or otherwise shows compliance with the provisions of section eleven, article eight, chapter eighteen of this code; and

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

(2) *Terms and conditions of instruction permit.* -- A level one instruction permit issued under the provisions of this section is valid until thirty days after the date the applicant attains the age of eighteen and is not renewable. However, any permit holder who allows his or her permit to expire prior to successfully passing the road skills portion of the driver examination, and who has not committed any offense which requires the suspension, revocation or cancellation of the instruction permit, may reapply for a new instruction permit under the provisions of section six of this article. The division shall immediately revoke the permit upon receipt of a second conviction for a moving violation of traffic regulations and laws of the road or violation of the terms and conditions of a level one instruction permit, which convictions have become final unless a greater penalty is required by this section or any other provision of this code. Any person whose instruction permit has been revoked is disqualified from retesting for a period of ninety days. However, after the expiration of ninety days, the person may retest if otherwise eligible. In addition to all other provisions of this code for which a driver's license may be restricted, suspended, revoked or canceled, the holder of a level one instruction permit may only operate a motor vehicle under the following conditions:

(A) Under the direct supervision of a licensed driver, twenty-years of age or older, or a driver's education or driving school

instructor who is acting in an official capacity as an instructor, who is fully alert and unimpaired, and the only other occupant of the front seat. The vehicle may be operated with no more than two additional passengers, unless the passengers are family members;

(B) Between the hours of five a.m. and ten p.m.;

(C) All occupants must use safety belts in accordance with the provisions of section forty-nine, article fifteen, chapter seventeen-c of this code;

(D) Without any measurable blood alcohol content, in accordance with the provisions of subsection (h), section two, article five, chapter seventeen-c of this code; and

(E) Maintains current school enrollment and is making satisfactory academic progress or otherwise shows compliance with the provisions of section eleven, article eight, chapter eighteen of this code.

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

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

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

(A) Presents a completed application as prescribed in section six of this article;

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

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

(D) Presents a driver's eligibility certificate or otherwise shows compliance with the provisions of section eleven, article eight, chapter eighteen of this code;

(E) Passes the road skills examination as prescribed by section seven of this article; and

(F) Pays a fee of ~~\$5~~ \$7.50 for one attempt. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

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

(A) Unsupervised between the hours of five a.m. and ten p.m.;

(B) Only under the direct supervision of a licensed driver, age twenty-one years or older, between the hours of ten p.m. and five a.m. except when the licensee is going to or returning from:

(i) Lawful employment;

(ii) A school-sanctioned activity;

(iii) A religious event; or

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

(C) All occupants shall use safety belts in accordance with the provisions of section forty-nine, article fifteen, chapter seventeen-c of this code;

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

(E) Without any measurable blood alcohol content in accordance with the provisions of subsection (h), section two, article five, chapter seventeen-c of this code;

(F) Maintains current school enrollment and is making satisfactory academic progress or otherwise shows compliance with the provisions of section eleven, article eight, chapter eighteen of this code;

(G) A holder of a level two intermediate driver's license who is under the age of eighteen years shall be prohibited from using a wireless communication device while operating a motor vehicle, unless the use of the wireless communication device is for contacting a 9-1-1 system. A person violating the provisions of this

paragraph is guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be fined \$25; for a second offense be fined \$50; and for a third or subsequent offense be fined \$75.

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

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

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

(e) *Level three, full Class E license.* -- The level three license is valid until thirty days after the date the licensee attains his or her twenty-first birthday. Unless otherwise provided in this section or any other section of this code, the holder of a level three full Class E license is subject to the same terms and conditions as the holder of a regular Class E driver's license.

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

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

(A) Presents a completed application as prescribed by the provisions of section six of this article;

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

(C) Has completed any driver improvement program required under paragraph (G), subdivision (2), subsection (d) of this section; and

(D) Pays a fee of \$2.50 for each year the license is valid. An additional fee of \$.50 shall be collected to be deposited in the Combined Voter Registration and Driver's Licensing Fund established in section twelve, article two, chapter three of this code;

(E) Presents a driver's eligibility certificate or otherwise shows compliance with the provisions of section eleven, article eight, chapter eighteen of this code; or

(2) Reaches the age of eighteen years; and

(A) Presents a completed application as prescribed by the provisions of section six of this article; and

(B) Pays a fee of ~~\$2.50~~ \$5 for each year the license is valid. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.* An additional fee of \$.50 shall be collected to be deposited in the Combined Voter

Registration and Driver's Licensing Fund established in section twelve, article two, chapter three of this code.

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

§17B-2-5. Qualifications, issuance and fee for instruction permits.

(a) Any person who is at least fifteen years of age may apply to the division for an instruction permit. However, any person who has not attained the age of eighteen shall comply with the provisions of section three-a of this article. The division may, in its discretion, after the applicant has successfully passed all parts of the examination other than the road skills test, issue to the applicant an instruction permit which entitles the applicant while having the permit in his or her immediate possession to drive a motor vehicle upon the public highways when accompanied by a licensed driver of at least twenty-one years of age, a driver's education or driving school instructor that is acting in an official capacity as an instructor, who is alert and unimpaired or a certified division license examiner acting in an official capacity as an examiner, who is occupying a seat beside the driver.

(1) Any instruction permit issued to a person under the age of eighteen years shall be issued in accordance with the provisions of section three-a of this article.

(2) Any permit issued to a person who has reached the age of eighteen years is valid for a period of ninety days. The fee for the instruction permit is ~~\$5~~ \$7.50 for one attempt. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

(b) Any person sixteen years of age or older may apply to the division for a motorcycle instruction permit. Any person under the age of eighteen must have first completed the requirements for a level two intermediate driver's license or a Class E driver's license before being eligible for a motorcycle instruction permit.

The division may, in its discretion, after the applicant has successfully passed all parts of the motorcycle examination other than the driving test, and presented documentation of compliance with the provisions of section eleven, article eight, chapter eighteen of this code, if applicable, issue to the applicant an instruction permit which entitles the applicant while having the permit in his or her immediate possession to drive a motorcycle upon the public streets or highways for a period of ninety days, during the daylight hours between sunrise and sunset only. No holder of a motorcycle instruction permit shall operate a motorcycle while carrying any passenger on the vehicle.

A motorcycle instruction permit is not renewable, but a qualified applicant may apply for a new permit. The fee for a motorcycle instruction permit is \$5, which shall be paid into a special fund in the State Treasury known as the motor vehicle fees fund.

§17B-2-6. Application for license or instruction permit; fee to accompany application.

(a) Every application for an instruction permit or for a driver's license shall be made upon a form furnished by the division. Every application shall be accompanied by the proper fee and payment of the fee entitles an applicant under the age of eighteen to not more than two attempts at the written test or not more than ~~three attempts~~ one attempt to pass the road skills test. An applicant age eighteen years or older is entitled to not more than two attempts at the written test or not more than three attempts to pass the road skills test within a period of ninety days from the date of issuance of the instruction permit. An applicant who fails either the written test or the road skills test may not be tested twice within a period of one week.

(b) Any applicant who has not been previously licensed must hold an instruction permit for a minimum of thirty days. For the purposes of this section, the term “previously licensed” means an applicant who has obtained at least a level two graduated license or junior driver’s license issued under the provisions of this article or has obtained an equal or greater level of licensure if previously licensed in another state.

(c) Every application for an instruction permit shall state the full legal name, date of birth, sex, and residence address of the applicant and briefly describe the applicant. the application shall state whether the applicant has theretofore been a licensed driver and, if so, when, and by what state or country and whether his or her license has ever been suspended or revoked within five years of the date of application, or whether an application has ever been refused and, if so, the date of and reason for the suspension, revocation or refusal. The application will indicate whether the applicant desires a notation on the driver’s license indicating that the applicant is an organ donor, in accordance with article one-b of this chapter, is diabetic, deaf, or hard of hearing, has any other handicap or disability, or is an honorably discharged veteran of any branch of the Armed Forces of the United States, and such other pertinent information as the commissioner may require.

§17B-2-8. Issuance and contents of licenses; fees.

(a) The division shall, upon payment of the required fee, issue to every applicant qualifying therefor a driver’s license, which shall indicate the type or general class or classes of vehicle or vehicles the licensee may operate in accordance with this chapter or chapter seventeen-e of this code, or motorcycle-only license. Each license shall contain a coded number assigned to the licensee, the full legal name, date of birth, residence address, a brief description and a color photograph of the licensee and either a facsimile of the signature of the licensee or a space upon which the signature of the licensee is written with pen and ink immediately upon receipt of the license. No license is valid until it has been so signed by the licensee.

(b) A driver's license which is valid for operation of a motorcycle shall contain a motorcycle endorsement. A driver's license which is valid for the operation of a commercial motor vehicle shall be issued in accordance with chapter seventeen-e of this code.

(c) The division shall use such process or processes in the issuance of licenses that will, insofar as possible, prevent any identity theft, alteration, counterfeiting, duplication, reproduction, forging or modification of, or the superimposition of a photograph on, the license.

(d) The fee for the issuance of a Class E driver's license is ~~\$2.50~~ \$5 per year for each year the license is valid. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.* The fee for issuance of a Class D driver's license is \$6.25 per year for each year the license is valid. An additional fee of \$0.50 shall be collected from the applicant at the time of original issuance or each renewal and the additional fee shall be deposited in the Combined Voter Registration and Driver's Licensing Fund established pursuant to the provisions of section twelve, article two, chapter three of this code. The additional fee for adding a motorcycle endorsement to a driver's license is \$1 per year for each year the license is issued.

(e) The fee for issuance of a motorcycle-only license is \$2.50 for each year for which the motorcycle license is valid. The fees for the motorcycle endorsement or motorcycle-only license shall be paid into a special fund in the State Treasury known as the Motorcycle Safety Fund as established in section seven, article one-d of this chapter.

(f) The fee for the issuance of either the level one or level two graduated driver's license as prescribed in section three-a of this article is \$5.

(g) The fee for issuance of a federally compliant driver's license or identification card for federal use is \$10 in addition to any other fee required by this chapter. Any fees collected under the provisions of this subsection shall be deposited into the Motor Vehicle Fees Fund established in accordance with section twenty-one, article two, chapter seventeen-a of this code.

(h) The division may use an address on the face of the license other than the applicant's address of residence if:

(1) The applicant has a physical address or location that is not recognized by the post office for the purpose of receiving mail;

(2) The applicant is enrolled in a state address confidentiality program or the alcohol test and lock program;

(3) The applicant's address is entitled to be suppressed under a state or federal law or suppressed by a court order; or

(4) At the discretion of the commissioner, the applicant's address may be suppressed to provide security for classes of applicants such as law-enforcement officials, protected witnesses and members of the state and federal judicial systems.

(i) Notwithstanding any provision in this article to the contrary, a valid military identification card with an expiration date issued by the United States Department of Defense for active duty, reserve or retired military personnel containing a digitized photo and the holder's full legal name may be used to establish current full legal name and legal presence. The commissioner may at his or her discretion expand the use of military identification cards for other uses as permitted under this code or federal rule.

§17B-2-11. Duplicate permits and licenses.

In the event that an instruction permit or driver's license issued under the provisions of this chapter is lost or destroyed, or if the information contained on the license has changed, the person to whom the permit or license was issued may upon making proper application and upon payment of a fee of ~~\$5~~ \$7.50 obtain a duplicate thereof upon furnishing proof satisfactory to the division

that the permit or license has been lost or destroyed. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

The provisions of this article enacted in 2017 take effect on July 1, 2017.

CHAPTER 17C. TRAFFIC REGULATIONS AND LAWS OF THE ROAD.

ARTICLE 5A. ADMINISTRATIVE PROCEDURES FOR SUSPENSION AND REVOCATION OF LICENSES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL, CONTROLLED SUBSTANCES OR DRUGS.

§17C-5A-2a. Assessment of costs; special account created.

The Division of Motor Vehicles is hereby authorized and required to assess witness costs at the same rate as witness fees in circuit court and a docket fee of ~~\$10~~ \$15 for each hearing request against any person filing a request for a hearing under section two of this article who fails to appear, fails to have said order rescinded or fails to have said order modified to a lesser period of revocation. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

All fees and costs collected hereunder shall be paid into a special revenue account in the State Treasury: *Provided*, That on and after July 1, 2007, any unexpended balance remaining in the special revolving fund shall be transferred to the Motor Vehicle Fees Fund created under the provisions of section twenty-one, article two, chapter seventeen-a of this code and all further fees and costs collected shall be deposited in that fund. A portion of the funds in the Motor Vehicle Fees Fund may be used to pay or

reimburse the various law-enforcement agencies at the same rate as witnesses in circuit court for the travel and appearance of its officers before the commissioner or authorized deputy or agent pursuant to a hearing request under the provisions of this article. The department shall authorize payment to the law-enforcement agencies from said account as the fees for a particular hearing request are received from the person against whom the costs were assessed. The department shall authorize transfer to an appropriate agency account from the Motor Vehicle Fees Fund to pay costs of registered and certified mailings and other expenses associated with the conduct of hearings under this article as the docket fee for a particular hearing request is received from the person against whom the costs were assessed.

In the event judicial review results in said order being rescinded or modified to a lesser period of revocation the costs assessed shall be discharged.

The provisions of this section enacted in 2017 take effect on July 1, 2017.

CHAPTER 17D. MOTOR VEHICLE SAFETY RESPONSIBILITY LAW.

ARTICLE 2. ADMINISTRATION OF LAW.

§17D-2-2. Commissioner to furnish abstract of operating record; fee for abstract.

The commissioner shall upon request and subject to the provisions of article two-a, chapter seventeen-a of this code, furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, and if there is no record of any conviction of the person of a violation of any law relating to the operation of a motor vehicle or of any injury or damage caused by the person, the commissioner shall so certify. The commissioner shall collect ~~\$5~~ \$7.50 for each abstract. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*,

That an increase in such fee may not exceed ten percent of the total fee amount in a single year.

The provisions of this section enacted in 2017 take effect on July 1, 2017.

On motion of Senator Hall, the following amendment to Senator Rucker's amendment to the bill (S. B. 1006) was reported by the Clerk and adopted:

On page thirty-five, by striking out all of section three-c and inserting in lieu thereof a new section, designated section three-c, to read as follows:

§17A-10-3c. Additional registration fees for alternative fuel vehicles.

(a) The annual registration fee for a vehicle fueled with hydrogen or natural gas is \$200.

(b) The annual registration fee for a vehicle operating on a combination of electricity and petrochemical fuels is \$100.

(c) The annual registration fee for a vehicle operating exclusively on electricity is \$200.

(d) The fees imposed by this section are in addition to any other fee set forth in this article.

The question now being on the adoption of Senator Rucker's amendment to the bill (S. B. 1006), as amended.

Following discussion,

The question being on the adoption of Senator Rucker's amendment to the bill, as amended, the same was put and prevailed.

There being no further amendments offered,

The bill, as just amended, was ordered to engrossment.

Engrossed Senate Bill 1006 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Beach, Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Carmichael (Mr. President)—26.

The nays were: Azinger, Boley, Karnes, Maynard, Rucker and Woelfel—6.

Absent: Maroney and Mullins—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) passed.

On motion of Senator Rucker, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1006—A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c and §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 said code; to amend and reenact §17A-4-10 of said code as contained in Chapter 152, Acts of the Legislature, Regular Session, 2017; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing rate of motor fuel excise tax as of specified date; increasing the minimum average wholesale price of motor fuels for purposes of the five percent variable fuel tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a

specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; allowing the Division of Motor Vehicles to adjust fees by ten percent every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; imposing annual registration fee for certain alternative fuel vehicles; and specifying effective dates.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Beach, Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld and Carmichael (Mr. President)—26.

The nays were: Azinger, Boley, Karnes, Maynard, Rucker and Woelfel—6.

Absent: Maroney and Mullins—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) takes effect from passage.

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

The Senate proceeded to the tenth order of business.

Eng. Com. Sub. for House Bill 107, Relating generally to the Tax Reform Act of 2017.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maroney and Mullins—2.

The bill (Eng. Com. Sub. for H. B. 107) was then read a second time.

At the request of Senator Karnes, as chair of the Select Committee on Tax Reform, and by unanimous consent, the unreported Tax Reform committee amendment to the bill was withdrawn.

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

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13A-3f; that §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code be amended and reenacted; that said code be amended by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that §11-21-8a, §11-21-8e and §11-21-12 of said code be amended and reenacted; that said code be amended by adding thereto two new sections, designated §11-21-4g and §11-21-4h; that §11-24-23a of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §11-24-4c, all to read as follows:

ARTICLE 13A. SEVERANCE AND BUSINESS PRIVILEGE TAX ACT.

§11-13A-3f. Severance tax on privilege of producing coal after June 30, 2017.

(a) Notwithstanding the provisions of section three of this article, the rate of tax on the privilege of engaging or continuing within this state in the business of severing, extracting, reducing to possession, and producing coal for sale, profit or commercial use shall, for all tons of coal produced after June 30, 2017, is as follows. The basis of the tax is per ton revenue based on FOB mine realizations:

(1) For all tons of metallurgical grade coal produced after June 30, 2017, except for tons of thin seam coal:

If gross income from sale of coal

| <u>during the reporting period is:</u> | <u>The rate of tax is:</u> |
|---|-----------------------------------|
|---|-----------------------------------|

| | |
|--|-------------|
| <u>Not more than \$75 per ton.....</u> | <u>4.5%</u> |
|--|-------------|

| | |
|--------------------------------------|-------------|
| <u>\$75.01 to \$150 per ton.....</u> | <u>5.0%</u> |
|--------------------------------------|-------------|

More than \$150 per ton.....5.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one cent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all metallurgical grade coal, except thin seam coal, during the reporting period, by tons of all metallurgical grade coal, except thin seam coal, sold by the taxpayer during the reporting period;

(2) For all tons of steam grade coal produced after June 30, 2017, except for tons of thin seam coal:

If gross income from sale of coal

during the reporting period is: _____ **The rate of tax is:**

| | |
|--|--------------|
| <u>Less than \$42 per ton.....</u> | <u>2.5%</u> |
| <u>\$42 or more per ton but less than \$49 per ton</u> | <u>3.25%</u> |
| <u>\$49 or more per ton but less than \$56 per ton</u> | <u>4.0%</u> |
| <u>\$56 per ton but less than \$61 per ton.....</u> | <u>5.0%</u> |
| <u>\$61 per ton but less than \$70 per ton.....</u> | <u>5.5%</u> |
| <u>\$70 per ton but less than \$74 per ton.....</u> | <u>6.5%</u> |
| <u>\$74 or more per ton.....</u> | <u>8.0%</u> |

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all steam grade coal during the reporting period, exclusive of sales of thin seam coal, by tons of all steam grade coal sold by the taxpayer during the reporting period but not including tons of thin seam coal.

(3) For tons of coal produced from seams of coal less than thirty-seven inches thick after June 30, 2017:

If gross income from sale of coal

during the reporting period is: _____ **The rate of tax is:**

| | |
|--|-------------|
| <u>Not more than \$75 per ton.....</u> | <u>0.5%</u> |
| <u>\$75.01 to \$150 per ton.....</u> | <u>1.0%</u> |

More than \$150 per ton.....1.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of the tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal purchased from seams less than thirty-seven inches thick during the reporting period, by tons of all coal produced from seams less than thirty-seven inches thick during the reporting period; and

(4) For tons of coal produced from seams of coal at least thirty-seven inches thick, but not more than forty-five inches thick after June 30, 2017:

If gross income from sale of coal

during the reporting period is: **The rate of tax is:**

Not more than \$75 per ton..... 1.5%

\$75.01 to \$150 per ton..... 2.0%

More than \$150 per ton.....2.0% plus a 2% surtax on gross income in excess of \$150 per ton.

These rates include the thirty-five one hundredths of one percent additional severance tax imposed by the state for the benefit of counties and municipalities as provided in section six of this article. The rate of tax for each reporting period shall be determined by dividing the gross income of the taxpayer from sales of all coal produced from seams of coal at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period, by tons of all coal produced from seams at least thirty-seven inches thick but not more than forty-five inches thick during the reporting period.

(b) In the event that subsection (a) of this section is found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, and that decision becomes final, this section shall become null and void by operation of law and the tax due shall be determined under section three of this article for

the tax year or years involved in the litigation and all subsequent years.

(c) Definition of metallurgical grade coal and steam grade coal. – For purposes of this section:

(1) Metallurgical grade coal is bituminous coal that is not steam grade coal.

(2) Steam grade coal is coal sold to an end-user or other intermediary that is intended for combustion by coal-fired electric generating units.

(3) The determination of whether coal is metallurgical grade coal or steam grade coal is made when the coal is first sold.

ARTICLE 15. CONSUMERS SALES AND SERVICE TAX.

§11-15-2. Definitions.

(a) *General.* — When used in this article and article fifteen-a of this chapter, words defined in subsection (b) of this section have the meanings ascribed to them in this section, except in those instances where a different meaning is provided in this article or the context in which the word is used clearly indicates that a different meaning is intended by the Legislature.

(b) *Definitions.* —

(1) “Business” includes all activities engaged in or caused to be engaged in with the object of gain or economic benefit, direct or indirect, and all activities of the state and its political subdivisions which involve sales of tangible personal property or the rendering of services when those service activities compete with or may compete with the activities of other persons.

(2) “Communication” means all telephone, radio, light, light wave, radio telephone, telegraph and other communication or means of communication, whether used for voice communication, computer data transmission or other encoded symbolic information

transfers and includes commercial broadcast radio, commercial broadcast television and cable television.

(3) “Contracting”:

(A) *In general.* — “Contracting” means and includes the furnishing of work, or both materials and work, for another (by a sole contractor, general contractor, prime contractor, subcontractor or construction manager) in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for removal or demolition of a building or structure, or any part thereof, or for the alteration, improvement or development of real property. Contracting also includes services provided by a construction manager so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(B) *Form of contract not controlling.* — An activity that falls within the scope of the definition of contracting constitutes contracting regardless of whether the contract governing the activity is written or verbal and regardless of whether it is in substance or form a lump sum contract, a cost-plus contract, a time and materials contract, whether or not open-ended, or any other kind of construction contract.

(C) *Special rules.* — For purposes of this definition:

(i) The term “structure” includes, but is not limited to, everything built up or composed of parts joined together in some definite manner and attached or affixed to real property or which adds utility to real property or any part thereof or which adds utility to a particular parcel of property and is intended to remain there for an indefinite period of time;

(ii) The term “alteration” means, and is limited to, alterations which are capital improvements to a building or structure or to real property;

(iii) The term “repair” means, and is limited to, repairs which are capital improvements to a building or structure or to real property;

(iv) The term “decoration” means, and is limited to, decorations which are capital improvements to a building or structure or to real property;

(v) The term “improvement” means, and is limited to, improvements which are capital improvements to a building or structure or to real property;

(vi) The term “capital improvement” means improvements that are affixed to or attached to and become a part of a building or structure or the real property or which add utility to real property, or any part thereof, and that last or are intended to be relatively permanent. As used herein, “relatively permanent” means lasting at least a year in duration without the necessity for regularly scheduled recurring service to maintain the capital improvement. “Regular recurring service” means regularly scheduled service intervals of less than one year;

(vii) Contracting does not include the furnishing of work, or both materials and work, in the nature of hookup, connection, installation or other services if the service is incidental to the retail sale of tangible personal property from the service provider’s inventory: *Provided*, That the hookup, connection or installation of the foregoing is incidental to the sale of the same and performed by the seller thereof or performed in accordance with arrangements made by the seller thereof. Examples of transactions that are excluded from the definition of contracting pursuant to this subdivision include, but are not limited to, the sale of wall-to-wall carpeting and the installation of wall-to-wall carpeting, the sale, hookup and connection of mobile homes, window air conditioning units, dishwashers, clothing washing machines or dryers, other household appliances, drapery rods, window shades, venetian blinds, canvas awnings, free-standing industrial or commercial equipment and other similar items of tangible personal property. Repairs made to the foregoing are within the definition of contracting if the repairs involve permanently affixing to or

improving real property or something attached thereto which extends the life of the real property or something affixed thereto or allows or intends to allow the real property or thing permanently attached thereto to remain in service for a year or longer; and

(viii) The term “construction manager” means a person who enters into an agreement to employ, direct, coordinate or manage design professionals and contractors who are hired and paid directly by the owner or the construction manager. The business activities of a “construction manager” as defined in this subdivision constitute contracting, so long as the project for which the construction manager provides the services results in a capital improvement to a building or structure or to real property.

(4) Digital code” is defined in section three-e of this article;

(5) “Digital products” is defined in section three-e of this article;

~~(4)~~ (6) “Directly used or consumed” in the activities of manufacturing, transportation, transmission, communication or the production of natural resources means used or consumed in those activities or operations which constitute an integral and essential part of the activities, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to the activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include only:

(i) In the case of tangible personal property, physical incorporation of property into a finished product resulting from manufacturing production or the production of natural resources;

(ii) Causing a direct physical, chemical or other change upon property undergoing manufacturing production or production of natural resources;

(iii) Transporting or storing property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(iv) Measuring or verifying a change in property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(v) Physically controlling or directing the physical movement or operation of property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(vi) Directly and physically recording the flow of property undergoing transportation, communication, transmission, manufacturing production or production of natural resources;

(vii) Producing energy for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(viii) Facilitating the transmission of gas, water, steam or electricity from the point of their diversion to property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(ix) Controlling or otherwise regulating atmospheric conditions required for transportation, communication, transmission, manufacturing production or production of natural resources;

(x) Serving as an operating supply for property undergoing transmission, manufacturing production or production of natural resources, or for property directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xi) Maintaining or repairing of property, including maintenance equipment, directly used in transportation, communication, transmission, manufacturing production or production of natural resources;

(xii) Storing, removal or transportation of economic waste resulting from the activities of manufacturing, transportation, communication, transmission or the production of natural resources;

(xiii) Engaging in pollution control or environmental quality or protection activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources and personnel, plant, product or community safety or security activity directly relating to the activities of manufacturing, transportation, communication, transmission or the production of natural resources; or

(xiv) Otherwise using as an integral and essential part of transportation, communication, transmission, manufacturing production or production of natural resources.

(B) Uses of property or services which do not constitute direct use or consumption in the activities of manufacturing, transportation, transmission, communication or the production of natural resources include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to transportation, communication, transmission, manufacturing production or production of natural resources, rather than an integral and essential part of these activities.

~~(5)~~ (7) “Directly used or consumed” in the activities of gas storage, the generation or production or sale of electric power, the

provision of a public utility service or the operation of a utility business means used or consumed in those activities or operations which constitute an integral and essential part of those activities or operation, as contrasted with and distinguished from activities or operations which are simply incidental, convenient or remote to those activities.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include only:

(i) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power and appliances, which are used immediately in production or generation activities and equipment, machinery, supplies, tools and repair parts used to keep in operation exempt production or generation devices. For purposes of this subsection, production or generation activities shall commence from the intake, receipt or storage of raw materials at the production plant site;

(ii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the transmission or distribution of gas, water and electricity to the public, and equipment, machinery, tools, repair parts and supplies used to keep in operation exempt transmission or distribution devices, and these vehicles and their equipment as are specifically designed and equipped for those purposes are exempt from the tax when used to keep a transmission or distribution system in operation or repair. For purposes of this subsection, transmission or distribution activities shall commence from the close of production at a production plant or wellhead when a product is ready for transmission or distribution to the public and shall conclude at the point where the product is received by the public;

(iii) Tangible personal property, custom software, digital code, digital products or services, including equipment, machinery, apparatus, supplies, fuel and power, appliances, pipes, wires and mains, which are used immediately in the storage of gas or water, and equipment, machinery, tools, supplies and repair parts used to keep in operation exempt storage devices;

(iv) Tangible personal property, custom software, digital code, digital products or services used immediately in the storage, removal or transportation of economic waste resulting from the activities of gas storage, the generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business;

(v) Tangible personal property, custom software, digital code, digital products or services used immediately in pollution control or environmental quality or protection activity or community safety or security directly relating to the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business.

(B) Uses of property, digital code, digital products or services which would not constitute direct use or consumption in the activities of gas storage, generation or production or sale of electric power, the provision of a public utility service or the operation of a utility business include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Production planning, scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to the activities of gas storage, generation or production or sale of electric

power, the provision of public utility service or the operation of a utility business.

~~(6)~~ (8) “Gas storage” means the injection of gas into a storage reservoir or the storage of gas for any period of time in a storage reservoir or the withdrawal of gas from a storage reservoir engaged in by businesses subject to the business and occupation tax imposed by sections two and two-e, article thirteen of this chapter.

~~(7)~~ (9) “Generating or producing or selling of electric power” means the generation, production or sale of electric power engaged in by businesses subject to the business and occupation tax imposed by section two, two-d, two-m or two-n, article thirteen of this chapter.

~~(8)~~ (10) “Gross proceeds” means the amount received in money, credits, property or other consideration from sales and services within this state, without deduction on account of the cost of property sold, amounts paid for interest or discounts or other expenses whatsoever. Losses may not be deducted, but any credit or refund made for goods returned may be deducted.

~~(9)~~ (11) “Includes” and “including”, when used in a definition contained in this article, does not exclude other things otherwise within the meaning of the term being defined.

~~(10)~~ (12) “Manufacturing” means a systematic operation or integrated series of systematic operations engaged in as a business or segment of a business which transforms or converts tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed.

~~(11)~~ (13) “Person” means any individual, partnership, association, corporation, limited liability company, limited liability partnership or any other legal entity, including this state or its political subdivisions or an agency of either, or the guardian, trustee, committee, executor or administrator of any person.

~~(12)~~ (14) “Personal service” includes those: (A) Compensated by the payment of wages in the ordinary course of employment;

and (B) rendered to the person of an individual without, at the same time, selling tangible personal property, such as nursing, barbering, shoe shining, manicuring and similar services.

~~(13)~~ (15) “Prepaid wireless calling service” means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance that is sold in predetermined units or dollars of which the number decline with use in a known amount.

~~(14)~~ (16) Production of natural resources.

(A) “Production of natural resources” means, except for oil and gas, the performance, by either the owner of the natural resources or another, of the act or process of exploring, developing, severing, extracting, reducing to possession and loading for shipment and shipment for sale, profit or commercial use of any natural resource products and any reclamation, waste disposal or environmental activities associated therewith and the construction, installation or fabrication of ventilation structures, mine shafts, slopes, boreholes, dewatering structures, including associated facilities and apparatus, by the producer or others, including contractors and subcontractors, at a coal mine or coal production facility.

(B) For the natural resources oil and gas, “production of natural resources” means the performance, by either the owner of the natural resources, a contractor or a subcontractor, of the act or process of exploring, developing, drilling, well-stimulation activities such as logging, perforating or fracturing, well-completion activities such as the installation of the casing, tubing and other machinery and equipment and any reclamation, waste disposal or environmental activities associated therewith, including the installation of the gathering system or other pipeline to transport the oil and gas produced or environmental activities associated therewith and any service work performed on the well or well site after production of the well has initially commenced.

(C) All work performed to install or maintain facilities up to the point of sale for severance tax purposes is included in the “production of natural resources” and subject to the direct use concept.

(D) “Production of natural resources” does not include the performance or furnishing of work, or materials or work, in fulfillment of a contract for the construction, alteration, repair, decoration or improvement of a new or existing building or structure, or any part thereof, or for the alteration, improvement or development of real property, by persons other than those otherwise directly engaged in the activities specifically set forth in this subdivision as “production of natural resources”.

~~(15)~~ (17) “Providing a public service or the operating of a utility business” means the providing of a public service or the operating of a utility by businesses subject to the business and occupation tax imposed by sections two and two-d, article thirteen of this chapter.

~~(16)~~ (18) “Purchaser” means a person who purchases tangible personal property, custom software or a service taxed by this article.

~~(17)~~ (19) “Sale”, “sales” or “selling” includes any transfer of the possession or ownership of tangible personal property, digital code, digital products or custom software for a consideration, including a lease or rental, when the transfer or delivery is made in the ordinary course of the transferor’s business and is made to the transferee or his or her agent for consumption or use or any other purpose. “Sale” also includes the furnishing of a service for consideration. Notwithstanding anything to the contrary in this code, effective after the thirtieth day of June, two thousand eight, “sale” also includes the furnishing of prepaid wireless calling service for consideration.

~~(18)~~ (20) “Service” or “selected service” includes all nonprofessional activities engaged in for other persons for a consideration, which involve the rendering of a service as distinguished from the sale of tangible personal property, digital

code, digital products or custom software, but does not include contracting, personal services or the services rendered by an employee to his or her employer or any service rendered for resale: *Provided*, That the term “service” or “selected service” does not include payments received by a vendor of tangible personal property as an incentive to sell a greater volume of such tangible personal property under a manufacturer’s, distributor’s or other third party’s marketing support program, sales incentive program, cooperative advertising agreement or similar type of program or agreement, and these payments are not considered to be payments for a “service” or “selected service” rendered, even though the vendor may engage in attendant or ancillary activities associated with the sales of tangible personal property as required under the programs or agreements

~~(19)~~ (21) “Streamlined Sales and Use Tax Agreement” or “agreement”, when used in this article, has the same meaning as when used in article fifteen-b of this chapter, except when the context in which the word “agreement” is used clearly indicates that a different meaning is intended by the Legislature.

~~(20)~~ (22) “Tax” includes all taxes, additions to tax, interest and penalties levied under this article or article ten of this chapter.

~~(21)~~ (23) “Tax Commissioner” means the State Tax Commissioner or his or her delegate. The term “delegate” in the phrase “or his or her delegate”, when used in reference to the Tax Commissioner, means any officer or employee of the State Tax Division duly authorized by the Tax Commissioner directly, or indirectly by one or more redelegations of authority, to perform the functions mentioned or described in this article or rules promulgated for this article.

~~(22)~~ (24) “Taxpayer” means any person liable for the tax imposed by this article or additions to tax, penalties and interest imposed by article ten of this chapter.

~~(23)~~ (25) “Transmission” means the act or process of causing liquid, natural gas or electricity to pass or be conveyed from one place or geographical location to another place or geographical

location through a pipeline or other medium for commercial purposes.

(24) (26) “Transportation” means the act or process of conveying, as a commercial enterprise, passengers or goods from one place or geographical location to another place or geographical location.

(25) (27) “Ultimate consumer” or “consumer” means a person who uses or consumes services, digital code, digital products or personal property.

(26) (28) “Vendor” means any person engaged in this state in furnishing services taxed by this article or making sales of tangible personal property, digital code, digital products or custom software. “Vendor” and “seller” are used interchangeably in this article.

(c) *Additional definitions.* — Other terms used in this article are defined in article fifteen-b of this chapter, which definitions are incorporated by reference into article fifteen of this chapter. Additionally, other terms used in this section may be defined in other sections of this article. ~~may define terms primarily used in the section in which the term is defined.~~

§11-15-3. Amount of tax; allocation of tax and transfers.

(a) *Vendor to collect.* — For the privilege of selling tangible personal property, digital code, digital products or custom software and for the privilege of furnishing certain selected services defined in sections two and eight of this article, the vendor shall collect from the purchaser the tax as provided under this article and article fifteen-b of this chapter, and shall pay the amount of tax to the Tax Commissioner in accordance with the provisions of this article or article fifteen-b of this chapter.

(b) *Amount of tax.* — The general consumer sales and service tax imposed by this article shall be at the rate of ~~6¢ on the dollar~~ six percent of the sales price of sales or services tangible personal property, digital code, digital product, custom software or taxable service purchased, excluding gasoline and special fuel sales, which

remain taxable at the rate of 5¢ on the dollar of sales five percent: Provided, That on and after July 1, 2017, the tax imposed by this article shall be seven and twenty-five one-hundredths percent of the purchase price, excluding sales of motor vehicles, which shall remain taxable as provided in section three-c of this article, and sales of motor fuels, which remain taxable at the rate of five percent of the average wholesale selling price of motor fuel.

(c) Calculation tax on fractional parts of a dollar until January 1, 2004. — ~~There shall be no tax on sales where the monetary consideration is 5¢ or less. The amount of the tax shall be computed as follows:~~

~~(1) On each sale, where the monetary consideration is from 6¢ to 16¢, both inclusive, 1¢.~~

~~(2) On each sale, where the monetary consideration is from 17¢ to 33¢, both inclusive, 2¢.~~

~~(3) On each sale, where the monetary consideration is from 34¢ to 50¢, both inclusive, 3¢.~~

~~(4) On each sale, where the monetary consideration is from 51¢ to 67¢, both inclusive, 4¢.~~

~~(5) On each sale, where the monetary consideration is from 68¢ to 84¢, both inclusive, 5¢.~~

~~(6) On each sale, where the monetary consideration is from 85¢ to \$1, both inclusive, 6¢.~~

~~(7) If the sale price is in excess of \$1, 6¢ on each whole dollar of sale price, and upon any fractional part of a dollar in excess of whole dollars as follows: 1¢ on the fractional part of the dollar if less than 17¢; 2¢ on the fractional part of the dollar if in excess of 16¢ but less than 34¢; 3¢ on the fractional part of the dollar if in excess of 33¢ but less than 51¢; 4¢ on the fractional part of the dollar if in excess of 50¢ but less than 68¢; 5¢ on the fractional part of the dollar if in excess of 67¢ but less than 85¢; and 6¢ on the fractional part of the dollar if in excess of 84¢. For example, the tax on sales from \$1.01 to \$1.16, both inclusive, 7¢; on sales from~~

~~\$1.17 to \$1.33, both inclusive, 8¢; on sales from \$1.34 to \$1.50, both inclusive, 9¢; on sales from \$1.51 to \$1.67, both inclusive, 10¢; on sales from \$1.68 to \$1.84, both inclusive, 11¢ and on sales from \$1.85 to \$2, both inclusive, 12¢: *Provided*, That beginning January 1, 2004, tax due under this article shall be calculated as provided in subsection (d) of this subsection and this subsection (c) does not apply to sales made after December 31, 2003.~~

~~(d)~~ (c) *Calculation of tax on fractional parts of a dollar after December 31, 2003.* – Beginning January 1, 2004, the The tax computation under subsection (b) of this section shall be carried to the third decimal place, and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

~~(e)~~ (d) *No aggregation of separate sales transactions, exception for coin-operated devices.* — Separate sales, such as daily or weekly deliveries, shall not be aggregated for the purpose of computation of the tax even though the sales are aggregated in the billing or payment therefor. Notwithstanding any other provision of this article, coin-operated amusement and vending machine sales shall be aggregated for the purpose of computation of this tax.

~~(f)~~ (e) *Rate of tax on certain mobile homes.* – Notwithstanding any provision of this article to the contrary, ~~after December 31, 2003~~, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to six percent of fifty percent of the sales price: *Provided*, That on and after July 1, 2017, notwithstanding any provision of this article to the contrary, the tax levied on sales of mobile homes to be used by the owner thereof as his or her principal year-round residence and dwelling shall be an amount equal to seven and twenty-five one-hundredths percent of fifty percent of the sales price.

~~(g)~~ (f) *Construction; custom software.* – ~~After December 31, 2003, whenever~~ Whenever the words “tangible personal property” or “property” appear in this article, the same shall also include the words “custom software”.

~~(h)~~ (g) *Computation of tax on sales of gasoline and special fuel.* – The method of computation of tax provided in this section does not apply to sales of gasoline and special fuel.

§11-15-3d. Imposition of consumers sales tax on telecommunications service and ancillary services.

(a) Notwithstanding the provisions of section eight of this article or any other provision of this code to the contrary, on and after July 1, 2017, “telecommunications service” and “ancillary services”, as defined in section twenty, article fifteen-b of this chapter, shall be subject to the consumers sales and service tax imposed by this article and the use tax imposed by article fifteen-a of this chapter: *Provided*, That payment of the tax imposed under this article or under article fifteen-a of this chapter on prepaid wireless services is sufficient to fulfill the mandate of this section, and prepaid wireless services shall not be subjected to double taxation under this article: *Provided, however*, That this section shall not be interpreted to prevent imposition of any other lawfully imposed municipal tax or fee or any other tax or fee lawfully imposed under any state or federal law, or the laws of any subdivision thereof on such prepaid wireless services.

(b) The tax imposed by this section shall be in addition to any municipal utilities tax, municipal consumers sales and service tax and use tax, or other tax lawfully imposed on telephone service, telecommunications service and ancillary services.

(c) The sale of telecommunications service and ancillary services on which tax is imposed by this section shall be subject to the sourcing rules set forth in sections nineteen and twenty, article fifteen-b of this chapter.

(d) Notwithstanding the fact that a service provider did not meet the threshold amount for the previous calendar year that

would cause accelerated payment to be made in the current year, the accelerated payment rule imposed under subsection (g), section sixteen of this article applies to the tax imposed by this section if the service provider's total combined monthly remittance of the taxes levied by this article and article fifteen-a of this chapter for any calendar month beginning on and after July 1, 2017, exceeds, or can reasonably be expected to exceed, \$100,000.

§11-15-3e. Imposition of consumers sales tax on digital products.

(a) Notwithstanding any other provision of this code to the contrary, on and after July 1, 2017, sales of digital code and sales of digital products electronically transferred to the purchaser shall be subject to the consumers sales and service tax imposed by this article, and the use of digital code and the use of digital products electronically transferred to the purchaser shall be subject to the use tax imposed by article fifteen-a of this chapter. The tax imposed by this article shall apply to sales of digital code and to sales of digital products electronically transferred to the purchaser regardless of whether the digital product is provided for permanent use or less than permanent use and regardless of whether continued payment is required.

(b) Definitions. —

(1) "Designated digital products" means digital audio works, digital audio-visual works, digital books, video game digital products and digital automated services that are electronically transferred to a purchaser.

(2) "Digital audio-visual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sound, if any. Digital audio-visual works include such items as motion pictures, movies, music videos, news and entertainment and live events. Digital audio-visual works do not include audio greeting cards sent by electronic mail. Digital audio-visual works include the digital code, or a subscription to or access to a digital code, for receiving, accessing or otherwise obtaining digital audio-visual works.

(3) “Digital audio works” means works that result from the fixation of a series of musical, spoken or other sounds, including ringtones. Digital audio works include such items as the following which may either be prerecorded or live: Songs, music, readings of books or other written materials, speeches, ringtones, or other sound recordings. Digital audio works do not include audio greeting cards sent by electronic mail. Unless the context provides otherwise, in this chapter digital audio works include the digital code, or a subscription to or access to a digital code, for receiving, accessing or otherwise obtaining digital audio works.

(4) “Digital automated services” defined. —

(A) “Digital automated service”, except as provided in paragraph (B) of this subdivision, means any service transferred electronically that uses one or more software applications.

(B) “ Digital automated service ” does not include:

(i) Any service that primarily involves the application of human effort by the seller and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale or transfer of financial instruments. For purposes of this section, “financial instruments” include cash, accounts receivable and payable, loans and notes receivable and payable, debt securities, equity securities, as well as derivative contracts such as forward contracts, swap contracts and options;

(iii) Dispensing cash or other physical items from a machine;

(iv) Payment processing services;

(vi) Telecommunications services and ancillary services as those terms are defined article fifteen-b of this chapter; or

(vii) The internet and internet access.

(5) “Digital books” means works that are generally recognized in the ordinary and usual sense as “books”. It includes works of

fiction and nonfiction and short stories. It does not include periodicals, magazines, newspapers or other news or information productions, chat rooms or weblogs. Unless the context provides otherwise, in this chapter digital books includes the digital code, or a subscription to access to a digital code, for receiving, accessing or otherwise obtaining digital books.

(6) “Digital code” means a code which provides a purchaser with a right to obtain one or more digital products. “Digital code” does not include a code that represents a stored monetary value that is deducted from the total as it is used by the purchaser. “Digital code” also does not include a code that represents a redeemable card, gift card or gift certificate that entitles the holder to select digital products of an indicated cash value, which digital products are subject to tax when the digital product is selected. A digital code may be obtained by any means, including e-mail or by tangible means regardless of its designation as song code, video code, book code, or some other term.

(7) “Digital goods” defined. —

(A) “Digital goods”, except as provided in this subdivision, means sounds, images, data, facts or information, or any combination thereof, transferred electronically, including, but not limited to, designated digital products and other products transferred electronically not included within the definition of designated digital products.

(B) The term “ digital goods ” does not include:

(i) Telecommunications services and ancillary services as those terms are defined in article fifteen-b of this chapter;

(ii) Computer software as defined in article fifteen-b of this chapter;

(iii) The internet and internet access service as those terms are defined in the Internet Tax Freedom Act, Title 47, U. S. C. § 151 note, as existing on July 1, 2009.

(8) “Digital products” means digital audio-visual works, digital audio works, digital automated services, digital books, other digital products and designated digital products.

(9) “Electronically transferred” or “transferred electronically” means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.

(10) “Internet access service” means a service that enables users to access content, information, electronic mail or other services offered over the internet and may also include access to proprietary content, information and other services as part of a package of services offered to consumers. The term does not include telecommunications services.

(11) “Other digital products” means and includes, but is not limited to, the following when electronically transferred:

(A) Greeting cards.

(B) Periodicals.

(C) Magazines.

(D) Video or electronic games.

(E) Newspapers or other news or information products.

(12) “Ringtone” means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication

(c) The sales of digital code and digital products on which tax is imposed by this section shall be subject to the transaction sourcing rules in article fifteen-b of this chapter.

(d) For purposes of this section, the sale, license, lease, or rental of or the storage, use, or other consumption of a digital code is treated the same as the sale, license, lease, or rental of or the

storage, use or other consumption of any digital product to which the digital code relates.

§11-15-9. Exemptions.

(a) *Exemptions for which exemption certificate may be issued.*

– A person having a right or claim to any exemption set forth in this subsection may, in lieu of paying the tax imposed by this article and filing a claim for refund, execute a certificate of exemption, in the form required by the Tax Commissioner, and deliver it to the vendor of the property or service in the manner required by the Tax Commissioner. However, the Tax Commissioner may, by rule, specify those exemptions authorized in this subsection for which exemption certificates are not required. The following sales of tangible personal property and services are exempt as provided in this subsection:

(1) Sales of gas, steam and water delivered to consumers through mains or pipes and sales of electricity;

(2) Sales of textbooks required to be used in any of the schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to the West Virginia Department of Education and the Arts, ~~the board of Trustees of the University System of West Virginia or the board of directors for~~ Higher Education Policy Commission or the Council for Community and Technical College Education for universities and colleges located in this state;

(3) Sales of property or services to this state, its institutions or subdivisions, governmental units, institutions or subdivisions of other states: *Provided*, That the law of the other state provides the same exemption to governmental units or subdivisions of this state and to the United States, including agencies of federal, state or local governments for distribution in public welfare or relief work;

(4) Sales of vehicles which are titled by the Division of Motor Vehicles and which are subject to the tax imposed by section four, article three, chapter seventeen-a of this code or like tax;

(5) Sales of property or services to churches which make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food for meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(6) Sales of tangible personal property or services to a corporation or organization which has a current registration certificate issued under article twelve of this chapter, which is exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, and which is:

(A) A church or a convention or association of churches as defined in Section 170 of the Internal Revenue Code of 1986, as amended;

(B) An elementary or secondary school which maintains a regular faculty and curriculum and has a regularly enrolled body of pupils or students in attendance at the place in this state where its educational activities are regularly carried on;

(C) A corporation or organization which annually receives more than one half of its support from any combination of gifts, grants, direct or indirect charitable contributions or membership fees;

(D) An organization which has no paid employees and its gross income from fundraisers, less reasonable and necessary expenses incurred to raise the gross income (or the tangible personal property or services purchased with the net income), is donated to an organization which is exempt from income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended;

(E) A youth organization, such as the Girl Scouts of the United States of America, the Boy Scouts of America or the YMCA Indian Guide/Princess Program and the local affiliates thereof, which is organized and operated exclusively for charitable purposes and has

as its primary purpose the nonsectarian character development and citizenship training of its members;

(F) For purposes of this subsection:

(i) The term “support” includes, but is not limited to:

(I) Gifts, grants, contributions or membership fees;

(II) Gross receipts from fundraisers which include receipts from admissions, sales of merchandise, performance of services or furnishing of facilities in any activity which is not an unrelated trade or business within the meaning of Section 513 of the Internal Revenue Code of 1986, as amended;

(III) Net income from unrelated business activities, whether or not the activities are carried on regularly as a trade or business;

(IV) Gross investment income as defined in Section 509(e) of the Internal Revenue Code of 1986, as amended;

(V) Tax revenues levied for the benefit of a corporation or organization either paid to or expended on behalf of the organization; and

(VI) The value of services or facilities (exclusive of services or facilities generally furnished to the public without charge) furnished by a governmental unit referred to in Section 170(c)(1) of the Internal Revenue Code of 1986, as amended, to an organization without charge. This term does not include any gain from the sale or other disposition of property which would be considered as gain from the sale or exchange of a capital asset or the value of an exemption from any federal, state or local tax or any similar benefit;

(ii) The term “charitable contribution” means a contribution or gift to or for the use of a corporation or organization, described in Section 170(c)(2) of the Internal Revenue Code of 1986, as amended; and

(iii) The term “membership fee” does not include any amounts paid for tangible personal property or specific services rendered to members by the corporation or organization;

(G) The exemption allowed by this subdivision does not apply to sales of gasoline or special fuel or to sales of tangible personal property or services to be used or consumed in the generation of unrelated business income as defined in Section 513 of the Internal Revenue Code of 1986, as amended. The exemption granted in this subdivision applies only to services, equipment, supplies and materials used or consumed in the activities for which the organizations qualify as tax-exempt organizations under the Internal Revenue Code and does not apply to purchases of gasoline or special fuel which are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(7) An isolated transaction in which any taxable service or any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property or by his or her representative for the owner’s account, the sale, transfer, offer for sale or delivery not being made in the ordinary course of repeated and successive transactions of like character by the owner or on his or her account by the representative: *Provided*, That nothing contained in this subdivision may be construed to prevent an owner who sells, transfers or offers for sale tangible personal property in an isolated transaction through an auctioneer from availing himself or herself of the exemption provided in this subdivision, regardless of where the isolated sale takes place. The Tax Commissioner may propose a legislative rule for promulgation pursuant to article three, chapter twenty-nine-a of this code which he or she considers necessary for the efficient administration of this exemption;

(8) Sales of tangible personal property or of any taxable services rendered for use or consumption in connection with the commercial production of an agricultural product the ultimate sale of which is subject to the tax imposed by this article or which would have been subject to tax under this article: *Provided*, That sales of tangible personal property and services to be used or consumed in the construction of or permanent improvement to real property and sales of gasoline and special fuel are not exempt: *Provided*,

however, That nails and fencing may not be considered as improvements to real property;

(9) Sales of tangible personal property to a person for the purpose of resale in the form of tangible personal property: *Provided*, That sales of gasoline and special fuel by distributors and importers is taxable except when the sale is to another distributor for resale: *Provided, however*, That sales of building materials or building supplies or other property to any person engaging in the activity of contracting, as defined in this article, which is to be installed in, affixed to or incorporated by that person or his or her agent into any real property, building or structure is not exempt under this subdivision;

(10) Sales of newspapers when delivered to consumers by route carriers;

(11) Sales of drugs, durable medical goods, mobility-enhancing equipment and prosthetic devices dispensed upon prescription and sales of insulin to consumers for medical purposes. The amendment to this subdivision shall apply to sales made after December 31, 2003;

(12) Sales of radio and television broadcasting time, preprinted advertising circulars and newspaper and outdoor advertising space for the advertisement of goods or services;

(13) Sales and services performed by day care centers;

(14) Casual and occasional sales of property or services not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character by a corporation or organization which is exempt from tax under subdivision (6) of this subsection on its purchases of tangible personal property or services. For purposes of this subdivision, the term "casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of like character" means sales of tangible personal property or services at fundraisers sponsored by a corporation or organization which is exempt, under subdivision (6) of this

subsection, from payment of the tax imposed by this article on its purchases when the fundraisers are of limited duration and are held no more than six times during any twelve-month period and “limited duration” means no more than eighty-four consecutive hours: *Provided*, That sales for volunteer fire departments and volunteer school support groups, with duration of events being no more than eighty-four consecutive hours at a time, which are held no more than eighteen times in a twelve-month period for the purposes of this subdivision are considered “casual and occasional sales not conducted in a repeated manner or in the ordinary course of repetitive and successive transactions of a like character”;

(15) Sales of property or services to a school which has approval from the ~~board of Trustees of the University System of West Virginia or the board of Directors of the state College System~~ Higher Education Policy Commission or the Council for Community and Technical College Education to award degrees, which has its principal campus in this state and which is exempt from federal and state income taxes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended: *Provided*, That sales of gasoline and special fuel are taxable as provided in section eighteen-b of this article and article fourteen-c of this chapter;

(16) Sales of lottery tickets and materials by licensed lottery sales agents and lottery retailers authorized by the state Lottery Commission, under the provisions of article twenty-two, chapter twenty-nine of this code;

(17) Leases of motor vehicles titled pursuant to the provisions of article three, chapter seventeen-a of this code to lessees for a period of thirty or more consecutive days;

(18) Notwithstanding the provisions of section eighteen or eighteen-b of this article or any other provision of this article to the contrary, sales of propane to consumers for poultry house heating purposes, with any seller to the consumer who may have prior paid the tax in his or her price, to not pass on the same to the consumer, but to make application and receive refund of the tax from the Tax Commissioner pursuant to rules which are promulgated after being

proposed for legislative approval in accordance with chapter twenty-nine-a of this code by the Tax Commissioner;

(19) Any sales of tangible personal property or services purchased and lawfully paid for with food stamps pursuant to the federal food stamp program codified in 7 U. S. C. §2011, *et seq.*, as amended, or with drafts issued through the West Virginia special supplement food program for women, infants and children codified in 42 U. S. C. §1786;

(20) Sales of tickets for activities sponsored by elementary and secondary schools located within this state;

~~(21) Sales of electronic data processing services and related software: *Provided, That, for the purposes of this subdivision, "electronic data processing services" means:*~~

~~(A) The processing of another's data, including all processes incident to processing of data such as keypunching, keystroke verification, rearranging or sorting of previously documented data for the purpose of data entry or automatic processing and changing the medium on which data is sorted, whether these processes are done by the same person or several persons; and~~

~~(B) Providing access to computer equipment for the purpose of processing data or examining or acquiring data stored in or accessible to the computer equipment;~~

~~(22)~~ (21) Tuition charged for attending educational summer camps;

~~(23)~~ (22) Dispensing of services performed by one corporation, partnership or limited liability company for another corporation, partnership or limited liability company when the entities are members of the same controlled group or are related taxpayers as defined in Section 267 of the Internal Revenue Code. "Control" means ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the total combined voting power of all classes of the stock of a corporation, equity interests of a partnership or membership interests of a limited liability company entitled to vote or

ownership, directly or indirectly, of stock, equity interests or membership interests possessing fifty percent or more of the value of the corporation, partnership or limited liability company;

~~(24)~~ (23) Food for the following are exempt:

(A) Food purchased or sold by a public or private school, school-sponsored student organizations or school-sponsored parent-teacher associations to students enrolled in the school or to employees of the school during normal school hours; but not those sales of food made to the general public;

(B) Food purchased or sold by a public or private college or university or by a student organization officially recognized by the college or university to students enrolled at the college or university when the sales are made on a contract basis so that a fixed price is paid for consumption of food products for a specific period of time without respect to the amount of food product actually consumed by the particular individual contracting for the sale and no money is paid at the time the food product is served or consumed;

(C) Food purchased or sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program to provide food to low-income persons at or below cost;

(D) Food sold by a charitable or private nonprofit organization, a nonprofit organization or a governmental agency under a program operating in West Virginia for a minimum of five years to provide food at or below cost to individuals who perform a minimum of two hours of community service for each unit of food purchased from the organization;

(E) Food sold in an occasional sale by a charitable or nonprofit organization, including volunteer fire departments and rescue squads, if the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is actually expended for that purpose;

(F) Food sold by any religious organization at a social or other gathering conducted by it or under its auspices, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenue obtained from selling the food is actually used in carrying out those functions and activities: *Provided*, That purchases made by the organizations are not exempt as a purchase for resale; or

(G) Food sold by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, when the purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(25)~~ (24) Sales of food by little leagues, midget football leagues, youth football or soccer leagues, band boosters or other school or athletic booster organizations supporting activities for grades kindergarten through twelve and similar types of organizations, including scouting groups and church youth groups, if the purpose in selling the food is to obtain revenue for the functions and activities of the organization and the revenues obtained from selling the food is actually used in supporting or carrying on functions and activities of the groups: *Provided*, That the purchases made by the organizations are not exempt as a purchase for resale;

~~(26)~~ (25) Charges for room and meals by fraternities and sororities to their members: *Provided*, That the purchases made by a fraternity or sorority are not exempt as a purchase for resale;

~~(27)~~ (26) Sales of or charges for the transportation of passengers in interstate commerce;

~~(28)~~ (27) Sales of tangible personal property or services to any person which this state is prohibited from taxing under the laws of the United States or under the Constitution of this state;

~~(29)~~ (28) Sales of tangible personal property or services to any person who claims exemption from the tax imposed by this article

or article fifteen-a of this chapter pursuant to the provision of any other chapter of this code;

~~(30)~~ (29) Charges for the services of opening and closing a burial lot;

~~(31)~~ (30) Sales of livestock, poultry or other farm products in their original state by the producer of the livestock, poultry or other farm products or a member of the producer's immediate family who is not otherwise engaged in making retail sales of tangible personal property; and sales of livestock sold at public sales sponsored by breeders or registry associations or livestock auction markets: *Provided*, That the exemptions allowed by this subdivision may be claimed without presenting or obtaining exemption certificates provided the farmer maintains adequate records;

~~(32)~~ (31) Sales of motion picture films to motion picture exhibitors for exhibition if the sale of tickets or the charge for admission to the exhibition of the film is subject to the tax imposed by this article and sales of coin-operated video arcade machines or video arcade games to a person engaged in the business of providing the machines to the public for a charge upon which the tax imposed by this article is remitted to the Tax Commissioner: *Provided*, That the exemption provided in this subdivision may be claimed by presenting to the seller a properly executed exemption certificate;

~~(33)~~ (32) Sales of aircraft repair, remodeling and maintenance services when the services are to an aircraft operated by a certified or licensed carrier of persons or property, or by a governmental entity, or to an engine or other component part of an aircraft operated by a certificated or licensed carrier of persons or property, or by a governmental entity and sales of tangible personal property that is permanently affixed or permanently attached as a component part of an aircraft owned or operated by a certificated or licensed carrier of persons or property, or by a governmental entity, as part of the repair, remodeling or maintenance service and sales of machinery, tools or equipment directly used or consumed exclusively in the repair, remodeling or maintenance of aircraft,

aircraft engines or aircraft component parts for a certificated or licensed carrier of persons or property or for a governmental entity;

~~(34) Charges for memberships or services provided by health and fitness organizations relating to personalized fitness programs;~~

~~(35)~~ (33) Sales of services by individuals who babysit for a profit: *Provided*, That the gross receipts of the individual from the performance of baby-sitting services do not exceed \$5,000 in a taxable year;

~~(36)~~ (34) Sales of services by public libraries or by libraries at academic institutions or by libraries at institutions of higher learning;

~~(37)~~ (35) Commissions received by a manufacturer's representative;

~~(38) Sales of primary opinion research services when:~~

~~(A) The services are provided to an out-of-state client;~~

~~(B) The results of the service activities, including, but not limited to, reports, lists of focus group recruits and compilation of data are transferred to the client across state lines by mail, wire or other means of interstate commerce, for use by the client outside the State of West Virginia; and~~

~~(C) The transfer of the results of the service activities is an indispensable part of the overall service.~~

~~For the purpose of this subdivision, the term "primary opinion research" means original research in the form of telephone surveys, mall intercept surveys, focus group research, direct mail surveys, personal interviews and other data collection methods commonly used for quantitative and qualitative opinion research studies;~~

~~(39)~~ (36) Sales of property or services to persons within the state when those sales are for the purposes of the production of value-added products: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies and

materials directly used or consumed by those persons engaged solely in the production of value-added products: *Provided, however,* That this exemption may not be claimed by any one purchaser for more than five consecutive years, except as otherwise permitted in this section.

For the purpose of this subdivision, the term “value-added product” means the following products derived from processing a raw agricultural product, whether for human consumption or for other use. For purposes of this subdivision, the following enterprises qualify as processing raw agricultural products into value-added products: Those engaged in the conversion of:

(A) Lumber into furniture, toys, collectibles and home furnishings;

(B) Fruits into wine;

(C) Honey into wine;

(D) Wool into fabric;

(E) Raw hides into semifinished or finished leather products;

(F) Milk into cheese;

(G) Fruits or vegetables into a dried, canned or frozen product;

(H) Feeder cattle into commonly accepted slaughter weights;

(I) Aquatic animals into a dried, canned, cooked or frozen product; and

(J) Poultry into a dried, canned, cooked or frozen product;

~~(40)~~ (37) Sales of music instructional services by a music teacher and artistic services or artistic performances of an entertainer or performing artist pursuant to a contract with the owner or operator of a retail establishment, restaurant, inn, bar, tavern, sports or other entertainment facility or any other business location in this state in which the public or a limited portion of the public may assemble to hear or see musical works or other artistic

works be performed for the enjoyment of the members of the public there assembled when the amount paid by the owner or operator for the artistic service or artistic performance does not exceed \$3,000: *Provided*, That nothing contained herein may be construed to deprive private social gatherings, weddings or other private parties from asserting the exemption set forth in this subdivision. For the purposes of this exemption, artistic performance or artistic service means and is limited to the conscious use of creative power, imagination and skill in the creation of aesthetic experience for an audience present and in attendance and includes, and is limited to, stage plays, musical performances, poetry recitations and other readings, dance presentation, circuses and similar presentations and does not include the showing of any film or moving picture, gallery presentations of sculptural or pictorial art, nude or strip show presentations, video games, video arcades, carnival rides, radio or television shows or any video or audio taped presentations or the sale or leasing of video or audio tapes, air shows or any other public meeting, display or show other than those specified herein: *Provided, however*, That nothing contained herein may be construed to exempt the sales of tickets from the tax imposed in this article. The State Tax Commissioner shall propose a legislative rule pursuant to article three, chapter twenty-nine-a of this code establishing definitions and eligibility criteria for asserting this exemption which is not inconsistent with the provisions set forth herein: *Provided further*, That nude dancers or strippers may not be considered as entertainers for the purposes of this exemption;

~~(41)~~ (38) Charges to a member by a membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, for membership in the association or organization, including charges to members for newsletters prepared by the association or organization for distribution primarily to its members, charges to members for continuing education seminars, workshops, conventions, lectures or courses put on or sponsored by the association or organization, including charges for related course materials prepared by the association or organization or by the speaker or speakers for use during the continuing education seminar, workshop, convention, lecture or

course, but not including any separate charge or separately stated charge for meals, lodging, entertainment or transportation taxable under this article: *Provided*, That the association or organization pays the tax imposed by this article on its purchases of meals, lodging, entertainment or transportation taxable under this article for which a separate or separately stated charge is not made. A membership association or organization which is exempt from paying federal income taxes under Section 501(c)(3) or (c)(6) of the Internal Revenue Code of 1986, as amended, may elect to pay the tax imposed under this article on the purchases for which a separate charge or separately stated charge could apply and not charge its members the tax imposed by this article or the association or organization may avail itself of the exemption set forth in subdivision (9) of this subsection relating to purchases of tangible personal property for resale and then collect the tax imposed by this article on those items from its member;

~~(42)~~ (39) Sales of governmental services or governmental materials by county assessors, county sheriffs, county clerks or circuit clerks in the normal course of local government operations;

~~(43)~~ (40) Direct or subscription sales by the Division of Natural Resources of the magazine currently entitled *Wonderful West Virginia* and by the Division of Culture and History of the magazine currently entitled *Goldenseal* and the journal currently entitled *West Virginia History*;

~~(44)~~ (41) Sales of soap to be used at car wash facilities;

~~(45)~~ (42) Commissions received by a travel agency from an out-of-state vendor;

~~(46)~~ (43) The service of providing technical evaluations for compliance with federal and state environmental standards provided by environmental and industrial consultants who have formal certification through the West Virginia Department of Environmental Protection or the West Virginia Bureau for Public Health or both. For purposes of this exemption, the service of providing technical evaluations for compliance with federal and state environmental standards includes those costs of tangible

personal property directly used in providing such services that are separately billed to the purchaser of such services and on which the tax imposed by this article has previously been paid by the service provider;

~~(47)~~ (44) Sales of tangible personal property and services by volunteer fire departments and rescue squads that are exempt from federal income taxes under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, if the sole purpose of the sale is to obtain revenue for the functions and activities of the organization and the revenue obtained is exempt from federal income tax and actually expended for that purpose;

~~(48)~~ (45) Lodging franchise fees, including royalties, marketing fees, reservation system fees or other fees assessed after December 1, 1997, that have been or may be imposed by a lodging franchiser as a condition of the franchise agreement; ~~and~~

~~(49)~~ (46) Sales of the regulation size United States flag and the regulation size West Virginia flag for display; and

(47) The services of “professional employer organizations” as defined in subsection (g), section two, article forty-six-a, chapter thirty-three of this code.

(b) *Refundable exemptions.* — Any person having a right or claim to any exemption set forth in this subsection shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit, or as provided in section nine-d of this article, give to the vendor his or her West Virginia direct pay permit number. The following sales of tangible personal property and services are exempt from tax as provided in this subsection:

(1) Sales of property or services to bona fide charitable organizations who make no charge whatsoever for the services they render: *Provided*, That the exemption granted in this subdivision applies only to services, equipment, supplies, food, meals and materials directly used or consumed by these organizations and does not apply to purchases of gasoline or special fuel;

(2) Sales of services, machinery, supplies and materials directly used or consumed in the activities of manufacturing, transportation, transmission, communication, production of natural resources, gas storage, generation or production or selling electric power, provision of a public utility service or the operation of a utility service or the operation of a utility business, in the businesses or organizations named in this subdivision and does not apply to purchases of gasoline or special fuel;

(3) Sales of property or services to nationally chartered fraternal or social organizations for the sole purpose of free distribution in public welfare or relief work: *Provided*, That sales of gasoline and special fuel are taxable;

(4) Sales and services, firefighting or station house equipment, including construction and automotive, made to any volunteer fire department organized and incorporated under the laws of the State of West Virginia: *Provided*, That sales of gasoline and special fuel are taxable; and

(5) Sales of building materials or building supplies or other property to an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended, which are to be installed in, affixed to or incorporated by the organization or its agent into real property or into a building or structure which is or will be used as permanent low-income housing, transitional housing, an emergency homeless shelter, a domestic violence shelter or an emergency children and youth shelter if the shelter is owned, managed, developed or operated by an organization qualified under Section 501(c)(3) or (c)(4) of the Internal Revenue Code of 1986, as amended; ~~and~~

~~(6) Sales of construction and maintenance materials acquired by a second party for use in the construction or maintenance of a highway project: *Provided*, That in lieu of any refund or credit to the person that paid the tax imposed by this article, the Tax Commissioner shall pay to the Division of Highways for deposit into the State Road Fund of the state reimbursement for the tax in the amount estimated under the provisions of this subdivision: *Provided, however*, That by June 15 of each fiscal year, the division~~

~~shall provide to the Tax Department an itemized listing of highways projects with the amount of funds expended for highway construction and maintenance. The Commissioner of Highways shall request reimbursement of the tax based on an estimate that forty percent of the total gross funds expended by the agency during the fiscal period were for the acquisition of materials used for highway construction and maintenance. The amount of the reimbursement shall be calculated at six percent of the forty percent.~~

(c) *Effective date.* – The amendments to subsection (a) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect beginning July 1, 2017, and apply to sales made on and after that date. The amendments to subsection (b) of this section made during the First Extraordinary Session of the Legislature in 2017 shall take effect June 1, 2017, and shall be construed to prohibit all future transfers to the State Road Fund established in the State Treasury pursuant to section fifty-two, article six of the Constitution of West Virginia, under this section of taxes imposed by this article and article fifteen-a of this chapter.

§11-15-9b. Exemption for purchases of tangible personal property and services for direct use in research and development.

(a) Sales of tangible personal property and services after June 30, 2002, directly used or consumed in the activity of research and development are exempt from tax imposed by this article. Any person having a right or claim to the exemption set forth in this section shall first pay to the vendor the tax imposed by this article and then apply to the Tax Commissioner for a refund or credit or give to the vendor the person's West Virginia direct pay permit number in accordance with the provisions of section nine-d of this article.

(b) For purposes of this article:

(1) "Directly used or consumed in the activity of research and development" means used or consumed in those activities or

operations which constitute an integral and essential part of research and development, as contrasted with and distinguished from those activities or operations which are simply incidental, convenient or remote to research and development.

(A) Uses of property or consumption of services which constitute direct use or consumption in the activity of research and development include only:

(i) In the case of tangible personal property, physical incorporation of property into tangible personal property that is the subject of, or directly used in, research and development;

(ii) Causing a direct physical, chemical or other change upon property that is the subject of, or directly used in, research and development;

(iii) Transporting or storing property that is the subject of, or directly used in, research and development;

(iv) Measuring or verifying a change in property that is the subject of, or directly used in, research and development;

(v) Physically controlling or directing the physical movement or operation of property that is the subject of, or directly used in, research and development;

(vi) Directly and physically recording the flow of property that is the subject of, or directly used in, research and development;

(vii) Producing energy for property that is the subject of, or directly used in, research and development;

(viii) Controlling or otherwise regulating atmospheric or other environmental conditions required for research and development;

(ix) Serving as an operating supply for property that is the subject of, or directly used in, research and development;

(x) Maintenance or repair of property, including maintenance equipment, that is directly used in research and development;

(xi) Storage, removal or transportation of economic or other waste resulting from the activity of research and development;

(xii) Pollution control or environmental quality or environmental protection activity directly relating to the activity of research and development, and personnel, plant, property or community safety or security activity directly relating to the activity of research and development; or

(xiii) Otherwise being used as an integral and essential part of research and development.

(B) Uses of property or services which do not constitute direct use or consumption in the activity of research and development include, but are not limited to:

(i) Heating and illumination of office buildings;

(ii) Janitorial or general cleaning activities;

(iii) Personal comfort of personnel;

(iv) Planning or scheduling of work or inventory control;

(v) Marketing, general management, supervision, finance, training, accounting and administration; or

(vi) An activity or function incidental or convenient to research and development, rather than an integral and essential part of these activities.

(2) "Research and development" means systematic scientific, engineering or technological study and investigation in a field of knowledge in the physical, computer or software sciences, often involving the formulation of hypotheses and experimentation, for the purpose of revealing new facts, theories or principles, or increasing scientific knowledge, which may reveal the basis for new or enhanced products, equipment or manufacturing processes. Research and development includes, but is not limited to, design, refinement and testing of prototypes of new or improved products, or design, refinement and testing of manufacturing processes

before commercial sales relating thereto have begun. For purposes of this section commercial sales include, but are not limited to, sales of prototypes or sales for market testing.

(A) Research and development does not include:

(i) Market research;

(ii) Sales research;

(iii) Efficiency surveys;

(iv) Consumer surveys;

(v) Product market testing;

(vi) Product testing by product consumers or through consumer surveys for evaluation of consumer product performance or consumer product usability;

(vii) The ordinary testing or inspection of materials or products for quality control (quality control testing);

(viii) Management studies;

(ix) Advertising;

(x) Promotions;

(xi) The acquisition of another's patent, model, production or process or investigation or evaluation of the value or investment potential related thereto;

(xii) Research in connection with literary, historical or similar projects;

(xiii) Research in the social sciences, economics, humanities or psychology and other nontechnical activities; and

(xiv) The providing of sales services or any other service, whether technical service or nontechnical service.

~~(c) No provision of this section may be interpreted to alter, abrogate or impede application of the exemption for sales of primary opinion research services set forth in section nine of this article.~~

§11-15-9h. Exemptions for sales of computer hardware and software directly incorporated into manufactured products; certain leases; sales of electronic data processing service; sales of computer hardware and software directly used in communication; sales of educational software; sales of Internet advertising; sales of high-technology business services directly used in fulfillment of a government contract; sales of tangible personal property for direct use in a high-technology business or Internet advertising business; definitions.

(a) In order to modernize the exemptions from tax contained in this article as a result of technological advances in computers and the expanded role of computers, the Internet and global instant communications in business and to encourage computer software developers, computer hardware designers, systems engineering firms, ~~electronic data processing companies~~ and other high-technology companies to locate and expand their businesses in West Virginia, the following sales of tangible personal property and software are exempt:

(1) Sales of computer hardware or software (including custom designed software) to be directly incorporated by a manufacturer into a manufactured product. For purposes of this subsection, the payment of licensing fees for the right to incorporate hardware or software developed by persons other than the manufacturer into a manufactured product is exempt from the tax imposed by this article;

(2) Sales of computer hardware or software (including custom designed software) directly used in communication as defined in this article;

~~(3) Sales of electronic data processing services;~~

~~(4)~~ (3) Sales of educational software required to be used in any of the public schools of this state or in any institution in this state which qualifies as a nonprofit or educational institution subject to administration, regulation, certification or approval of the Department of Education, the Department of Education and the Arts or the Higher Education Policy Commission;

~~(5)~~ (4) Sales of Internet advertising of goods and services;

~~(6)~~ (5) Sales of high-technology business services to high-technology businesses which enter into contracts with this state, its institutions and subdivisions, governmental units, institutions or subdivisions of other states, or with the United States, including agencies of federal, state or local governments for direct use in fulfilling the government contract; and

~~(7)~~ (6) Sales of prewritten computer software, computers, computer hardware, servers and building materials and tangible personal property to be installed into a building or facility for direct use in a high-technology business or an Internet advertising business.

(b) *Definitions.* –

As used in this article, the following terms have the following meanings:

(1) “Computer hardware” means a computer, as defined in article fifteen-b of this chapter, and the directly and immediately connected physical equipment involved in the performance of data processing or communications functions, including data input, data output, data processing, data storage, and data communication apparatus that is directly and immediately connected to the computer. The term “computer hardware” does not include computer software.

(2) “High-technology business” means and is limited to businesses primarily engaged in the following activities: Computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development;

network design and development; design and development of new manufactured products which incorporate computer hardware and software; electronic data processing; network management, maintenance, engineering, administration and security services; website management, maintenance, engineering, administration and security services and computer systems management, maintenance, engineering, administration and security services. High-technology business as defined herein is intended to include businesses which engage in the activities enumerated in this definition as their primary business activity, and not as a secondary or incidental activity and not as an activity in support of or incidental to business activity not specifically enumerated in this definition.

(3) “High-technology business services” means and is limited to computer hardware design and development; computer software design, development, customization and upgrade; computer systems design and development; website design and development; network design and development; electronic data processing; computer systems management; computer systems maintenance; computer systems engineering; computer systems administration and computer systems security services.

(4) “Internet advertising business” means a for-profit business that is engaged, for monetary remuneration, in the primary business activity of announcing, or calling public attention to, goods or services in order to induce the public to purchase those goods or services, and which uses the Internet as its sole advertising communications medium. For purposes of this definition, Internet advertising must be the primary business activity of the business and not a secondary or incidental activity and not an activity in support of or incidental to other business activity.

(5) “Network” means a group of two or more computer systems linked together.

(6) “Server” means a computer or device on a network that manages network resources.

(c) The amendments to this section made in the first extraordinary session of the Legislature in ~~2009~~ 2017 shall apply to purchases made on and after July 1, ~~2009~~ 2017.

§11-15-35. Administrative rules.

Legislative rules; emergency rules. — The Tax Commissioner may propose for promulgation legislative rules explaining and implementing the amendments to this article enacted in the year 2017 in accordance with the provisions of article three, chapter twenty-nine-a of this code. The authority to promulgate rules includes authority to amend or repeal those rules. If proposed legislative rules for this section are filed in the State Register before October 1, 2017, those rules may be promulgated as emergency legislative rules as provided in article three, chapter twenty-nine-a of this code: *Provided*, That the rule shall provide that all contractors with outstanding firm bid contracts upon the effective date of this section in 2017 shall be exempt from paying the tax imposed by this article on purchases of tangible personal property and taxable services directly used or consumed in the completion of those firm bid contracts: *Provided, however*, That this exemption shall not apply to any extension of the contracts on and after the effective date of this section.

ARTICLE 15A. USE TAX.

§11-15A-2. Imposition of tax; ~~six percent~~ tax rate; inclusion of services as taxable; transition rules; allocation of tax and transfers.

(a) An excise tax is hereby levied and imposed on the use in this state of tangible personal property, digital code, digital products, custom software or taxable services, to be collected and paid as provided in this article or article fifteen-b of this chapter, at the rate of six percent of the purchase price of the property or taxable services, except as otherwise provided in this article: *Provided*, That on and after July 1, 2017, the tax imposed by this article shall be collected and paid, as provided in this article or article fifteen-b of this chapter, at the rate of seven and twenty-five one-hundredths percent of the purchase price of the tangible

personal property, digital code, digital products, custom software or taxable services, except as otherwise provided in this article.

(b) *Calculation of tax on fractional parts of a dollar.* -- The tax computation under subsection (a) of this section shall be carried to the third decimal place and the tax rounded up to the next whole cent whenever the third decimal place is greater than four and rounded down to the lower whole cent whenever the third decimal place is four or less. The vendor may elect to compute the tax due on a transaction on a per item basis or on an invoice basis provided the method used is consistently used during the reporting period.

(c) “Taxable services,” for the purposes of this article, means services of the nature that are subject to the tax imposed by article fifteen of this chapter. In this article, wherever the words “tangible personal property” or “property” appear, the same shall include the words “or taxable services,” where the context so requires.

(d) Use tax is hereby imposed upon every person using tangible personal property, custom software, digital code, digital product, ~~or telecommunication service, ancillary services or other~~ taxable service within this state. That person’s liability is not extinguished until the tax has been paid. A receipt with the tax separately stated thereon issued by a retailer engaged in business in this state, or by a foreign retailer who is authorized by the Tax Commissioner to collect the tax imposed by this article, relieves the purchaser from further liability for the tax to which the receipt refers.

(e) Purchases of tangible personal property or taxable services made for the government of the United States or any of its agencies by ultimate consumers is subject to the tax imposed by this section. Industrial materials and equipment owned by the federal government within the State of West Virginia of a character not ordinarily readily obtainable within the state, is not subject to use tax when sold, if the industrial materials and equipment would not be subject to use taxes if sold outside of the state for use in West Virginia.

(f) This article does not apply to purchases made by counties or municipal corporations.

§11-15A-10. Payment to Tax Commissioner.

(a) Each retailer required or authorized, pursuant to section six, six-a or seven, or pursuant to article fifteen-b of this chapter, to collect the tax imposed in section two of this article, is required to pay to the Tax Commissioner the amount of the tax on or before the twentieth day of the month next succeeding each calendar month, except as otherwise provided in this article or article fifteen-b of this chapter.

(b) Each certified service provider for a Model I seller shall pay to the Tax Commissioner the tax levied by this article on or before the twentieth day of the month next succeeding the calendar month in which the tax accrued, except as otherwise provided in this article or article fifteen-b of this chapter.

(c) At that time, each retailer, seller or certified service provider shall file with the Tax Commissioner a return for the preceding monthly period, except as otherwise provided in this article or article fifteen-b of this chapter, in the form prescribed by the Tax Commissioner showing the sales price of any or all tangible personal property, custom software and taxable services sold by the retailer or seller during the preceding quarterly period, the use of which is subject to the tax imposed by this article, and any other information the Tax Commissioner may consider necessary for the proper administration of this article. The return shall be accompanied by a remittance of the amount of the tax, for the period covered by the return, except as otherwise provided in this article or article fifteen-b of this chapter: *Provided*, That where the tangible personal property or custom software is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part of the sum is extended over a period longer than sixty days from the date of the sale, the retailer may collect and remit each monthly period that portion of the tax equal to ~~six~~ seven and twenty-five one-hundredths percent of that portion of the purchase price actually received during the monthly period.

(d) The Tax Commissioner may, upon request and a proper showing of the necessity to do so, grant an extension of time not to exceed thirty days for making any return and payment.

(e) Returns shall be signed by the retailer or seller or his or her duly authorized agent, and must be certified by him or her to be correct, except as otherwise provided in this article or article fifteen-b of this chapter.

(f) *Accelerated payment.* —

(1) ~~For calendar years beginning after December 31, 2002, taxpayers~~ Taxpayers whose average monthly payment of the taxes levied by this article and article fifteen of this chapter during the previous calendar year exceeds \$100,000, shall remit the tax attributable to the first fifteen days of June each year on or before June 20 of said month.

(2) For purposes of complying with subdivision (1) of this subsection, the taxpayer shall remit an amount equal to the amount of tax imposed by this article and article fifteen of this chapter on actual taxable sales of tangible personal property and custom software and sales of taxable services during the first fifteen days of June or, at the taxpayer's election, taxpayer may remit an amount equal to fifty percent of taxpayer's liability for tax under this article on taxable sales of tangible personal property and custom software and sales of taxable services made during the preceding month of May.

(3) For a business which has not been in existence for a full calendar year, the total tax due from the business during the prior calendar year shall be divided by the number of months, including fractions of a month, that it was in business during the prior calendar year; and if that amount exceeds \$100,000, the tax attributable to the first fifteen days of June each year shall be remitted on or before June 20 of said month as provided in subdivision (2) of this subsection.

(4) When a taxpayer required to make an advanced payment of tax under subdivision (1) of this subsection makes out its return for

the month of June, which is due on July 20, the taxpayer may claim as a credit against its liability under this article for tax on taxable transactions during the month of June, the amount of the advanced payment of tax made under subdivision (1) of this subsection.

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-4g. Rate of tax – Taxable years beginning on or after January 1, 2018.

(a) General. – For taxable years beginning on and after January 1, 2018, but before January 1, 2019, the tax imposed by section three of this article shall be determined under either subsection (b) or (c) of this section, as appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|--|--|
| <u>Less than \$20,000</u> | <u>2.25% of taxable income</u> |
| <u>\$20,000 or more but less than \$35,000</u> | <u>\$450.00 plus 3.95% of taxable income in excess of \$20,000</u> |

| | |
|--|--|
| <u>Over \$35,000 or more but less than \$200,000</u> | <u>\$1,042.50 plus 5.65% of taxable income in excess of \$35,000</u> |
| <u>\$200,000 or more</u> | <u>\$10,365.00 plus 6.00% of taxable income in excess of \$200,000</u> |

(c) Rate of tax on married individuals filing separate returns.
– In the case of married individuals filing separate returns under
 this article for the taxable year, the tax imposed by section three of
 this article on the West Virginia taxable income of each spouse
 shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|--|---|
| <u>Less than \$10,000</u> | <u>2.25% of taxable income</u> |
| <u>\$10,000 or more but less than \$17,500</u> | <u>\$225.00 plus 3.95% of taxable income in excess of \$10,000</u> |
| <u>Over \$17,500 but less than \$100,000</u> | <u>\$521.25 plus 5.65% of taxable income in excess of \$17,500</u> |
| <u>\$100,000 or more</u> | <u>\$5,182.50 plus 6.00% of taxable income in excess of \$100,000</u> |

**§11-21-4h. Rate of tax – Taxable years beginning on and after
 January 1, 2019.**

(a) General. – For taxable years beginning on and after January
 1, 2019, the tax imposed by section three of this article shall be
 determined under either subsection (b), (c) or (d) of this section, as
 appropriate.

(b) Rate of tax on individuals except married individuals filing separate returns, individuals filing joint returns, heads of households, estates and trusts. – The tax imposed by section three of this article on the West Virginia taxable income of every individual, except married individuals filing separate returns; every individual who is a head of a household in the determination of his or her federal income tax for the taxable year; married individuals who file a joint return under this article; every individual who is entitled to file his or her federal income tax return for the taxable year as a surviving spouse; and every estate and trust shall be determined in accordance with the following table:

If the West Virginia

| <u>taxable income is:</u> | <u>The tax is:</u> |
|--|--|
| <u>Less than \$20,000</u> | <u>1.85% of taxable income</u> |
| <u>\$20,000 or more but less than \$35,000</u> | <u>\$370.00 plus 3.65% of taxable income in excess of \$20,000</u> |
| <u>Over \$35,000 or more but less than \$200,000</u> | <u>\$917.50 plus 5.45% of taxable income in excess of \$35,000</u> |
| <u>\$200,000 or more</u> | <u>\$9,910.00 plus 6.00% of taxable income in excess of \$200,000</u> |

(c) Rate of tax on married individuals filing separate returns. – In the case of married individuals filing separate returns under this article for the taxable year, the tax imposed by section three of this article on the West Virginia taxable income of each spouse shall be determined in accordance with the following table:

If the West Virginia

taxable income is: _____ **The tax is:**

| | |
|--|---|
| <u>Less than \$10,000</u> | <u>1.85% of taxable income</u> |
| <u>\$10,000 or more but less than \$17,500</u> | <u>\$185.00 plus 3.65% of taxable income in excess of \$10,000</u> |
| <u>Over \$17,500 but less than \$100,000</u> | <u>\$458.75 plus 5.45% of taxable income in excess of \$17,500</u> |
| <u>\$100,000 or more</u> | <u>\$4,955.00 plus 6.00% of taxable income in excess of \$100,000</u> |

(d) Personal income tax rate reduction in taxable years subsequent to 2019.

(1) Beginning in 2019, and for each fiscal year thereafter in which the net amount of the increase in the amount deposited in the General Revenue Fund since the previous rate reduction exceeds \$110 million, adjusted upward by one half of the applicable annual growth factor, the rates of tax specified in subsections (b) and (c) of this section shall reduce by one tenth of one percentage point until the rates become zero: *Provided*, That each rate reduction required by this subdivision shall take effect for the tax year that begins immediately after each successive fiscal year ends: *Provided, however*, That the amount required to be deposited in the General Revenue Fund for the first triggered rate reduction shall be \$110 million amount adjusted upward by one half of the applicable annual growth factor above the 2019 fiscal year General Revenue Fund collections.

(2) In any fiscal year when subdivision (1) of this subsection does not apply, but the net amount of increase deposited in the General Revenue Fund is sixty-five percent or more of the annually adjusted \$110 million amount, adjusted upward by one half of the applicable annual growth factor, there shall not be a rate reduction for the tax year that begins immediately after that fiscal year ends.

(3) In any fiscal year when subdivisions (1) and (2) of this subsection do not apply, but the net amount of increase deposited in the General Revenue Fund is less than sixty-five percent of the annually adjusted \$110 million amount adjusted upward by one half of the applicable annual growth factor, there shall not be a rate reduction for the tax year that begins immediately after that fiscal year ends; and the annually adjusted \$110 million amount, adjusted upward by one half of the applicable annual growth factor shall be increased by one hundred fifty percent for the next ensuing fiscal year.

(4) When subdivision (3) of this subsection applies with respect to any fiscal year, in future fiscal years, the implementation of the rate reduction provided in subsection (1) of this subsection shall be based on any combination of prior fiscal years' revenue collections not applied toward a previous rate reduction due to the application of subdivisions (1) and (2) of this subsection. Under these circumstances, the reduction of the rates of tax specified in subsections (b) and (c) shall resume for the taxable year that begins immediately after that fiscal year.

(5) Beginning on October 1, 2018, and on October 1 of each subsequent calendar year, the State Budget Director shall publish the following information on the State Budget Office's web site as well as other relevant publications and documents:

(A) The personal income tax rates for the current calendar year;

(B) The general revenue collections for the fiscal year ending June 30 of that calendar year;

(C) The difference between general revenue collections for the most recently concluded fiscal year or combination of fiscal years since a rate reduction trigger occurred and the general revenue collection for the last fiscal year when a rate reduction occurred;

(D) The amount of reduction, if any, in the personal income tax rates that will result by application of this subsection; and

(E) The personal income tax rates to be imposed for the calendar year beginning January 1 of the next calendar year.

(e) Rules. —

(1) “Applicable annual growth factor” means the rate of growth in the consumer price index for the fiscal year when compared to the consumer price index for the fiscal year immediately preceding that fiscal year.

(2) “Consumer price index” means the most recent consumer price index for all urban consumers published by the United States Department of Labor.

(3) “Consumer price index for the fiscal year” shall for purposes of this section mean the average of the monthly consumer price indices as of the close of the twelve-month period ending on June 30 for the fiscal year to which reference is being made.

(f) All tax liabilities, if any, arising for tax years that begin prior to the tax year in which the rates of tax in subsections (b) and (c) become zero, shall be determined, administered, assessed and collected using the tax rate or rates in effect for the taxable year in issue.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or the taxpayer is delinquent in the payment of property

taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state, that are reviewed by the West Virginia Division of Culture and History and designated by the National Park Service, United States Department of the Interior as “certified historic structures,” and further defined as a “qualified rehabilitated building” as defined under §47(c)(1), Title 26 of the United States Code, as amended.

The credit authorized pursuant to this section may not exceed the greater of \$3.75 million for the portion of a certified rehabilitation as defined in 26 U. S. C. §47(c)(2)(C) placed in service in the state in the taxable year, or \$3.75 million for each building that is a component of a certified historic structure for which a credit is claimed under this section.

§11-21-8e. ~~Carryback~~ Credit carryback, carryforward.

(a) Any unused portion of the credit for qualified rehabilitated buildings investment authorized by section eight-a of this article which may not be taken in the taxable year to which the credit applies qualifies for carryback and carryforward treatment subject to the identical general provisions under §39, Title 26 of the United States Code, as amended: *Provided*, That the amount of the credit taken in a taxable year shall in no event exceed the tax liability due for the taxable year: *Provided, however*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article may not be carried back to any prior taxable year: *Provided further*, That for tax years beginning on and after January 1, 2019, any unused portion of the credit authorized by section eight-a of this article

may be carried over to each of the next ten tax years following the unused credit year until used or forfeited due to lapse of time.

(b) Effective for taxable years beginning on and after January 1, 2001, credits granted to an electing small business corporation (S corporation), limited partnership, general partnership, limited liability company or multiple owners of property shall be passed through to the shareholders, partners, members or owners, either pro rata or pursuant to an agreement among the shareholders, partners, members or owners documenting an alternative distribution method. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide the method of reporting the alternative method of distribution authorized by this section.

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) *General.* — The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) *Modifications increasing federal adjusted gross income.* — There shall be added to federal adjusted gross income unless already included therein the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) Modifications reducing federal adjusted gross income. — There shall be subtracted from federal adjusted gross income to the extent included therein:

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after June 30, 1987;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included

in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and all forms of military retirement, including regular armed forces, reserves and National Guard, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first \$2,000 of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after December 31, 1986; and the first two thousand dollars of benefits received under any federal retirement system to which Title 4 U. S. C. §111 applies: *Provided, however*, That the total modification under this paragraph shall not exceed \$2,000 per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after December 31, 1988;

(6) Retirement income received in the form of pensions and annuities after December 31, 1979, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after December 31, 2000, and ending prior to January 1, 2003, an amount equal to two

percent multiplied by the number of years of active duty in the armed forces of the United States of America with the product thereof multiplied by the first \$30,000 of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after December 31, 2000, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after December 31, 2002, the first \$20,000 of military retirement income, including retirement income from the regular armed forces, reserves and National Guard paid by the United States or by this state after December 31, 2002, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning on and after January 1, 2018, the amount of military retirement income, including retirement income from the regular armed forces, reserves and National Guard, paid by the United States or this state on and after January 1, 2018, that is included in federal adjusted gross income for the taxable year, shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article.

~~(C)~~ (D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by any person who has attained the age of sixty-five on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she

is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form filed for the federal disability income tax exclusion is acceptable: *Provided, however, That:*

(i) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is \$8,000 per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6) and (7) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of modifications under subdivisions (1), (2), (5), (6) and (7) of this subsection;

(9) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by the surviving spouse of any person who had attained the age of sixty-five or who had been certified as permanently and totally disabled, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That:*

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is \$8,000 or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7) and (8) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of subdivisions (1), (2), (5), (6), (7) and (8) of this subsection;

(10) Contributions from any source to a medical savings account established by or for the individual pursuant to section twenty, article fifteen, chapter thirty-three of this code or section fifteen, article sixteen of said chapter, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided, That* the amount subtracted

pursuant to this subdivision for any one taxable year may not exceed \$2,000 plus interest earned on the account. For married individuals filing a joint return, the maximum deduction is computed separately for each individual;

(11) For the 2006 taxable year only, severance wages received by a taxpayer from an employer as the result of the taxpayer's permanent termination from employment through a reduction in force and through no fault of the employee, not to exceed \$30,000. For purposes of this subdivision:

(i) The term "severance wages" means any monetary compensation paid by the employer in the taxable year as a result of permanent termination from employment in excess of regular annual wages or regular annual salary;

(ii) The term "reduction in force" means a net reduction in the number of employees employed by the employer in West Virginia, determined based on total West Virginia employment of the employer's controlled group;

(iii) The term "controlled group" means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least fifty percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least fifty percent of the voting power of all classes of stock of at least one of the other corporations;

(iv) The term "corporation" means any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument;

(12) Decreasing modification for Social Security income. —

(A) For taxable years beginning on and after January 1, 2018, fifty percent of the amount of social security benefits received pursuant to Title 42 U. S. C., Chapter 7, including, but not limited to, Social Security benefits paid by the Social Security

Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U. S. C. 401 *et seq.* or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U. S. C. 1381 *et seq.*, included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision.

(B) For taxable years beginning on or after January 1, 2019, one hundred percent of the Social Security benefits received pursuant to Title 42 U.S.C., Chapter 7, including but not limited to Social Security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U. S. C. 401 *et seq.* or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U. S. C. 1381 *et seq.*, included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in paragraph (C) of this subdivision.

(C) *Limitation on taking the deduction allowed by paragraphs (A) and (B) of subdivision (12).* – The deduction allowed by paragraph (A) or (B) of this subdivision shall be allowable only when the federal adjusted gross income of a married couple filing a joint return, or a single individual, does not exceed \$75,000, or \$37,500 in the case of a married individual filing a separate return.

(D) In the event that any provision of this subdivision is found by a court of competent jurisdiction to violate either the Constitution of the United States or this state, or is held to be extended to persons other than those specified in this section, this section shall become null and void by operation of law; and

~~(12)~~ (13) Any other income which this state is prohibited from taxing under the laws of the United States.

(d) *Modification for West Virginia fiduciary adjustment.* — There shall be added to or subtracted from federal adjusted gross

income, as the case may be, the taxpayer's share, as beneficiary of an estate or trust, of the West Virginia fiduciary adjustment determined under section nineteen of this article.

(e) *Partners and S corporation shareholders.* — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under section seventeen of this article.

(f) *Husband and wife.* — If husband and wife determine their federal income tax on a joint return but determine their West Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) *Effective date.* — (1) Changes in the language of this section enacted in the year two thousand shall apply to taxable years beginning after the thirty-first day of December, two thousand.

(2) Changes in the language of this section enacted in the year two thousand two shall apply to taxable years beginning after the thirty-first day of December, two thousand two.

ARTICLE 24. CORPORATE NET INCOME TAX.

§11-24-4c. Rate of tax – Taxable years beginning on and after January 1, 2018, but before January 1, 2021.

(a) In lieu of the rate of tax specified in section four of this article, for taxable year beginning on and after January 1, 2018, but before January 1, 2021, the tax imposed by section four of this article shall be levied at the rate of seven percent of West Virginia taxable income.

(b) For taxable years beginning on and after January 1, 2021, the rate of tax shall be that specified in section four of this article.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

A credit against the tax imposed by the provisions of this article shall be allowed as follows:

Certified historic structures. – For certified historic structures, the credit is equal to ten percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as amended: Provided, That for qualified rehabilitation expenditures made after June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified rehabilitation expenditure: Provided, however, That the credit authorized by this section for qualified rehabilitation expenditures made after June 30, 2017, may not be used to offset tax liabilities prior to the tax year beginning January 1, 2019: Provided further, That the taxpayer may not be entitled to this credit if the taxpayer is in arrears in the payment of any tax administered by the Tax Division or if the taxpayer is delinquent in the payment of property taxes on the property containing the certified historic tax structure when the applicant begins to claim the credit and throughout the time period within which the credit is claimed. The Tax Commissioner shall promulgate procedural rules in accordance with article three, chapter twenty-nine-a of this code that provide what information must accompany any claim for the tax credit for the determination that the taxpayer is not in arrears in the payment of any tax administered by the Tax Division nor is the taxpayer delinquent in the payment of property taxes on the property containing the certified historic tax structure. This credit is available for both residential and nonresidential buildings located in this state that are reviewed by the West Virginia Division of Culture and History and designated by the National Park Service, United States Department of the Interior as “certified historic building” and further defined as a “qualified rehabilitated building” as defined under §47(c)(1), Title 26, of the United States Code, as amended.

On motions of Senators Prezioso, Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel, the following amendments to the Finance committee amendment to the bill (Eng. Com. Sub. for H. B. 107) were reported by the Clerk and considered simultaneously:

On page sixteen, section three, subsection (b), by striking out the words “seven and twenty-five one-hundredths” and inserting in lieu thereof the words “six and one half”;

On page seventeen, section three, subsection (e), by striking out the words “seven and twenty-five one-hundredths” and inserting in lieu thereof the words “six and one half”;

On page forty-four, section two, subsection (a), by striking out the words “seven and twenty-five one-hundredths” and inserting in lieu thereof the words “six and one half”;

On page forty-six, section ten, subsection (c), by striking out the words “seven and twenty-five one-hundredths” and inserting in lieu thereof the words “six and one half”;

On pages forty-seven through fifty-two, by striking out all of sections four-g and four-h;

And,

By striking out the enacting section and inserting in lieu thereof a new enacting section, to read as follows:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13A-3f; that §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code be amended and reenacted; that said code be amended by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; that §11-15A-2 and §11-15A-10 of said code be amended and reenacted; that §11-21-8a, §11-21-8e and §11-21-12 of said code be amended and reenacted; that §11-24-23a of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §11-24-4c, all to read as follows:

Following discussion,

The question being on the adoption of the amendments offered by Senators Prezioso, Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel to the

Finance committee amendment to the bill (Eng. Com. Sub. for H. B. 107), and on this question, Senator Prezioso demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Stollings, Unger and Woelfel—11.

The nays were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Romano, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—20.

Absent: Maroney, Mullins and Rucker—3.

So, a majority of those present and voting not having voted in the affirmative, the President declared the amendments offered by Senators Prezioso, Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Romano, Stollings, Unger and Woelfel to the Finance committee amendment to the bill rejected.

The question now being on the adoption of the Finance committee amendment to the bill.

Following extended discussion and a point of inquiry to the President, with resultant response thereto,

Senator Woelfel moved the previous question, which motion prevailed.

The previous question having been ordered, that being on the adoption of the Finance committee amendment to the bill, and on this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—19.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—12.

Absent: Maroney, Mullins and Rucker—3.

So, a majority of those present and voting having voted in the affirmative, the President declared the Finance committee amendment to the bill adopted.

The bill, as amended, was ordered to third reading.

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 107) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—18.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Unger and Woelfel—13.

Absent: Maroney, Mullins and Rucker—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 107) passed.

At the request of Senator Karnes, as chair of the Select Committee on Tax Reform, and by unanimous consent, the unreported Tax Reform committee amendment to the title of the bill was withdrawn.

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

Eng. Com. Sub. for House Bill 107—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to

amend said code by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend and reenact §11-21-8a, §11-21-8e and §11-21-12 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-4h; to amend and reenact §11-24-23a of said code; and to amend said code by adding thereto a new section, designated §11-24-4c, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code and digital products as of specified date; providing the Tax Commissioner with rule-making authority and emergency rule-making authority; eliminating certain exemptions from consumers sales and service tax as of specified date; providing consumers sales and service tax exemption for services of professional employer organizations; ending the State Road Fund transfer; increasing rate of use tax as of specified date; reducing number of classifications and rates of personal income tax as of January 1, 2018; providing for phase-out of personal income tax and specifying triggering event; exempting prospectively from the personal income tax all retirement income for military service; exempting prospectively from the personal income tax all Social Security retirement, survivors' and disability income over a two-year period for individuals and married couples filing a joint return with less than \$75,000 of annual income and less than \$35,000 of annual income for married individuals filing separate returns; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; increasing rate of corporation net income tax as of specified date; and making technical corrections in various sections.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Palumbo, Plymale, Prezioso, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—27.

The nays were: Ojeda, Romano, Unger and Woelfel—4.

Absent: Maroney, Mullins and Rucker—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 107) takes effect from passage.

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

The end of today's first reading calendar having been reached, the Senate returned to the consideration of

Senate Bill 1003, Relating generally to WV Parkways Authority.

On third reading, coming up in deferred order, with the right having been granted on Tuesday, May 16, 2017, for amendments to be received on third reading, was again reported by the Clerk.

On motion of Senator Trump, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page eight, section six, line thirty-one, after the word "Commission" by changing the period to a colon and inserting the following provisos: *Provided*, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: *Provided*, further, That an existing road does not include the West Virginia Turnpike, new lanes or sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities.;

On page eighteen, section thirteen, line nine, after the words “for such use” by changing the period to adding a colon and inserting the following provisos: *Provided*, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: *Provided, however*, That an existing road does not include the West Virginia Turnpike, new lanes or sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities.;

And,

On page twenty-three, section thirteen-a, after line sixty-three, by adding a new subsection, designated subsection (f), to read as follows:

(f) Nothing in this section shall be construed to permit or authorize the Parkways Authority to charge tolls or fees on any existing road without express legislative authorization for the charging of such tolls or fees: *Provided*, That an existing road does not include the West Virginia Turnpike, new lanes or sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities.

On motion of Senator Trump, the following amendment to the bill (S. B. 1003) was next reported by the Clerk and adopted:

On page twenty-one, section thirteen-a, line fourteen, after the word “program” by changing the semicolon to a colon and adding the following provisos: *Provided*, That the Parkways Authority may not increase any passenger vehicle rates, tolls or charges without establishing either a single fee program pursuant to subdivision (16), subsection (a), section six of this article or a passenger motor vehicle unlimited use single fee EZ Pass transponder discount program: *Provided, however*, That the single annual fee proposed to be charged under either such program may not exceed an amount equal to the sum of: (1) 2.5 times the total toll rate for a single passage of a two axle passenger motor vehicle through every toll plaza facility maintained by the Parkways Authority; and (2) a usage fee for the EZ Pass transponder, radio

frequency identifying tag or other device issued by the Parkways Authority to participate in such program, which fee shall not exceed the actual cost of issuing such device.

There being no further amendments offered,

The bill, as just amended, was ordered to engrossment.

Engrossed Senate Bill 1003 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Swope, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—26.

The nays were: Azinger, Karnes, Maynard, Smith and Sypolt—5.

Absent: Maroney, Mullins and Rucker—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1003—A Bill to repeal §17-16A-18a, §17-16A-23 and §17-16A-30 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-1, §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22 and §17-16A-29 of said code; to amend said code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; adding the power of the authority to

study, investigate and evaluate, and, if feasible, develop and implement a single fee program; authorizing the authority to promulgate rules; adding the power of the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; clarifying that Parkways Authority may not charge tolls on existing roads absent express legislative authorization; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring that priority consideration be given to construction, maintenance and repair of public highways and bridges in certain counties within the state when determining expenditures from the State Road Construction Account; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; requiring either a single fee program or unlimited use single fee EZ Pass transponder discount program before any increase in vehicle rates, tolls or charges may be instituted; establishing a formula for the maximum single annual fee that may be charged; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; eliminating approval by county commissions and establishment by Governor of local committees prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges; authorizing implementation and collection of a fee for the single fee program; authorizing the Division of Motor Vehicles to act as collection agent for the authority under any single fee program; expanding the grounds for refusing to register a motor vehicle; and creating a misdemeanor offense.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Swope, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—26.

The nays were: Azinger, Karnes, Maynard, Smith and Sybolt—5.

Absent: Maroney, Mullins and Rucker—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) takes effect from passage.

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

On motion of Senator Ferns, the Senate recessed until 5:45 p.m. today.

Upon expiration of the recess, the Senate reconvened and, at the request of Senator Ferns, and by unanimous consent, returned to the sixth order of business.

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Concurrent Resolution 102—Providing for an adjournment of the Legislature until June 5, 2017.

Resolved by the Legislature of West Virginia:

That when adjournment is taken by the two houses of the Legislature at the close of their respective sessions on May 24, 2017, such adjournment shall be until 11 a.m. on June 5, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the President of the Senate and the Speaker of the House of Delegates.

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

The question being on the adoption of the resolution, and on this question, Senator Plymale demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boso, Clements, Cline, Ferns, Gaunch, Karnes, Mann, Maynard, Miller, Palumbo, Smith, Swope, Sypolt, Trump, Weld and Carmichael (Mr. President)—18.

The nays were: Facemire, Jeffries, Ojeda, Plymale, Prezioso, Romano, Stollings and Unger—8.

Absent: Beach, Boley, Hall, Maroney, Mullins, Rucker, Takubo and Woelfel—8.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. C. R. 102) adopted.

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

Without objection, the Senate returned to the third order of business.

A message from The Clerk of the House of Delegates announced the concurrence by that body in the passage of, to take effect from passage, of

Eng. Senate Bill 1010, Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund.

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

Senate Concurrent Resolution 102, Providing for adjournment of Legislature until June 5, 2017.

Under authority of Senate Concurrent Resolution 102, hereinbefore adopted,

On motion of Senator Ferns, the Senate adjourned until Monday, June 5, 2017, at 11 a.m.

MONDAY, JUNE 5, 2017

Pursuant to the adjournment of May 24, 2017, under authority of

Senate Concurrent Resolution 102, Providing for adjournment of Legislature until June 5, 2017.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at eleven o'clock a.m., and was called to order by its President, the Honorable Mitch Carmichael.

Under authority of Senate Rule 1, which states in part "A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business, but two members may adjourn", there being an absence of a quorum,

On motion of Senator Blair, the Senate adjourned until tomorrow, Tuesday, June 6, 2017, at 11 a.m.

TUESDAY, JUNE 6, 2017

The Senate met at 11 a.m.

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

Under authority of Senate Rule 1, which states in part "A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business,

but two members may adjourn”, there being an absence of a quorum,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Wednesday, June 7, 2017, at 10 a.m.

WEDNESDAY, JUNE 7, 2017

The Senate met at 10 a.m.

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

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Roman W. Prezioso, Jr., a senator from the thirteenth district.

Pending the reading of the Journals of Wednesday, May 24, 2017, Monday, June 5, 2017, and Tuesday, June 6, 2017,

At the request of Senator Jeffries, unanimous consent being granted, the Journals were approved and the further reading thereof dispensed with.

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

The Senate then proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 107, Relating generally to the Tax Reform Act of 2017.

On motion of Senator Ferns, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of five from each house on the disagreeing votes of the two houses.

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

Senators Ferns, Blair, Gaunch, Prezioso and Jeffries.

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

A message from The Clerk of the House of Delegates announced the passage by that body and requested the concurrence of the Senate in the passage of

Eng. House Bill 111—A Bill to amend and reenact §11-10-12 of the Code of West Virginia, 1931, as amended, and to amend and reenact §38-10C-2 of said code, all relating generally to tax procedures and administration; requiring a notice of lien to include the lien expiration date; providing for additional circumstances in which the Tax Commissioner may withdraw tax liens; providing for the release, withdrawal or termination of lien under certain circumstances; and deleting inoperative language.

At the request of Senator Ferns, and by unanimous consent, the bill was taken up for immediate consideration and reference to a committee dispensed with.

Executive Communications

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

Jim Justice
Governor of West Virginia

June 7, 2017

The Honorable Mitch Carmichael
President of the Senate

State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

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

Dear President Carmichael and Speaker Armstead:

After submission of my recommended FY 2018 Executive Budget on May 23, 2017, there have been a few areas that require adjustments.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2018 Budget Bill for the TITLE II – APPROPRIATIONS as follows:

Section 1. Appropriations from general revenue.

Department of Commerce

West Virginia Development Office, Fund 0256, Fiscal Year 2018, Org 0307

(To increase funding for the Save Our State program.)

- Increase “Save Our State (SOS)” Appropriation 05050 by \$10,000,000.

Department of Health and Human Resources

Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511

(To moved Medicaid funding to surplus.)

- Decrease “Medical Services” Appropriation 18900 by \$20,159,358.

Department of Revenue

Office of the Secretary, Fund 0465, Fiscal Year 2018, Org 0701

(To appropriate a transfer to the State Road Fund.)

- Add “State Road Fund - Transfer” Appropriation 70017 for \$11,700,000.

Department of Transportation

State Rail Authority, Fund 0506, Fiscal Year 2018, Org 0804

(To correct a drafting error.)

- Replace the reappropriated language as follows, “Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.”

Higher Education Policy Commission

West Virginia University – School of Medicine Medical School Fund, Fund 0343, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “WVU School of Health Science – Eastern Division” appropriation 05600 by \$44,969.
- Increase “WVU - School of Health Sciences” appropriation 17400 by \$310,317.
- Increase “WVU School of Health Sciences – Charleston Division” appropriation 17500 by \$46,250.
- Increase “Rural Health Outreach Programs” appropriation 37700 by \$3,403.

- Increase “West Virginia University School of Medicine BRIM Subsidy” appropriation 46000 by \$23,226.

West Virginia University – General Administrative Fund, Fund 0344, Fiscal Year 2018, Org 0463

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “West Virginia University” appropriation 45900 by \$1,956,393.
- Increase “Jackson’s Mill” appropriation 46100 by \$4,790.
- Increase “West Virginia University Institute of Technology” appropriation 47900 by \$159,756.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,750.
- Increase “West Virginia University – Potomac State” appropriation 99400 by \$78,430.

Marshall University – School of Medicine, Fund 0347, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall Medical School” appropriation 17300 by \$243,585.
- Increase “Rural Health Outreach” appropriation 37700 by \$3,352.
- Increase “Forensic Lab” appropriation 37701 by \$4,829.

- Increase “Center for Rural Health” appropriation 37702 by \$3,203.
- Increase “Marshall University Medical School BRIM Subsidy” appropriation 44900 by \$16,846.

Marshall University – General Administrative Fund, Fund 0348, Fiscal Year 2018, Org 0471

(To restore funding from carryover of FY 2017 midyear reduction.)

- Increase “Marshall University” appropriation 44800 by \$918,522.
- Increase “Luke Lee Listening Language and Learning Lab” appropriation 44801 by \$2,042.
- Increase “Vista E-Learning” appropriation 51900 by \$4,982.
- Increase “State Priorities – Brownfield Professional Development” appropriation 53100 by \$6,687.
- Increase “Marshall University Graduate College Writing Project” appropriation 80700 by \$415.
- Increase “WV Autism Training Center” appropriation 93200 by \$35,906.

Section 2. Appropriations from state road funds.

Department of Transportation

Total TITLE II, Section 2 – State Road Fund

(To correct a drafting error.)

- Replace section total with \$1,314,293,957.

Section 9. Appropriations from general revenue surplus accrued.*Directive Language*

(To provide for funding in priority order subject to surplus availability.)

- Add the following to the last paragraph of the directive language in Section 9:

“...and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.”

Department of Health and Human Resources

Surplus priority #2 - *Division of Human Services, Fund 0403, Fiscal Year 2018, Org 0511*

(To move Medicaid funding to surplus.)

- Add “Medical Services – Surplus” Appropriation 63300 for \$20,159,358.

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

Sincerely,

Jim Justice
Governor

cc: The Honorable Mike Hall, Chairman
The Honorable Eric Nelson, Chairman
State Budget Office

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

The Senate proceeded to the fourth order of business.

Senator Maynard, from 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 6th day of June, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 1010), Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund.

Respectfully submitted,

C. Edward Gaunch,
Member, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

The Senate proceeded to the ninth order of business.

Senate Bill 1009, Relating generally to tax procedures and administration.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1013, Budget Bill.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senator Ferns then moved that the Senate adjourn until tomorrow, Thursday, June 8, 2017, at 11 a.m.

The question being on the adoption of Senator Ferns' aforesated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Jeffries, Karnes, Mullins, Prezioso, Smith, Stollings, Swope, Sypolt, Trump, Weld and Carmichael (Mr. President)—20.

The nays were: None.

Absent: Beach, Facemire, Mann, Maroney, Maynard, Miller, Ojeda, Palumbo, Plymale, Romano, Rucker, Takubo, Unger and Woelfel—14.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Thursday, June 8, 2017, at 11 a.m.

THURSDAY, JUNE 8, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Michael T. Azinger, a senator from the third district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Craig Blair, a senator from the fifteenth district.

Pending the reading of the Journal of Wednesday, June 7, 2017,

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

The Senate proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 107, Relating generally to the Tax Reform Act of 2017.

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

Delegates Nelson, Espinosa, C. Miller, Boggs and Pethtel.

The Senate proceeded to the ninth order of business.

Senate Bill 1009, Relating generally to tax procedures and administration.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Senate Bill 1013, Budget Bill.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Eng. House Bill 111, Relating generally to tax procedures and administration.

On first reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Trump, Karnes, Romano, Ojeda and Clements.

Thereafter, at the request of Senator Blair, and by unanimous consent, the remarks by Senator Trump were ordered printed in the Appendix to the Journal.

At the request of Senator Boso, unanimous consent being granted, the remarks by Senator Karnes were ordered printed in the Appendix to the Journal.

At the request of Senator Beach, and by unanimous consent, the remarks by Senators Romano and Ojeda were ordered printed in the Appendix to the Journal.

At the request of Senator Ferns, unanimous consent being granted, the remarks by Senator Clements were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced the replacement of Senator Maynard on the Committee on Finance with Senator Maroney; and the replacement of Senator Maroney on the Committee on the Judiciary with Senator Maynard.

Pending announcement of a meeting of a standing committee of the Senate,

Senator Ferns then moved that the Senate adjourn until tomorrow, Friday, June 9, 2017, at 11 a.m.

The question being on the adoption of Senator Ferns' aforesated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Miller, Ojeda, Palumbo, Prezioso, Romano, Smith, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—26.

The nays were: None.

Absent: Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Stollings and Takubo—8.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Friday, June 9, 2017, at 11 a.m.

FRIDAY, JUNE 9, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Ronald F. Miller, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles H. Clements, a senator from the second district.

Pending the reading of the Journal of Thursday, June 8, 2017,

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

The Senate proceeded to the third order of business.

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

Eng. Senate Bill 1014, Relating generally to physician assistants.

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

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

On page eleven, section three, line forty-eight, by striking out the word “supervising” and inserting in lieu thereof the word “collaborating”;

On page fourteen, section nine, line three, by striking out the word “supervising” and inserting in lieu thereof the word “collaborating”;

On page fourteen, section nine, line seven, by striking out the word “supervising” and inserting in lieu thereof the word “collaborating”;

On page fourteen, section nine, line twenty-one, by striking out the word “supervises” and inserting in lieu thereof the words “collaborating with”;

On page fourteen, section nine, line twenty-two, by striking out the words “provide supervision for” and inserting in lieu thereof the words “collaborate with”;

On page fourteen, section nine, line twenty-four, by striking out the word “supervising”;

On page sixteen, section eleven, line one, by striking out the word “supervise” and inserting in lieu thereof the words “collaborate with”;

And,

On page twenty, section sixteen, line ten, by striking out the word “supervising” and inserting in lieu thereof the word “collaborating”.

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

Engrossed Senate Bill 1014, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Miller, Ojeda, Palumbo, Prezioso, Romano, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—23.

The nays were: None.

Absent: Boso, Karnes, Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Smith, Takubo and Weld—11.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1014) passed with its title.

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

The Senate proceeded to the fourth order of business.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 106, Relating generally to the furlough of public employees during declared fiscal emergency.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

The Senate proceeded to the sixth order of business.

At the request of Senator Ferns, and by unanimous consent, Senator Ferns offered the following resolution from the floor:

Senate Concurrent Resolution 103—Suspending the provisions of Joint Rule 3, relating to committees of conference and reports relative thereto.

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3 are suspended; the committee of conference on the disagreeing votes of the two houses, as to Engrossed Committee Substitute for House Bill 107 (*Relating generally to the Tax Reform Act of 2017*), is hereby extended until Tuesday, June 13, 2017; and upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the committee of conference may be further extended for a period not to exceed one day.

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

Following discussion,

The question being on the adoption of the resolution, the same was put.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Miller, Ojeda, Palumbo, Prezioso, Romano, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: None.

Absent: Boso, Karnes, Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Smith and Takubo—10.

So, two thirds of all the members present and voting having voted in the affirmative, the President declared the resolution (S. C. R. 103) adopted.

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

The Senate proceeded to the ninth order of business.

Senate Bill 1009, Relating generally to tax procedures and administration.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's first reading calendar.

Senate Bill 1013, Budget Bill.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Ferns, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

The Senate proceeded to the tenth order of business.

Eng. House Bill 111, Relating generally to tax procedures and administration.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Miller, Ojeda, Palumbo, Prezioso, Romano, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: None.

Absent: Boso, Karnes, Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Smith and Takubo—10.

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

Having been engrossed, the bill (Eng. H. B. 111) was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Miller, Ojeda, Palumbo, Prezioso, Romano, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—24.

The nays were: None.

Absent: Boso, Karnes, Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Smith and Takubo—10.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 111) passed with its title.

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

The end of today's first reading calendar having been reached, the Senate returned to the consideration of

Eng. Senate Bill 1009, Relating generally to tax procedures and administration.

On second reading, coming up in deferred order, was again reported by the Clerk.

On motion of Senator Ferns, the bill was committed to the Committee on Rules.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Prezioso.

Thereafter, at the request of Senator Beach, and by unanimous consent, the remarks by Senator Prezioso were ordered printed in the Appendix to the Journal.

Remarks were then made by Senators Woelfel, Ferns and Romano.

Thereafter, at the request of Senator Ojeda, unanimous consent being granted, the remarks by Senators Woelfel, Ferns and Romano were ordered printed in the Appendix to the Journal.

Remarks were next made by Senators Blair, Unger, Gaunch, Prezioso and Hall.

Thereafter, at the request of Senator Romano, and by unanimous consent, the remarks by Senators Gaunch, Prezioso and Hall were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, the Senate recessed until 2 p.m. today.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

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

Senate Concurrent Resolution 103, Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 107.

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

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

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

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b) are suspended, as follows: The committee of conference on the disagreeing votes of the two houses as to Engrossed Committee Substitute for House Bill 107 (*Relating generally to the Tax Reform Act of 2017*), is hereby extended until Tuesday, June 13, 2017; and upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the committee of conference may be further extended for a period not to exceed one day.;

And,

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

Senate Concurrent Resolution 103—Suspending the provisions of Joint Rule 3, paragraph (b), relating to extending the conference committee as to Com. Sub. For H. B. 107, Relating generally to the Tax Reform Act of 2017.

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

Following discussion,

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

Senate Concurrent Resolution 103, as amended by the House of Delegates, was then put upon its adoption.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Jeffries, Miller, Ojeda, Palumbo, Prezioso, Romano, Swope, Sypolt, Trump, Unger and Carmichael (Mr. President)—20.

The nays were: None.

Absent: Boso, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Plymale, Rucker, Smith, Stollings, Takubo, Weld and Woelfel—14.

So, two thirds of all the members present and voting having voted in the affirmative, the President declared the resolution (S. C. R. 103) adopted with its House of Delegates amended title.

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

On motion of Senator Ferns, the Senate adjourned until Monday, June 12, 2017, at 1 p.m.

MONDAY, JUNE 12, 2017

The Senate met at 1 p.m.

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

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael A. Woelfel, a senator from the fifth district.

Pending the reading of the Journal of Friday, June 9, 2017,

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

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

The Senate then proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 117—A Bill to amend and reenact §16-2D-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-29B-3 and §16-29B-8 of said code; and to amend said code by adding two new sections, designated §16-29B-24 and §16-29B-25, all relating to West Virginia Health Care Authority; defining terms; clarifying an exemption to the certificate of need; prohibiting the department from limiting the transfer of skilled nursing beds; authorizing legislative rulemaking; establishing an assessment on acute care hospitals; requiring entities file certain information with the authority; permitting the assessing of a penalty for failing to file reports; authorizing the authority to coordinate the collection of health data; requiring the authority to provide access to data; requiring the authority to charge a fee to obtain data; requiring a report to the Legislative Oversight Commission on Health and Human Resources; permitting the secretary to assume control of the data repository if certain conditions are met; authorizing emergency rules to implement the provisions of new article.

At the request of Senator Ferns, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Executive Communications

The Clerk then presented a communication from His Excellency, the Governor, advising that on June 9, 2017, he had approved **Enr. Senate Bill 1010**.

The Senate proceeded to the ninth order of business.

Senate Bill 1013, Budget Bill.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Ferns, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

The Senate proceeded to the tenth order of business.

Eng. Com. Sub. for House Bill 106, Relating generally to the furlough of public employees during declared fiscal emergency.

On first reading, coming up in regular order, was read a first time and ordered to second reading.

Senator Ferns then moved that the Senate adjourn until tomorrow, Tuesday, June 13, 2017, at 11 a.m.

The question being on the adoption of Senator Ferns' aforesaid motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—23.

The nays were: None.

Absent: Azinger, Boso, Hall, Maroney, Maynard, Miller, Mullins, Rucker, Smith, Takubo and Weld—11.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until tomorrow, Tuesday, June 13, 2017, at 11 a.m.

TUESDAY, JUNE 13, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Randy E. Smith, a senator from the fourteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Richard N. Ojeda II, a senator from the seventh district.

Pending the reading of the Journal of Monday, June 12, 2017,

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

The Senate proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following supplement to the proclamations dated May 3, 2017, May 15, 2017, and May 23, 2017, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A P R O C L A M A T I O N**By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the third day of May, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at eleven a.m. on the fourth day of May, Two Thousand Seventeen, and amended by subsequent Proclamation dated the fifteenth day of May, Two Thousand Seventeen, and amended further by subsequent Proclamation dated the twenty-third day of May, Two Thousand Seventeen, by adding item fifteen as follows:

FIFTEEN: A bill imposing, administering, and collecting a license tax on successful bidders for road construction contracts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twelfth day of June, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fourth year of the State.

JIM JUSTICE
GOVERNOR

By the Governor

MAC WARNER
SECRETARY OF STATE

The Senate proceeded to the eighth order of business.

Senate Bill 1013, Budget Bill.

On third reading, coming up in regular order, with the right having been granted on yesterday, Monday, June 12, 2017, for

amendments to be received on third reading, was reported by the Clerk.

At the request of Senator Ferns, and by unanimous consent, further consideration of the bill was deferred until the conclusion of bills on today's second reading calendar.

The Senate proceeded to the ninth order of business.

Eng. Com. Sub. for House Bill 106, Relating generally to the furlough of public employees during declared fiscal emergency.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §4-1-24; that said code be amended by adding thereto a new section, designated §4-3-6; that said code be amended by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, §5-30-6 and §5-30-7; and that said code be amended by adding thereto a new section, designated §51-3-19, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

**ARTICLE I. OFFICERS, MEMBERS AND EMPLOYEES;
APPROPRIATIONS; INVESTIGATIONS; DISPLAY OF
FLAGS; RECORDS; USE OF CAPITOL BUILDING;
PREFILING OF BILLS AND RESOLUTIONS;
STANDING COMMITTEES; INTERIM MEETINGS;
NEXT MEETING OF THE SENATE.**

§4-1-24. Furlough of employees of the Senate and House of Delegates during a declared fiscal emergency.

(a) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the President of the Senate may furlough employees of the Senate.

(b) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the Speaker of the House of Delegates may furlough employees of the House of Delegates.

(c) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.

ARTICLE 3. JOINT COMMITTEE ON GOVERNMENT AND FINANCE.

§4-3-6. Furlough of employees of the Joint Committee on Government and Finance during a declared fiscal emergency.

(a) Notwithstanding any provision of law to the contrary, when the Governor declares a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the President of the Senate and the Speaker of the House of Delegates may jointly grant the Legislative Manager the authority to furlough one or more employees of the joint legislative agencies under the Joint Committee on Government and Finance, as provided for in section three-c of this article.

(b) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.

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 30. FURLOUGH OF STATE EMPLOYEES.

§5-30-1. Definitions.

As used in this article:

(1) “Budgetary fiscal emergency” means a fiscal emergency based on the circumstances in paragraph (B), subdivision (5) of this section.

(2) “Declared fiscal emergency” means a period of time commencing upon the Governor’s issuance of a proclamation declaring that a fiscal emergency, as defined in subdivision (5) of this section, exists.

(3) “Employer” means:

(A) The Governor or his or her designee with regard to employees of departments and agencies under the supervision and control of the Governor;

(B) The President of the Senate or the Speaker of the House of Delegates or their designees as to employees of the Senate and of the House of Delegates, respectively;

(C) The President of the Senate and the Speaker of the House of Delegates or their designees as to employees of the Joint Committee on Government and Finance;

(D) The Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General or their designees in their individual capacities as to their respective employees;

(E) The Supreme Court of Appeals or a designee thereof as to employees of the Judiciary; and

(F) The presidents of state institutions of higher learning and the chancellors of the Higher Education Policy Commission and the Council for Community and Technical College Education or their designees as to their respective employees.

(4) “Executive branch” means departments, agencies and entities under the supervision and control of the Governor, including the Department of Education, but not including the

offices of the Secretary of State, Auditor, Treasurer, Commissioner of Agriculture or Attorney General or their employees.

(5) “Fiscal emergency” means that either of the following circumstances exists:

(A) At any point in time during a fiscal year, general revenue collection amounts for the fiscal year to date are three percent or more below the official revenue estimate upon which the budget is based at the same point in time for that fiscal year; or

(B) No budget has been enacted for the current fiscal year.

(6) “Furlough” means a mandatory, temporary, unpaid leave of absence conducted subject to the provisions of this article.

(7) “Revenue-based fiscal emergency” means a fiscal emergency based on the circumstances in paragraph (A), subdivision (5) of this section.

§5-30-2. Declaration of fiscal emergency.

(a) Upon determination that one or more of the circumstances in subdivision (5), section one of this article exists, the Governor is hereby authorized to declare a fiscal emergency: *Provided*, That the Governor shall declare a fiscal emergency if no budget bill has been enacted for the current fiscal year.

(b) The declaration shall be made by proclamation and shall set forth the specific circumstances supporting the declaration of a fiscal emergency. The declaration shall identify whether the fiscal emergency is a revenue-based fiscal emergency or a budgetary fiscal emergency.

(c) A declared fiscal emergency may only remain in effect for thirty consecutive calendar days. The Governor may not declare a subsequent fiscal emergency in the same fiscal year based on the same facts and circumstances that led to the issuance of a prior declaration of fiscal emergency, unless the Legislature is in session or has been reconvened.

(d) After thirty consecutive calendar days have elapsed, or the fiscal emergency is sooner resolved, the Governor shall issue a proclamation declaring that the fiscal emergency has ended.

§5-30-3. Furlough of executive branch employees under the supervision and control of the Governor during a fiscal emergency.

When the Governor declares a fiscal emergency pursuant to section two of this article, he or she may, by executive order, furlough employees under his or her supervision and control as an alternative to a reduction in force including, but not limited to, employees of the Department of Education and the State Board of Education.

§5-30-4. Furlough of employees by other elected executive officers.

Notwithstanding any provision of law to the contrary, upon a declaration by the Governor of a fiscal emergency pursuant to section two of this article, the Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General are authorized to furlough employees within their offices and under their supervision and control pursuant to the provisions of this article.

§5-30-5. Generally applicable furlough provisions.

(a) When the Governor declares a fiscal emergency, the following shall apply:

(1) The furlough must be applied uniformly as to all employees within a designated department, agency, division, office or program, regardless of the source of funds or place of work, subject to the following exceptions:

(A) Individuals determined by the employer to be essential personnel may be exempted from furlough or may be furloughed on a different schedule than others within the designated department, agency, division, office or program;

(B) If an organizational unit or classification of workers within a designated department, agency, division, office or program can be identified, then that particular organizational unit or classification of workers may be furloughed on a different schedule than others within the designated department, agency, division, office or program;

(C) Individuals who voluntarily accept furlough for a full week or weeks may be furloughed on a different schedule than others within the designated department, agency, division, office or program; and

(D) Individuals who are at will employees or who are not classified civil service employees may be furloughed on a different schedule than others within a designated department, agency, division, office or program.

(2) When a furlough has been ordered, the head of an affected department, agency, division, office or program shall create a schedule for furlough weeks, furlough days or portions of furlough days.

(3) For any furlough implemented pursuant to this article, the employer may permit an employee's reduction in compensation to be allocated over the balance of the fiscal year rather than solely in the pay period or pay periods in which the furlough occurs.

(b) During the period of any furlough, the following shall apply with respect to the benefits of employees:

(1) Furloughed employees participating in the public employee health insurance program will remain participants therein during the furlough period. Payment of the employer portion of premiums shall remain the responsibility of the employer for furloughed employees. If a furloughed employee's wages for a pay period are insufficient to allow for the deduction therefrom of the employee's share of the health insurance premium, the employer shall be responsible for payment of the amount of the employee's share to the Public Employee's Insurance Agency: *Provided*, That upon the employee's return to work from furlough, the employer shall

recover any such moneys paid on the employee's behalf from the employee's pay at the maximum rate permissible under law not to exceed fifteen percent of the employee's net pay per pay period;

(2) Days, portions of days or weeks for which employees are furloughed shall be considered days employed or days worked for purposes of calculating retirement eligibility and state service credit: *Provided*, That employer and employee contributions are made for the furlough period within thirty days of the termination of the furlough on the base salary the employee would have received during the furlough period: *Provided, however*, That if the period of employment for which an employee's retirement benefit is calculated includes periods of furlough, the employee's average pay upon which the benefit is computed, shall be deemed to have been paid during the periods of furlough at his or her rate of pay in effect at the times of furlough;

(3) Days, portions of days or weeks for which employees are furloughed shall not be considered days employed or days worked for purposes of accruing sick leave or annual leave; and

(4) No employee who has been furloughed may use accrued annual leave or accrued sick leave for days on which he or she is scheduled to be furloughed pursuant to this section unless at the time of furlough he or she is on employer approved annual leave or sick leave or has sick leave approved by the employer prior to the declaration of the fiscal emergency.

(c) The Governor shall have no authority to furlough elected executive officers or their employees, or members or employees of the legislative branch, or officials or employees of the judicial branch.

(d) Nothing contained in this article shall be construed to prohibit or prevent an employer from instituting a reduction in force, nor shall anything contained herein be construed to prohibit a reduction in force from being applied to an individual who is currently or has previously been furloughed. Nothing in this subdivision shall be construed to limit or eliminate the application of state laws applicable to reductions in force.

§5-30-6. Rulemaking.

(a) The Secretary of the Department of Administration may promulgate emergency rules and shall propose rules for legislative approval to effectuate the purposes of this article in accordance with the provisions of article three, chapter twenty-nine-a of this code.

(b) Rules promulgated or proposed for legislative approval pursuant to subsection (a) of this section related to the furloughing of employees shall provide procedures and practices to ensure minimum disruption of government services and the lawful application of furlough decisionmaking.

§5-30-7. Applicability of other laws.

(a) The provisions of article five, chapter twenty-one of this code are inapplicable to individuals furloughed or those remaining actively employed during a declared fiscal emergency.

(b) Placement of an employee on furlough under this article shall not give rise to the right of a grievance or appeal to the West Virginia Public Employees Grievance Board.

(c) Placement of an employee on furlough under this section shall have no effect on an employee's right to apply for and receive unemployment compensation as provided by law.

CHAPTER 51. COURTS AND THEIR OFFICERS.**ARTICLE 3. COURTS IN GENERAL.****§51-3-19. Furlough of judicial employees during a declared fiscal emergency.**

(a) Notwithstanding any provision of law to the contrary, upon declaration by the Governor of a fiscal emergency pursuant to section two, article thirty, chapter five of this code, the Supreme Court of Appeals is authorized to furlough employees and personnel of the judiciary under the Supreme Court of Appeals.

including employees and personnel of the circuit courts, family courts and magistrate courts.

(b) Furloughs shall not completely close a court or court office.

(c) Nothing in this section shall be construed as granting authority for the furlough of elected judicial officers, nor shall it be construed as restricting or otherwise limiting the plenary authority of the Supreme Court of Appeals or the lower courts.

(d) The applicable provisions of article thirty, chapter five of this code shall govern furloughs ordered under this section.

On motion of Senator Trump, the following amendments to the Judiciary committee amendment to the bill (Eng. Com. Sub. for H. B. 106) were reported by the Clerk, considered simultaneously, and adopted:

On pages five and six, section five, by striking out all of subsection (b) and inserting in lieu thereof a new subsection, designated subsection (b), to read as follows:

(b) During the period of any furlough, the following shall apply with respect to the benefits of employees, whether furloughed or not furloughed:

(1) Employees participating in the public employee health insurance program will remain participants therein during the period of fiscal emergency. Payment of the employer portion of premiums shall remain the responsibility of the employer: *Provided*, That if a furloughed employee's wages for a pay period are insufficient to allow for the deduction therefrom of the employee's share of the health insurance premium, the employer shall be responsible for payment of the amount of the employee's share to the Public Employee's Insurance Agency: *Provided, however*, That upon the termination of the fiscal emergency, the employer shall recover any such moneys paid on the employee's behalf from the employee's pay at the maximum rate permissible under law not to exceed fifteen percent of the employee's net pay per pay period;

(2) Days, portions of days or weeks during a declared fiscal emergency shall be considered days employed or days worked for purposes of calculating retirement eligibility and state service credit: *Provided*, That employer and employee contributions are made for the period of fiscal emergency within thirty days of the termination of the fiscal emergency on the base salary the employee would have received if the Governor had not declared a fiscal emergency: *Provided, however*, That if the period of employment for which an employee's retirement benefit is calculated includes periods during a declared fiscal emergency, the employee's average pay upon which the benefit is computed shall be deemed to have been paid during the periods of fiscal emergency at his or her rate of pay in effect at the times of furlough;

(3) Days, portions of days or weeks for which employees are furloughed shall not be considered days employed or days worked for purposes of accruing sick leave or annual leave; and

(4) No employee who has been furloughed may use accrued annual leave or accrued sick leave for days on which he or she is scheduled to be furloughed pursuant to this section unless at the time of furlough he or she is on employer approved annual leave or sick leave or has sick leave approved by the employer prior to the declaration of the fiscal emergency.;

And,

On page seven, section five, by striking out all of subsection (d).

The question now being on the adoption of the Judiciary committee amendment to the bill, as amended, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 106), as amended, was then ordered to third reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Maroney, Takubo and Weld—3.

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 106) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for House Bill 106 pass?”

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—29.

The nays were: Karnes and Rucker—2.

Absent: Maroney, Takubo and Weld—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 106) passed.

At the request of Senator Trump, as chair of the Committee on the Judiciary, and by unanimous consent, the unreported Judiciary committee amendment to the title of the bill was withdrawn.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 106—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new

section, designated §4-1-24; to amend said code by adding thereto a new section, designated §4-3-6; to amend said code by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, §5-30-6 and §5-30-7; and to amend said code by adding thereto a new section, designated §51-3-19, all relating to furloughing of state government employees generally; defining terms; authorizing the Governor to declare a fiscal emergency under certain circumstances; requiring the Governor to declare a fiscal emergency under certain circumstances; establishing criteria which constitute a fiscal emergency; establishing limits on the length of time a declared fiscal emergency may be in effect; requiring the Legislature to be convened prior to the declaration of a subsequent fiscal emergency on the same circumstance or circumstances as a previous fiscal emergency in the same fiscal year; authorizing the Governor to order furloughs of state employees under his or her supervision and control during a declared fiscal emergency; clarifying that the Governor has authority to furlough employees of the Department of Education and the State Board of Education; authorizing presiding legislative officers to furlough employees of their respective houses during a declared fiscal emergency; authorizing the furloughing of employees of the Joint Committee on Government and Finance during a declared fiscal emergency by the joint agreement of the President of the Senate and the Speaker of the House of Delegates; authorizing state elected constitutional officers to furlough employees under their respective supervision and control during a declared fiscal emergency; authorizing the Supreme Court of Appeals to furlough judicial employees under its supervision and control during a declared fiscal emergency; establishing protections related to employees health insurance and retirement during a fiscal emergency; setting conditions of and procedures for any furlough implemented; prohibiting use of accrued annual leave and sick leave by employees during the time they are furloughed and creating exemptions thereto; prohibiting time while on furlough status from being used to accrue sick and annual leave; clarifying that time on furlough shall count for purposes of retirement service credit; authorizing the Secretary of Administration to promulgate emergency rules regarding the furlough of state employees and requiring the proposal of

legislative rules thereto applicable; clarifying the applicability of other laws related to eligibility for unemployment compensation and wage payment collection to employees during a fiscal emergency; authorizing employers to designate employees and positions exempt from furlough and establishing the criteria for such exemptions; and exempting being furloughed from giving rise to a right of grievance or appeal.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—29.

The nays were: Karnes and Rucker—2.

Absent: Maroney, Takubo and Weld—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 106) takes effect from passage.

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

Eng. Com. Sub. for House Bill 117, Relating to West Virginia Health Care Authority.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith,

Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Maroney, Takubo and Weld—3.

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 117) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for House Bill 117 pass?”

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

The nays were: None.

Absent: Maroney, Takubo and Weld—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 117) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump, Unger, Woelfel and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Maroney, Takubo and Weld—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 117) takes effect from passage.

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

On motion of Senator Ferns, the Senate recessed until 5 p.m. today.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

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

Eng. Com. Sub. for House Bill 106, Relating generally to the furlough of public employees during declared fiscal emergency.

On motion of Senator Ferns, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

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

Senators Trump, Swope and Romano.

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

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:

Jim Justice
Governor of West Virginia

June 13, 2017

SENATE EXECUTIVE MESSAGE NO. 3
2017 FIRST EXTRAORDINARY SESSION

The Honorable Mitch Carmichael
President, West Virginia Senate
Building 1, Room M-229
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear President Carmichael:

The following amends and replaces the “FY 2018 Official Estimate General Revenue – Statement of Revenues by Source” which I submitted to you on February 8, 2017 as part of my Budget Document for the fiscal year ending June 30, 2018:

General Revenue Fund
Statement of Revenues by Source
(Expressed in Thousands)

| <u>Source of Revenue</u> | <u>FY 2018 Official Estimate Revised</u> |
|--|--|
| Business and Occupation Tax | \$ 114,500 |
| Consumers Sales and Use Tax | 1,259,000 |
| Personal Income Tax | 1,860,000 |
| Liquor Profit Transfers | 20,800 |
| Beer Tax and Licenses | 7,600 |
| Tobacco Products Tax (Cigarette & Other) | 194,000 |
| Business Franchise Fees | 650 |
| Charter Tax | 0 |
| Property Transfer Tax | 10,200 |
| Property Tax | 7,000 |
| Insurance Tax | 121,100 |
| Departmental Collections | 23,000 |
| Corporate Income/Business Franchise Tax | 109,000 |
| Miscellaneous Transfers | 500 |
| Interest Income | 16,000 |
| Severance Tax | 361,000 |

| | |
|---|----------------------------------|
| Miscellaneous Receipts | 12,700 |
| HB102 - Lottery Transfers | 65,000 |
| Special Revenue Transfer | 33,000 |
| Senior Citizen Tax Credit Reimbursement | <u>10,000</u> |
| Total | <u>\$ 4,225,050</u> ¹ |

Thank you for your cooperation in this matter.

Sincerely,

Jim Justice
Governor

¹ These estimates are contingent on the revenues and projected economic activity associated with the passage of Engrossed Senate Bill 1003, Relating generally to WV Parkways Authority, and Engrossed Senate Bill 1006, Increasing funding for State Road Fund, as recommended by the Governor.

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

The Senate proceeded to the fourth order of business.

Senator Maynard, from 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 13th day of June, 2017, 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:

(S. B. 1014), Relating generally to physician assistants.

And,

(H. B. 111), Relating generally to tax procedures and administration.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Roger Hanshaw,
Chair, House Committee

The Senate again proceeded to the ninth order of business.

The end of today's second reading calendar having been reached, the Senate returned to the consideration of

Senate Bill 1013, Budget Bill.

On third reading, coming up in deferred order, with the right having been granted on yesterday, Monday, June 12, 2017, for amendments to be received on third reading, was again reported by the Clerk.

On motion of Senator Blair, the following amendment to the bill was reported by the Clerk:

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

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. – The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2018.

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

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

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

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

The “fiscal year 2018” shall mean the period from July 1, 2017, through June 30, 2018.

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

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

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

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

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

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

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

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

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

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

West Virginia Council for Community and Technical College Education and Higher Education Policy Commission entities operating with special revenue funds and/or federal funds shall pay their proportionate share of the Board of Risk and Insurance

Management total insurance premium cost for their respective institutions.

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

“Equipment” shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

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

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

“Lands” shall mean the purchase of real property or interest in real property.

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

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

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various

agencies of the department: *Provided, however,* That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a “personal services and employee benefits” appropriation unless the source funds are also wholly from a “personal services and employee benefits” line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further,* That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to “personal services and employee benefits,” “current expenses,” “repairs and alterations,” “equipment,” “other assets,” “land,” and “buildings” to other appropriations within the same account and no funds from other appropriations shall be transferred to the “personal services and employee benefits” or the “unclassified” appropriation: *And provided further,* That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further,* That if the Legislature by subsequent enactment consolidates agencies, boards or functions, the secretary or other appropriate agency head may transfer the funds formerly appropriated to such agency, board or function in order to implement such consolidation. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

Appropriations otherwise classified shall be expended only where the distribution of expenditures for different purposes cannot well be determined in advance or it is necessary or desirable to

permit the spending unit the freedom to spend an appropriation for more than one of the above classifications.

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

Sec. 5. Maximum expenditures. — No authority or requirement of law shall be interpreted as 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.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2018 Org 2100

| | Appro- priation | General 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 5 Contingent Fund (R).....02100 | | 276,392 |
| 6 Repairs and Alterations (R)06400 | | 50,000 |
| 7 Computer Supplies (R) 10100 | | 20,000 |
| 8 Computer Systems (R)..... 10200 | | 60,000 |
| 9 Printing Blue Book (R) 10300 | | 125,000 |
| 10 Expenses of Members (R).....39900 | | 370,000 |
| 11 BRIM Premium (R)91300 | | <u>29,482</u> |
| 12 Total..... | | \$ 5,952,206 |

The appropriations for the Senate for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

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

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

For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly salary as provided by the Senate resolution, unless increased between sessions under the authority of the President, payable out of the appropriation for Compensation

and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

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

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

2 - House of Delegates

Fund 0170 FY 2018 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 | 3,929,031 |
| 5 | Expenses of Members (R).....39900 | 1,350,000 |
| 6 | BRIM Premium (R)91300 | <u>50,000</u> |
| 7 | Total..... | \$ 8,904,031 |

The appropriations for the House of Delegates for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the House of Delegates, for any bills for supplies and services that may have been incurred by the House of Delegates and not

included in the appropriation bill, for bills for services and supplies incurred in preparation for the opening of the session and after adjournment, and for the necessary operation of the House of Delegates' offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

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

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

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

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

| | | | |
|---|--------------------------------------|-------|---------------|
| 1 | Joint Committee on | | |
| 2 | Government and Finance (R)..... | 10400 | \$ 5,725,138 |
| 3 | Legislative Printing (R)..... | 10500 | 760,000 |
| 4 | Legislative Rule-Making | | |
| 5 | Review Committee (R)..... | 10600 | 147,250 |
| 6 | Legislative Computer System (R)..... | 10700 | 1,447,500 |
| 7 | BRIM Premium (R) | 91300 | <u>60,569</u> |
| 8 | Total..... | | \$ 8,140,457 |

The appropriations for the Joint Expenses for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances reappropriated may be transferred and credited to the fiscal year 2017 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts 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 2018 Org 2400

| | | | |
|----|-------------------------------------|-------|----------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R) | 00100 | \$ 101,924,358 |
| 3 | Children's Protection Act (R) | 09000 | 3,000,000 |
| 4 | Current Expenses (R)..... | 13000 | 32,274,266 |
| 5 | Repairs and Alterations (R) | 06400 | 636,450 |
| 6 | Equipment (R)..... | 07000 | 1,800,000 |
| 7 | Judges' Retirement System (R)..... | 11000 | 900,000 |
| 8 | Buildings (R)..... | 25800 | 100,000 |
| 9 | Other Assets (R)..... | 69000 | 500,000 |
| 10 | BRIM Premium (R) | 1300 | <u>624,596</u> |
| 11 | Total..... | | \$ 141,759,670 |

The appropriations to the Supreme Court of Appeals for the fiscal years 2016 and 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating 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 2018 Org 0100

| | | |
|---|---|----------------|
| 1 | Personal Services and | |
| 2 | Employee Benefits.....00100 | \$ 3,098,903 |
| 3 | Current Expenses (R).....13000 | 571,648 |
| 4 | Repairs and Alterations.....06400 | 2,000 |
| 5 | National Governors Association12300 | 60,700 |
| 6 | Herbert Henderson | |
| 7 | Office of Minority Affairs13400 | 146,726 |
| 8 | BRIM Premium.....91300 | <u>169,079</u> |
| 9 | Total..... | \$ 4,049,056 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), and Current Expenses (fund 0101, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation to Personal Services and Employee Benefits (fund 0101, appropriation 00100), is \$150,000 for the Salary of the Governor.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, 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 2018 Org 0100

| | | | |
|---|------------------------------|-------|--------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits..... | 00100 | \$ 351,089 |
| 3 | Current Expenses (R)..... | 13000 | 182,708 |
| 4 | Repairs and Alterations..... | 06400 | <u>5,000</u> |
| 5 | Total..... | | \$ 538,797 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0102, fiscal year 2017, appropriation 13000 (\$20,000) which shall expire June 30, 2017.

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

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation 61400), and Natural Disasters – Surplus (fund 0105, appropriation 76400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year.

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

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency or unplanned events which may occur during the fiscal year and is not to be expended 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 2018 Org 1200

| | | | |
|---|---------------------------|-------|---------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits..... | 00100 | \$ 2,620,288 |
| 3 | Current Expenses (R)..... | 13000 | 10,622 |
| 4 | BRIM Premium..... | 91300 | <u>11,287</u> |
| 5 | Total..... | | \$ 2,642,197 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,424,551 |
| 2 | Unclassified.....09900 | | 30,963 |
| 3 | Current Expenses (R).....13000 | | 472,377 |
| 4 | Abandoned Property Program.....11800 | | 41,794 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | ABLE Program69201 | | 150,000 |
| 7 | BRIM Premium.....91300 | | 54,409 |
| 8 | Total..... | \$ | 3,184,094 |

Any unexpended balances remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,105,550 |
| 2 | Animal Identification Program03900 | | 121,528 |
| 3 | State Farm Museum05500 | | 87,759 |
| 4 | Current Expenses (R).....13000 | | 135,155 |
| 5 | Gypsy Moth Program (R)11900 | | 917,769 |
| 6 | Huntington Farmers Market.....12800 | | 37,142 |
| 7 | Black Fly Control.....13700 | | 450,434 |

| | | | |
|----|-------------------------------------|-------|---------------|
| 8 | Donated Foods Program | 36300 | 45,000 |
| 9 | Predator Control (R) | 47000 | 176,400 |
| 10 | Logan Farmers Market..... | 50100 | 40,988 |
| 11 | Bee Research..... | 69100 | 65,470 |
| 12 | Charleston Farmers Market..... | 74600 | 71,429 |
| 13 | Microbiology Program..... | 78500 | 97,126 |
| 14 | Moorefield Agriculture Center | 78600 | 905,605 |
| 15 | Chesapeake Bay Watershed | 83000 | 102,023 |
| 16 | Livestock Care Standards Board..... | 84300 | 8,820 |
| 17 | BRIM Premium..... | 91300 | 129,818 |
| 18 | State FFA-FHA Camp | | |
| 19 | and Conference Center | 94101 | 586,215 |
| 20 | Threat Preparedness | 94200 | 68,987 |
| 21 | WV Food Banks..... | 96900 | 126,000 |
| 22 | Senior's Farmers' Market | | |
| 23 | Nutrition Coupon Program | 97000 | <u>55,840</u> |
| 24 | Total..... | | \$ 9,335,058 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0131, fiscal year 2017, appropriation 11900 (\$18,859), fund 0131, fiscal year 2017, appropriation 13000 (\$19,343), and fund 0131, fiscal year 2017, appropriation 47000 (\$3,600) which shall expire on June 30, 2017.

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

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

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

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

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 725,163 |
| 2 | Unclassified (R)09900 | | 77,808 |
| 3 | Current Expenses (R)13000 | | 316,049 |
| 4 | Soil Conservation Projects (R).....12000 | | 6,536,679 |
| 5 | BRIM Premium.....91300 | | <u>30,213</u> |
| 6 | Total..... | \$ | 7,685,912 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0132, appropriation 09900), Soil Conservation Projects (fund 0132, appropriation 12000), and Current Expenses (fund 0132, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0132, fiscal year 2017, appropriation 12000 (\$157,439) which shall expire on June 30, 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 620,127 |
| 2 | Unclassified.....09900 | | 7,090 |
| 3 | Current Expenses13000 | | <u>81,880</u> |

4 Total..... \$ 709,097

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

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

| | | | |
|---|---|-------|---------------|
| 1 | Programs and Awards for | | |
| 2 | 4-H Clubs and FFA/FHA..... | 57700 | \$ 15,000 |
| 3 | Commissioner’s Awards and Programs..... | 73700 | <u>39,250</u> |
| 4 | Total..... | | \$ 54,250 |

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

| | | | |
|---|--|-------|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 94,823 |
| 2 | Unclassified..... | 09900 | <u>950</u> |
| 3 | Total..... | | \$ 95,773 |

15 - Attorney General

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

Fund 0150 FY 2018 Org 1500

| | | | |
|---|------------------------------|-------|--------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R) | 00100 | \$ 2,281,145 |
| 3 | Unclassified (R) | 09900 | 24,428 |
| 4 | Current Expenses (R) | 13000 | 752,408 |
| 5 | Repairs and Alterations..... | 06400 | 1,000 |
| 6 | Equipment..... | 07000 | 1,000 |

| | | | |
|----|--------------------------------|-------|----------------|
| 7 | Criminal Convictions and | | |
| 8 | Habeas Corpus Appeals (R)..... | 26000 | 908,529 |
| 9 | Better Government Bureau | 74000 | 271,991 |
| 10 | BRIM Premium..... | 91300 | <u>112,761</u> |
| 11 | Total..... | | \$ 4,353,262 |

Any unexpended balances remaining in the above appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0150, fiscal year 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year 2017, appropriation 26000 (\$69,575) which shall expire on June 30, 2017.

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

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 117,213 |
| 2 | Unclassified (R)09900 | | 9,731 |
| 3 | Current Expenses (R)13000 | | 805,697 |
| 4 | BRIM Premium.....91300 | | <u>21,695</u> |
| 5 | Total..... | \$ | 954,336 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0155, fiscal year 2017 appropriation 13000 (\$19,613) which shall expire on June 30, 2017.

Included in the above appropriation to Personal Services and Employee Benefits (fund 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 2018 Org 1601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,477 |
| 2 | Unclassified.....09900 | | 75 |
| 3 | Current Expenses13000 | | <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 2018 Org 0201

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 580,647 |
| 2 | Unclassified.....09900 | | 9,177 |
| 3 | Current Expenses13000 | | 84,883 |

| | | | |
|----|------------------------------|-------|---------------|
| 4 | Repairs and Alterations..... | 06400 | 100 |
| 5 | Equipment..... | 07000 | 1,000 |
| 6 | Financial Advisor (R) | 30400 | 27,546 |
| 7 | Lease Rental Payments | 51600 | 15,000,000 |
| 8 | Design-Build Board | 54000 | 4,000 |
| 9 | Other Assets | 69000 | 100 |
| 10 | BRIM Premium..... | 91300 | <u>5,887</u> |
| 11 | Total..... | | \$ 15,713,340 |

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0186, fiscal year 2017, appropriation 30400 (\$73,000) which shall expire on June 30, 2017.

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

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

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

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

| | | | |
|---|---|-------|-----------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 65,574 |
|---|---|-------|-----------|

| | | | |
|---|------------------------|-------|--------------|
| 2 | Unclassified..... | 09900 | 1,400 |
| 3 | Current Expenses | 13000 | 68,083 |
| 4 | GAAP Project (R)..... | 12500 | 591,072 |
| 5 | BRIM Premium..... | 91300 | <u>5,625</u> |
| 6 | Total..... | | \$ 731,754 |

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

| | | | |
|----|--|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 2,504,207 |
| 2 | Unclassified..... | 09900 | 20,000 |
| 3 | Current Expenses | 13000 | 725,024 |
| 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 | | |
| 9 | Statues and Monuments | | |
| 10 | on Capitol Grounds..... | 37100 | 68,000 |
| 11 | Capital Outlay, Repairs and Equipment (R)..... | 58900 | 4,122,932 |
| 12 | Other Assets..... | 69000 | 500 |
| 13 | Land (R)..... | 73000 | 500 |
| 14 | BRIM Premium..... | 91300 | <u>121,479</u> |
| 15 | Total..... | | \$ 7,582,642 |

Any unexpended balances remaining in the above appropriations for Buildings (fund 0230, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Land (fund 0230, appropriation 73000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 997,906 |
| 2 | Unclassified.....09900 | | 144 |
| 3 | Current Expenses13000 | | 250 |
| 4 | Repairs and Alterations.....06400 | | 200 |
| 5 | BRIM Premium.....91300 | | <u>6,469</u> |
| 6 | Total..... | \$ | 1,004,969 |

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for 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 2018 Org 0215

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 762,556 |
| 2 | Unclassified.....09900 | | 12,032 |
| 3 | Current Expenses13000 | | 430,532 |
| 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..... \$ 1,211,320

Any unexpended balance remaining in the appropriation for Buildings (fund 0615, appropriation 25800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

1 Current Expenses13000 \$ 45,550

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 2018 Org 0219

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 911,114 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 142,854 |
| 4 | Equipment.....07000 | | 50 |
| 5 | BRIM Premium.....91300 | | <u>9,608</u> |
| 6 | Total..... | \$ | 1,064,626 |

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 575,930 |
| 2 | Unclassified.....09900 | | 2,200 |
| 3 | Current Expenses13000 | | 104,637 |
| 4 | Repairs and Alterations.....06400 | | 500 |
| 5 | Other Assets69000 | | 100 |

| | | | | |
|---|-------------------|-------|----|---------|
| 6 | BRIM Premium..... | 91300 | | 4,473 |
| 7 | Total..... | | \$ | 687,840 |

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

| | | | | |
|---|--|-------|----|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 1,322,946 |
| 2 | Unclassified..... | 09900 | | 314,700 |
| 3 | Current Expenses | 13000 | | 11,165 |
| 4 | Public Defender Corporations..... | 35200 | | 19,198,028 |
| 5 | Appointed Counsel Fees (R)..... | 78800 | | 10,723,115 |
| 6 | BRIM Premium..... | 91300 | | 9,594 |
| 7 | Total..... | | \$ | 31,579,548 |

Any unexpended balance remaining in the above appropriation for Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

| | | | | |
|---|------------------------|-------|----|-------|
| 1 | Personal Services and | | | |
| 2 | Employee Benefits..... | 00100 | \$ | 3,187 |
| 3 | Current Expenses | 13000 | | 868 |
| 4 | Total..... | | \$ | 4,055 |

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

The Division of Highways, Division of Motor Vehicles, Public Service Commission and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the public employees health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

| | | | | |
|---|---|-------|----|---------------|
| 1 | Forensic Medical Examinations (R) | 68300 | \$ | 137,954 |
| 2 | Federal Funds/Grant Match (R) | 74900 | | <u>98,443</u> |
| 3 | Total | | \$ | 236,397 |

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

| | | | | |
|---|--|-------|----|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 642,679 |
| 2 | Unclassified | 09900 | | 1,000 |
| 3 | Current Expenses | 13000 | | 137,926 |
| 4 | Repairs and Alterations | 06400 | | 100 |
| 5 | Equipment | 07000 | | 2,500 |
| 6 | BRIM Premium | 91300 | | <u>7,976</u> |
| 7 | Total | | \$ | 792,181 |

DEPARTMENT OF COMMERCE*32 - Division of Forestry*

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,451,074 |
| 2 | Unclassified.....09900 | 21,435 |
| 3 | Current Expenses13000 | 334,903 |
| 4 | Repairs and Alterations.....06400 | 80,000 |
| 5 | Equipment (R).....07000 | 2,061 |
| 6 | BRIM Premium.....91300 | <u>92,293</u> |
| 7 | Total..... | \$ 2,981,766 |

Any unexpended balance remaining in the appropriation for Equipment (fund 0250, appropriation 07000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 1,561,820 |
| 2 | Unclassified.....09900 | 28,173 |
| 3 | Current Expenses13000 | 49,140 |
| 4 | Repairs and Alterations.....06400 | 968 |
| 5 | Mineral Mapping System (R)20700 | 1,096,873 |
| 6 | BRIM Premium.....91300 | <u>22,766</u> |
| 7 | Total..... | \$ 2,759,740 |

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2017 is hereby reappropriated for

expenditure during the fiscal year 2018, with the exception of fund 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall expire on June 30, 2017.

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

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

| | | | |
|----|--|-------|----------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits..... | 00100 | \$ 4,261,006 |
| 3 | Unclassified..... | 09900 | 108,687 |
| 4 | Save Our State (SOS)..... | 05050 | 0 |
| 5 | Current Expenses | 13000 | 3,763,900 |
| 6 | National Youth Science Camp..... | 13200 | 241,570 |
| 7 | Local Economic Development | | |
| 8 | Partnerships (R) | 13300 | 792,000 |
| 9 | ARC Assessment | 13600 | 152,585 |
| 10 | Guaranteed Work Force Grant (R)..... | 24200 | 969,633 |
| 11 | Mainstreet Program..... | 79400 | 163,758 |
| 12 | BRIM Premium..... | 91300 | 2,345 |
| 13 | Hatfield McCoy Recreational Trail..... | 96000 | <u>198,415</u> |
| 14 | Total..... | | \$ 10,653,899 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Guaranteed Work Force Grant (fund 0256, appropriation 24200), Industrial Park Assistance (fund 0256, appropriation 48000), Small Business Development (fund 0256, appropriation 70300), Local Economic Development Assistance (fund 0256, appropriation 81900), and 4-H Camp Improvements (fund 0256,

appropriation 94100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 15,476,492 |
| 2 | Unclassified.....09900 | 184,711 |
| 3 | Current Expenses13000 | 170,047 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 100 |
| 6 | Buildings25800 | 100 |
| 7 | Litter Control Conservation Officers56400 | 139,877 |
| 8 | Upper Mud River Flood Control.....65400 | 159,762 |
| 9 | Other Assets69000 | 100 |
| 10 | Land (R)73000 | 100 |
| 11 | Law Enforcement.....80600 | 2,413,523 |
| 12 | BRIM Premium.....91300 | <u>23,470</u> |
| 13 | Total..... | \$ 18,568,382 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0265, appropriation 25800), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year

2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 9,205,577 |
| 2 | Unclassified.....09900 | | 120,000 |
| 3 | Current Expenses13000 | | 1,378,532 |
| 4 | Coal Dust and Rock Dust Sampling27000 | | 474,050 |
| 5 | BRIM Premium.....91300 | | <u>75,110</u> |
| 6 | Total..... | \$ | 11,253,269 |

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

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 226,550 |
| 2 | Unclassified.....09900 | | 3,551 |
| 3 | Current Expenses13000 | | <u>117,917</u> |
| 4 | Total..... | \$ | 348,018 |

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 51,728 |
| 2 | Unclassified.....09900 | | 596 |
| 3 | Current Expenses13000 | | <u>7,334</u> |
| 4 | Total..... | \$ | 59,658 |

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 398,752 |
| 2 | Unclassified.....09900 | | 3,500 |
| 3 | Current Expenses13000 | | <u>14,725</u> |
| 4 | Total..... | \$ | 416,977 |

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 194,457 |
| 2 | Unclassified.....09900 | | 15,204 |
| 3 | Current Expenses13000 | | 1,026,720 |
| 4 | BRIM Premium.....91300 | | <u>3,604</u> |
| 5 | Total..... | \$ | 1,239,985 |

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

DEPARTMENT OF EDUCATION

41 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 321,931 |
| 2 | Current Expenses13000 | | <u>2,118,490</u> |
| 3 | Total..... | \$ | 2,440,421 |

*42 - State Board of Education –**State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

| | | | |
|----|--|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,278,989 |
| 2 | Technology System Specialist06200 | | 2,000,000 |
| 3 | Teachers' Retirement Savings Realized09500 | | 34,638,000 |
| 4 | Unclassified (R)09900 | | 300,000 |
| 5 | Current Expenses (R)13000 | | 2,518,992 |
| 6 | Equipment07000 | | 5,000 |
| 7 | Increased Enrollment14000 | | 2,650,000 |
| 8 | Safe Schools.....14300 | | 4,911,959 |
| 9 | Teacher Mentor.....15800 | | 550,000 |
| 10 | Buildings (R).....25800 | | 1,000 |
| 11 | Allowance for County Transfers.....26400 | | 64,212 |
| 12 | Technology Repair and Modernization.....29800 | | 951,003 |
| 13 | HVAC Technicians35500 | | 495,507 |
| 14 | Early Retirement Notification Incentive36600 | | 300,000 |
| 15 | MATH Program36800 | | 336,532 |
| 16 | Assessment Programs39600 | | 1,339,588 |
| 17 | 21st Century Fellows50700 | | 274,899 |
| 18 | English as a Second Language.....52800 | | 96,000 |
| 19 | Teacher Reimbursement57300 | | 297,188 |
| 20 | Hospitality Training60000 | | 267,123 |
| 21 | Hi-Y Youth in Government61600 | | 100,000 |
| 22 | High Acuity Special Needs (R).....63400 | | 1,500,000 |
| 23 | Foreign Student Education.....63600 | | 150,000 |
| 24 | Principals Mentorship64900 | | 69,250 |
| 25 | State Board of Education | | |
| 26 | Administrative Costs68400 | | 366,152 |

| | | | |
|----|--|-------|----------------|
| 27 | Other Assets..... | 69000 | 1,000 |
| 28 | IT Academy (R) | 72100 | 500,000 |
| 29 | Land (R) | 73000 | 1,000 |
| 30 | Early Literacy Program..... | 75600 | 5,700,000 |
| 31 | School Based Truancy Prevention (R)..... | 78101 | 2,000,000 |
| 32 | Innovation in Education..... | 78102 | 2,496,144 |
| 33 | 21st Century Learners (R)..... | 88600 | 1,706,441 |
| 34 | BRIM Premium..... | 91300 | 320,429 |
| 35 | 21st Century Assessment | | |
| 36 | and Professional Development | 93100 | 1,999,007 |
| 37 | 21st Century Technology Infrastructure | | |
| 38 | Network Tools and Support..... | 93300 | 7,636,586 |
| 39 | Educational Program Allowance | 99600 | <u>516,250</u> |
| 40 | Total..... | | \$ 81,338,251 |

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

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses (fund 0313, appropriation 13000), National Teacher Certification (fund 0313, appropriation 16100), Buildings (fund 0313, appropriation 25800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), Land (fund 0313, appropriation 73000), School Based Truancy Prevention (fund 0313, appropriation 78101), and 21st Century Learners (fund 0313, appropriation 88600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for Technology System Specialists (fund 0313, appropriation 06200), shall first be used for the continuance of current pilot projects. The remaining balance, if any, may be used to expand the pilot project for additional counties.

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

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

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

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

| | | | | |
|---|---------------------------------------|-------|----|-------------------|
| 1 | Special Education – Counties | 15900 | \$ | 7,271,757 |
| 2 | Special Education – Institutions..... | 16000 | | 3,748,794 |
| 3 | Education of Juveniles Held in | | | |
| 4 | Predispositional Juvenile | | | |
| 5 | Detention Centers | 30200 | | 591,646 |
| 6 | Education of Institutionalized | | | |
| 7 | Juveniles and Adults (R)..... | 47200 | | <u>17,736,957</u> |
| 8 | Total..... | | \$ | 29,349,154 |

9 Any unexpended balance remaining in the appropriation for
10 Education of Institutionalized Juveniles and Adults (fund 0314,
11 appropriation 47200) at the close of the fiscal year 2017 is hereby
12 reappropriated for expenditure during the fiscal year 2018.

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

*44 - State Board of Education –**State Aid to Schools*

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

| | | | |
|----|---|-------|--------------------|
| 1 | Other Current Expenses | 02200 | \$ 149,939,086 |
| 2 | Advanced Placement..... | 05300 | 553,954 |
| 3 | Professional Educators..... | 15100 | 843,200,570 |
| 4 | Service Personnel..... | 15200 | 286,915,321 |
| 5 | Fixed Charges | 15300 | 100,484,631 |
| 6 | Transportation | 15400 | 70,276,078 |
| 7 | Professional Student Support Services | 65500 | 36,952,999 |
| 8 | Improved Instructional Programs..... | 15600 | 49,131,108 |
| 9 | 21st Century Strategic | | |
| 10 | Technology Learning Growth..... | 93600 | <u>20,756,981</u> |
| 11 | Basic Foundation Allowances..... | | 1,558,210,728 |
| 12 | Less Local Share | | (454,486,958) |
| 13 | Adjustments | | <u>(2,441,341)</u> |
| 14 | Total Basic State Aid | | 1,101,282,429 |
| 15 | Public Employees' Insurance Matching | 01200 | 242,714,967 |
| 16 | Teachers' Retirement System | 01900 | 72,125,000 |
| 17 | School Building Authority | 45300 | 23,424,770 |
| 18 | Retirement Systems – Unfunded Liability.... | 77500 | <u>343,963,000</u> |
| 19 | Total..... | | \$1,783,510,166 |

*45 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,275,473 |
| 2 | Unclassified..... | 09900 | 268,800 |
| 3 | Current Expenses | 13000 | 882,131 |
| 4 | Wood Products – | | |
| 5 | Forestry Vocational Program..... | 14600 | 68,993 |

| | | | |
|----|---------------------------------------|-------|----------------|
| 6 | Albert Yanni Vocational Program | 14700 | 131,951 |
| 7 | Vocational Aid..... | 14800 | 22,440,602 |
| 8 | Adult Basic Education | 14900 | 4,591,896 |
| 9 | Program Modernization | 30500 | 884,313 |
| 10 | High School Equivalency | | |
| 11 | Diploma Testing (R)..... | 72600 | 778,815 |
| 12 | FFA Grant Awards..... | 83900 | 11,496 |
| 13 | Pre-Engineering Academy Program | 84000 | <u>265,294</u> |
| 14 | Total..... | | \$ 31,599,764 |

Any unexpended balances remaining in the appropriations for GED Testing (fund 0390, appropriation 33900) and High School Equivalency Diploma Testing (fund 0390, appropriation 72600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

46 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 11,304,805 |
| 2 | Unclassified..... | 09900 | 110,000 |
| 3 | Current Expenses | 13000 | 1,988,129 |
| 4 | Repairs and Alterations..... | 06400 | 85,000 |
| 5 | Equipment..... | 07000 | 70,000 |
| 6 | Buildings (R)..... | 25800 | 85,000 |
| 7 | Capital Outlay and Maintenance (R) | 75500 | 82,500 |
| 8 | BRIM Premium..... | 91300 | <u>124,890</u> |
| 9 | Total..... | | \$ 13,850,324 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS*47 - Department of Education and the Arts –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

| | | | |
|----|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 781,264 |
| 2 | Unclassified.....09900 | | 35,000 |
| 3 | Center for Professional Development (R).....11500 | | 1,490,833 |
| 4 | Current Expenses13000 | | 6,562 |
| 5 | WV Humanities Council.....16800 | | 250,000 |
| 6 | Benedum Professional | | |
| 7 | Development Collaborative (R).....42700 | | 429,116 |
| 8 | Governor’s Honors Academy (R)47800 | | 1,059,270 |
| 9 | Educational Enhancements69500 | | 196,000 |
| 10 | S.T.E.M. Education and Grant Program71900 | | 490,286 |
| 11 | Energy Express86100 | | 382,935 |
| 12 | BRIM Premium.....91300 | | 4,870 |
| 13 | Special Olympic Games.....96600 | | <u>25,000</u> |
| 14 | Total..... | \$ | 5,151,136 |

Any unexpended balances remaining in the appropriations for Center for Professional Development (fund 0294, appropriation 11500), Benedum Professional Development Collaborative (fund 0294, appropriation 42700), Governor’s Honors Academy (fund 0294, appropriation 47800), and S.T.E.M. Education and Grant Program (fund 0294, appropriation 71900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0294, fiscal year 2017, appropriation 42700 (\$66,416) which shall expire on June 30, 2017.

From the above appropriation for Educational Enhancements (fund 0294, appropriation 69500), \$73,500 shall be used for the Clay Center and \$122,500 for Reconnecting McDowell – Save the Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

| | | | |
|----|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,582,373 |
| 2 | Current Expenses13000 | | 605,585 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | 1 |
| 5 | Unclassified.....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>36,371</u> |
| 13 | Total..... | \$ | 4,562,537 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Land (fund 0293, appropriation 73000), and Capital Outlay and Maintenance (fund 0293, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,286,968 |
| 2 | Current Expenses13000 | 137,674 |
| 3 | Repairs and Alterations.....06400 | 6,500 |
| 4 | Services to Blind & Handicapped.....18100 | 161,717 |
| 5 | BRIM Premium.....91300 | <u>16,734</u> |
| 6 | Total..... | \$ 1,609,593 |

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,186,435 |
| 2 | Current Expenses13000 | 20,146 |
| 3 | Mountain Stage40700 | 300,000 |
| 4 | Capital Outlay and Maintenance.....75500 | 10,000 |
| 5 | BRIM Premium.....91300 | <u>45,283</u> |
| 6 | Total..... | \$ 4,561,864 |

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*51 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 10,590,552 |
| 2 | Independent Living Services.....00900 | 429,418 |
| 3 | Current Expenses13000 | 545,202 |
| 4 | Disability Employment16300 | 1,817,427 |
| 5 | Supported Employment Extended Services.....20600 | 77,960 |
| 6 | Ron Yost Personal Assistance Fund40700 | 333,828 |
| 7 | Employment Attendant Care Program.....59800 | 131,575 |

| | | | |
|---|-------------------|-------|---------------|
| 8 | BRIM Premium..... | 91300 | <u>72,396</u> |
| 9 | Total..... | | \$ 13,998,358 |

From the above appropriation for Workshop Development (fund 0310, appropriation 16300), funds shall be used exclusively with the private nonprofit community rehabilitation program organizations. The appropriation shall also be used to continue the support of the program, services, and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

| | | | |
|---|--|-------|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 72,067 |
| 2 | Current Expenses | 13000 | 29,203 |
| 3 | Repairs and Alterations..... | 06400 | 100 |
| 4 | Equipment..... | 07000 | 300 |
| 5 | Other Assets..... | 69000 | 400 |
| 6 | BRIM Premium..... | 91300 | <u>739</u> |
| 7 | Total..... | | \$ 102,809 |

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 3,926,093 |
| 2 | Water Resources Protection and Management ... | 06800 | 566,284 |
| 3 | Current Expenses | 13000 | 96,242 |
| 4 | Repairs and Alterations..... | 06400 | 4,950 |
| 5 | Unclassified..... | 09900 | 25,049 |
| 6 | Dam Safety..... | 60700 | 210,959 |
| 7 | West Virginia Stream Partners Program..... | 63700 | 77,396 |
| 8 | Meth Lab Cleanup..... | 65600 | 200,073 |
| 9 | Other Assets..... | 69000 | 1,000 |

| | | | |
|----|--|-------|----------------|
| 10 | WV Contributions to River Commissions | 77600 | 148,485 |
| 11 | Office of Water Resources | | |
| 12 | Non-Enforcement Activity | 85500 | <u>908,854</u> |
| 13 | Total..... | | \$ 6,165,385 |

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

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 61,108 |
| 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>2,153</u> |
| 7 | Total..... | | \$ 76,273 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 373,601 |
| 2 | Unclassified..... | 09900 | 8,014 |
| 3 | Current Expenses | 13000 | 48,833 |
| 4 | Women's Commission (R) | 19100 | 155,489 |
| 5 | Commission for the | | |
| 6 | Deaf and Hard of Hearing..... | 70400 | <u>215,479</u> |
| 7 | Total..... | | \$ 801,416 |

Any unexpended balance remaining in the appropriation for the Women's Commission (fund 0400, appropriation 19100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

56 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

| | | |
|----|---|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 12,048,586 |
| 2 | Chief Medical Examiner.....04500 | 5,954,317 |
| 3 | Unclassified.....09900 | 691,862 |
| 4 | Current Expenses13000 | 4,640,355 |
| 5 | State Aid for Local and | |
| 6 | Basic Public Health Services.....18400 | 12,645,160 |
| 7 | Safe Drinking Water Program (R).....18700 | 2,167,723 |
| 8 | Women, Infants and Children.....21000 | 38,621 |
| 9 | Early Intervention.....22300 | 8,134,060 |
| 10 | Cancer Registry.....22500 | 195,868 |
| 11 | Statewide EMS Program Support (R).....38300 | 1,824,458 |
| 12 | Black Lung Clinics.....46700 | 170,885 |
| 13 | Center for End of Life.....54500 | 300,000 |
| 14 | Vaccine for Children.....55100 | 332,942 |
| 15 | Tuberculosis Control.....55300 | 364,556 |
| 16 | Maternal and Child Health Clinics, Clinicians | |
| 17 | Medical Contracts and Fees (R).....57500 | 6,327,015 |
| 18 | Epidemiology Support.....62600 | 1,492,573 |
| 19 | Primary Care Support.....62800 | 4,665,575 |
| 20 | Sexual Assault Intervention and Prevention....72300 | 125,000 |
| 21 | Health Right Free Clinics.....72700 | 2,750,000 |
| 22 | Capital Outlay and Maintenance (R).....75500 | 100,000 |
| 23 | Maternal Mortality Review.....83400 | 46,563 |
| 24 | Diabetes Education and Prevention.....87300 | 97,125 |
| 25 | BRIM Premium.....91300 | 228,111 |
| 26 | State Trauma and Emergency Care System.....91800 | <u>1,986,847</u> |
| 27 | Total..... | \$ 67,328,202 |

Any unexpended balances remaining in the appropriations for Safe Drinking Water Program (fund 0407, appropriation 18700), Statewide EMS Program Support (fund 0407, appropriation 38300), Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Assistance to Primary Health Care Centers Community Health Foundation (fund 0407, appropriation 84500), and Tobacco Education Program (fund 0407, appropriation 90600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,554,852 |
| 2 | Current Expenses | | 13000 12,463 |
| 3 | Behavioral Health Program (R) | | 21900 64,415,611 |
| 4 | Family Support Act..... | | 22100 251,226 |
| 5 | Institutional Facilities Operations (R)..... | | 33500 105,067,434 |
| 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>1,211,307</u> |
| 10 | Total..... | | \$178,628,889 |

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation 33500), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), Capital Outlay (fund 0525, appropriation 51100), Behavioral Health Program – Surplus (fund 0525, appropriation 63100), Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200), Substance Abuse Continuum of Care – Surplus (fund 0525, appropriation 72200), and Capital Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

From the above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500), together with available funds from the Division of Health – Hospital Services Revenue Account (fund 5156, appropriation 33500), on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

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

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

Additional funds have been appropriated in fund 5156, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the Institutional Facilities Operations appropriation to facilitate cost effective and cost saving services at the community level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

- | | | | |
|---|---|-------|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund-Transfer..... | 68900 | \$ 647,500 |
| 3 | The above appropriation for Drinking Water Treatment | | |
| 4 | Revolving Fund – Transfer shall be transferred to the West Virginia | | |
| 5 | Drinking Water Treatment Revolving Fund or appropriate bank | | |
| 6 | depository and the Drinking Water Treatment Revolving – | | |
| 7 | Administrative Expense Fund as provided by Chapter 16 of the | | |
| 8 | Code. | | |

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,002,668 |
| 2 | Unclassified.....09900 | 4,024 |
| 3 | Current Expenses13000 | 330,029 |
| 4 | BRIM Premium.....91300 | <u>10,056</u> |
| 5 | Total..... | \$ 1,346,777 |

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 43,080,824 |
| 2 | Unclassified.....09900 | 5,688,944 |
| 3 | Current Expenses13000 | 11,315,095 |
| 4 | Child Care Development.....14400 | 9,079,268 |
| 5 | Medical Services Contracts and | |
| 6 | Office of Managed Care18300 | 1,835,469 |
| 7 | Medical Services.....18900 | 468,561,780 |
| 8 | Social Services.....19500 | 145,947,791 |
| 9 | Family Preservation Program19600 | 1,565,000 |
| 10 | Family Resource Networks.....27400 | 1,762,464 |
| 11 | Domestic Violence Legal Services Fund.....38400 | 400,000 |
| 12 | James “Tiger” Morton | |
| 13 | Catastrophic Illness Fund45500 | 101,005 |
| 14 | I/DD Waiver.....46600 | 88,753,483 |
| 15 | Child Protective Services Case Workers46800 | 22,446,545 |
| 16 | OSCAR and RAPIDS51500 | 6,405,873 |
| 17 | Title XIX Waiver for Seniors.....53300 | 13,593,620 |
| 18 | WV Teaching Hospitals | |
| 19 | Tertiary/Safety Net54700 | 6,356,000 |
| 20 | Child Welfare System.....60300 | 1,250,959 |
| 21 | In-Home Family Education.....68800 | 1,000,000 |
| 22 | WV Works Separate State Program.....69800 | 1,935,000 |
| 23 | Child Support Enforcement70500 | 6,260,676 |
| 24 | Medicaid Auditing70600 | 606,750 |
| 25 | Temporary Assistance for Needy Families/ | |
| 26 | Maintenance of Effort.....70700 | 22,969,096 |
| 27 | Child Care – | |
| 28 | Maintenance of Effort Match.....70800 | 5,693,743 |

| | | | |
|----|---|-------|----------------|
| 29 | Child and Family Services | 73600 | 2,850,000 |
| 30 | Grants for Licensed Domestic Violence | | |
| 31 | Programs and Statewide Prevention | 75000 | 2,500,000 |
| 32 | Capital Outlay and Maintenance (R) | 75500 | 11,875 |
| 33 | Community Based Services and | | |
| 34 | Pilot Programs for Youth..... | 75900 | 1,000,000 |
| 35 | Medical Services Administrative Costs | 78900 | 35,609,925 |
| 36 | Traumatic Brain Injury Waiver..... | 83500 | 800,000 |
| 37 | Indigent Burials (R) | 85100 | 2,050,000 |
| 38 | BRIM Premium..... | 91300 | 834,187 |
| 39 | Rural Hospitals Under 150 Beds..... | 94000 | 2,596,000 |
| 40 | Children's Trust Fund – Transfer..... | 95100 | <u>220,000</u> |
| 41 | Total..... | | \$915,081,372 |

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation 85100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

The secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

The above appropriation for James “Tiger” Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James “Tiger” Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467), and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the secretary of the Department of Health and Human Resources.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500) an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided equally and distributed among the fourteen (14) licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board.

The above appropriation for Children’s Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children’s Trust Fund (fund 5469, org 0511).

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

| | | | |
|----|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 711,738 |
| 2 | Unclassified (R)09900 | | 21,719 |
| 3 | Current Expenses13000 | | 66,492 |
| 4 | Repairs and Alterations06400 | | 6,000 |
| 5 | Equipment07000 | | 3,000 |
| 6 | Fusion Center (R).....46900 | | 534,332 |
| 7 | Other Assets69000 | | 3,000 |
| 8 | Directed Transfer70000 | | 32,000 |
| 9 | BRIM Premium.....91300 | | 11,938 |
| 10 | WV Fire and EMS Survivor Benefit (R)93900 | | 200,000 |
| 11 | Homeland State Security | | |
| 12 | Administrative Agency (R).....95300 | | <u>531,683</u> |
| 13 | Total..... | \$ | <u>2,121,902</u> |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Substance Abuse Program – Surplus (fund 0430, appropriation 69600), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0430, fiscal year 2017, appropriation 93900 (\$50,000) which shall expire on June 30, 2017.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

| | | | |
|---|---|----|------------------|
| 1 | Unclassified.....09900 | \$ | 106,798 |
| 2 | College Education Fund.....23200 | | 4,000,000 |
| 3 | Civil Air Patrol.....23400 | | 249,219 |
| 4 | Mountaineer ChalleNGe Academy.....70900 | | 1,500,000 |
| 5 | Armory Board Transfer.....70015 | | 2,317,555 |
| 6 | Military Authority.....74800 | | <u>5,857,390</u> |
| 7 | Total..... | \$ | 14,030,962 |

Any unexpended balance remaining in the appropriations for Unclassified (fund 0433, appropriation 09900) and Military Authority (fund 0433, appropriation 74800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations an amount approved by the Adjutant General and the secretary of Military Affairs and Public Safety may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The adjutant general shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$4,500,000 to the Mountaineer ChalleNGe Academy to meet anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 100,000 |
| 2 | Current Expenses.....13000 | | <u>57,775</u> |
| 3 | Total..... | \$ | 157,775 |

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 382,952 |
| 2 | Current Expenses | 13000 | 294,559 |
| 3 | Salaries of Members of | | |
| 4 | West Virginia Parole Board..... | 22700 | 593,029 |
| 5 | BRIM Premium..... | 91300 | <u>5,747</u> |
| 6 | Total..... | | \$ 1,276,287 |

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va. Code §5-5-1), and related employee benefits of board members.

*65 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

| | | | |
|----|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,006,489 |
| 2 | Unclassified..... | 09900 | 26,342 |
| 3 | Current Expenses | 13000 | 51,674 |
| 4 | Repairs and Alterations..... | 06400 | 600 |
| 5 | Radiological Emergency Preparedness | 55400 | 17,230 |
| 6 | Federal Funds/Grant Match (R) | 74900 | 660,991 |
| 7 | Mine and Industrial Accident Rapid | | |
| 8 | Response Call Center..... | 78100 | 450,539 |
| 9 | Early Warning Flood System (R) | 87700 | 466,845 |
| 10 | BRIM Premium..... | 91300 | 20,786 |
| 11 | WVU Charleston Poison Control Hotline..... | 94400 | <u>712,942</u> |
| 12 | Total..... | | \$ 3,414,438 |

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900),

Early Warning Flood System (fund 0443, appropriation 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall expire on June 30, 2017.

66 - Division of Corrections –

Central Office

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

Fund 0446 FY 2018 Org 0608

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 593,431 |
| 2 | Current Expenses | | <u>1,800</u> |
| 3 | Total | \$ | 595,231 |

67 - Division of Corrections –

Correctional Units

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

Fund 0450 FY 2018 Org 0608

| | | | | |
|----|--|-------|----|------------|
| 1 | Employee Benefits | 01000 | \$ | 1,258,136 |
| 2 | Children's Protection Act (R) | 09000 | | 838,437 |
| 3 | Unclassified (R) | 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 | | 2,585,251 |
| 7 | Beckley Correctional Center | 49000 | | 1,780,425 |
| 8 | Huntington Work Release Center | 49500 | | 965,100 |
| 9 | Anthony Correctional Center | 50400 | | 5,009,807 |
| 10 | Huttonsville Correctional Center | 51400 | | 19,760,309 |
| 11 | Northern Correctional Center | 53400 | | 6,738,979 |
| 12 | Inmate Medical Expenses (R) | 53500 | | 21,226,064 |
| 13 | Pruntytown Correctional Center | 54300 | | 6,939,316 |
| 14 | Corrections Academy | 56900 | | 1,556,666 |

| | | | |
|----|---|-------|------------------|
| 15 | Information Technology Services..... | 59901 | 1,616,491 |
| 16 | Martinsburg Correctional Center | 66300 | 3,515,195 |
| 17 | Parole Services..... | 68600 | 4,945,361 |
| 18 | Special Services | 68700 | 6,654,557 |
| 19 | Investigative Services | 71600 | 2,980,734 |
| 20 | Capital Outlay and Maintenance (R) | 75500 | 2,000,000 |
| 21 | Salem Correctional Center..... | 77400 | 9,530,531 |
| 22 | McDowell County Correctional Center | 79000 | 2,542,590 |
| 23 | Stevens Correctional Center..... | 79100 | 7,863,195 |
| 24 | Parkersburg Correctional Center..... | 82800 | 2,501,777 |
| 25 | St. Mary's Correctional Center | 88100 | 11,958,071 |
| 26 | Denmar Correctional Center | 88200 | 4,334,308 |
| 27 | Ohio County Correctional Center | 88300 | 1,753,224 |
| 28 | Mt. Olive Correctional Complex | 88800 | 18,789,864 |
| 29 | Lakin Correctional Center..... | 89600 | 8,658,905 |
| 30 | BRIM Premium..... | 91300 | <u>2,359,770</u> |
| 31 | Total..... | | \$184,667,074 |

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Operating Expenses – Surplus (fund 0450, appropriation 77900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0450, fiscal year 2017, appropriation 09000 (\$100,000) which shall expire on June 30, 2017.

The Commissioner of Corrections shall have the authority to transfer between appropriations to the individual correctional units above and may transfer funds from the individual correctional units

to Current Expenses (fund 0450, appropriation 13000) or Inmate Medical Expenses (fund 0450, appropriation 53500).

From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1, 2017, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000) payment shall be made to house Division of Corrections inmates in federal, county, and /or regional jails.

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 56,281,783 |
| 2 | Children’s Protection Act09000 | 948,101 |
| 3 | Current Expenses 13000 | 10,309,769 |
| 4 | Repairs and Alterations.....06400 | 450,523 |
| 5 | Barracks Lease Payments55600 | 237,898 |
| 6 | Communications and Other Equipment (R)55800 | 70,968 |
| 7 | Trooper Retirement Fund.....60500 | 4,565,197 |
| 8 | Handgun Administration Expense 74700 | 67,179 |
| 9 | Capital Outlay and Maintenance (R)75500 | 250,000 |
| 10 | Retirement Systems – Unfunded Liability....77500 | 24,675,000 |
| 11 | Automated Fingerprint | |
| 12 | Identification System89800 | 723,064 |
| 13 | BRIM Premium.....91300 | 5,368,150 |
| 14 | Total..... | \$103,947,632 |

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation

55800), and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 64,021 |
|---|------------------------|-------|----|--------|

70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

| | | | | |
|----|--|-------|----|------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 531,051 |
| 2 | Current Expenses | 13000 | | 132,696 |
| 3 | Repairs and Alterations..... | 06400 | | 1,804 |
| 4 | Child Advocacy Centers (R)..... | 45800 | | 1,701,671 |
| 5 | Community Corrections (R) | 56100 | | 6,905,614 |
| 6 | Statistical Analysis Program | 59700 | | 46,381 |
| 7 | Sexual Assault Forensic | | | |
| 8 | Examination Commission..... | 71400 | | 76,231 |
| 9 | Qualitative Analysis and Training | | | |
| 10 | for Youth Services (R)..... | 76200 | | 332,018 |
| 11 | Law Enforcement Professional Standards | 83800 | | 154,471 |
| 12 | BRIM Premium..... | 91300 | | <u>1,788</u> |
| 13 | Total..... | | \$ | <u>9,883,725</u> |

Any unexpended balances remaining in the appropriations for Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), and

Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0546, fiscal year 2017, appropriation 56100 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200 (\$29,878) which shall expire on June 30, 2017.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

| | | | |
|----|--|-------|------------------|
| 1 | Statewide Reporting Centers..... | 26200 | \$ 6,279,447 |
| 2 | Robert L. Shell Juvenile Center | 26700 | 1,956,950 |
| 3 | Resident Medical Expenses (R) | 53501 | 3,604,999 |
| 4 | Central Office..... | 70100 | 2,307,517 |
| 5 | Capital Outlay and Maintenance (R) | 75500 | 250,000 |
| 6 | Gene Spadaro Juvenile Center | 79300 | 2,128,385 |
| 7 | BRIM Premium..... | 91300 | 108,380 |
| 8 | Kenneth Honey Rubenstein | | |
| 9 | Juvenile Center (R) | 98000 | 4,926,863 |
| 10 | Vicki Douglas Juvenile Center | 98100 | 1,870,388 |
| 11 | Northern Regional Juvenile Center..... | 98200 | 2,876,302 |
| 12 | Lorrie Yeager Jr. Juvenile Center | 98300 | 1,909,246 |
| 13 | Sam Perdue Juvenile Center | 98400 | 2,003,196 |
| 14 | Tiger Morton Center | 98500 | 2,114,663 |
| 15 | Donald R. Kuhn Juvenile Center | 98600 | 4,057,994 |
| 16 | J.M. "Chick" Buckbee Juvenile Center | 98700 | <u>2,017,395</u> |
| 17 | Total..... | | \$ 38,411,725 |

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), and Kenneth Honey Rubenstein Juvenile Center (fund 0570,

appropriation 98000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations, on July 1, 2017, the sum of \$50,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,772,420 |
| 2 | Unclassified (R)09900 | 21,991 |
| 3 | Current Expenses13000 | 139,232 |
| 4 | Repairs and Alterations.....06400 | 8,500 |
| 5 | Equipment (R).....07000 | 64,171 |
| 6 | BRIM Premium.....91300 | <u>11,426</u> |
| 7 | Total..... | \$ 3,017,740 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000), and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF REVENUE

73 - Office of the Secretary

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 486,146 |
| 2 | Unclassified.....09900 | | 5,954 |
| 3 | Current Expenses13000 | | 80,780 |
| 4 | Repairs and Alterations.....06400 | | 1,262 |
| 5 | Equipment.....07000 | | 8,000 |
| 6 | Other Assets.....69000 | | 500 |
| 7 | Total..... | \$ | 582,642 |

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

| | | | |
|----|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 16,265,639 |
| 2 | Unclassified (R)09900 | | 224,578 |
| 3 | Current Expenses (R).....13000 | | 5,245,381 |
| 4 | Repairs and Alterations.....06400 | | 10,000 |
| 5 | Equipment.....07000 | | 50,000 |
| 6 | Tax Technology Upgrade09400 | | 2,700,000 |
| 7 | Multi State Tax Commission65300 | | 77,958 |
| 8 | Other Assets.....69000 | | 10,000 |
| 9 | BRIM Premium.....91300 | | 14,560 |
| 10 | Total..... | \$ | 24,598,116 |

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), and Current Expenses (fund 0470, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 630,702 |
| 2 | Unclassified (R)09900 | | <u>449</u> |
| 3 | Total..... | \$ | 631,151 |

Any unexpended balance remaining in the appropriation for Unclassified (fund 0595, appropriation 09900) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,872 |
| 2 | Current Expenses (R)13000 | | 92,572 |
| 3 | Unclassified.....09900 | | 5,255 |
| 4 | BRIM Premium.....91300 | | <u>2,862</u> |
| 5 | Total..... | \$ | 525,561 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 7,200 |
| 2 | Current Expenses13000 | | <u>29,611</u> |
| 3 | Total..... | \$ | 36,811 |

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 314,113 |
| 2 | Current Expenses | 13000 | 287,332 |
| 3 | Other Assets (R)..... | 69000 | 1,303,277 |
| 4 | BRIM Premium..... | 91300 | <u>188,356</u> |
| 5 | Total..... | \$ | 2,093,078 |

Any unexpended balance remaining in the appropriation Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

| | | | | |
|---|---------------------------|-------|------------------|-----------|
| 1 | Equipment (R)..... | 07000 | \$ | 384,710 |
| 2 | Current Expenses (R)..... | 13000 | <u>1,878,279</u> | |
| 3 | Total..... | | \$ | 2,262,989 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0510, fiscal year 2017, appropriation 07000 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 166,719 |
| 2 | Current Expenses (R).....13000 | | 591,614 |
| 3 | Repairs and Alterations.....06400 | | 100 |
| 4 | BRIM Premium.....91300 | | <u>4,148</u> |
| 5 | Total..... | \$ | 762,581 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0582, appropriation 09900) and Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE*81 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

| | | | |
|----|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,807,393 |
| 2 | Unclassified.....09900 | | 20,000 |
| 3 | Current Expenses13000 | | 137,189 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |
| 5 | Veterans' Field Offices22800 | | 248,345 |
| 6 | Veterans' Nursing Home (R)28600 | | 5,527,826 |
| 7 | Veterans' Toll Free Assistance Line32800 | | 2,015 |
| 8 | Veterans' Reeducation Assistance (R).....32900 | | 29,502 |
| 9 | Veterans' Grant Program (R).....34200 | | 30,741 |
| 10 | Veterans' Grave Markers47300 | | 10,254 |
| 11 | Veterans' Transportation48500 | | 625,000 |
| 12 | Veterans Outreach Programs61700 | | 160,001 |
| 13 | Memorial Day Patriotic Exercise.....69700 | | 20,000 |
| 14 | Veterans Cemetery80800 | | 375,428 |
| 15 | BRIM Premium.....91300 | | <u>23,860</u> |

16 Total..... \$ 9,022,554

Any unexpended balances remaining in the appropriations for Veterans’ Nursing Home (fund 0456, appropriation 28600), Veterans’ Reeducation Assistance (fund 0456, appropriation 32900), Veterans’ Grant Program (fund 0456, appropriation 34200), Veterans’ Bonus – Surplus (fund 0456, appropriation 34400), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0456, fiscal year 2017, appropriation 28600 (\$8,794), fund 0456, fiscal year 2017, appropriation 32900 (\$1,702), and fund 0456, fiscal year 2017, appropriation 34200 (\$29,000) which shall expire on June 30, 2017.

82 - Department of Veterans’ Assistance –

Veterans’ Home

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,093,492 |
| 2 | Current Expenses13000 | <u>44,576</u> |
| 3 | Total..... | \$ 1,138,068 |

BUREAU OF SENIOR SERVICES

83 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

| | | |
|---|--|---------------|
| 1 | Transfer to Division of Human Services | |
| 2 | for Health Care | |
| 3 | and Title XIX Waiver | |
| 4 | for Senior Citizens53900 | \$ 15,983,766 |

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

84 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

| | | | |
|----|---|-------|------------------|
| 1 | West Virginia Council for Community | | |
| 2 | and Technical Education (R) | 39200 | \$ 661,053 |
| 3 | Transit Training Partnership | 78300 | 31,337 |
| 4 | Community College | | |
| 5 | Workforce Development (R) | 87800 | 717,244 |
| 6 | College Transition Program..... | 88700 | 254,240 |
| 7 | West Virginia Advance | | |
| 8 | Workforce Development (R) | 89300 | 2,848,089 |
| 9 | Technical Program Development (R) | 89400 | <u>1,645,514</u> |
| 10 | Total..... | | \$ 6,157,477 |

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), and Technical Program Development (fund 0596, appropriation 89400) at the close of the fiscal year 2017 are hereby

reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0596, fiscal year 2017, appropriation 39200 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400 (\$45,964) which shall expire on June 30, 2017.

From the above appropriation for the Community College Workforce Development (fund 0596, appropriation 87800), \$200,000 shall be expended on the Mine Training Program in Southern West Virginia.

Included in the above appropriation for West Virginia Advance Workforce Development (fund 0596, appropriation 89300) is \$200,000 to be used exclusively for advanced manufacturing and energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | Mountwest Community | | |
| 2 | and Technical College | 48700 | \$ 4,856,806 |

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | New River Community | | |
| 2 | and Technical College | 35800 | \$ 4,795,415 |

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | Pierpont Community | | |
| 2 | and Technical College | 93000 | \$ 6,386,591 |

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

- | | | | |
|---|-----------------------------|-------|--------------|
| 1 | Blue Ridge Community | | |
| 2 | and Technical College | 88500 | \$ 4,880,509 |

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

- | | | | |
|---|---|-------|--------------|
| 1 | West Virginia University – Parkersburg..... | 47100 | \$ 8,303,281 |
|---|---|-------|--------------|

90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

- | | | | |
|---|----------------------------------|-------|--------------|
| 1 | Southern West Virginia Community | | |
| 2 | and Technical College | 44600 | \$ 6,969,079 |

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

- | | | | |
|---|----------------------------------|-------|--------------|
| 1 | West Virginia Northern Community | | |
| 2 | and Technical College | 44700 | \$ 6,015,671 |

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

- | | | | |
|---|---------------------------------|-------|--------------|
| 1 | Eastern West Virginia Community | | |
| 2 | and Technical College | 41200 | \$ 1,600,450 |

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | BridgeValley Community | | |
| 2 | and Technical College | 71700 | \$ 6,541,040 |

HIGHER EDUCATION POLICY COMMISSION*94 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

| | | | |
|----|--|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 2,258,838 |
| 2 | Current Expenses | 13000 | 12,073 |
| 3 | Higher Education Grant Program | 16400 | 39,019,864 |
| 4 | Tuition Contract Program (R)..... | 16500 | 1,224,564 |
| 5 | Underwood-Smith Scholarship | | |
| 6 | Program-Student Awards..... | 16700 | 328,349 |
| 7 | Facilities Planning and Administration (R) | 38600 | 1,599,145 |
| 8 | PROMISE Scholarship – Transfer..... | 80000 | 18,500,000 |
| 9 | HEAPS Grant Program (R)..... | 86700 | 5,007,764 |
| 10 | BRIM Premium..... | 91300 | <u>16,651</u> |
| 11 | Total..... | | \$ 67,967,248 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0589, appropriation 09700), Tuition Contract Program (fund 0589, appropriation 16500), Capital Improvements – Surplus (fund 0589, appropriation 66100), Capital Outlay and Maintenance (fund 0589, appropriation 75500), and HEAPS Grant Program (fund 0589, appropriation 86700) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund

0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall expire on June 30, 2017.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Education, Research and Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by W.Va. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program-Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher Scholarship and Loan Assistance Fund (fund 4922, org 0441) established by W.Va. Code §18C-4-1.

The above appropriation for PROMISE Scholarship – Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

1 WVNET 16900 \$ 1,442,839

96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

| | | | |
|---|---|-------|------------------|
| 1 | WVU School of Health Science – | | |
| 2 | Eastern Division..... | 05600 | \$ 1,912,719 |
| 3 | WVU – School of Health Sciences..... | 17400 | 13,198,942 |
| 4 | WVU – School of Health Sciences – | | |
| 5 | Charleston Division | 17500 | 1,967,202 |
| 6 | Rural Health Outreach Programs..... | 37700 | 144,721 |
| 7 | West Virginia University School of Medicine | | |
| 8 | BRIM Subsidy | 46000 | <u>1,203,087</u> |
| 9 | Total..... | | \$ 18,426,671 |

The above appropriation for Rural Health Outreach Programs (fund 0343, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia University School of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

*97 - West Virginia University –**General Administrative Fund*

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

| | | | |
|---|---|-------|------------------|
| 1 | West Virginia University | 45900 | \$ 83,208,904 |
| 2 | Jackson’s Mill..... | 46100 | 453,741 |
| 3 | West Virginia University | | |
| 4 | Institute of Technology..... | 47900 | 6,795,033 |
| 5 | State Priorities – | | |
| 6 | Brownfield Professional Development | 53100 | 287,106 |
| 7 | West Virginia University – Potomac State..... | 99400 | <u>3,335,913</u> |

8 Total..... \$ 94,080,697

From the above appropriation for Jackson's Mill (fund 0344, appropriation 46100) \$250,000 shall be used for the West Virginia State Fire Training Academy.

98 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

| | | | |
|---|---|-------|----------------|
| 1 | Marshall Medical School | 17300 | \$ 10,837,439 |
| 2 | Rural Health Outreach Programs (R)..... | 37700 | 149,149 |
| 3 | Forensic Lab..... | 37701 | 214,838 |
| 4 | Center for Rural Health..... | 37702 | 142,520 |
| 5 | Marshall University Medical School | | |
| 6 | BRIM Subsidy | 44900 | <u>909,673</u> |
| 7 | Total..... | | \$ 12,253,619 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Program (fund 0347, appropriation 37700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0347, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for Marshall University Medical School BRIM Subsidy (fund 0347, appropriation 44900) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the "Total Premium Billed" to the institution as part of the full cost of their malpractice insurance coverage.

*99 - Marshall University –**General Administration Fund*

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

| | | | |
|----|--------------------------------------|-------|------------------|
| 1 | Marshall University | 44800 | \$ 38,536,067 |
| 2 | Luke Lee Listening | | |
| 3 | Language and Learning Lab | 44801 | 85,386 |
| 4 | Vista E-Learning (R)..... | 51900 | 209,278 |
| 5 | State Priorities – Brownfield | | |
| 6 | Professional Development (R)..... | 53100 | 282,918 |
| 7 | Marshall University Graduate College | | |
| 8 | Writing Project (R) | 80700 | 23,222 |
| 9 | WV Autism Training Center (R) | 93200 | <u>1,527,218</u> |
| 10 | Total..... | | \$ 40,664,089 |

Any unexpended balances remaining in the appropriations for Vista E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), and WV Autism Training Center (fund 0348, appropriation 93200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0348, fiscal year 2017, appropriation 51900 (\$4,982), fund 0348, fiscal year 2017, appropriation 53100 (\$6,687), fund 0348, fiscal year 2017, appropriation 80700 (\$415), and fund 0348, fiscal year 2017, appropriation 93200 (\$35,906) which shall expire on June 30, 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

| | | | |
|---|----------------------------|-------|--------------|
| 1 | West Virginia School of | | |
| 2 | Osteopathic Medicine | 17200 | \$ 5,928,276 |

| | | | |
|---|--|-------|----------------|
| 3 | Rural Health Outreach Programs (R)..... | 37700 | 146,810 |
| 4 | West Virginia School of Osteopathic Medicine | | |
| 5 | BRIM Subsidy | 40300 | 153,405 |
| 6 | Rural Health Initiative – | | |
| 7 | Medical Schools Support..... | 58100 | <u>353,145</u> |
| 8 | Total..... | | \$ 6,581,636 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia School of Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation 40300) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

| | | | |
|---|-------------------------------|-------|--------------|
| 1 | Bluefield State College | 40800 | \$ 4,915,520 |
|---|-------------------------------|-------|--------------|

102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

| | | | |
|---|-------------------------|-------|--------------|
| 1 | Concord University..... | 41000 | \$ 7,564,518 |
|---|-------------------------|-------|--------------|

103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1 Fairmont State University41400 \$ 13,322,690

104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1 Glenville State College42800 \$ 5,137,482

105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1 Shepherd University.....43200 \$ 9,360,954

106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University.....43900 \$ 6,938,204

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

1 West Virginia State University44100 \$ 8,694,783

2 West Virginia State University

3 Land Grant Match.....95600 1,584,947

4 Total..... \$ 10,279,730

5 Total TITLE II, Section 1 – General Revenue

6 (Including claims against the state)\$ 4,225,050,000

Sec. 2. Appropriations from state road fund. — From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION

108 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

| | State |
|---|---------------------------|
| | Road |
| | Fund |
| | Appro- piation |
| 1 Personal Services and Employee Benefits00100 | \$ 23,278,949 |
| 2 Current Expenses13000 | 16,192,150 |
| 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>73,630</u> |
| 8 Total..... | \$ 43,378,729 |

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

| | |
|--------------------------------------|---------------|
| 1 Debt Service.....04000 | \$ 24,000,000 |
| 2 Maintenance.....23700 | 359,278,000 |
| 3 Nonfederal Improvements23701 | 231,400,000 |
| 4 Inventory Revolving27500 | 4,000,000 |
| 5 Equipment Revolving27600 | 15,000,000 |
| 6 General Operations27700 | 45,995,000 |

| | | | |
|----|----------------------------------|-------|------------------|
| 7 | Interstate Construction | 27800 | 100,000,000 |
| 8 | Other Federal Aid Programs | 27900 | 362,000,000 |
| 9 | Appalachian Programs | 28000 | 120,000,000 |
| 10 | Highway Litter Control..... | 28200 | 1,727,000 |
| 11 | Courtesy Patrol..... | 28201 | <u>5,000,000</u> |
| 12 | Total..... | | \$1,268,400,000 |

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian programs, funds in excess of the amount appropriated may be made available upon recommendation of the commissioner and approval of the Governor. Further, for the purpose of Appalachian programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 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>1,314,293,957</u> |

Sec. 3. Appropriations from other funds. — From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 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

112 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

1 Current Expenses13000 \$ 1,600,000

113 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

1 Current Expenses13000 \$ 500,000

114 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

1 Current Expenses13000 \$ 300,000

EXECUTIVE

115 - Governor's Office –

Minority Affairs Fund

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

1 Personal Services and Employee Benefits00100 \$ 172,800

2 Current Expenses13000 503,200

3 Martin Luther King, Jr. Holiday Celebration03100 8,926

4 Total..... \$ 684,926

116 - Auditor's Office –

Land Operating Fund

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 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 | | <u>1,341,168</u> |
| 7 | Total..... | \$ | 3,250,236 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

117 - Auditor's Office -

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2018 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>2,000,000</u> |
| 7 | Total..... | \$ | 2,937,118 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.Va. Code §6-9-2b.

*118 - Auditor's Office –**Securities Regulation Fund*

(WV Code Chapter 32)

Fund 1225 FY 2018 Org 1200

| | | |
|---|--|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,375,836 |
| 2 | Unclassified.....09900 | 31,866 |
| 3 | Current Expenses13000 | 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 |

119 - Auditor's Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

| | | |
|---|-----------------------------|----------------|
| 1 | Current Expenses13000 | \$ 160,000 |
| 2 | Other Assets.....69000 | <u>100,000</u> |
| 3 | Total..... | \$ 260,000 |

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the purposes described in W.Va. Code §12-3-10c.

*120 - Auditor's Office –**Purchasing Card Administration Fund*

(WV Code Chapter 12)

Fund 1234 FY 2018 Org 1200

| | | |
|---|--|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,667,397 |
| 2 | Current Expenses13000 | 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>4,000,000</u> |
| 7 | Total..... | | \$ 9,935,405 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

121 - Auditor's Office –

Chief Inspector's Fund

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 3,405,512 |
| 2 | Current Expenses | 13000 | 765,915 |
| 3 | Equipment..... | 07000 | <u>50,000</u> |
| 4 | Total..... | | \$ 4,221,427 |

122 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

| | | | |
|---|-------------------------------------|-------|--------------|
| 1 | Volunteer Fire Department | | |
| 2 | Workers' Compensation Subsidy | 83200 | \$ 2,500,000 |

123 - Treasurer's Office

College Prepaid Tuition and Savings Program

Administrative Account

(WV Code Chapter 18)

Fund 1301 FY 2018 Org 1300

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 774,769 |
| 2 | Unclassified.....09900 | | 14,000 |
| 3 | Current Expenses13000 | | <u>619,862</u> |
| 4 | Total..... | \$ | 1,408,631 |

*124 - Department of Agriculture –**Agriculture Fees Fund*

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,244,245 |
| 2 | Unclassified.....09900 | | 37,425 |
| 3 | Current Expenses13000 | | 1,356,184 |
| 4 | Repairs and Alterations.....06400 | | 58,500 |
| 5 | Equipment.....07000 | | 36,209 |
| 6 | Other Assets.....69000 | | <u>10,000</u> |
| 7 | Total..... | \$ | 3,742,563 |

*125 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 73,807 |
| 2 | Unclassified.....09900 | | 10,476 |
| 3 | Current Expenses13000 | | <u>963,404</u> |
| 4 | Total..... | \$ | 1,047,687 |

*126 - Department of Agriculture –**General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 67,000 |
| 2 | Unclassified.....09900 | | 2,100 |
| 3 | Current Expenses13000 | | 89,500 |
| 4 | Repairs and Alterations.....06400 | | 36,400 |
| 5 | Equipment.....07000 | | <u>15,000</u> |
| 6 | Total..... | \$ | 210,000 |

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

*127 - Department of Agriculture –**Farm Operating Fund*

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 309,248 |
| 2 | Unclassified.....09900 | | 15,173 |
| 3 | Current Expenses13000 | | 1,167,464 |
| 4 | Repairs and Alterations.....06400 | | 238,722 |
| 5 | Equipment.....07000 | | 249,393 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,000,000 |

*128 - Department of Agriculture –**Donated Food Fund*

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 958,864 |
| 2 | Unclassified.....09900 | | 45,807 |
| 3 | Current Expenses13000 | | 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

129 - Department of Agriculture –

Integrated Predation Management Fund

(WV Code Chapter 7)

Fund 1465 FY 2018 Org 1400

1 Current Expenses13000 \$ 100,000

130 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(WV Code Chapter 19)

Fund 1481 FY 2018 Org 1400

1 Current Expenses13000 \$ 100

131 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(WV Code Chapter 19)

Fund 1483 FY 2018 Org 1400

1 Current Expenses13000 \$ 7,500

132 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(WV Code Chapters 18 and 18A)

Fund 1484 FY 2018 Org 1400

1 Personal Services and Employee Benefits00100 \$ 1,169,194

2 Unclassified.....09900 17,000

3 Current Expenses13000 707,223

4 Repairs and Alterations.....06400 57,500

| | | | |
|---|--------------------|-------|--------------|
| 5 | Equipment | 07000 | 1,000 |
| 6 | Buildings | 25800 | 1,000 |
| 7 | Other Assets | 69000 | 10,000 |
| 8 | Land | 73000 | <u>1,000</u> |
| 9 | Total | | \$ 1,963,917 |

133 - Attorney General –

Antitrust Enforcement Fund

(WV Code Chapter 47)

Fund 1507 FY 2018 Org 1500

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 356,900 |
| 2 | Current Expenses | 13000 | 148,803 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment | 07000 | <u>1,000</u> |
| 5 | Total | \$ | 507,703 |

134 - Attorney General –

Preneed Burial Contract Regulation Fund

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

135 - Attorney General –

Preneed Funeral Guarantee Fund

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 901,135 |
|---|------------------------|-------|------------|

*136 - Secretary of State –**Service Fees and Collection Account*

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 Org 1600

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 991,051 |
| 2 | Unclassified.....09900 | | 4,524 |
| 3 | Current Expenses13000 | | <u>8,036</u> |
| 4 | Total..... | \$ | 1,003,611 |

*137 - Secretary of State –**General Administrative Fees Account*

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 Org 1600

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,769,898 |
| 2 | Unclassified.....09900 | | 25,529 |
| 3 | Current Expenses13000 | | 796,716 |
| 4 | Technology Improvements59900 | | <u>750,000</u> |
| 5 | Total..... | \$ | 4,342,143 |

DEPARTMENT OF ADMINISTRATION*138 - Department of Administration –**Office of the Secretary –**Tobacco Settlement Fund*

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

| | | | |
|---|-----------------------------------|----|------------|
| 1 | Tobacco Settlement Securitization | | |
| 2 | Trustee Pass Thru65000 | \$ | 80,000,000 |

139 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

1 Current Expenses13000 \$ 34,638,000

The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – West Virginia Teachers’ Retirement System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 Org 0210

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 21,378,322 |
| 2 | Unclassified.....09900 | 382,354 |
| 3 | Current Expenses13000 | 13,378,766 |
| 4 | Repairs and Alterations.....06400 | 1,000 |
| 5 | Equipment07000 | 2,050,000 |
| 6 | Other Assets69000 | <u>1,045,000</u> |
| 7 | Total..... | \$ 38,235,442 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

*141 - Division of Purchasing –**Vendor Fee Fund*

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 655,208 |
| 2 | Unclassified.....09900 | | 2,382 |
| 3 | Current Expenses13000 | | 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 |

*142 - Division of Purchasing –**Purchasing Improvement Fund*

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 540,889 |
| 2 | Unclassified.....09900 | | 5,562 |
| 3 | Current Expenses13000 | | 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..... | \$ | 941,867 |

*143 - Travel Management –**Fleet Management Office Fund*

(WV Code Chapter 5A)

Fund 2301 FY 2018 Org 0215

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 722,586 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 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 |

144 - Travel Management –

Aviation Fund

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

| | | | |
|---|-----------------------------------|----|------------|
| 1 | Unclassified.....09900 | \$ | 1,000 |
| 2 | Current Expenses13000 | | 149,700 |
| 3 | Repairs and Alterations.....06400 | | 400,237 |
| 4 | Equipment.....07000 | | 1,000 |
| 5 | Buildings.....25800 | | 100 |
| 6 | Other Assets.....69000 | | 100 |
| 7 | Land.....73000 | | <u>100</u> |
| 8 | Total..... | \$ | 552,237 |

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,942,590 |
| 2 | Unclassified.....09900 | | 51,418 |
| 3 | Current Expenses13000 | | 1,062,813 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |
| 5 | Equipment.....07000 | | 20,000 |
| 6 | Other Assets.....69000 | | <u>60,000</u> |
| 7 | Total..... | \$ | 5,141,821 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 249,242 |
| 2 | Unclassified.....09900 | | 4,023 |
| 3 | Current Expenses13000 | | 297,528 |
| 4 | Repairs and Alterations.....06400 | | 600 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Other Assets.....69000 | | <u>500</u> |
| 7 | Total..... | \$ | 552,393 |

147 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 399,911 |
| 2 | Unclassified.....09900 | | 6,949 |
| 3 | Current Expenses13000 | | 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 |

From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

148 - Division of Forestry

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,464,328 |
| 2 | Current Expenses13000 | | 282,202 |
| 3 | Repairs and Alterations.....06400 | | <u>53,000</u> |
| 4 | Total..... | \$ | 1,799,530 |

*149 - Division of Forestry –**Timbering Operations Enforcement Fund*

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 224,433 |
| 2 | Current Expenses13000 | | 87,036 |
| 3 | Repairs and Alterations.....06400 | | <u>11,250</u> |
| 4 | Total..... | \$ | 322,719 |

*150 - Division of Forestry –**Severance Tax Operations*

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 859,626 |
| 2 | Current Expenses13000 | | <u>435,339</u> |
| 3 | Total..... | \$ | 1,294,965 |

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

| | | | |
|---|---|----|--------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 37,966 |
|---|---|----|--------|

| | | | |
|---|------------------------------|-------|---------------|
| 2 | Unclassified..... | 09900 | 2,182 |
| 3 | Current Expenses | 13000 | 141,631 |
| 4 | Repairs and Alterations..... | 06400 | 50,000 |
| 5 | Equipment..... | 07000 | 20,000 |
| 6 | Other Assets..... | 69000 | <u>10,000</u> |
| 7 | Total..... | | \$ 261,779 |

The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

152 - West Virginia Development Office –

Department of Commerce –

Marketing and Communications Operating Fund

(WV Code Chapter 5B)

Fund 3002 FY 2018 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 |

153 - West Virginia Development Office –

Office of Coalfield Community Development

(WV Code Chapter 5B)

Fund 3162 FY 2018 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 |

154 - Division of Labor –

HVAC Fund

(WV Code Chapter 21)

Fund 3186 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 300,000 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 85,000 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 400,000 |

*155 - Division of Labor –**Contractor Licensing Board Fund*

(WV Code Chapter 21)

Fund 3187 FY 2018 Org 0308

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,019,374 |
| 2 | Unclassified.....09900 | | 21,589 |
| 3 | Current Expenses13000 | | 597,995 |
| 4 | Repairs and Alterations.....06400 | | 15,000 |
| 5 | Buildings25800 | | 5,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 3,667,458 |

*156 - Division of Labor –**Elevator Safety Fund*

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 376,772 |
| 2 | Unclassified.....09900 | | 2,261 |
| 3 | Current Expenses13000 | | 44,112 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 434,645 |

*157 - Division of Labor –**Steam Boiler Fund*

(WV Code Chapter 21)

Fund 3189 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 80,000 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 15,000 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>1,000</u> |
| 7 | Total..... | \$ | 100,000 |

*158 - Division of Labor –**Crane Operator Certification Fund*

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 184,380 |
| 2 | Unclassified.....09900 | | 1,380 |
| 3 | Current Expenses13000 | | 49,765 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 246,525 |

*159 - Division of Labor –**Amusement Rides and Amusement Attraction Safety Fund*

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

160 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2018 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 |

161 - Division of Labor –

Weights and Measures Fund

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 424,965 |
| 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..... | | \$ 703,465 |

162 - Division of Labor –

Bedding and Upholstery Fund

(WV Code Chapter 21)

Fund 3198 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 150,000 |
| 2 | Unclassified.....09900 | | 2,000 |
| 3 | Current Expenses13000 | | 43,000 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>2,000</u> |
| 7 | Total..... | \$ | 200,000 |

*163 - Division of Labor –**Psychophysiological Examiners Fund*

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

| | | | |
|---|-----------------------------|----|-------|
| 1 | Current Expenses13000 | \$ | 4,000 |
|---|-----------------------------|----|-------|

*164 - Division of Natural Resources –**License Fund – Wildlife Resources*

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

| | | | |
|---|--|----|------------------|
| 1 | Wildlife Resources.....02300 | \$ | 5,551,895 |
| 2 | Administration15500 | | 1,387,974 |
| 3 | Capital Improvements and Land Purchase (R)...24800 | | 1,387,973 |
| 4 | Law Enforcement.....80600 | | <u>5,551,895</u> |
| 5 | Total..... | \$ | 13,879,737 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*165 - Division of Natural Resources –**Natural Resources Game Fish and Aquatic Life Fund*

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 125,000 |
|---|------------------------|-------|----|---------|

*166 - Division of Natural Resources –**Nongame Fund*

(WV Code Chapter 20)

Fund 3203 FY 2018 Org 0310

| | | | | |
|---|---|-------|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 678,109 |
| 2 | Current Expenses | 13000 | | 201,930 |
| 3 | Equipment | 07000 | | <u>106,615</u> |
| 4 | Total | | \$ | 986,654 |

*167 - Division of Natural Resources –**Planning and Development Division*

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 289,167 |
| 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 | | \$ | 2,510,347 |

*168 - Division of Natural Resources –**Whitewater Study and Improvement Fund*

(WV Code Chapter 20)

Fund 3253 FY 2018 Org 0310

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 62,704 |
| 2 | Current Expenses | | 13000 |
| | | | 64,778 |
| 3 | Equipment.....07000 | | 1,297 |
| 4 | Buildings.....25800 | | 6,969 |
| 5 | Total..... | \$ | 135,748 |

*169 - Division of Natural Resources –**Whitewater Advertising and Promotion Fund*

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

| | | | |
|---|------------------------|----|--------|
| 1 | Unclassified.....09900 | \$ | 200 |
| 2 | Current Expenses | | 13000 |
| | | | 19,800 |
| 3 | Total..... | \$ | 20,000 |

*170 - Division of Miners' Health, Safety and Training –**Special Health, Safety and Training Fund*

(WV Code Chapter 22A)

Fund 3355 FY 2018 Org 0314

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 471,606 |
| 2 | WV Mining Extension Service | | 02600 |
| | | | 150,000 |
| 3 | Unclassified.....09900 | | 40,985 |
| 4 | Current Expenses | | 13000 |
| | | | 1,954,557 |
| 5 | Buildings.....25800 | | 481,358 |
| 6 | Land | | 73000 |
| | | | 1,000,000 |
| 7 | Total..... | \$ | 4,098,506 |

*171 - Department of Commerce –**Office of the Secretary –**Broadband Enhancement Fund*

Fund 3013 FY 2018 Org 0327

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 1,887,000 |
|---|------------------------|-------|----|-----------|

*172 - Office of Energy –**Energy Assistance*

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

| | | | | |
|---|---------------------------------|-------|----|--------|
| 1 | Energy Assistance – Total | 64700 | \$ | 62,000 |
|---|---------------------------------|-------|----|--------|

DEPARTMENT OF EDUCATION*173 - State Board of Education –**Strategic Staff Development*

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

| | | | | |
|---|--|-------|----|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 134,000 |
| 2 | Unclassified..... | 09900 | | 1,000 |
| 3 | Current Expenses | 13000 | | <u>265,000</u> |
| 4 | Total..... | | \$ | 400,000 |

*174 - State Board of Education –**School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | | |
|---|-------------------------------|-------|----|------------------|
| 1 | SBA Construction Grants | 24000 | \$ | 35,845,818 |
| 2 | Directed Transfer | 70000 | | <u>1,371,182</u> |
| 3 | Total..... | | \$ | 37,217,000 |

The above appropriation for Directed Transfer (fund 3951, appropriation 70000) shall be transferred to the School Building

Authority Fund (3959) for the administrative expenses of the School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,085,152 |
| 2 | Current Expenses13000 | | 246,880 |
| 3 | Repairs and Alterations.....06400 | | 13,150 |
| 4 | Equipment.....07000 | | <u>26,000</u> |
| 5 | Total..... | \$ | 1,371,182 |

DEPARTMENT OF EDUCATION AND THE ARTS

176 - Office of the Secretary –

Lottery Education Fund Interest Earnings –

Control Account

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

Any unexpended balance remaining in the appropriation for Educational Enhancements (fund 3508, appropriation 69500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

177 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 211,418 |
| 2 | Current Expenses13000 | | 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 |

178 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 119,738 |
| 2 | Current Expenses | | 2,180,122 |
| 3 | Repairs and Alterations | | 85,500 |
| 4 | Equipment | | 220,000 |
| 5 | Buildings | | 150,000 |
| 6 | Other Assets | | <u>150,000</u> |
| 7 | Total | \$ | 2,905,360 |

DEPARTMENT OF ENVIRONMENTAL PROTECTION

179 - Solid Waste Management Board

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 802,209 |
| 2 | Current Expenses | | 2,061,057 |
| 3 | Repairs and Alterations | | 1,000 |
| 4 | Equipment | | 5,000 |
| 5 | Other Assets | | <u>4,403</u> |
| 6 | Total | \$ | 2,873,669 |

180 - Division of Environmental Protection –

Hazardous Waste Management Fund

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 692,784 |
| 2 | Current Expenses | 13000 | 195,569 |
| 3 | Repairs and Alterations.....06400 | | 500 |
| 4 | Equipment.....07000 | | 1,505 |
| 5 | Unclassified.....09900 | | 3,072 |
| 6 | Other Assets.....69000 | | <u>2,000</u> |
| 7 | Total..... | \$ | 895,430 |

*181 - Division of Environmental Protection –**Air Pollution Education and Environment Fund*

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 935,324 |
| 2 | Current Expenses | 13000 | 1,238,610 |
| 3 | Repairs and Alterations.....06400 | | 13,000 |
| 4 | Equipment.....07000 | | 53,105 |
| 5 | Unclassified.....09900 | | 2,900 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,262,939 |

*182 - Division of Environmental Protection –**Special Reclamation Fund*

(WV Code Chapter 22)

Fund 3321 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

*183 - Division of Environmental Protection –**Oil and Gas Reclamation Fund*

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 143,906 |
| 2 | Current Expenses | 13000 | <u>356,094</u> |
| 3 | Total | \$ | 500,000 |

*184 - Division of Environmental Protection –**Oil and Gas Operating Permit and Processing Fund*

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,321,164 |
| 2 | Current Expenses | 13000 | 1,257,758 |
| 3 | Repairs and Alterations | 06400 | 20,600 |
| 4 | Equipment | 07000 | 8,000 |
| 5 | Unclassified | 09900 | 44,700 |
| 6 | Other Assets | 69000 | <u>15,000</u> |
| 7 | Total | \$ | 4,667,222 |

*185 - Division of Environmental Protection –**Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,035,449 |
| 2 | Current Expenses | 13000 | 2,300,097 |
| 3 | Repairs and Alterations | 06400 | 60,260 |
| 4 | Equipment | 07000 | 85,134 |
| 5 | Unclassified | 09900 | 920 |
| 6 | Other Assets | 69000 | <u>57,500</u> |

7 Total..... \$ 6,539,360

186 - Division of Environmental Protection –

Underground Storage Tank

Administrative Fund

(WV Code Chapter 22)

Fund 3325 FY 2018 Org 0313

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 466,543 |
| 2 | Current Expenses13000 | | 318,420 |
| 3 | Repairs and Alterations.....06400 | | 5,350 |
| 4 | Equipment07000 | | 3,610 |
| 5 | Unclassified.....09900 | | 7,520 |
| 6 | Other Assets69000 | | <u>3,500</u> |
| 7 | Total..... | \$ | 804,943 |

187 - Division of Environmental Protection –

Hazardous Waste Emergency Response Fund

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 643,319 |
| 2 | Current Expenses13000 | | 422,386 |
| 3 | Repairs and Alterations.....06400 | | 7,014 |
| 4 | Equipment07000 | | 9,000 |
| 5 | Unclassified.....09900 | | 10,616 |
| 6 | Other Assets69000 | | <u>11,700</u> |
| 7 | Total..... | \$ | 1,104,035 |

188 - Division of Environmental Protection –

Solid Waste Reclamation and

Environmental Response Fund

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 793,967 |
| 2 | Current Expenses13000 | | 3,605,237 |
| 3 | Repairs and Alterations06400 | | 25,000 |
| 4 | Equipment07000 | | 31,500 |
| 5 | Unclassified09900 | | 22,900 |
| 6 | Other Assets69000 | | <u>1,000</u> |
| 7 | Total..... | \$ | 4,479,604 |

*189 - Division of Environmental Protection –**Solid Waste Enforcement Fund*

(WV Code Chapter 22)

Fund 3333 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,041,424 |
| 2 | Current Expenses13000 | | 1,020,229 |
| 3 | Repairs and Alterations06400 | | 30,930 |
| 4 | Equipment07000 | | 23,356 |
| 5 | Unclassified09900 | | 37,145 |
| 6 | Other Assets69000 | | <u>25,554</u> |
| 7 | Total..... | \$ | 4,178,638 |

*190 - Division of Environmental Protection –**Air Pollution Control Fund*

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,667,421 |
| 2 | Current Expenses13000 | | 1,518,704 |
| 3 | Repairs and Alterations06400 | | 84,045 |
| 4 | Equipment07000 | | 115,356 |
| 5 | Unclassified09900 | | 5,580 |
| 6 | Other Assets69000 | | <u>52,951</u> |
| 7 | Total..... | \$ | 7,444,057 |

*191 - Division of Environmental Protection –**Environmental Laboratory**Certification Fund*

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 295,444 |
| 2 | Current Expenses13000 | | 216,288 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment07000 | | 6,500 |
| 5 | Unclassified.....09900 | | 1,120 |
| 6 | Other Assets69000 | | <u>179,000</u> |
| 7 | Total..... | \$ | 699,352 |

*192 - Division of Environmental Protection –**Stream Restoration Fund*

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 9,298,205 |
|---|-----------------------------|----|-----------|

*193 - Division of Environmental Protection –**Litter Control Fund*

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 60,000 |
|---|-----------------------------|----|--------|

*194 - Division of Environmental Protection –**Recycling Assistance Fund*

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 646,395 |
| 2 | Current Expenses | 13000 | 2,735,112 |
| 3 | Repairs and Alterations..... | 06400 | 800 |
| 4 | Equipment..... | 07000 | 500 |
| 5 | Unclassified..... | 09900 | 400 |
| 6 | Other Assets..... | 69000 | <u>2,500</u> |
| 7 | Total..... | \$ | 3,385,707 |

*195 - Division of Environmental Protection –**Mountaintop Removal Fund*

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,228,345 |
| 2 | Current Expenses | 13000 | 638,729 |
| 3 | Repairs and Alterations..... | 06400 | 30,112 |
| 4 | Equipment..... | 07000 | 23,725 |
| 5 | Unclassified..... | 09900 | 1,180 |
| 6 | Other Assets..... | 69000 | <u>15,500</u> |
| 7 | Total..... | \$ | 1,937,591 |

*196 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2018 Org 0315

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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*197 - Division of Health –**Ryan Brown Addiction Prevention and Recovery Fund*

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

1 Current Expenses 13000 \$ 22,000,000

*198 - Division of Health –**The Vital Statistics Account*

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 876,771 |
| 2 | Unclassified.....09900 | | 15,500 |
| 3 | Current Expenses13000 | | <u>1,257,788</u> |
| 4 | Total..... | \$ | 2,150,059 |

*199 - Division of Health –**Hospital Services Revenue Account**Special Fund**Capital Improvement, Renovation and Operations*

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

| | | | |
|---|--|----|-------------------|
| 1 | Institutional Facilities Operations33500 | \$ | 56,708,911 |
| 2 | Medical Services Trust Fund – Transfer.....51200 | | <u>27,800,000</u> |
| 3 | Total..... | \$ | 84,508,911 |

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by

W.Va. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated in fund 0525, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The Secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the appropriation for Institutional Facilities Operations to facilitate cost effective and cost saving services at the community level.

Necessary funds from the above appropriation may be used for medical facilities operations, either in connection with this fund or in connection with the appropriation designated Institutional Facilities Operations in the Consolidated Medical Service Fund (fund 0525, organization 0506).

From the above appropriation to Institutional Facilities Operations, together with available funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

200 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 862,657 |
| 2 | Unclassified.....09900 | | 18,114 |
| 3 | Current Expenses13000 | | <u>930,716</u> |
| 4 | Total..... | \$ | 1,811,487 |

201 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 605,950 |
| 2 | Unclassified.....09900 | | 7,113 |
| 3 | Current Expenses13000 | | <u>98,247</u> |
| 4 | Total..... | \$ | 711,310 |

*202 - Division of Health –**Hepatitis B Vaccine*

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 13,800 |
|---|-----------------------------|----|--------|

*203 - Division of Health –**Lead Abatement Account*

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 19,100 |
| 2 | Unclassified.....09900 | | 373 |
| 3 | Current Expenses13000 | | <u>17,875</u> |
| 4 | Total..... | \$ | 37,348 |

*204 - Division of Health –**West Virginia Birth-to-Three Fund*

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 707,545 |
| 2 | Unclassified.....09900 | | 223,999 |
| 3 | Current Expenses13000 | | <u>27,993,549</u> |

4 Total..... \$ 28,925,093

205 - Division of Health –

Tobacco Control Special Fund

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

1 Current Expenses13000 \$ 7,579

206 - West Virginia Health Care Authority –

Health Care Cost Review Fund

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,033,821 |
| 2 | Hospital Assistance02500 | 600,000 |
| 3 | Unclassified.....09900 | 67,000 |
| 4 | Current Expenses13000 | 2,837,945 |
| 5 | Repairs and Alterations.....06400 | 25,000 |
| 6 | Equipment.....07000 | 50,000 |
| 7 | Buildings25800 | 25,000 |
| 8 | Other Assets69000 | <u>100,000</u> |
| 9 | Total..... | \$ 6,738,766 |

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.Va. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

The Health Care Authority is authorized to transfer up to \$1,500,000 from fund 5375 to the West Virginia Health Information Network Account (fund 5380) as authorized per W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 805,113 |
| 2 | Current Expenses | 13000 | <u>774,967</u> |
| 3 | Total..... | \$ | 1,580,080 |

*208 - West Virginia Health Care Authority –**West Virginia Health Information Network Account*

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 729,000 |
| 2 | Unclassified..... | 09900 | 20,000 |
| 3 | Current Expenses | 13000 | 1,251,000 |
| 4 | Technology Infrastructure Network..... | 35100 | <u>3,500,000</u> |
| 5 | Total..... | \$ | 5,500,000 |

*209 - Division of Human Services –**Health Care Provider Tax –**Medicaid State Share Fund*

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------|
| 1 | Medical Services | 18900 | \$ 198,381,008 |
| 2 | Medical Services Administrative Costs | 78900 | <u>418,992</u> |
| 3 | Total..... | | \$ 198,800,000 |

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Health and Human Resources for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the West Virginia Medical Services Fund (fund 5084.)

*210 - Division of Human Services –**Child Support Enforcement Fund*

(WV Code Chapter 48A)

Fund 5094 FY 2018 Org 0511

| | | |
|---|--|-------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 24,809,509 |
| 2 | Unclassified.....09900 | 380,000 |
| 3 | Current Expenses13000 | <u>12,810,491</u> |
| 4 | Total..... | \$ 38,000,000 |

*211 - Division of Human Services –**Medical Services Trust Fund*

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

| | | |
|---|--|----------------|
| 1 | Medical Services.....18900 | \$ 32,266,277 |
| 2 | Medical Services Administrative Costs78900 | <u>548,723</u> |
| 3 | Total..... | \$ 32,815,000 |

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Division of Human Services accounts.

*212 - Division of Human Services –**James “Tiger” Morton Catastrophic Illness Fund*

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

| | | | | |
|---|------------------------|-------|----|----------------|
| 1 | Unclassified..... | 09900 | \$ | 7,000 |
| 2 | Current Expenses | 13000 | | <u>693,000</u> |
| 3 | Total..... | | \$ | 700,000 |

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 900,000 |
|---|------------------------|-------|----|---------|

214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 1,000,000 |
|---|------------------------|-------|----|-----------|

215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 2,000,000 |
|---|------------------------|-------|----|-----------|

216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 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

217 - 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 2018 Org 0601

1 Current Expenses 13000 32,000

218 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,643,528 |
| 2 | Current Expenses 13000 | 650,000 |
| 3 | Repairs and Alterations.....06400 | 485,652 |
| 4 | Equipment.....07000 | 300,000 |
| 5 | Buildings25800 | 770,820 |
| 6 | Other Assets69000 | 100,000 |
| 7 | Land73000 | <u>50,000</u> |
| 8 | Total..... | \$ 4,000,000 |

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

*219 - Division of Homeland Security and
Emergency Management –*

West Virginia Interoperable Radio Project

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

1 Current Expenses 13000 \$ 2,000,000

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 6295, appropriation 09600) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

220 - West Virginia Division of Corrections –

Parolee Supervision Fees

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,013,793 |
| 2 | Unclassified.....09900 | 9,804 |
| 3 | Current Expenses 13000 | 758,480 |
| 4 | Equipment07000 | 30,000 |
| 5 | Other Assets69000 | <u>40,129</u> |
| 6 | Total..... | \$ 1,852,206 |

221 - West Virginia State Police –

Motor Vehicle Inspection Fund

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 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 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

222 - West Virginia State Police –

Drunk Driving Prevention Fund

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

| | | | |
|---|------------------------|-------|----------------|
| 1 | Current Expenses | 13000 | \$ 1,327,000 |
| 2 | Equipment..... | 07000 | 3,491,895 |
| 3 | BRIM Premium..... | 91300 | <u>154,452</u> |
| 4 | Total..... | | \$ 4,973,347 |

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

| | | | |
|---|-------------------|-------|---------------|
| 1 | Buildings..... | 25800 | \$ 443,980 |
| 2 | Land | 73000 | 1,000 |
| 3 | BRIM Premium..... | 91300 | <u>77,222</u> |
| 4 | Total..... | | \$ 522,202 |

*224 - West Virginia State Police –**Surplus Transfer Account*

(WV Code Chapter 15)

Fund 6519 FY 2018 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 |

*225 - West Virginia State Police –**Central Abuse Registry Fund*

(WV Code Chapter 15)

Fund 6527 FY 2018 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 |

*226 - West Virginia State Police –**Bail Bond Enforcer Account*

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

| | | | | |
|---|------------------------|-------|----|-------|
| 1 | Current Expenses | 13000 | \$ | 8,300 |
|---|------------------------|-------|----|-------|

*227 - West Virginia State Police –**State Police Academy Post Exchange*

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

| | | | | |
|---|------------------------------|-------|----|---------------|
| 1 | Current Expenses | 13000 | \$ | 160,000 |
| 2 | Repairs and Alterations..... | 06400 | | <u>40,000</u> |
| 3 | Total..... | | \$ | 200,000 |

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

| | | | | |
|---|--|-------|----|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 1,971,039 |
| 2 | Debt Service..... | 04000 | | 9,000,000 |
| 3 | Current Expenses | 13000 | | 495,852 |
| 4 | Repairs and Alterations..... | 06400 | | 4,000 |
| 5 | Equipment..... | 07000 | | <u>1,743</u> |
| 6 | Total..... | | \$ | 11,472,634 |

*229 - Fire Commission –**Fire Marshal Fees*

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

| | | | | |
|---|--|-------|----|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 3,033,683 |
| 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 | | 12,000 |
| 7 | BRIM Premium..... | 91300 | | <u>50,000</u> |
| 8 | Total..... | | \$ | 4,548,333 |

*230 - Division of Justice and Community Services –**WV Community Corrections Fund*

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 152,000 |
| 2 | Unclassified.....09900 | | 750 |
| 3 | Current Expenses13000 | | 1,846,250 |
| 4 | Repairs and Alterations.....06400 | | <u>1,000</u> |
| 5 | Total..... | \$ | 2,000,000 |

*231 - Division of Justice and Community Services –**Court Security Fund*

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

| | | | |
|---|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 21,865 |
| 2 | Current Expenses13000 | | <u>1,478,135</u> |
| 3 | Total..... | \$ | 1,500,000 |

*232 - Division of Justice and Community Services –**Second Chance Driver's License Program Account*

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 25,000 |
|---|-----------------------------|----|--------|

DEPARTMENT OF REVENUE*233 - Division of Financial Institutions*

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,503,751 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 695,225 |
| 4 | Repairs and Alterations.....06400 | | 100 |
| 5 | Equipment07000 | | 14,000 |
| 6 | Other Assets69000 | | <u>15,000</u> |
| 7 | Total..... | \$ | 3,229,076 |

234 - Office of the Secretary –

State Debt Reduction Fund

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

| | | | | |
|---|-------------------------|-------|----|------------|
| 1 | Directed Transfer | 70000 | \$ | 20,000,000 |
|---|-------------------------|-------|----|------------|

The above appropriation for Directed Transfer shall be transferred to the Consolidated Public Retirement Board – West Virginia Public Employees Retirement System Employers Accumulation Fund (fund 2510).

235 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 23,459 |
| 2 | Current Expenses13000 | | <u>7,717</u> |
| 3 | Total..... | \$ | 31,176 |

236 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 655,203 |
| 2 | Unclassified.....09900 | | 9,500 |
| 3 | Current Expenses13000 | | 273,297 |
| 4 | Repairs and Alterations.....06400 | | 7,000 |
| 5 | Equipment07000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 950,000 |

237 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 254,162 |
| 2 | Current Expenses13000 | | <u>5,406</u> |
| 3 | Total..... | \$ | 259,568 |

238 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

| | | | |
|---|-----------------------------|----|---------------|
| 1 | Current Expenses13000 | \$ | 35,000 |
| 2 | Equipment.....07000 | | <u>15,000</u> |
| 3 | Total..... | \$ | 50,000 |

239 - Tax Division –

Local Sales Tax and Excise Tax

Administration Fund

(WV Code Chapter 11)

Fund 7099 FY 2018 Org 0702

| | | |
|---|--|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 1,508,968 |
| 2 | Unclassified.....09900 | 10,000 |
| 3 | Current Expenses13000 | 784,563 |
| 4 | Repairs and Alterations.....06400 | 1,000 |
| 5 | Equipment.....07000 | <u>5,000</u> |
| 6 | Total..... | \$ 2,309,531 |

240 - State Budget Office –

Public Employees Insurance Reserve Fund

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

| | | |
|---|-----------------------------------|--------------|
| 1 | Public Employees Insurance | |
| 2 | Reserve Fund – Transfer.....90300 | \$ 6,800,000 |

The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

241 - State Budget Office –

Public Employee Insurance Agency Financial Stability Fund

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

| | | |
|---|-----------------------------------|-------------------|
| 1 | Retiree Premium Offset80101 | \$ 5,000,000 |
| 2 | PEIA Reserve.....80102 | <u>10,000,000</u> |
| 3 | Total..... | \$ 15,000,000 |

The above appropriation shall be transferred to special revenue funds to be utilized by the West Virginia Public Employees Insurance Agency for the purposes of permitting the PEIA Finance Board to offset \$5 million in retiree premium increases. Additionally, \$10 million will be put into a reserve fund to stabilize and preserve the future solvency of PEIA. Such amount shall not be included in the calculation of the plan year aggregate premium cost-sharing percentages between employers and employees.

*242 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2018 Org 0704

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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..... | \$ | <u>2,182,407</u> |

*243 - Insurance Commissioner –**Consumer Advocate*

(WV Code Chapter 33)

Fund 7151 FY 2018 Org 0704

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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..... | \$ | <u>817,930</u> |

*244 - Insurance Commissioner –**Insurance Commission Fund*

(WV Code Chapter 33)

Fund 7152 FY 2018 Org 0704

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

| | | | |
|---|------------------------|-------|--------------------|
| 1 | Employee Benefits..... | 01000 | \$ 50,000 |
| 2 | Current Expenses..... | 13000 | <u>250,500,000</u> |
| 3 | Total..... | | \$ 250,550,000 |

246 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

| | | | |
|---|-----------------------|-------|---------------|
| 1 | Current Expenses..... | 13000 | \$ 15,000,000 |
|---|-----------------------|-------|---------------|

247 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

| | | | |
|---|-----------------------|-------|--------------|
| 1 | Current Expenses..... | 13000 | \$ 9,000,000 |
|---|-----------------------|-------|--------------|

248 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|------------|
| 1 | Current Expenses | 13000 | \$ | 14,000,000 |
|---|------------------------|-------|----|------------|

249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 Org 0706

| | | | | |
|---|---|-------|----|------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 247,523 |
| 2 | Current Expenses | 13000 | | 144,844 |
| 3 | Equipment | 07000 | | <u>100</u> |
| 4 | Total | | \$ | 392,467 |

*250 - Racing Commission –**Relief Fund*

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

| | | | | |
|---|--------------------------------|-------|----|--------|
| 1 | Medical Expenses – Total | 24500 | \$ | 57,000 |
|---|--------------------------------|-------|----|--------|

The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care and/or funeral expenses for persons contributing to this fund.

*251 - Racing Commission –**Administration and Promotion Account*

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

| | | | | |
|---|---|-------|----|---------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 256,665 |
| 2 | Current Expenses | 13000 | | 93,335 |

| | | | |
|---|-------------------|-------|--------------|
| 3 | Other Assets..... | 69000 | <u>5,000</u> |
| 4 | Total..... | | \$ 355,000 |

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 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 |

253 - Racing Commission –

Administration, Promotion, Education, Capital Improvement

and Greyhound Adoption Programs

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 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 |

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 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 | 100 |
| 7 | Total..... | | \$ 308,888 |

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 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 | 100 |
| 10 | Total..... | | \$102,303,114 |

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses and equipment of administrative offices, warehouses and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for

the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 30,000 |
|---|------------------------|-------|----|--------|

DEPARTMENT OF TRANSPORTATION

257 - Division of Motor Vehicles –

Dealer Recovery Fund

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 189,000 |
|---|------------------------|-------|----|---------|

258 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 3,362,799 |
| 2 | Current Expenses | 13000 | | 4,374,083 |
| 3 | Repairs and Alterations.....06400 | | | 16,000 |
| 4 | Equipment.....07000 | | | 75,000 |
| 5 | Other Assets.....69000 | | | 10,000 |
| 6 | BRIM Premium.....91300 | | | <u>73,629</u> |
| 7 | Total..... | | \$ | 7,911,511 |

259 - Division of Highways –

A. James Manchin Fund

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

1 Current Expenses13000 \$ 1,650,000

DEPARTMENT OF VETERANS' ASSISTANCE

260 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 94,210 |
| 2 | Current Expenses13000 | | 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 |

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 Org 0618

| | | | |
|---|-----------------------------------|----|---------------|
| 1 | Current Expenses13000 | \$ | 700,000 |
| 2 | Repairs and Alterations.....06400 | | <u>50,000</u> |
| 3 | Total..... | \$ | 750,000 |

BUREAU OF SENIOR SERVICES

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 Org 0508

| | | | |
|---|---|-------|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 151,290 |
| 2 | Current Expenses | 13000 | <u>10,348,710</u> |
| 3 | Total..... | \$ | 10,500,000 |

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

263 - 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 2018 Org 0442

| | | | | |
|---|---|-------|----|----------------|
| 1 | Debt Service..... | 04000 | \$ | 27,716,974 |
| 2 | General Capital Expenditures | 30600 | | 5,000,000 |
| 3 | Facilities Planning and Administration..... | 38600 | | <u>421,082</u> |
| 4 | Total..... | | \$ | 33,138,056 |

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been refunded.

265 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Improvements – Total (fund 4908, appropriation 95800) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The total amount of this appropriation shall be paid from the sale of the 2009 Series A Community and Technical College Capital Improvement Revenue Bonds and anticipated interest earnings.

266 - West Virginia University –

West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 Org 0463

| | | |
|---|---|---------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 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*267 - Board of Barbers and Cosmetologists –**Barbers and Beauticians Special Fund*

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

| | | |
|---|---|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 504,497 |
| 2 | Current Expenses | 13000 <u>239,969</u> |
| 3 | Total..... | \$ 744,466 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

*268 - Hospital Finance Authority –**Hospital Finance Authority Fund*

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

| | | |
|---|---|---------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 85,981 |
| 2 | Unclassified.....09900 | 1,450 |
| 3 | Current Expenses | 13000 <u>57,740</u> |
| 4 | Total..... | \$ 145,171 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the Code.

269 - WV State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,324 |
| 2 | Current Expenses13000 | | <u>53,133</u> |
| 3 | Total..... | \$ | 483,457 |

270 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,081,694 |
| 2 | Current Expenses13000 | | 295,339 |
| 3 | Repairs and Alterations.....06400 | | 3,000 |
| 4 | Equipment.....07000 | | 19,500 |
| 5 | Other Assets.....69000 | | <u>4,500</u> |
| 6 | Total..... | \$ | 1,404,033 |

271 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 11,807,314 |
| 2 | Unclassified.....09900 | | 147,643 |
| 3 | Current Expenses13000 | | 2,594,398 |
| 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>150,040</u> |
| 9 | Total..... | | \$ 19,634,848 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

272 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2018 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 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

273 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,243,526 |
| 2 | Unclassified.....09900 | | 29,233 |
| 3 | Current Expenses13000 | | 577,557 |
| 4 | Repairs and Alterations.....06400 | | 23,000 |
| 5 | Equipment.....07000 | | <u>50,000</u> |
| 6 | Total..... | \$ | 2,923,316 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

*274 - Public Service Commission –**Consumer Advocate Fund*

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 743,372 |
| 2 | Current Expenses13000 | | 276,472 |
| 3 | Equipment.....07000 | | 9,872 |
| 4 | BRIM Premium.....91300 | | <u>4,660</u> |
| 5 | Total..... | \$ | 1,034,376 |

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

*275 - Real Estate Commission –**Real Estate License Fund*

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 582,413 |
| 2 | Current Expenses13000 | | 285,622 |

| | | |
|---|-----------------------------------|---------------|
| 3 | Repairs and Alterations.....06400 | 5,000 |
| 4 | Equipment.....07000 | <u>10,000</u> |
| 5 | Total..... | \$ 883,035 |

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

276 - WV Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 73,190 |
| 2 | Current Expenses13000 | <u>65,623</u> |
| 3 | Total..... | \$ 138,813 |

277 - WV Board of Respiratory Care –

Board of Respiratory Care Fund

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 79,643 |
| 2 | Current Expenses13000 | 51,047 |
| 3 | Repairs and Alterations.....06400 | <u>400</u> |
| 4 | Total..... | \$ 131,090 |

278 - WV Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

| | | |
|---|---|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ 15,950 |
|---|---|-----------|

| | | | |
|---|------------------------|-------|---------------|
| 2 | Current Expenses | 13000 | <u>17,050</u> |
| 3 | Total..... | \$ | 33,000 |

279 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 104,418 |
| 2 | Current Expenses | 13000 | <u>22,648</u> |
| 3 | Total..... | \$ | 127,066 |

280 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2018 Org 0944

| | | | |
|---|------------------------|----|-----------|
| 1 | Debt Service.....04000 | \$ | 1,400,000 |
|---|------------------------|----|-----------|

The above appropriation for Debt Service (fund 9067, appropriation 04000) shall be paid from the cash balance remaining in the Cacapon and Beech Fork State Parks Lottery Revenue Debt Service Fund (9067).

281 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

| | | | |
|---|---|---------------|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,187,752 |
| 2 | Current Expenses | 13000 | 988,789 |
| 3 | Repairs and Alterations.....06400 | <u>20,000</u> | |
| 4 | Total..... | \$ | 2,196,541 |

*282 - West Virginia Enterprise Resource Planning Board –**Enterprise Resource Planning System Fund*

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 6,713,066 |
| 2 | Unclassified.....09900 | | 232,000 |
| 3 | Current Expenses13000 | | 20,140,134 |
| 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..... | \$ | 27,500,000 |

*283 - Board of Treasury Investments –**Board of Treasury Investments Fee Fund*

(WV Code Chapter 12)

Fund 9152 FY 2018 Org 0950

| | | | |
|---|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 782,889 |
| 2 | Unclassified.....09900 | | 14,850 |
| 3 | Current Expenses13000 | | 650,714 |
| 4 | BRIM Premium.....91300 | | 36,547 |
| 5 | Fees of Custodians, Fund Advisors | | |
| 6 | and Fund Managers.....93800 | | <u>3,500,000</u> |
| 7 | Total..... | \$ | 4,985,000 |

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

Total TITLE II, Section 3 – Other Funds

(Including claims against the state)..... \$ 1,467,741,051

Sec. 4. Appropriations from lottery net profits. — Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, and Fund 3514 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

284 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

| | Appro- | Lottery |
|------------------------------|-----------------|----------------|
| | priation | Funds |
| 1 Debt Service – Total | 31000 | \$ 10,000,000 |

285 - West Virginia Development Office –

West Virginia Tourism Office (WV Code Chapter 5B)

Fund 3067 FY 2018 Org 0304

| | | | | |
|---|--------------------------------------|-------|----|------------------|
| 1 | Tourism – Telemarketing Center | 46300 | \$ | 82,080 |
| 2 | Tourism – Advertising (R)..... | 61800 | | 1,822,407 |
| 3 | Tourism – Operations (R)..... | 66200 | | <u>3,951,872</u> |
| 4 | Total..... | | \$ | 5,856,359 |

From the above appropriation for Tourism – Operations (fund 3067, appropriation 66200) funding shall be provided for the operation of the WV Film Office.

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800), and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

| | | | | |
|---|---|-------|----|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 2,090,941 |
| 2 | Current Expenses | 13000 | | 23,000 |
| 3 | Pricketts Fort State Park..... | 32400 | | 106,560 |
| 4 | Non-Game Wildlife (R) | 52700 | | 365,540 |
| 5 | State Parks and Recreation Advertising (R) | 61900 | | <u>494,578</u> |
| 6 | Total..... | | \$ | 3,080,619 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3267, appropriation 09900), Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | | |
|---|--|-------|----|-------------------|
| 1 | FBI Checks..... | 37200 | \$ | 108,860 |
| 2 | Vocational Education | | | |
| 3 | Equipment Replacement..... | 39300 | | 800,000 |
| 4 | Assessment Program (R)..... | 39600 | | 2,946,059 |
| 5 | 21st Century Technology Infrastructure | | | |
| 6 | Network Tools and Support (R) | 93300 | | <u>14,151,287</u> |
| 7 | Total..... | | \$ | 18,006,206 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3951, appropriation 09900), Current Expenses (fund 3951, appropriation 13000), Assessment Program (fund 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

288 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

| | | | | |
|---|----------------------------|-------|----|-------------------|
| 1 | Debt Service – Total | 31000 | \$ | 6,414,437 |
| 2 | Directed Transfer | 70000 | | <u>11,585,563</u> |
| 3 | Total..... | | \$ | 18,000,000 |

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.Va. Code §29-22-18.

289 - Department of Education and the Arts –

Office of the Secretary –

Control Account –

Lottery Education Fund

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

| | | | | |
|---|---|-------|----|----------------|
| 1 | Unclassified (R) | 09900 | \$ | 9,483 |
| 2 | Current Expenses | 13000 | | 110,617 |
| 3 | Commission for National | | | |
| 4 | and Community Service | 19300 | | 348,254 |
| 5 | Statewide STEM 21st Century Academy | 89700 | | 130,000 |
| 6 | Literacy Project (R)..... | 89900 | | <u>350,000</u> |
| 7 | Total..... | | \$ | 948,354 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3508, appropriation 09900), Governor's Honors Academy (fund 3508, appropriation 47800), Arts Programs (fund 3508, appropriation 50000), and Literacy Project (fund 3508, appropriation 89900) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*290 - Division of Culture and History –**Lottery Education Fund*

(WV Code Chapter 29)

Fund 3534 FY 2018 Org 0432

| | | | | |
|----|--|-------|----|-----------|
| 1 | Huntington Symphony | 02700 | \$ | 73,823 |
| 2 | Preservation WV (R)..... | 09200 | | 587,519 |
| 3 | Fairs and Festivals (R) | 12200 | | 1,668,297 |
| 4 | Archeological Curation/Capital | | | |
| 5 | Improvements (R)..... | 24600 | | 37,593 |
| 6 | Historic Preservation Grants (R)..... | 31100 | | 368,428 |
| 7 | West Virginia Public Theater..... | 31200 | | 150,024 |
| 8 | Greenbrier Valley Theater | 42300 | | 124,429 |
| 9 | Theater Arts of West Virginia..... | 46400 | | 112,500 |
| 10 | Marshall Artists Series | 51800 | | 45,007 |
| 11 | Grants for Competitive Arts Program (R)..... | 62400 | | 726,000 |
| 12 | West Virginia State Fair..... | 65700 | | 39,052 |
| 13 | Save the Music..... | 68000 | | 30,000 |
| 14 | Contemporary American Theater Festival.... | 81100 | | 71,602 |

| | | | |
|----|--------------------------------------|-------|---------------|
| 15 | Independence Hall | 81200 | 34,097 |
| 16 | Mountain State Forest Festival | 86400 | 47,734 |
| 17 | WV Symphony..... | 90700 | 73,823 |
| 18 | Wheeling Symphony..... | 90800 | 73,823 |
| 19 | Appalachian Children's Chorus..... | 91600 | <u>68,193</u> |
| 20 | Total..... | | \$ 4,331,944 |

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$3,342, Aracoma Story (Logan) \$37,129, Arts Monongahela (Monongalia) \$14,852, Barbour County Arts and Humanities Council \$1,114, Beckley Main Street (Raleigh) \$3,713, Buffalo Creek Memorial (Logan) \$3,713, Carnegie Hall (Greenbrier) \$58,624, Ceredo Historical Society (Wayne) \$1,485, Ceredo Kenova Railroad Museum (Wayne) \$1,485, Ceredo Museum (Wayne) \$900, Children's Theatre of Charleston (Kanawha) \$3,909, Chuck Mathena Center (Mercer) \$78,165, Collis P. Huntington Railroad Historical Society (Cabell) \$7,426, Country Music Hall of Fame and Museum (Marion) \$5,198, First Stage Children's Theater Company \$1,485, Flannigan Murrell House (Summers) \$4,726, Fort Ashby Fort (Mineral) \$1,114, Fort New Salem (Harrison) \$2,748, Fort Randolph (Mason) \$3,713, General Adam Stephen Memorial Foundation (Berkeley) \$13,757, Grafton Mother's Day Shrine Committee (Taylor) \$6,312, Hardy County Tour and Crafts Association \$14,852, Heartwood in the Hills (Calhoun) \$6,300, Heritage Farm Museum & Village (Cabell) \$37,129, Historic Fayette Theater (Fayette) \$4,084, Historic Middleway Conservancy (Jefferson) \$743, Jefferson County Black History Preservation Society \$3,713, Jefferson County Historical Landmark Commission \$5,941, Maddie Carroll House (Cabell) \$5,569, Marshall County Historical Society \$6,312, McCoy Theater (Hardy) \$14,852, Morgantown Theater Company (Monongalia) \$14,852, Mountaineer Boys' State (Lewis) \$7,426, Nicholas Old Main Foundation (Nicholas) \$1,485, Norman Dillon Farm Museum (Berkeley) \$7,426, Old Opera House Theater Company (Jefferson) \$11,138, Parkersburg Arts Center (Wood) \$14,852, Pocahontas Historic Opera House \$4,455, Raleigh County All Wars Museum \$7,426, Rhododendron Girl's State

(Ohio) \$7,426, Roane County 4-H and FFA Youth Livestock Program \$3,713, Scottish Heritage Society/N. Central WV (Harrison) \$3,713, Society for the Preservation of McGrew House (Preston) \$2,599, Southern West Virginia Veterans' Museum \$4,242, Summers County Historic Landmark Commission \$3,713, Those Who Served War Museum (Mercer) \$2,970, Three Rivers Avian Center (Summers) \$6,638, Tug Valley Arts Council (Mingo) \$3,713, Tug Valley Chamber of Commerce Coal House (Mingo) \$1,485, Tunnelton Historical Society (Preston) \$1,485, Veterans Committee for Civic Improvement of Huntington (Wayne) \$3,713, West Virginia Museum of Glass (Lewis) \$3,713, West Virginia Music Hall of Fame (Kanawha) \$25,990, YMCA Camp Horseshoe (Tucker) \$74,257, Youth Museum of Southern West Virginia (Raleigh) \$8,911, Z.D. Ramsdell House (Wayne) \$900.

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$2,250, African-American Cultural Heritage Festival (Jefferson) \$3,713, Alderson 4th of July Celebration (Greenbrier) \$3,713, Allegheny Echo (Pocahontas) \$5,570, Alpine Festival/Leaf Peepers Festival (Tucker) \$8,354, American Civil War (Grant) \$3,909, American Legion Post 8 Veterans Day Parade (McDowell) \$1,563, Angus Beef and Cattle Show (Lewis) \$1,114, Annual Birch River Days (Nicholas) \$1,620, Annual Don Redman Heritage Concert & Awards (Jefferson) \$1,173, Annual Ruddle Park Jamboree (Pendleton) \$5,863, Antique Market Fair (Lewis) \$1,485, Apollo Theater-Summer Program (Berkeley) \$1,485, Apple Butter Festival (Morgan) \$4,455, Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,599, Armed Forces Day-South Charleston (Kanawha) \$2,228, Arthurdale Heritage New Deal Festival (Preston) \$3,713, Athens Town Fair (Mercer) \$1,485, Augusta Fair (Randolph) \$3,713, Autumn Harvest Fest (Monroe) \$3,060, Barbour County Fair \$18,564, Barboursville Octoberfest (Cabell) \$3,713, Bass Festival (Pleasants) \$1,374, Battelle District Fair (Monongalia) \$3,713, Battle of Dry Creek (Greenbrier) \$1,114, Battle of Point Pleasant Memorial Committee (Mason) \$3,713, Belle Town Fair (Kanawha) \$3,342, Belleville Homecoming (Wood) \$14,852,

Bergoo Down Home Days (Webster) \$1,857, Berkeley County Youth Fair \$13,738, Black Bear 4K Mountain Bike Race (Kanawha) \$855, Black Heritage Festival (Harrison) \$4,455, Black Walnut Festival (Roane) \$7,426, Blast from the Past (Upshur) \$1,800, Blue-Gray Reunion (Barbour) \$2,599, Boone County Fair \$7,426, Boone County Labor Day Celebration \$2,970, Bradshaw Fall Festival (McDowell) \$1,485, Brandonville Heritage Day (Preston) \$1,310, Braxton County Fair \$8,540, Braxton County Monster Fest / West Virginia Autumn Festival \$1,857, Brooke County Fair \$2,599, Bruceon Mills Good Neighbor Days (Preston) \$1,485, Buckwheat Festival (Preston) \$6,313, Buffalo 4th of July Celebration (Putnam) \$500, Buffalo October Fest (Putnam) \$4,050, Burlington Apple Harvest Festival (Mineral) \$22,277, Burlington Pumpkin Harvest Festival (Raleigh) \$3,713, Burnsville Harvest Festival (Braxton) \$1,759, Cabell County Fair \$7,426, Calhoun County Wood Festival \$1,485, Campbell's Creek Community Fair (Kanawha) \$1,857, Cape Coalwood Festival Association (McDowell) \$1,857, Capon Bridge Founders Day Festival (Hampshire) \$1,485, Capon Springs Ruritan 4th of July (Hampshire) \$855, Cass Homecoming (Pocahontas) \$1,485, Cedarville Town Festival (Gilmer) \$855, Celebration in the Park (Wood) \$2,970, Celebration of America (Monongalia) \$4,455, Ceredo Freedom Festival (Wayne) \$876, Chapmanville Apple Butter Festival (Logan) \$855, Chapmanville Fire Department 4th of July (Logan) \$2,228, Charles Town Christmas Festival (Jefferson) \$3,713, Charles Town Heritage Festival (Jefferson) \$3,713, Cherry River Festival (Nicholas) \$4,827, Chester Fireworks (Hancock) \$1,114, Chester 4th of July Festivities (Hancock) \$3,713, Chief Logan State Park-Civil War Celebration (Logan) \$5,941, Chilifest West Virginia State Chili Championship (Cabell) \$1,954, Christmas In Our Town (Marion) \$3,909, Christmas in Shepherdstown (Jefferson) \$2,970, Christmas in the Park (Brooke) \$3,713, Christmas in the Park (Logan) \$18,564, City of Dunbar Critter Dinner (Kanawha) \$7,426, City of Logan Polar Express (Logan) \$5,570, City of New Martinsville Festival of Memories (Wetzel) \$8,168, Clay County Golden Delicious Apple Festival \$5,198, Clay District Fair (Monongalia) \$1,350, Coal Field Jamboree (Logan) \$25,990, Coalton Days Fair (Randolph) \$5,198, Country Roads Festival (Fayette) \$1,485, Cowen Railroad

Festival (Webster) \$2,599, Craigsville Fall Festival (Nicholas) \$2,599, Cruise into Princeton (Mercer) \$2,700, Culturefest World Music & Arts Festival (Mercer) \$5,863, Delbarton Homecoming (Mingo) \$2,599, Doddridge County Fair \$5,198, Dorcas Ice Cream Social (Grant) \$4,455, Durbin Days (Pocahontas) \$3,713, Elbert/Filbert Reunion Festival (McDowell) \$1,114, Elkins Randolph County 4th of July Car Show (Randolph) \$1,485, Fairview 4th of July Celebration (Marion) \$855, Farm Safety Day (Preston) \$1,485, Farmer's Day Festival (Monroe) \$2,913, Farmers' Day Parade (Wyoming) \$900, Fenwick Mountain Old Time Community Festival (Nicholas) \$3,600, FestivALL Charleston (Kanawha) \$14,852, Flatwoods Days (Braxton) \$876, Flemington Day Fair and Festival (Taylor) \$2,599, Follansbee Community Days (Brooke) \$6,126, Fort Gay Mountain Heritage Days (Wayne) \$3,713, Fort Henry Days (Ohio) \$3,936, Fort Henry Living History (Ohio) \$1,954, Fort New Salem Spirit of Christmas Festival (Harrison) \$3,040, Frankford Autumnfest (Greenbrier) \$3,713, Franklin Fishing Derby (Pendleton) \$5,570, Freshwater Folk Festival (Greenbrier) \$3,713, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$3,713, Frontier Days (Harrison) \$2,228, Frontier Fest/Canaan Valley (Taylor) \$3,713, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$1,857, Gassaway Days Celebration (Braxton) \$3,713, Gilbert Elementary Fall Blast (Mingo) \$2,735, Gilbert Kiwanis Harvest Festival (Mingo) \$2,970, Gilbert Spring Fling (Mingo) \$4,494, Gilmer County Farm Show \$2,970, Grant County Arts Council \$1,485, Grape Stomping Wine Festival (Nicholas) \$1,485, Great Greenbrier River Race (Pocahontas) \$7,426, Greater Quinwood Days (Greenbrier) \$977, Guyandotte Civil War Days (Cabell) \$7,426, Hamlin 4th of July Celebration (Lincoln) \$3,713, Hampshire Civil War Celebration Days (Hampshire) \$855, Hampshire County 4th of July Celebration \$14,852, Hampshire County Fair \$6,253, Hampshire Heritage Days (Hampshire) \$2,970, Hancock County Oldtime Fair \$3,713, Hardy County Commission - 4th of July \$7,426, Hatfield McCoy Matewan Reunion Festival (Mingo) \$15,413, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$3,713, Heat'n the Hills Chilifest (Lincoln) \$3,127, Heritage Craft Festival (Monroe) \$1,305, Heritage Days Festival (Roane) \$1,114, Hilltop Festival (Cabell) \$855, Hilltop Festival of Lights

(McDowell) \$1,485, Hinton Railroad Days (Summers) \$5,434, Holly River Festival (Webster) \$1,114, Hometown Mountain Heritage Festival (Fayette) \$3,040, Hundred 4th of July (Wetzel) \$5,384, Hundred American Legion Earl Kiger Post Bluegrass Festival (Wetzel) \$1,485, Hurricane 4th of July Celebration (Putnam) \$3,713, Iaeger Town Fair (McDowell) \$1,114, Irish Heritage Festival of West Virginia (Raleigh) \$3,713, Irish Spring Festival (Lewis) \$855, Italian Heritage Festival-Clarksburg (Harrison) \$22,277, Jackson County Fair \$3,713, Jamboree (Pocahontas) \$3,713, Jane Lew Arts and Crafts Fair (Lewis) \$855, Jefferson County Fair Association \$18,564, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$855, John Henry Days Festival (Monroe) \$5,873, Johnnie Johnson Blues and Jazz Festival (Marion) \$3,713, Johnstown Community Fair (Harrison) \$1,857, Junior Heifer Preview Show (Lewis) \$1,485, Kanawha Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$3,713, Keeper of the Mountains-Kayford (Kanawha) \$1,857, Kenova Autumn Festival (Wayne) \$5,472, Kermit Fall Festival (Mingo) \$2,228, Keystone Reunion Gala (McDowell) \$1,954, King Coal Festival (Mingo) \$3,713, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,485, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$3,713, Lady of Agriculture (Preston) \$855, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$7,426, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$3,713, Last Blast of Summer (McDowell) \$3,713, Lewis County Fair Association \$2,599, Lewisburg Shanghai (Greenbrier) \$1,485, Lincoln County Fall Festival \$5,941, Lincoln County Winterfest \$3,713, Lindsie Veterans' Day Parade \$900, Little Levels Heritage Festival (Pocahontas) \$1,485, Lost Creek Community Festival (Harrison) \$5,198, Main Street Arts Festival (Upshur) \$3,909, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$3,517, Mannington District Fair (Marion) \$4,455, Maple Syrup Festival (Randolph) \$855, Marion County FFA Farm Fest \$1,857, Marmet Labor Day Celebration (Kanawha) \$3,848, Marshall County Antique Power Show \$1,857, Marshall County Fair \$5,570, Mason County Fair \$3,713, Mason Dixon Festival (Monongalia) \$5,198, Matewan Massacre Reenactment (Mingo) \$6,255, Matewan-Magnolia Fair (Mingo) \$19,915, McARTS-McDowell County

\$14,852, McDowell County Fair \$1,857, McGrew House History Day (Preston) \$1,485, McNeill's Rangers (Mineral) \$5,941, Meadow Bridge Hometown Festival (Fayette) \$929, Meadow River Days Festival (Greenbrier) \$2,228, Mercer Bluestone Valley Fair (Mercer) \$1,485, Mercer County Fair \$1,485, Mercer County Heritage Festival \$4,343, Mid Ohio Valley Antique Engine Festival (Wood) \$2,228, Milton Christmas in the Park (Cabell) \$1,857, Milton 4th of July Celebration (Cabell) \$1,857, Mineral County Fair \$1,300, Mineral County Veterans Day Parade \$1,114, Molasses Festival (Calhoun) \$1,485, Monongahfest (Marion) \$4,690, Moon Over Mountwood Fishing Festival (Wood) \$2,228, Morgan County Fair-History Wagon \$1,114, Moundsville Bass Festival (Marshall) \$2,970, Moundsville July 4th Celebration (Marshall) \$3,713, Mount Liberty Fall Festival (Barbour) \$1,857, Mountain Fest (Monongalia) \$14,852, Mountain Festival (Mercer) \$3,434, Mountain Heritage Arts and Crafts Festival (Jefferson) \$3,713, Mountain Music Festival (McDowell) \$1,857, Mountain State Apple Harvest Festival (Berkeley) \$5,570, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$33,415, Mountaineer Hot Air Balloon Festival (Monongalia) \$2,970, Mullens Dogwood Festival (Wyoming) \$5,198, Multi-Cultural Festival of West Virginia (Kanawha) \$14,852, Music and Barbecue - Banks District VFD (Upshur) \$1,598, New Cumberland Christmas Parade (Hancock) \$2,228, New Cumberland 4th of July (Hancock) \$3,713, New River Bridge Day Festival (Fayette) \$29,703, Newburg Volunteer Fireman's Field Day (Preston) \$855, Nicholas County Fair \$3,713, Nicholas County Potato Festival \$2,599, Oak Leaf Festival (Fayette) \$7,817, Oceana Heritage Festival (Wyoming) \$4,455, Oglebay City Park - Festival of Lights (Ohio) \$59,405, Oglebay Festival (Ohio) \$7,426, Ohio County Country Fair \$6,683, Ohio River Fest (Jackson) \$5,400, Ohio Valley Beef Association (Wood) \$1,857, Ohio Valley Black Heritage Festival (Ohio) \$4,084, Old Central City Fair (Cabell) \$3,713, Old Century City Fair (Barbour) \$1,563, Old Tyme Christmas (Jefferson) \$1,782, Paden City Labor Day Festival (Wetzel) \$4,827, Parkersburg Homecoming (Wood) \$10,943, Patty Fest (Monongalia) \$1,485, Paw Paw District Fair (Marion) \$2,599, Pax Reunion Committee (Fayette) \$3,713, Pendleton County 4-H Weekend \$1,485, Pendleton County Committee for Arts \$11,138,

Pendleton County Fair \$7,817, Pennsboro Country Road Festival (Ritchie) \$1,485, Petersburg 4th of July Celebration (Grant) \$14,852, Petersburg HS Celebration (Grant) \$7,426, Piedmont-Annual Back Street Festival (Mineral) \$2,970, Pinch Reunion (Kanawha) \$1,114, Pine Bluff Fall Festival (Harrison) \$2,970, Pine Grove 4th of July Festival (Wetzel) \$5,198, Pineville Festival (Wyoming) \$4,455, Pleasants County Agriculture Youth Fair \$3,713, Poca Heritage Days (Putnam) \$2,228, Pocahontas County Pioneer Days \$5,198, Point Pleasant Stern Wheel Regatta (Mason) \$3,713, Pratt Fall Festival (Kanawha) \$1,857, Princeton Autumnfest (Mercer) \$1,954, Princeton Street Fair (Mercer) \$3,713, Putnam County Fair \$3,713, Quartets on Parade (Hardy) \$2,970, Rainelle Fall Festival (Greenbrier) \$3,909, Rand Community Center Festival (Kanawha) \$1,857, Randolph County Community Arts Council \$2,228, Randolph County Fair \$5,198, Randolph County Ramp and Rails \$1,485, Ranson Christmas Festival (Jefferson) \$3,713, Ranson Festival (Jefferson) \$3,713, Renick Liberty Festival (Greenbrier) \$855, Ripley 4th of July (Jackson) \$11,138, Ritchie County Fair and Exposition \$3,713, Ritchie County Pioneer Days \$855, River City Festival (Preston) \$855, Roane County Agriculture Field Day \$2,228, Rock the Park (Kanawha) \$4,050, Rocket Boys Festival (Raleigh) \$2,138, Romney Heritage Days (Hampshire) \$2,345, Ronceverte River Festival (Greenbrier) \$3,713, Rowlesburg Labor Day Festival (Preston) \$855, Rupert Country Fling (Greenbrier) \$2,228, Saint Spyridon Greek Festival (Harrison) \$1,857, Salem Apple Butter Festival (Harrison) \$2,970, Sistersville 4th of July (Tyler) \$4,084, Skirmish on the River (Mingo) \$1,563, Smoke on the Water (Wetzel) \$2,228, South Charleston Summerfest (Kanawha) \$7,426, Southern Wayne County Fall Festival \$855, Spirit of Grafton Celebration (Taylor) \$7,426, Springfield Peach Festival (Hampshire) \$923, St. Albans City of Lights - December (Kanawha) \$3,713, Sternwheel Festival (Wood) \$2,228, Stoco Reunion (Raleigh) \$1,857, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$8,168, Stonewall Jackson's Roundhouse Raid (Berkeley) \$9,000, Storytelling Festival (Lewis) \$500, Strawberry Festival (Upshur) \$22,277, Sylvester Big Coal River Festival \$2,430, Tacy Fair (Barbour) \$855, Taste of Parkersburg (Wood) \$3,713, Taylor County Fair \$4,084, Terra Alta VFD 4th of

July Celebration (Preston) \$855, The Gathering at Sweet Creek (Wood) \$2,228, Three Rivers Coal Festival (Marion) \$5,755, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$11,138, Town of Delbarton 4th of July Celebration (Mingo) \$2,228, Town of Fayetteville Heritage Festival (Fayette) \$5,570, Town of Matoaka Hog Roast (Mercer) \$855, Town of Rivesville 4th of July Festival (Marion) \$3,909, Town of Winfield - Putnam County Homecoming \$4,050, St. Albans Train Fest (Kanawha) \$7,650, Treasure Mountain Festival (Pendleton) \$18,564, Tri-County Fair (Grant) \$28,186, Tucker County Arts Festival and Celebration \$13,366, Tucker County Fair \$3,527, Tucker County Health Fair \$1,485, Tunnelton Depot Days (Preston) \$855, Tunnelton Volunteer Fire Department Festival (Preston) \$855, Turkey Festival (Hardy) \$2,228, Tyler County Fair \$3,861, Tyler County 4th of July \$500, Tyler County OctoberFest \$900, Union Community Irish Festival (Barbour) \$810, Uniquely West Virginia Festival (Morgan) \$1,485, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,857, Upper Ohio Valley Italian Festival (Ohio) \$8,911, Upshur County Youth Livestock Show \$1,800, Valley District Fair (Preston) \$2,599, Veterans Welcome Home Celebration (Cabell) \$1,173, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$855, Volcano Days at Mountwood Park (Wood) \$3,713, War Homecoming Fall Festival (McDowell) \$1,114, Wardensville Fall Festival (Hardy) \$3,713, Wayne County Fair \$3,713, Wayne County Fall Festival \$3,713, Webster County Fair \$4,500, Webster County Wood Chopping Festival \$11,138, Webster Wild Water Weekend \$1,485, Weirton July 4th Celebration (Hancock) \$14,852, Welcome Home Family Day (Wayne) \$2,376, Wellsburg 4th of July Celebration (Brooke) \$5,570, Wellsburg Apple Festival of Brooke County \$3,713, West Virginia Blackberry Festival (Harrison) \$3,713, West Virginia Chestnut Festival (Preston) \$855, West Virginia Coal Festival (Boone) \$7,426, West Virginia Coal Show (Mercer) \$1,954, West Virginia Dairy Cattle Show (Lewis) \$7,426, West Virginia Dandelion Festival (Greenbrier) \$3,713, West Virginia Day at the Railroad Museum (Mercer) \$2,250, West Virginia Fair and Exposition (Wood) \$6,016, West Virginia Fireman's Rodeo (Fayette) \$1,857, West Virginia Oil and Gas Festival (Tyler) \$8,168, West Virginia Peach Festival (Hampshire) \$4,050, West

Virginia Polled Hereford Association (Braxton) \$1,114, West Virginia Poultry Festival (Hardy) \$3,713, West Virginia Pumpkin Festival (Cabell) \$7,426, West Virginia State Folk Festival (Gilmer) \$3,713, West Virginia Water Festival - City of Hinton (Summers) \$11,431, Weston VFD 4th of July Firemen Festival (Lewis) \$1,485, Wetzel County Autumnfest \$4,084, Wetzel County Town and Country Days \$12,623, Wheeling Celtic Festival (Ohio) \$1,485, Wheeling City of Lights (Ohio) \$5,941, Wheeling Sternwheel Regatta (Ohio) \$7,426, Wheeling Vintage Raceboat Regatta (Ohio) \$14,852, Whipple Community Action (Fayette) \$1,857, Wileyville Homecoming (Wetzel) \$2,970, Wine Festival and Mountain Music Event (Harrison) \$3,713, Winter Festival of the Waters (Berkeley) \$3,713, Wirt County Fair \$1,857, Wirt County Pioneer Days \$1,485, Wyoming County Civil War Days \$1,620, Youth Stockman Beef Expo (Lewis) \$1,485.

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 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>852,729</u> |
| 6 | Total..... | | \$ 11,423,076 |

Any unexpended balance remaining in the appropriation for Libraries – Special Projects (fund 3559, appropriation 62500) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|----|---|-------|------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 193,505 |
| 2 | Current Expenses | 13000 | 332,095 |
| 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 | | |
| 7 | for Health Care and Title XIX | | |
| 8 | Waiver for Senior Citizens | 53900 | 18,582,692 |
| 9 | Roger Tompkins Alzheimer's Respite Care..... | 64300 | 2,296,601 |
| 10 | WV Alzheimer's Hotline | 72400 | 45,000 |
| 11 | Regional Aged and Disabled Resource Center... | 76700 | 425,000 |
| 12 | Senior Services Medicaid Transfer | 87100 | 8,670,000 |
| 13 | Legislative Initiatives for the Elderly..... | 90400 | 9,671,239 |
| 14 | Long Term Care Ombudsman..... | 90500 | 297,226 |
| 15 | BRIM Premium..... | 91300 | 7,152 |
| 16 | In-Home Services and | | |
| 17 | Nutrition for Senior Citizens | 91700 | <u>4,320,941</u> |
| 18 | Total..... | | \$ 47,296,201 |

Any unexpended balance remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 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 | 87,110 |
| 6 | Minority Doctoral Fellowship (R)16600 | 129,604 |
| 7 | Health Sciences Scholarship (R).....17600 | 220,690 |
| 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..... | \$ 3,012,104 |

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice

Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

294 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

1 Debt Service – Total31000 \$ 5,000,000

Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

295 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

| | | | |
|---|---------------------------------------|-------|--------------|
| 1 | WVU Health Sciences – | | |
| 2 | RHI Program and Site Support (R)..... | 03500 | \$ 1,107,466 |
| 3 | MA Public Health Program and | | |
| 4 | Health Science Technology (R)..... | 62300 | 52,387 |
| 5 | Health Sciences Career | | |
| 6 | Opportunities Program (R) | 86900 | 319,587 |

| | | | |
|---|--|-------|----------------|
| 7 | HSTA Program (R)..... | 87000 | 1,630,169 |
| 8 | Center for Excellence in Disabilities (R)..... | 96700 | <u>292,554</u> |
| 9 | Total..... | | \$ 3,402,163 |

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

296 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

| | | | |
|---|---|-------|-------------------|
| 1 | Marshall Medical School – | | |
| 2 | RHI Program and Site Support (R)..... | 03300 | \$ 396,249 |
| 3 | Vice Chancellor for Health Sciences – | | |
| 4 | Rural Health Residency Program (R)..... | 60100 | <u>163,858</u> |
| 5 | Total..... | | \$ <u>560,107</u> |

Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 4 – Lottery Revenue.....\$ 130,917,133

Sec. 5. Appropriations from state excess lottery revenue fund. — In accordance with W.Va. Code §29-22-18a, §29-22A-

10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

| | Excess Lottery Funds | Appro- priation |
|---------------------------|-------------------------------------|----------------------------|
| 1 Directed Transfer | 70000 | \$ 10,000,000 |

The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the commissioner’s request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

| | | |
|---|-------|---------------|
| 1 General Revenue Fund – Transfer | 70011 | \$ 65,000,000 |
|---|-------|---------------|

The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

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

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

300 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2018 Org 0944

1 Debt Service – Total31000 \$ 19,000,000

Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the economic development project fund pursuant to section four of this title and W.Va. Code §29-22-18, subsection (f).

301 - Department of Education –

School Building Authority

Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

*302 - West Virginia Infrastructure Council –**West Virginia Infrastructure Transfer Fund*Fund 3390 FY 2018 Org 0316

1 Directed Transfer70000 \$ 46,000,000

The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-15-9.

*303 - Higher Education Policy Commission –**Higher Education Improvement Fund*Fund 4297 FY 2018 Org 0441

1 Directed Transfer70000 \$ 15,000,000

The above appropriation shall be transferred to fund 4903, org 0442 as authorized by Senate Concurrent Resolution No. 41.

*304 - Division of Natural Resources –**State Park Improvement Fund*Fund 3277 FY 2018 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 |

Any unexpended balances remaining in the above appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Unclassified (fund 3277, appropriation 09900), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation

69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

305 - Racing Commission –

Fund 7308 FY 2018 Org 0707

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

306 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2018 Org 0705

| | | | |
|----|---|-------|-------------------|
| 1 | Parking Garage Fund – Transfer | 70001 | \$ 500,000 |
| 2 | 2004 Capitol Complex | | |
| 3 | Parking Garage Fund – Transfer | 70002 | 254,147 |
| 4 | Capitol Dome and | | |
| 5 | Improvements Fund – Transfer | 70003 | 2,155,201 |
| 6 | Capitol Renovation and | | |
| 7 | Improvement Fund – Transfer | 70004 | 2,795,627 |
| 8 | Development Office | | |
| 9 | Promotion Fund – Transfer | 70005 | 1,524,887 |
| 10 | Research Challenge Fund – Transfer | 70006 | 2,033,184 |
| 11 | Tourism Promotion Fund – Transfer | 70007 | 5,659,115 |
| 12 | Cultural Facilities and Capitol | | |
| 13 | Resources Matching Grant | | |
| 14 | Program Fund – Transfer | 70008 | 1,433,371 |
| 15 | Workers' Compensation | | |
| 16 | Debt Reduction Fund – Transfer | 70009 | 2,750,000 |
| 17 | State Debt Reduction Fund – Transfer | 70010 | 20,000,000 |
| 18 | General Revenue Fund – Transfer | 70011 | 9,763,472 |
| 19 | West Virginia Racing Commission | | |
| 20 | Racetrack Video Lottery Account | 70012 | 4,066,363 |
| 21 | Historic Resort Hotel Fund | 70013 | 34,200 |
| 22 | Licensed Racetrack Regular Purse Fund | 70014 | <u>10,111,678</u> |
| 23 | Total | | \$ 63,081,245 |

307 - Governor's Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

Any unexpended balances remaining in the appropriations for Unclassified – Total (fund 3170, appropriation 09600), Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300), and Connectivity Research and Development – Lottery Surplus (fund 3170, appropriation 92300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*309 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services.....18900 \$ 24,506,170

311 - Division of Corrections –

Correctional Units

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

Fund 6283 FY 2018 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 5 – Excess Lottery Funds\$ 297,587,415

Sec. 6. Appropriations of federal funds. — In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

312 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

Appro- Federal
priation Funds

1 Economic Loss Claim Payment Fund.....33400 \$ 2,360,125

JUDICIAL*313 - Supreme Court*Fund 8867 FY 2018 Org 2400

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,008,000 |
| 2 | Current Expenses13000 | <u>1,992,000</u> |
| 3 | Total..... | \$ 4,000,000 |

EXECUTIVE*314 - Governor's Office*

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

| | | |
|---|------------------------------------|------------|
| 1 | Current Expenses – Total.....13000 | \$ 225,000 |
|---|------------------------------------|------------|

315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,563,760 |
| 2 | Unclassified.....09900 | 50,534 |
| 3 | Current Expenses13000 | 3,828,661 |
| 4 | Repairs and Alterations.....06400 | 650,000 |
| 5 | Equipment.....07000 | 910,500 |
| 6 | Other Assets.....69000 | <u>50,000</u> |
| 7 | Total..... | \$ 7,053,455 |

*316 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 610,830 |
|---|---|------------|

| | | | |
|---|------------------------------|-------|----------------|
| 2 | Unclassified..... | 09900 | 8,755 |
| 3 | Current Expenses | 13000 | 136,012 |
| 4 | Repairs and Alterations..... | 06400 | 5,500 |
| 5 | Equipment..... | 07000 | <u>114,478</u> |
| 6 | Total..... | | \$ 875,575 |

317 - Department of Agriculture –

State Conservation Committee

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

| | | | |
|---|--|-------|-------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 97,250 |
| 2 | Current Expenses | 13000 | <u>14,099,974</u> |
| 3 | Total..... | | \$ 14,197,224 |

318 - Department of Agriculture –

Land Protection Authority

Fund 8896 FY 2018 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 |

319 - Secretary of State –

State Election Fund

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 210,240 |
| 2 | Unclassified..... | 09900 | 7,484 |
| 3 | Current Expenses | 13000 | 415,727 |
| 4 | Repairs and Alterations..... | 06400 | 15,000 |
| 5 | Other Assets..... | 69000 | <u>100,000</u> |

6 Total..... \$ 748,451

DEPARTMENT OF COMMERCE

320 - Division of Forestry

(WV Code Chapter 19)

Fund 8703 FY 2018 Org 0305

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,578,347 |
| 2 | Unclassified.....09900 | | 51,050 |
| 3 | Current Expenses13000 | | 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 |

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 Org 0306

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 54,432 |
| 2 | Unclassified.....09900 | | 2,803 |
| 3 | Current Expenses13000 | | 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 |

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 Org 0307

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 745,981 |
| 2 | Unclassified.....09900 | | 50,000 |
| 3 | Current Expenses13000 | | <u>4,504,019</u> |
| 4 | Total..... | \$ | 5,300,000 |

*323 - West Virginia Development Office –
Office of Economic Opportunity*

(WV Code Chapter 5)

Fund 8901 FY 2018 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 |

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 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 |

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 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 | | 4,951,000 |
| 8 | Land.....73000 | | <u>6,001,000</u> |
| 9 | Total..... | \$ | 27,584,087 |

*326 - Division of Miners' Health,
Safety and Training*

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 613,177 |
| 2 | Current Expenses13000 | | 150,000 |
| 3 | Total..... | \$ | 763,177 |

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

| | | | |
|---|--|----|-----------|
| 1 | Unclassified.....09900 | \$ | 5,127 |
| 2 | Current Expenses13000 | | 507,530 |
| 3 | Reed Act 2002 – | | |
| 4 | Unemployment Compensation62200 | | 2,850,000 |
| 5 | Reed Act 2002 – Employment Services63000 | | 1,650,000 |
| 6 | Total..... | \$ | 5,012,657 |

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state's unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 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

329 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 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 |

330 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,812,648 |
| 2 | Unclassified..... | 09900 | 1,150,500 |
| 3 | Current Expenses | 13000 | 143,281,265 |
| 4 | Repairs and Alterations..... | 06400 | 20,000 |
| 5 | Equipment..... | 07000 | 100,000 |
| 6 | Other Assets..... | 69000 | <u>25,000</u> |
| 7 | Total..... | | \$146,389,413 |

331 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,519,972 |
| 2 | Unclassified.....09900 | | 155,000 |
| 3 | Current Expenses13000 | | 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..... | \$ | 16,025,053 |

*332 - State Board of Education –**Aid for Exceptional Children*

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,344,940 |
| 2 | Unclassified.....09900 | | 1,000,000 |
| 3 | Current Expenses13000 | | 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*333 - Department of Education and the Arts –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 8841 FY 2018 Org 0431

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 416,675 |
| 2 | Current Expenses13000 | | 5,587,325 |
| 3 | Repairs and Alterations.....06400 | | <u>1,000</u> |
| 4 | Total..... | \$ | 6,005,000 |

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 Org 0432

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 743,046 |
| 2 | Current Expenses13000 | | 1,947,372 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | 1,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | Other Assets69000 | | 1,000 |
| 7 | Land73000 | | <u>360</u> |
| 8 | Total..... | \$ | 2,694,778 |

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 Org 0433

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 333,648 |
| 2 | Current Expenses13000 | | 1,076,162 |
| 3 | Equipment.....07000 | | <u>543,406</u> |
| 4 | Total..... | \$ | 1,953,216 |

336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

| | | | |
|---|---------------------|----|---------|
| 1 | Equipment.....07000 | \$ | 750,000 |
|---|---------------------|----|---------|

*337 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 11,248,930 |
| 2 | Current Expenses13000 | | 54,485,940 |
| 3 | Repairs and Alterations.....06400 | | 350,400 |

| | | | |
|---|----------------|-------|------------------|
| 4 | Equipment..... | 07000 | <u>1,275,870</u> |
| 5 | Total..... | | \$ 67,361,140 |

338 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(WV Code Chapter 18)

Fund 8890 FY 2018 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

339 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 29,177,068 |
| 2 | Current Expenses | 13000 | 190,201,007 |
| 3 | Repairs and Alterations..... | 06400 | 738,283 |
| 4 | Equipment..... | 07000 | 1,725,238 |
| 5 | Unclassified..... | 09900 | 2,201,827 |
| 6 | Other Assets..... | 69000 | 2,154,416 |
| 7 | Land | 73000 | <u>100,000</u> |
| 8 | Total..... | | \$ 226,297,839 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

340 - Consolidated Medical Service Fund

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 750,876 |
| 2 | Unclassified.....09900 | | 73,307 |
| 3 | Current Expenses13000 | | <u>6,630,103</u> |
| 4 | Total..... | \$ | 7,454,286 |

341 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 13,744,404 |
| 2 | Unclassified.....09900 | | 947,948 |
| 3 | Current Expenses13000 | | 79,110,551 |
| 4 | Equipment.....07000 | | 456,972 |
| 5 | Buildings.....25800 | | 155,000 |
| 6 | Other Assets.....69000 | | <u>380,000</u> |
| 7 | Total..... | \$ | 94,794,875 |

342 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

| | | | |
|---|--|----|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund – Transfer.....68900 | \$ | 16,000,000 |

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 9,966 |
| 2 | Current Expenses13000 | | <u>986,649</u> |
| 3 | Total..... | \$ | 996,615 |

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 Org 0510

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 625,349 |
| 2 | Unclassified.....09900 | | 5,482 |
| 3 | Current Expenses13000 | | <u>140,389</u> |
| 4 | Total..... | \$ | 771,220 |

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 68,943,213 |
| 2 | Unclassified.....09900 | | 22,855,833 |
| 3 | Current Expenses13000 | | 72,070,005 |
| 4 | Medical Services.....18900 | | 3,234,265,405 |
| 5 | Medical Services Administrative Costs78900 | | 132,045,119 |
| 6 | CHIP Administrative Costs.....85601 | | 3,333,752 |
| 7 | CHIP Services.....85602 | | 47,422,974 |
| 8 | Federal Economic Stimulus89100 | | <u>20,000,000</u> |
| 9 | Total..... | \$ | 3,600,936,301 |

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY*346 - Office of the Secretary*

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 439,636 |
| 2 | Unclassified.....09900 | | 250,000 |
| 3 | Current Expenses13000 | | 24,307,690 |
| 4 | Repairs and Alterations.....06400 | | 3,000 |
| 5 | Other Assets.....69000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 25,005,326 |

*347 - Adjutant General –**State Militia*

(WV Code Chapter 15)

Fund 8726 FY 2018 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..... | | \$ | <u>98,270,605</u> |

The Adjutant General shall have the authority to transfer between appropriations.

*348 - Adjutant General –**West Virginia National Guard Counterdrug Forfeiture Fund*

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

| | | | | |
|---|---|-------|----|------------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 1,350,000 |
| 2 | Current Expenses | 13000 | | 300,000 |
| 3 | Equipment..... | 07000 | | <u>350,000</u> |
| 4 | Total..... | | \$ | <u>2,000,000</u> |

*349 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 8727 FY 2018 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

350 - Division of Corrections

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

Fund 8836 FY 2018 Org 0608

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 1,100 |
| 2 | Current Expenses13000 | | <u>108,900</u> |
| 3 | Total..... | \$ | 110,000 |

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,435,539 |
| 2 | Current Expenses13000 | | 2,125,971 |
| 3 | Repairs and Alterations.....06400 | | 42,000 |
| 4 | Equipment07000 | | 2,502,285 |
| 5 | Buildings25800 | | 750,500 |
| 6 | Other Assets69000 | | 144,500 |
| 7 | Land73000 | | <u>500</u> |
| 8 | Total..... | \$ | 8,001,295 |

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 80,000 |
|---|-----------------------------|----|--------|

353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,056,170 |
| 2 | Unclassified.....09900 | | 25,185 |

| | | | |
|---|------------------------------|-------|---------------|
| 3 | Current Expenses | 13000 | 18,774,373 |
| 4 | Repairs and Alterations..... | 06400 | <u>1,750</u> |
| 5 | Total..... | | \$ 19,857,478 |

DEPARTMENT OF REVENUE

354 - Insurance Commissioner

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 3,000,000 |
|---|------------------------|-------|--------------|

DEPARTMENT OF TRANSPORTATION

355 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 501,394 |
| 2 | Current Expenses | 13000 | 13,671,640 |
| 3 | Repairs and Alterations..... | 06400 | <u>500</u> |
| 4 | Total..... | | \$ 14,173,534 |

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 702,637 |
| 2 | Current Expenses | 13000 | 9,161,605 |
| 3 | Repairs and Alterations..... | 06400 | 2,500 |
| 4 | Equipment..... | 07000 | 4,726,958 |
| 5 | Buildings..... | 25800 | 750,000 |
| 6 | Other Assets..... | 69000 | <u>250,000</u> |
| 7 | Total..... | | \$ 15,593,700 |

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 200,000 |
|---|------------------------|-------|----|---------|

DEPARTMENT OF VETERANS' ASSISTANCE*358 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 8858 FY 2018 Org 0613

| | | | | |
|---|---|-------|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 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 |

*359 - Department of Veterans' Assistance –**Veterans' Home*

(WV Code Chapter 9A)

Fund 8728 FY 2018 Org 0618

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 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*360 - Bureau of Senior Services*

(WV Code Chapter 29)

Fund 8724 FY 2018 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*361 - Public Service Commission –**Motor Carrier Division*

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,286,913 |
| 2 | Current Expenses | 13000 | 368,953 |
| 3 | Repairs and Alterations.....06400 | | 40,000 |
| 4 | Equipment.....07000 | | <u>750,000</u> |
| 5 | Total..... | \$ | 2,445,866 |

*362 - Public Service Commission –**Gas Pipeline Division*

(WV Code Chapter 24B)

Fund 8744 FY 2018 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 |

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

| | | | |
|---|---|----|------------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 159,235 |
| 2 | Current Expenses | | 631,365 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | 3,000 |
| 5 | Other Assets.....69000 | | 2,000 |
| 6 | Total..... | \$ | <u>800,600</u> |
| 7 | Total TITLE II, Section 6 - Federal Funds | | <u>\$4,874,926,288</u> |

Sec. 7. Appropriations from federal block grants. — The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2018.

*364 - West Virginia Development Office –**Community Development*Fund 8746 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 648,117 |
| 2 | Unclassified.....09900 | | 375,000 |
| 3 | Current Expenses | | <u>36,476,883</u> |
| 4 | Total..... | \$ | <u>37,500,000</u> |

*365 - Department of Commerce**West Virginia Development Office –**Office of Economic Opportunity –**Community Services*Fund 8902 FY 2018 Org 0307

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 362,389 |
| 2 | Unclassified.....09900 | | 125,000 |
| 3 | Current Expenses | | 12,002,111 |

| | | |
|---|-----------------------------------|---------------|
| 4 | Repairs and Alterations.....06400 | 1,500 |
| 5 | Equipment.....07000 | <u>9,000</u> |
| 6 | Total..... | \$ 12,500,000 |

366 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2018 Org 0323

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,112,606 |
| 2 | Unclassified.....09900 | 23,023 |
| 3 | Current Expenses13000 | 39,263,511 |
| 4 | Repairs and Alterations.....06400 | 1,600 |
| 5 | Equipment.....07000 | 500 |
| 6 | Buildings.....25800 | <u>1,100</u> |
| 7 | Total..... | \$ 41,402,340 |

367 - Division of Health –

Maternal and Child Health

Fund 8750 FY 2018 Org 0506

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,124,294 |
| 2 | Unclassified.....09900 | 110,017 |
| 3 | Current Expenses13000 | <u>8,767,420</u> |
| 4 | Total..... | \$ 11,001,731 |

368 - Division of Health –

Preventive Health

Fund 8753 FY 2018 Org 0506

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 162,320 |
| 2 | Unclassified.....09900 | 22,457 |
| 3 | Current Expenses13000 | 1,895,366 |
| 4 | Equipment.....07000 | <u>165,642</u> |
| 5 | Total..... | \$ 2,245,785 |

*369 - Division of Health –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 822,766 |
| 2 | Unclassified.....09900 | | 115,924 |
| 3 | Current Expenses13000 | | <u>10,653,740</u> |
| 4 | Total..... | \$ | 11,592,430 |

*370 - Division of Health –**Community Mental Health Services*Fund 8794 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 936,557 |
| 2 | Unclassified.....09900 | | 33,533 |
| 3 | Current Expenses13000 | | <u>2,383,307</u> |
| 4 | Total..... | \$ | 3,353,397 |

*371 - Division of Human Services –**Energy Assistance*Fund 8755 FY 2018 Org 0511

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,514,312 |
| 2 | Unclassified.....09900 | | 350,000 |
| 3 | Current Expenses13000 | | <u>33,181,300</u> |
| 4 | Total..... | \$ | 35,045,612 |

*372 - Division of Human Services –**Social Services*Fund 8757 FY 2018 Org 0511

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 14,231,684 |
| 2 | Unclassified.....09900 | | 171,982 |
| 3 | Current Expenses13000 | | <u>2,870,508</u> |
| 4 | Total..... | \$ | 17,274,174 |

*373 - Division of Human Services –**Temporary Assistance for Needy Families*Fund 8816 FY 2018 Org 0511

| | | |
|---|---|-----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 18,297,327 |
| 2 | Unclassified.....09900 | 1,250,000 |
| 3 | Current Expenses13000 | <u>105,847,136</u> |
| 4 | Total..... | \$ <u>125,394,463</u> |

*374 - Division of Human Services –**Child Care and Development*Fund 8817 FY 2018 Org 0511

| | | |
|---|---|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,676,841 |
| 2 | Unclassified.....09900 | 350,000 |
| 3 | Current Expenses13000 | <u>31,999,456</u> |
| 4 | Total..... | \$ <u>37,026,297</u> |

*375 - Division of Justice and Community Services –**Juvenile Accountability Incentive*Fund 8829 FY 2018 Org 0620

| | | |
|---|---|------------------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,648 |
| 2 | Current Expenses13000 | 48,351 |
| 3 | Repairs and Alterations.....06400 | <u>1</u> |
| 4 | Total..... | \$ <u>50,000</u> |
| 5 | Total TITLE II, Section 7 – Federal Block Grants..... | \$ <u><u>334,386,229</u></u> |

Sec. 8. Awards for claims against the state. — There are hereby appropriated for fiscal year 2018, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$930,144, special revenue funds in the amount of \$458,734, and state road funds in the amount of \$563,249 for payment of claims against the state.

Sec. 9. Appropriations from general revenue surplus accrued. — The following item is hereby appropriated from the state fund, general revenue, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus as of July 31, 2017 from the fiscal year ending June 30, 2017, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriation in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

- 1 Capital Outlay, Repairs
- 2 and Equipment – Surplus.....67700 \$ 8,000,000

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

- 1 Medical Services – Surplus.....63300 \$ 20,159,358
- 2 Total TITLE II, Section 9 – Surplus Accrued \$ 28,159,358

Sec. 10. Appropriations from lottery net profits surplus accrued. — The following item is hereby appropriated from the

lottery net profits, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

378 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|---|---|-------|----------------------|
| 1 | Senior Services Medicaid Transfer – | | |
| 2 | Lottery Surplus | 68199 | \$ <u>10,500,000</u> |
| 3 | Total TITLE II, Section 10 – Surplus Accrued..... | | \$ <u>10,500,000</u> |

Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following item is hereby appropriated from the state excess lottery revenue fund, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation

made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

379 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------------|
| 1 | Medical Services – Lottery Surplus | 68100 | \$ <u>16,900,000</u> |
| 2 | Total TITLE II, Section 11 – Surplus Accrued..... | | \$ <u>16,900,000</u> |

Sec. 12. Special revenue appropriations. — There are hereby appropriated for expenditure during the fiscal year 2018 appropriations made by general law from special revenues which are not paid into the state fund as general revenue under the provisions of W.Va. Code §12-2-2: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.Va. Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending unit has filed with the director of the budget and the legislative auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended.

Sec. 13. State improvement fund appropriations. — Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2018, for the purpose of making studies and recommendations relative to improvements of the administration and management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2018 to be expended as authorized by the Governor,

for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts. — A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment. — Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies. — There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the municipal bond commission as may be necessary for these purposes.

The municipal bond commission shall reimburse the state of West Virginia through the Governor from the first remittance

collected from the West Virginia housing development fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments. — There are hereby appropriated for payment to counties, districts and municipal corporations such amounts as will be necessary to pay taxes due counties, districts and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations. — Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund. — The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional. — The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the

succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality. — If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

Following extended discussion,

Senator Smith arose to a point of order that the debate had now digressed to a discussion concerning the action of the conference committee as to Engrossed Committee Substitute for House Bill 107, and not to the amendment in question.

Which point of order, the President ruled well taken.

Following discussion,

Senator Gaunch moved the previous question, which motion prevailed.

The previous question having been ordered, that being on the adoption of Senator Blair's amendment to the bill, and on this question, Senator Unger demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld and Carmichael (Mr. President)—21.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger and Woelfel—12.

Absent: Mullins—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Blair's amendment to the bill adopted.

There being no further amendments offered,

The bill, as just amended, was ordered to engrossment.

Engrossed Senate Bill 1013 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maroney, Maynard, Mullins, Rucker, Smith, Swope, Sypolt, Takubo, Trump, Weld, and Carmichael (Mr. President)—22.

The nays were: Beach, Facemire, Jeffries, Miller, Ojeda, Palumbo, Plymale, Prezioso, Romano, Stollings, Unger, and Woelfel—12.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: Beach and Romano—2.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) takes effect from passage.

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

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, the Senate adjourned until tomorrow, Wednesday, June 14, 2017, at 11 a.m.

WEDNESDAY, JUNE 14, 2017

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Chandler Swope, a senator from the sixth district.

Pending the reading of the Journal of Tuesday, June 13, 2017,

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

The Senate proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 106, Relating generally to the furlough of public employees during declared fiscal emergency.

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

Delegates Shott, Hanshaw and Lovejoy.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bill was introduced, read by its title and referred to the appropriate committee:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1016—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-24, relating to imposing, administering and collecting a license tax on successful bidders for road construction contracts; providing \$500,000 threshold for imposing license tax; imposing license tax; requiring notification and method for payment of license tax; dedicating taxes collected; requiring bonding; creating a special revenue account; and specifying effective date.

Referred to the Committee on Finance.

Senator Ferns then moved that the Senate recess until 3 p.m. today.

The question being on the adoption of Senator Ferns' aforestated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Maynard, Mullins, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Takubo, Trump, Unger, Woelfel and Carmichael (Mr. President)—27.

The nays were: Miller and Ojeda—2.

Absent: Mann, Maroney, Palumbo, Sypolt and Weld—5.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate recessed until 3 p.m. today.

Upon expiration of the recess, the Senate reconvened.

Senator Ferns then moved that the Senate recess until 5:30 p.m. today.

The question being on the adoption of Senator Ferns' aforestated motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Beach, Boley, Boso, Clements, Cline, Ferns, Gaunch, Maynard, Miller, Ojeda, Plymale, Rucker, Smith, Swope, Sypolt, Trump, Unger and Carmichael (Mr. President)—19.

The nays were: Karnes—1.

Absent: Blair, Facemire, Hall, Jeffries, Mann, Maroney, Mullins, Palumbo, Prezioso, Romano, Stollings, Takubo, Weld and Woelfel—14.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate recessed until 5:30 p.m. today.

Upon expiration of the recess, the Senate reconvened and proceeded to the twelfth order of business.

Remarks were made by Senators Ferns and Romano.

On motion of Senator Ferns, the Senate adjourned until tomorrow, Thursday, June 15, 2017, at 12 Noon.

THURSDAY, JUNE 15, 2017

The Senate met at 12 Noon.

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

Prayer was offered by the Honorable Charles H. Clements, a senator from the second district.

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

Pending the reading of the Journal of Wednesday, June 14, 2017,

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

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

The Senate then proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 1017—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-4h; to amend and reenact §11-21-8a, §11-21-8e, §11-21-12 and §11-21-16 of said code; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to the Tax Reform Act of 2017;

imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales

and service tax as of specified date and providing for rate reduction when certain criteria are met; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code, digital products and digital services as of specified date, and with respect thereto defining certain terms; eliminating or narrowing certain exemptions from consumers sales and service tax as of specified date; allowing emergency legislative rules if promulgated by specified date; increasing rate of use tax as of specified date and providing corresponding rate reduction when rate of general consumers sales and service tax reduces; imposing new personal income tax rates for taxable years beginning on and after specified date; providing for further rate reductions when conditions are satisfied; exempting military retirement income from personal income tax after specified date; allowing a decreasing deduction for taxable Social Security under specified circumstances; increasing personal income tax exemption under certain circumstances; authorizing rebates of 2016 personal income tax paid by certain persons; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns,

Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maynard and Weld—2.

The bill (S. B. 1017) was then read a second time.

On motions of Senators Ferns and Prezioso, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page fifty, section four-g, line twenty-one, by striking out “\$150,000,000” and inserting in lieu thereof “\$150,000”;

On page fifty-two, section four-g, line seventy-three, by striking out “\$10,0002” and inserting in lieu thereof “\$10,000”;

And,

On page fifty-two, section four-g, line seventy-three, by striking out “.40%” and inserting in lieu thereof “2.40%”.

On motion of Senator Ferns, the following amendment to the bill (S. B. 1017) was next reported by the Clerk and adopted:

On page thirty-seven, section nine, after line three hundred fifty, by adding thereto a new subdivision, designated subdivision (48), to read as follows:

(48) The services of “professional employer organizations” as defined in subsection (g), section two, article forty-six-a, chapter thirty-three of this code.

The bill (S. B. 1017), as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 1017 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 1017 pass?”

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump and Carmichael (Mr. President)—30.

The nays were: Unger and Woelfel—2.

Absent: Maynard and Weld—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) passed.

On motion of Senator Ferns, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 1017—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f; to amend and reenact §11-15-2, §11-15-3, §11-15-9, §11-15-9b and §11-15-9h of said code; to amend said code by adding thereto three new sections, designated §11-15-3d, §11-15-3e and §11-15-35; to amend and reenact §11-15A-2 and §11-15A-10 of said code; to amend said code by adding thereto two new sections, designated §11-21-4g and §11-21-4h; to amend and reenact §11-21-8a, §11-21-8e, §11-21-12 and §11-21-16 of said code; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to the Tax Reform Act of 2017; imposing graduated rate severance tax on privilege of producing coal as of specified date and defining certain terms; increasing rate of consumers sales and service tax as of specified date and providing for rate reduction when certain criteria are met; imposing tax on telecommunication services and ancillary telecommunication services as of specified date; imposing tax on digital code, digital products and digital services as of specified date, and with respect thereto defining certain terms; eliminating or

narrowing certain exemptions from consumers sales and service tax as of specified date; providing consumer sales and service tax exemption for services of professional employer organizations; allowing emergency legislative rules if promulgated by specified date; increasing rate of use tax as of specified date and providing corresponding rate reduction when rate of general consumers sales and service tax reduces; imposing new personal income tax rates for taxable years beginning on and after specified date; providing for further rate reductions when conditions are satisfied; exempting military retirement income from personal income tax after specified date; allowing a decreasing deduction for taxable Social Security under specified circumstances; increasing personal income tax exemption under certain circumstances; authorizing rebates of 2016 personal income tax paid by certain persons; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation expenditures made after specified date; establishing limitations on carryback and carryforward of credit for qualified building rehabilitation expenditures; and making technical corrections in various sections.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump and Carmichael (Mr. President)—30.

The nays were: Unger and Woelfel—2.

Absent: Maynard and Weld—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1017) takes effect from passage.

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

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senator Trump regarding the passage of Engrossed Senate Bill 1017 were ordered printed in the Appendix to the Journal.

By Senator Carmichael (Mr. President):

Senate Bill 1018—A Bill making appropriations of public money out of the Treasury in accordance with section fifty-one, article VI of the Constitution.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Maynard and Weld—2.

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

Engrossed Senate Bill 1018 was then read a third time.

Pending discussion,

On motion of Senator Ferns, the Senate recessed for ten minutes.

Upon expiration of the recess, the Senate reconvened and resumed consideration of

Eng. Senate Bill 1018, Budget Bill.

At the request of Senator Hall, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Hall, the following amendment to the bill was reported by the Clerk:

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

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. – The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2018.

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

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

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

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

The “fiscal year 2018” shall mean the period from July 1, 2017, through June 30, 2018.

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

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

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

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

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

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

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

Each spending unit shall be responsible for all contributions, payments or other costs related to coverage and claims of its employees for unemployment compensation and workers

compensation. Such expenditures shall be considered an employee benefit.

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

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

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

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

“Equipment” shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

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

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

“Lands” shall mean the purchase of real property or interest in real property.

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

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

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a “personal services and employee benefits” appropriation unless the source funds are also wholly from a “personal services and employee benefits” line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed

by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to “personal services and employee benefits,” “current expenses,” “repairs and alterations,” “equipment,” “other assets,” “land,” and “buildings” to other appropriations within the same account and no funds from other appropriations shall be transferred to the “personal services and employee benefits” or the “unclassified” appropriation: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further*, That if the Legislature by subsequent enactment consolidates agencies, boards or functions, the secretary or other appropriate agency head may transfer the funds formerly appropriated to such agency, board or function in order to implement such consolidation. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

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

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

Sec. 5. Maximum expenditures. — No authority or requirement of law shall be interpreted as 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.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2018 Org 2100

| | Appro- priation | General 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 |

The appropriations for the Senate for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The Clerk of the Senate, with the approval of the President, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the Senate, for any bills for supplies and services that may have been incurred by

the Senate and not included in the appropriation bill, for supplies and services incurred in preparation for the opening, the conduct of the business and after adjournment of any regular or extraordinary session, and for the necessary operation of the Senate offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

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

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

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

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

*2 - House of Delegates*Fund 0170 FY 2018 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 | 3,929,031 |
| 5 | Expenses of Members (R).....39900 | 1,350,000 |
| 6 | BRIM Premium (R)91300 | <u>50,000</u> |
| 7 | Total..... | \$ 8,904,031 |

The appropriations for the House of Delegates for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

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

The Speaker of the House of Delegates, upon approval of the House committee on rules, shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session, or fixed by the Speaker, with the approval of the House committee on rules, during and

between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

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

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

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

| | | | |
|---|--------------------------------------|-------|---------------|
| 1 | Joint Committee on Government | | |
| 2 | and Finance (R)..... | 10400 | \$ 5,725,138 |
| 3 | Legislative Printing (R)..... | 10500 | 760,000 |
| 4 | Legislative Rule-Making | | |
| 5 | Review Committee (R)..... | 10600 | 147,250 |
| 6 | Legislative Computer System (R)..... | 10700 | 1,447,500 |
| 7 | BRIM Premium (R) | 91300 | <u>60,569</u> |
| 8 | Total..... | | \$ 8,140,457 |

The appropriations for the Joint Expenses for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances reappropriated may be transferred and credited to the fiscal year 2017 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts 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 2018 Org 2400

| | | |
|----|-------------------------------------|----------------|
| 1 | Personal Services and | |
| 2 | Employee Benefits (R) | \$ 101,924,358 |
| 3 | Children’s Protection Act (R) | 3,000,000 |
| 4 | Current Expenses (R) | 32,274,266 |
| 5 | Repairs and Alterations (R) | 636,450 |
| 6 | Equipment (R)..... | 1,800,000 |
| 7 | Judges’ Retirement System (R)..... | 900,000 |
| 8 | Buildings (R)..... | 100,000 |
| 9 | Other Assets (R)..... | 500,000 |
| 10 | BRIM Premium (R) | <u>624,596</u> |
| 11 | Total..... | \$ 141,759,670 |

The appropriations to the Supreme Court of Appeals for the fiscal years 2016 and 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The appropriation for the Judges’ Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating

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 2018 Org 0100

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,098,903 |
| 2 | Current Expenses (R).....13000 | 571,648 |
| 3 | Repairs and Alterations.....06400 | 2,000 |
| 4 | National Governors Association12300 | 60,700 |
| 5 | Herbert Henderson Office of Minority Affairs13400 | 146,726 |
| 6 | BRIM Premium.....91300 | <u>169,079</u> |
| 7 | Total..... | \$ 4,049,056 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), and Current Expenses (fund 0101, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation to Personal Services and Employee Benefits (fund 0101, appropriation 00100), is \$150,000 for the Salary of the Governor.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, 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 2018 Org 0100

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 351,089 |
|---|---|------------|

| | | | |
|---|------------------------------|-------|--------------|
| 2 | Current Expenses (R)..... | 13000 | 182,708 |
| 3 | Repairs and Alterations..... | 06400 | <u>5,000</u> |
| 4 | Total..... | | \$ 538,797 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0102, fiscal year 2017, appropriation 13000 (\$20,000) which shall expire June 30, 2017.

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

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation 61400), and Natural Disasters – Surplus (fund 0105, appropriation 76400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year.

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

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency or unplanned events which may occur during the fiscal year and is not to be expended 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 2018 Org 1200

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,620,288 |
| 2 | Current Expenses (R).....13000 | | 10,622 |
| 3 | BRIM Premium.....91300 | | <u>11,287</u> |
| 4 | Total..... | \$ | 2,642,197 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,424,551 |
| 2 | Unclassified.....09900 | | 30,963 |
| 3 | Current Expenses (R).....13000 | | 472,377 |
| 4 | Abandoned Property Program.....11800 | | 41,794 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | ABLE Program.....69201 | | 150,000 |
| 7 | BRIM Premium.....91300 | | <u>54,409</u> |
| 8 | Total..... | \$ | 3,184,094 |

Any unexpended balances remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 5,105,550 |
| 2 | Animal Identification Program03900 | 121,528 |
| 3 | State Farm Museum05500 | 87,759 |
| 4 | Current Expenses (R)13000 | 135,155 |
| 5 | Gypsy Moth Program (R)11900 | 917,769 |
| 6 | Huntington Farmers Market.....12800 | 37,142 |
| 7 | Black Fly Control.....13700 | 450,434 |
| 8 | Donated Foods Program36300 | 45,000 |
| 9 | Predator Control (R)47000 | 176,400 |
| 10 | Logan Farmers Market.....50100 | 40,988 |
| 11 | Bee Research.....69100 | 65,470 |
| 12 | Charleston Farmers Market.....74600 | 71,429 |
| 13 | Microbiology Program.....78500 | 97,126 |
| 14 | Moorefield Agriculture Center78600 | 905,605 |
| 15 | Chesapeake Bay Watershed83000 | 102,023 |
| 16 | Livestock Care Standards Board.....84300 | 8,820 |
| 17 | BRIM Premium.....91300 | 129,818 |
| 18 | State FFA-FHA Camp | |
| 19 | and Conference Center94101 | 586,215 |
| 20 | Threat Preparedness94200 | 68,987 |
| 21 | WV Food Banks.....96900 | 126,000 |
| 22 | Senior's Farmers' Market | |
| 23 | Nutrition Coupon Program97000 | <u>55,840</u> |
| 24 | Total..... | \$ 9,335,058 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0131, fiscal year 2017, appropriation 11900 (\$18,859), fund 0131, fiscal year 2017, appropriation 13000 (\$19,343), and fund 0131, fiscal year 2017, appropriation 47000 (\$3,600) which shall expire on June 30, 2017.

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

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

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

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

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

| | | | |
|---|--|-------|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 725,163 |
| 2 | Unclassified (R) | 09900 | 77,808 |
| 3 | Current Expenses (R)..... | 13000 | 316,049 |
| 4 | Soil Conservation Projects (R)..... | 12000 | 6,536,679 |

| | | | |
|---|-------------------|-------|---------------|
| 5 | BRIM Premium..... | 91300 | <u>30,213</u> |
| 6 | Total..... | | \$ 7,685,912 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0132, appropriation 09900), Soil Conservation Projects (fund 0132, appropriation 12000), and Current Expenses (fund 0132, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0132, fiscal year 2017, appropriation 12000 (\$157,439) which shall expire on June 30, 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 620,127 |
| 2 | Unclassified..... | 09900 | 7,090 |
| 3 | Current Expenses | 13000 | <u>81,880</u> |
| 4 | Total..... | | \$ 709,097 |

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

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

| | | | |
|---|---|-------|---------------|
| 1 | Programs and Awards for | | |
| 2 | 4-H Clubs and FFA/FHA..... | 57700 | \$ 15,000 |
| 3 | Commissioner's Awards and Programs..... | 73700 | <u>39,250</u> |
| 4 | Total..... | | \$ 54,250 |

*14 - Department of Agriculture –**West Virginia Agricultural Land Protection Authority*

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 94,823 |
| 2 | Unclassified.....09900 | | <u>950</u> |
| 3 | Total..... | \$ | 95,773 |

15 - Attorney General

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

Fund 0150 FY 2018 Org 1500

| | | | |
|----|-------------------------------------|----|----------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R)00100 | \$ | 2,281,145 |
| 3 | Unclassified (R)09900 | | 24,428 |
| 4 | Current Expenses (R)13000 | | 752,408 |
| 5 | Repairs and Alterations.....06400 | | 1,000 |
| 6 | Equipment.....07000 | | 1,000 |
| 7 | Criminal Convictions and | | |
| 8 | Habeas Corpus Appeals (R).....26000 | | 908,529 |
| 9 | Better Government Bureau74000 | | 271,991 |
| 10 | BRIM Premium.....91300 | | <u>112,761</u> |
| 11 | Total..... | \$ | 4,353,262 |

Any unexpended balances remaining in the above appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0150, fiscal year 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year

2017, appropriation 26000 (\$69,575) which shall expire on June 30, 2017.

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

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 117,213 |
| 2 | Unclassified (R)09900 | | 9,731 |
| 3 | Current Expenses (R).....13000 | | 805,697 |
| 4 | BRIM Premium.....91300 | | <u>21,695</u> |
| 5 | Total..... | \$ | 954,336 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0155, fiscal year 2017 appropriation 13000 (\$19,613) which shall expire on June 30, 2017.

Included in the above appropriation to Personal Services and Employee Benefits (fund 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 2018 Org 1601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,477 |
| 2 | Unclassified.....09900 | | 75 |
| 3 | Current Expenses13000 | | <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 2018 Org 0201

| | | | |
|----|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 580,647 |
| 2 | Unclassified.....09900 | | 9,177 |
| 3 | Current Expenses13000 | | 84,883 |
| 4 | Repairs and Alterations.....06400 | | 100 |
| 5 | Equipment.....07000 | | 1,000 |
| 6 | Financial Advisor (R)30400 | | 27,546 |
| 7 | Lease Rental Payments51600 | | 15,000,000 |
| 8 | Design-Build Board54000 | | 4,000 |
| 9 | Other Assets.....69000 | | 100 |
| 10 | BRIM Premium.....91300 | | <u>5,887</u> |
| 11 | Total..... | \$ | 15,713,340 |

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0186, fiscal year

2017, appropriation 30400 (\$73,000) which shall expire on June 30, 2017.

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

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

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

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 65,574 |
| 2 | Unclassified.....09900 | | 1,400 |
| 3 | Current Expenses13000 | | 68,083 |
| 4 | GAAP Project (R).....12500 | | 591,072 |
| 5 | BRIM Premium.....91300 | | <u>5,625</u> |
| 6 | Total..... | \$ | 731,754 |

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,504,207 |
| 2 | Unclassified.....09900 | 20,000 |
| 3 | Current Expenses13000 | 725,024 |
| 4 | Repairs and Alterations.....06400 | 500 |
| 5 | Equipment.....07000 | 5,000 |
| 6 | Fire Service Fee12600 | 14,000 |
| 7 | Buildings (R).....25800 | 500 |
| 8 | Preservation and Maintenance of Statues | |
| 9 | and Monuments on Capitol Grounds37100 | 68,000 |
| 10 | Capital Outlay, Repairs and Equipment (R).....58900 | 4,122,932 |
| 11 | Other Assets.....69000 | 500 |
| 12 | Land (R).....73000 | 500 |
| 13 | BRIM Premium.....91300 | <u>121,479</u> |
| 14 | Total..... | \$ 7,582,642 |

Any unexpended balances remaining in the above appropriations for Buildings (fund 0230, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Land (fund 0230, appropriation 73000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 997,906 |
| 2 | Unclassified.....09900 | | 144 |
| 3 | Current Expenses13000 | | 250 |
| 4 | Repairs and Alterations.....06400 | | 200 |
| 5 | BRIM Premium.....91300 | | <u>6,469</u> |
| 6 | Total..... | \$ | 1,004,969 |

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for 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 2018 Org 0215

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 762,556 |
| 2 | Unclassified.....09900 | | 12,032 |
| 3 | Current Expenses13000 | | 430,532 |
| 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..... | \$ | 1,211,320 |

Any unexpended balance remaining in the appropriation for Buildings (fund 0615, appropriation 25800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 45,550 |
|---|-----------------------------|----|--------|

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 2018 Org 0219

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 911,114 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 142,854 |
| 4 | Equipment.....07000 | | 50 |
| 5 | BRIM Premium.....91300 | | <u>9,608</u> |
| 6 | Total..... | \$ | 1,064,626 |

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 575,930 |
| 2 | Unclassified.....09900 | | 2,200 |
| 3 | Current Expenses13000 | | 104,637 |
| 4 | Repairs and Alterations.....06400 | | 500 |
| 5 | Other Assets69000 | | 100 |
| 6 | BRIM Premium.....91300 | | <u>4,473</u> |
| 7 | Total..... | \$ | 687,840 |

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,322,946 |
| 2 | Unclassified.....09900 | | 314,700 |
| 3 | Current Expenses13000 | | 11,165 |
| 4 | Public Defender Corporations.....35200 | | 19,198,028 |
| 5 | Appointed Counsel Fees (R).....78800 | | 10,723,115 |
| 6 | BRIM Premium.....91300 | | <u>9,594</u> |
| 7 | Total..... | \$ | 31,579,548 |

Any unexpended balance remaining in the above appropriation for Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,187 |
| 2 | Current Expenses | 13000 | <u>868</u> |
| 3 | Total..... | \$ | 4,055 |

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

The Division of Highways, Division of Motor Vehicles, Public Service Commission and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the public employees health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

| | | | | |
|---|---|-------|----|---------------|
| 1 | Forensic Medical Examinations (R) | 68300 | \$ | 137,954 |
| 2 | Federal Funds/Grant Match (R) | 74900 | | <u>98,443</u> |

3 Total..... \$ 236,397

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 642,679 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 137,926 |
| 4 | Repairs and Alterations.....06400 | | 100 |
| 5 | Equipment.....07000 | | 2,500 |
| 6 | BRIM Premium.....91300 | | <u>7,976</u> |
| 7 | Total..... | \$ | 792,181 |

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,451,074 |
| 2 | Unclassified.....09900 | | 21,435 |
| 3 | Current Expenses13000 | | 334,903 |
| 4 | Repairs and Alterations.....06400 | | 80,000 |
| 5 | Equipment (R).....07000 | | 2,061 |
| 6 | BRIM Premium.....91300 | | <u>92,293</u> |
| 7 | Total..... | \$ | 2,981,766 |

Any unexpended balance remaining in the appropriation for Equipment (fund 0250, appropriation 07000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,561,820 |
| 2 | Unclassified.....09900 | | 28,173 |
| 3 | Current Expenses13000 | | 49,140 |
| 4 | Repairs and Alterations.....06400 | | 968 |
| 5 | Mineral Mapping System (R)20700 | | 1,096,873 |
| 6 | BRIM Premium.....91300 | | <u>22,766</u> |
| 7 | Total..... | \$ | 2,759,740 |

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall expire on June 30, 2017.

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

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 4,261,006 |
| 2 | Unclassified.....09900 | | 108,687 |
| 3 | Save Our State (SOS).....05050 | | 15,000,000 |
| 4 | Current Expenses13000 | | 3,763,900 |
| 5 | National Youth Science Camp.....13200 | | 241,570 |

| | | | |
|----|--|-------|----------------|
| 6 | Local Economic | | |
| 7 | Development Partnerships (R)..... | 13300 | 792,000 |
| 8 | ARC Assessment | 13600 | 152,585 |
| 9 | Guaranteed Work Force Grant (R)..... | 24200 | 969,633 |
| 10 | Mainstreet Program..... | 79400 | 163,758 |
| 11 | BRIM Premium..... | 91300 | 2,345 |
| 12 | Hatfield McCoy Recreational Trail..... | 96000 | <u>198,415</u> |
| 13 | Total..... | | \$ 25,653,899 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Guaranteed Work Force Grant (fund 0256, appropriation 24200), Industrial Park Assistance (fund 0256, appropriation 48000), Small Business Development (fund 0256, appropriation 70300), Local Economic Development Assistance (fund 0256, appropriation 81900), and 4-H Camp Improvements (fund 0256, appropriation 94100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation to Save Our State (SOS) (fund 0256, appropriation 05050) is to be used for infrastructure, economic development, and tourism.

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

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 15,476,492 |
| 2 | Unclassified.....09900 | 184,711 |
| 3 | Current Expenses13000 | 170,047 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 100 |
| 6 | Buildings.....25800 | 100 |
| 7 | Litter Control Conservation Officers56400 | 139,877 |
| 8 | Upper Mud River Flood Control.....65400 | 159,762 |
| 9 | Other Assets.....69000 | 100 |
| 10 | Land (R).....73000 | 100 |
| 11 | Law Enforcement.....80600 | 2,413,523 |
| 12 | BRIM Premium.....91300 | <u>23,470</u> |
| 13 | Total..... | \$ 18,568,382 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0265, appropriation 25800), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 9,205,577 |
| 2 | Unclassified.....09900 | 120,000 |
| 3 | Current Expenses13000 | 1,378,532 |
| 4 | Coal Dust and Rock Dust Sampling27000 | 474,050 |
| 5 | BRIM Premium.....91300 | <u>75,110</u> |
| 6 | Total..... | \$ 11,253,269 |

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

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 226,550 |
| 2 | Unclassified.....09900 | | 3,551 |
| 3 | Current Expenses 13000 | | <u>117,917</u> |
| 4 | Total..... | \$ | 348,018 |

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 51,728 |
| 2 | Unclassified.....09900 | | 596 |
| 3 | Current Expenses 13000 | | <u>7,334</u> |
| 4 | Total..... | \$ | 59,658 |

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 398,752 |
| 2 | Unclassified.....09900 | | 3,500 |
| 3 | Current Expenses 13000 | | <u>14,725</u> |
| 4 | Total..... | \$ | 416,977 |

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 194,457 |
| 2 | Unclassified.....09900 | | 15,204 |
| 3 | Current Expenses13000 | | 1,026,720 |
| 4 | BRIM Premium.....91300 | | <u>3,604</u> |
| 5 | Total..... | \$ | 1,239,985 |

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

DEPARTMENT OF EDUCATION*41 - State Board of Education –**School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 321,931 |
| 2 | Current Expenses13000 | | <u>2,118,490</u> |
| 3 | Total..... | \$ | 2,440,421 |

*42 - State Board of Education –**State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,278,989 |
| 2 | Technology System Specialist06200 | | 2,000,000 |
| 3 | Teachers' Retirement Savings Realized09500 | | 34,638,000 |
| 4 | Unclassified (R)09900 | | 300,000 |
| 5 | Current Expenses (R)13000 | | 2,518,992 |
| 6 | Equipment.....07000 | | 5,000 |
| 7 | Increased Enrollment14000 | | 2,650,000 |

| | | | |
|----|--|-------|----------------|
| 8 | Safe Schools..... | 14300 | 4,911,959 |
| 9 | Teacher Mentor..... | 15800 | 550,000 |
| 10 | Buildings (R)..... | 25800 | 1,000 |
| 11 | Allowance for County Transfers..... | 26400 | 64,212 |
| 12 | Technology Repair and Modernization..... | 29800 | 951,003 |
| 13 | HVAC Technicians..... | 35500 | 495,507 |
| 14 | Early Retirement Notification Incentive..... | 36600 | 300,000 |
| 15 | MATH Program..... | 36800 | 336,532 |
| 16 | Assessment Programs..... | 39600 | 1,339,588 |
| 17 | 21st Century Fellows..... | 50700 | 274,899 |
| 18 | English as a Second Language..... | 52800 | 96,000 |
| 19 | Teacher Reimbursement..... | 57300 | 297,188 |
| 20 | Hospitality Training..... | 60000 | 267,123 |
| 21 | Hi-Y Youth in Government..... | 61600 | 100,000 |
| 22 | High Acuity Special Needs (R)..... | 63400 | 1,500,000 |
| 23 | Foreign Student Education..... | 63600 | 150,000 |
| 24 | Principals Mentorship..... | 64900 | 69,250 |
| 25 | State Board of Education | | |
| 26 | Administrative Costs..... | 68400 | 366,152 |
| 27 | Other Assets..... | 69000 | 1,000 |
| 28 | IT Academy (R)..... | 72100 | 500,000 |
| 29 | Land (R)..... | 73000 | 1,000 |
| 30 | Early Literacy Program..... | 75600 | 5,700,000 |
| 31 | School Based Truancy Prevention (R)..... | 78101 | 2,000,000 |
| 32 | Innovation in Education..... | 78102 | 2,496,144 |
| 33 | 21st Century Learners (R)..... | 88600 | 1,706,441 |
| 34 | BRIM Premium..... | 91300 | 320,429 |
| 35 | 21st Century Assessment | | |
| 36 | and Professional Development..... | 93100 | 1,999,007 |
| 37 | 21st Century Technology Infrastructure | | |
| 38 | Network Tools and Support..... | 93300 | 7,636,586 |
| 39 | Educational Program Allowance..... | 99600 | <u>516,250</u> |
| 40 | Total..... | | \$ 81,338,251 |

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

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses

(fund 0313, appropriation 13000), National Teacher Certification (fund 0313, appropriation 16100), Buildings (fund 0313, appropriation 25800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), Land (fund 0313, appropriation 73000), School Based Truancy Prevention (fund 0313, appropriation 78101), and 21st Century Learners (fund 0313, appropriation 88600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for Technology System Specialists (fund 0313, appropriation 06200), shall first be used for the continuance of current pilot projects. The remaining balance, if any, may be used to expand the pilot project for additional counties.

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

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

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

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

| | | | |
|---|---------------------------------------|-------|-------------------|
| 1 | Special Education – Counties | 15900 | \$ 7,271,757 |
| 2 | Special Education – Institutions..... | 16000 | 3,748,794 |
| 3 | Education of Juveniles Held in | | |
| 4 | Predispositional Juvenile | | |
| 5 | Detention Centers | 30200 | 591,646 |
| 6 | Education of Institutionalized | | |
| 7 | Juveniles and Adults (R)..... | 47200 | <u>17,736,957</u> |
| 8 | Total..... | | \$ 29,349,154 |

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

*44 - State Board of Education –**State Aid to Schools*

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

| | | | |
|----|---|-------|--------------------|
| 1 | Other Current Expenses | 02200 | \$ 151,791,981 |
| 2 | Advanced Placement..... | 05300 | 553,954 |
| 3 | Professional Educators..... | 15100 | 858,023,723 |
| 4 | Service Personnel..... | 15200 | 286,915,321 |
| 5 | Fixed Charges | 15300 | 101,760,903 |
| 6 | Transportation | 15400 | 70,276,078 |
| 7 | Professional Student Support Services | 65500 | 36,952,999 |
| 8 | Improved Instructional Programs..... | 15600 | 49,131,108 |
| 9 | 21st Century Strategic | | |
| 10 | Technology Learning Growth..... | 93600 | <u>20,756,981</u> |
| 11 | Basic Foundation Allowances..... | | 1,576,163,048 |
| 12 | Less Local Share | | (454,565,290) |
| 13 | Adjustments | | <u>(2,441,341)</u> |

| | | |
|----|--|--------------------|
| 14 | Total Basic State Aid | 1,119,156,417 |
| 15 | Public Employees' Insurance Matching01200 | 242,714,967 |
| 16 | Teachers' Retirement System01900 | 74,348,473 |
| 17 | School Building Authority45300 | 23,424,770 |
| 18 | Retirement Systems – Unfunded Liability....77500 | <u>343,963,000</u> |
| 19 | Total..... | \$1,803,607,627 |

45 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,275,473 |
| 2 | Unclassified.....09900 | 268,800 |
| 3 | Current Expenses13000 | 882,131 |
| 4 | Wood Products – | |
| 5 | Forestry Vocational Program.....14600 | 68,993 |
| 6 | Albert Yanni Vocational Program14700 | 131,951 |
| 7 | Vocational Aid.....14800 | 22,440,602 |
| 8 | Adult Basic Education14900 | 4,591,896 |
| 9 | Program Modernization30500 | 884,313 |
| 10 | High School Equivalency | |
| 11 | Diploma Testing (R).....72600 | 778,815 |
| 12 | FFA Grant Awards.....83900 | 11,496 |
| 13 | Pre-Engineering Academy Program84000 | <u>265,294</u> |
| 14 | Total..... | \$ 31,599,764 |

Any unexpended balances remaining in the appropriations for GED Testing (fund 0390, appropriation 33900) and High School Equivalency Diploma Testing (fund 0390, appropriation 72600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

46 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 11,304,805 |
| 2 | Unclassified.....09900 | 110,000 |
| 3 | Current Expenses13000 | 1,988,129 |
| 4 | Repairs and Alterations.....06400 | 85,000 |
| 5 | Equipment.....07000 | 70,000 |
| 6 | Buildings (R).....25800 | 85,000 |
| 7 | Capital Outlay and Maintenance (R)75500 | 82,500 |
| 8 | BRIM Premium.....91300 | <u>124,890</u> |
| 9 | Total..... | \$ 13,850,324 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS

47 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 781,264 |
| 2 | Unclassified.....09900 | 35,000 |
| 3 | Center for Professional Development (R).....11500 | 1,490,833 |
| 4 | Current Expenses13000 | 6,562 |
| 5 | WV Humanities Council.....16800 | 250,000 |
| 6 | Benedum Professional Development | |
| 7 | Collaborative (R)42700 | 429,116 |
| 8 | Governor's Honors Academy (R)47800 | 1,059,270 |
| 9 | Educational Enhancements69500 | 196,000 |
| 10 | S.T.E.M. Education and Grant Program71900 | 490,286 |
| 11 | Energy Express86100 | 382,935 |
| 12 | BRIM Premium.....91300 | 4,870 |
| 13 | Special Olympic Games.....96600 | <u>25,000</u> |

14 Total..... \$ 5,151,136

Any unexpended balances remaining in the appropriations for Center for Professional Development (fund 0294, appropriation 11500), Benedum Professional Development Collaborative (fund 0294, appropriation 42700), Governor's Honors Academy (fund 0294, appropriation 47800), and S.T.E.M. Education and Grant Program (fund 0294, appropriation 71900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0294, fiscal year 2017, appropriation 42700 (\$66,416) which shall expire on June 30, 2017.

From the above appropriation for Educational Enhancements (fund 0294, appropriation 69500), \$73,500 shall be used for the Clay Center and \$122,500 for Reconnecting McDowell – Save the Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,582,373 |
| 2 | Current Expenses13000 | 605,585 |
| 3 | Repairs and Alterations.....06400 | 1,000 |
| 4 | Equipment.....07000 | 1 |
| 5 | Unclassified.....09900 | 28,483 |
| 6 | Buildings (R).....25800 | 1 |
| 7 | Other Assets69000 | 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>36,371</u> |
| 13 | Total..... | \$ 4,562,537 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and

Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Land (fund 0293, appropriation 73000), and Capital Outlay and Maintenance (fund 0293, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,286,968 |
| 2 | Current Expenses | 13000 | 137,674 |
| 3 | Repairs and Alterations..... | 06400 | 6,500 |
| 4 | Services to Blind & Handicapped..... | 18100 | 161,717 |
| 5 | BRIM Premium..... | 91300 | <u>16,734</u> |
| 6 | Total..... | \$ | 1,609,593 |

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,186,435 |
| 2 | Current Expenses | 13000 | 20,146 |
| 3 | Mountain Stage | 40700 | 300,000 |
| 4 | Capital Outlay and Maintenance..... | 75500 | 10,000 |
| 5 | BRIM Premium..... | 91300 | <u>45,283</u> |
| 6 | Total..... | \$ | 4,561,864 |

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

51 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 10,590,552 |
| 2 | Independent Living Services.....00900 | 429,418 |
| 3 | Current Expenses13000 | 545,202 |
| 4 | Disability Employment16300 | 1,817,427 |
| 5 | Supported Employment Extended Services..20600 | 77,960 |
| 6 | Ron Yost Personal Assistance Fund40700 | 333,828 |
| 7 | Employment Attendant Care Program.....59800 | 131,575 |
| 8 | BRIM Premium.....91300 | <u>72,396</u> |
| 9 | Total..... | \$ 13,998,358 |

From the above appropriation for Workshop Development (fund 0310, appropriation 16300), funds shall be used exclusively with the private nonprofit community rehabilitation program organizations. The appropriation shall also be used to continue the support of the program, services, and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

| | | |
|---|--|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 72,067 |
| 2 | Current Expenses13000 | 29,203 |
| 3 | Repairs and Alterations.....06400 | 100 |
| 4 | Equipment.....07000 | 300 |

| | | | |
|---|--------------------|-------|------------|
| 5 | Other Assets | 69000 | 400 |
| 6 | BRIM Premium..... | 91300 | <u>739</u> |
| 7 | Total..... | | \$ 102,809 |

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

| | | | |
|----|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 3,926,093 |
| 2 | Water Resources Protection and Management... | 06800 | 566,284 |
| 3 | Current Expenses | 13000 | 96,242 |
| 4 | Repairs and Alterations..... | 06400 | 4,950 |
| 5 | Unclassified..... | 09900 | 25,049 |
| 6 | Dam Safety..... | 60700 | 210,959 |
| 7 | West Virginia Stream Partners Program..... | 63700 | 77,396 |
| 8 | Meth Lab Cleanup..... | 65600 | 200,073 |
| 9 | Other Assets..... | 69000 | 1,000 |
| 10 | WV Contributions to River Commissions | 77600 | 148,485 |
| 11 | Office of Water Resources | | |
| 12 | Non-Enforcement Activity | 85500 | <u>908,854</u> |
| 13 | Total..... | | \$ 6,165,385 |

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

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

| | | | |
|---|--|-------|-----------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 61,108 |
| 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 | | 2,153 |
| 7 | Total..... | | \$ | 76,273 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

| | | | | |
|---|---|-------|----|---------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 373,601 |
| 2 | Unclassified..... | 09900 | | 8,014 |
| 3 | Current Expenses | 13000 | | 48,833 |
| 4 | Women's Commission (R) | 19100 | | 155,489 |
| 5 | Commission for the Deaf and Hard of Hearing.. | 70400 | | 215,479 |
| 6 | Total..... | | \$ | 801,416 |

Any unexpended balance remaining in the appropriation for the Women's Commission (fund 0400, appropriation 19100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

56 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

| | | | | |
|---|---|-------|----|------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 12,048,586 |
| 2 | Chief Medical Examiner | 04500 | | 5,954,317 |
| 3 | Unclassified..... | 09900 | | 691,862 |
| 4 | Current Expenses | 13000 | | 4,640,355 |
| 5 | State Aid for Local and | | | |
| 6 | Basic Public Health Services | 18400 | | 12,645,160 |
| 7 | Safe Drinking Water Program (R) | 18700 | | 2,167,723 |
| 8 | Women, Infants and Children | 21000 | | 38,621 |
| 9 | Early Intervention | 22300 | | 8,134,060 |

| | | | |
|----|---|-------|------------------|
| 10 | Cancer Registry..... | 22500 | 195,868 |
| 11 | Statewide EMS Program Support (R)..... | 38300 | 1,824,458 |
| 12 | Black Lung Clinics | 46700 | 170,885 |
| 13 | Center for End of Life..... | 54500 | 150,000 |
| 14 | Vaccine for Children..... | 55100 | 332,942 |
| 15 | Tuberculosis Control..... | 55300 | 364,556 |
| 16 | Maternal and Child Health Clinics, Clinicians | | |
| 17 | Medical Contracts and Fees (R) | 57500 | 6,327,015 |
| 18 | Epidemiology Support | 62600 | 1,492,573 |
| 19 | Primary Care Support | 62800 | 4,665,575 |
| 20 | Sexual Assault Intervention and Prevention..... | 72300 | 125,000 |
| 21 | Health Right Free Clinics..... | 72700 | 2,750,000 |
| 22 | Capital Outlay and Maintenance (R) | 75500 | 100,000 |
| 23 | Maternal Mortality Review..... | 83400 | 46,563 |
| 24 | Diabetes Education and Prevention | 87300 | 97,125 |
| 25 | BRIM Premium..... | 91300 | 228,111 |
| 26 | State Trauma and Emergency Care System.. | 91800 | <u>1,986,847</u> |
| 27 | Total..... | | \$ 67,178,202 |

Any unexpended balances remaining in the appropriations for Safe Drinking Water Program (fund 0407, appropriation 18700), Statewide EMS Program Support (fund 0407, appropriation 38300), Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Assistance to Primary Health Care Centers Community Health Foundation (fund 0407, appropriation 84500), and Tobacco Education Program (fund 0407, appropriation 90600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

| | | | |
|----|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,554,852 |
| 2 | Current Expenses | | 12,463 |
| 3 | Behavioral Health Program (R) | | 64,415,611 |
| 4 | Family Support Act..... | | 251,226 |
| 5 | Institutional Facilities Operations (R)..... | | 105,067,434 |
| 6 | Substance Abuse Continuum of Care (R)..... | | 5,000,000 |
| 7 | Capital Outlay and Maintenance (R) | | 950,000 |
| 8 | Renaissance Program..... | | 165,996 |
| 9 | BRIM Premium..... | | <u>1,211,307</u> |
| 10 | Total..... | \$ | 178,628,889 |

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation 33500), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), Capital Outlay (fund 0525, appropriation 51100), Behavioral Health Program – Surplus (fund 0525, appropriation 63100), Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200), Substance Abuse Continuum of Care – Surplus (fund 0525, appropriation 72200), and Capital Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Notwithstanding the provisions of Title I, section three of this bill, the secretary of the Department of Health and Human Resources shall have the authority to transfer funds within the

above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the personal services and employee benefits appropriation.

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

From the above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500), together with available funds from the Division of Health – Hospital Services Revenue Account (fund 5156, appropriation 33500), on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

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

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

Additional funds have been appropriated in fund 5156, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the Institutional Facilities Operations appropriation to facilitate cost effective and cost saving services at the community level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

| | | | |
|---|--|-------|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund-Transfer..... | 68900 | \$ 647,500 |

The above appropriation for Drinking Water Treatment Revolving Fund – Transfer shall be transferred to the West Virginia Drinking Water Treatment Revolving Fund or appropriate bank depository and the Drinking Water Treatment Revolving – Administrative Expense Fund as provided by Chapter 16 of the Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,002,668 |
| 2 | Unclassified..... | 09900 | 4,024 |
| 3 | Current Expenses | 13000 | 330,029 |
| 4 | BRIM Premium..... | 91300 | <u>10,056</u> |
| 5 | Total..... | | \$ 1,346,777 |

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

| | | | |
|----|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 43,080,824 |
| 2 | Unclassified..... | 09900 | 5,688,944 |
| 3 | Current Expenses | 13000 | 11,315,095 |
| 4 | Child Care Development..... | 14400 | 9,079,268 |
| 5 | Medical Services Contracts | | |
| 6 | and Office of Managed Care..... | 18300 | 1,835,469 |
| 7 | Medical Services..... | 18900 | 502,663,049 |
| 8 | Social Services..... | 19500 | 145,947,791 |
| 9 | Family Preservation Program | 19600 | 1,565,000 |
| 10 | Family Resource Networks..... | 27400 | 1,762,464 |

| | | | |
|----|---|-------|----------------------|
| 11 | Domestic Violence Legal Services Fund | 38400 | 400,000 |
| 12 | James “Tiger” Morton | | |
| 13 | Catastrophic Illness Fund | 45500 | 101,005 |
| 14 | I/DD Waiver..... | 46600 | 88,753,483 |
| 15 | Child Protective Services Case Workers | 46800 | 22,446,545 |
| 16 | OSCAR and RAPIDS | 51500 | 6,405,873 |
| 17 | Title XIX Waiver for Seniors..... | 53300 | 13,593,620 |
| 18 | WV Teaching Hospitals Tertiary/Safety Net..... | 54700 | 6,356,000 |
| 19 | Child Welfare System | 60300 | 1,250,959 |
| 20 | In-Home Family Education..... | 68800 | 1,000,000 |
| 21 | WV Works Separate State Program..... | 69800 | 1,935,000 |
| 22 | Child Support Enforcement | 70500 | 6,260,676 |
| 23 | Medicaid Auditing | 70600 | 606,750 |
| 24 | Temporary Assistance for Needy Families/ 25 Maintenance of Effort..... | 70700 | 22,969,096 |
| 26 | Child Care – Maintenance of Effort Match | 70800 | 5,693,743 |
| 27 | Child and Family Services | 73600 | 2,850,000 |
| 28 | Grants for Licensed Domestic Violence | | |
| 29 | Programs and Statewide Prevention | 75000 | 2,500,000 |
| 30 | Capital Outlay and Maintenance (R) | 75500 | 11,875 |
| 31 | Community Based Services | | |
| 32 | and Pilot Programs for Youth | 75900 | 1,000,000 |
| 33 | Medical Services Administrative Costs | 78900 | 35,609,925 |
| 34 | Traumatic Brain Injury Waiver..... | 83500 | 800,000 |
| 35 | Indigent Burials (R) | 85100 | 2,050,000 |
| 36 | BRIM Premium..... | 91300 | 834,187 |
| 37 | Rural Hospitals Under 150 Beds..... | 94000 | 2,596,000 |
| 38 | Children’s Trust Fund – Transfer..... | 95100 | <u>220,000</u> |
| 39 | Total..... | | <u>\$949,182,641</u> |

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation 85100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Notwithstanding the provisions of Title I, section three of this bill, the secretary of the Department of Health and Human Resources shall have the authority to transfer funds within the

above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the personal services and employee benefits appropriation.

The secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

The above appropriation for James “Tiger” Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James “Tiger” Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467), and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the secretary of the Department of Health and Human Resources.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500) an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided equally and distributed among the fourteen (14) licensed programs and the West Virginia Coalition Against Domestic Violence

(WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board.

The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children's Trust Fund (fund 5469, org 0511).

**DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY**

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

| | | | |
|----|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 711,738 |
| 2 | Unclassified (R).....09900 | | 21,719 |
| 3 | Current Expenses.....13000 | | 66,492 |
| 4 | Repairs and Alterations.....06400 | | 6,000 |
| 5 | Equipment.....07000 | | 3,000 |
| 6 | Fusion Center (R).....46900 | | 534,332 |
| 7 | Other Assets.....69000 | | 3,000 |
| 8 | Directed Transfer.....70000 | | 32,000 |
| 9 | BRIM Premium.....91300 | | 11,938 |
| 10 | WV Fire and EMS Survivor Benefit (R).....93900 | | 200,000 |
| 11 | Homeland State Security | | |
| 12 | Administrative Agency (R).....95300 | | <u>531,683</u> |
| 13 | Total..... | \$ | 2,121,902 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Substance Abuse Program – Surplus (fund 0430, appropriation 69600), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and

EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0430, fiscal year 2017, appropriation 93900 (\$50,000) which shall expire on June 30, 2017.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

| | | | | |
|---|------------------------------------|-------|----|------------------|
| 1 | Unclassified..... | 09900 | \$ | 106,798 |
| 2 | College Education Fund..... | 23200 | | 4,000,000 |
| 3 | Civil Air Patrol..... | 23400 | | 249,219 |
| 4 | Mountaineer ChalleNGe Academy..... | 70900 | | 1,500,000 |
| 5 | Armory Board Transfer..... | 70015 | | 2,317,555 |
| 6 | Military Authority..... | 74800 | | <u>5,857,390</u> |
| 7 | Total..... | | \$ | 14,030,962 |

Any unexpended balance remaining in the appropriations for Unclassified (fund 0433, appropriation 09900) and Military Authority (fund 0433, appropriation 74800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations an amount approved by the Adjutant General and the secretary of Military Affairs and Public Safety may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The adjutant general shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$4,500,000 to the Mountaineer Challenge Academy to meet anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 100,000 |
| 2 | Current Expenses13000 | | <u>57,775</u> |
| 3 | Total..... | \$ | 157,775 |

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 382,952 |
| 2 | Current Expenses13000 | | 294,559 |
| 3 | Salaries of Members of West Virginia | | |
| 4 | Parole Board22700 | | 593,029 |
| 5 | BRIM Premium.....91300 | | <u>5,747</u> |
| 6 | Total..... | \$ | 1,276,287 |

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va. Code §5-5-1), and related employee benefits of board members.

65 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,006,489 |
| 2 | Unclassified.....09900 | 26,342 |
| 3 | Current Expenses13000 | 51,674 |
| 4 | Repairs and Alterations.....06400 | 600 |
| 5 | Radiological Emergency Preparedness.....55400 | 17,230 |
| 6 | Federal Funds/Grant Match (R).....74900 | 660,991 |
| 7 | Mine and Industrial Accident Rapid | |
| 8 | Response Call Center.....78100 | 450,539 |
| 9 | Early Warning Flood System (R)87700 | 466,845 |
| 10 | BRIM Premium.....91300 | 20,786 |
| 11 | WVU Charleston Poison Control Hotline.....94400 | <u>712,942</u> |
| 12 | Total..... | \$ 3,414,438 |

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall expire on June 30, 2017.

66 - Division of Corrections –

Central Office

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

Fund 0446 FY 2018 Org 0608

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 593,431 |
| 2 | Current Expenses13000 | <u>1,800</u> |
| 3 | Total..... | \$ 595,231 |

67 - Division of Corrections –

Correctional Units

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

Fund 0450 FY 2018 Org 0608

| | | | |
|----|---|-------|------------------|
| 1 | Employee Benefits | 01000 | \$ 1,258,136 |
| 2 | Children's Protection Act (R) | 09000 | 838,437 |
| 3 | Unclassified (R) | 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 | 2,585,251 |
| 7 | Beckley Correctional Center | 49000 | 1,780,425 |
| 8 | Huntington Work Release Center | 49500 | 965,100 |
| 9 | Anthony Correctional Center | 50400 | 5,009,807 |
| 10 | Huttonsville Correctional Center | 51400 | 19,760,309 |
| 11 | Northern Correctional Center | 53400 | 6,738,979 |
| 12 | Inmate Medical Expenses (R) | 53500 | 21,226,064 |
| 13 | Pruntytown Correctional Center | 54300 | 6,939,316 |
| 14 | Corrections Academy | 56900 | 1,556,666 |
| 15 | Information Technology Services | 59901 | 1,616,491 |
| 16 | Martinsburg Correctional Center | 66300 | 3,515,195 |
| 17 | Parole Services | 68600 | 4,945,361 |
| 18 | Special Services | 68700 | 6,654,557 |
| 19 | Investigative Services | 71600 | 2,980,734 |
| 20 | Capital Outlay and Maintenance (R) | 75500 | 2,000,000 |
| 21 | Salem Correctional Center | 77400 | 9,530,531 |
| 22 | McDowell County Correctional Center | 79000 | 2,542,590 |
| 23 | Stevens Correctional Center | 79100 | 7,863,195 |
| 24 | Parkersburg Correctional Center | 82800 | 2,501,777 |
| 25 | St. Mary's Correctional Center | 88100 | 11,958,071 |
| 26 | Denmar Correctional Center | 88200 | 4,334,308 |
| 27 | Ohio County Correctional Center | 88300 | 1,753,224 |
| 28 | Mt. Olive Correctional Complex | 88800 | 18,789,864 |
| 29 | Lakin Correctional Center | 89600 | 8,658,905 |
| 30 | BRIM Premium | 91300 | <u>2,359,770</u> |
| 31 | Total | | \$184,667,074 |

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital

Outlay, Repairs and Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Operating Expenses – Surplus (fund 0450, appropriation 77900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0450, fiscal year 2017, appropriation 09000 (\$100,000) which shall expire on June 30, 2017.

The Commissioner of Corrections shall have the authority to transfer between appropriations to the individual correctional units above and may transfer funds from the individual correctional units to Current Expenses (fund 0450, appropriation 13000) or Inmate Medical Expenses (fund 0450, appropriation 53500).

From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1, 2017, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000) payment shall be made to house Division of Corrections inmates in federal, county, and /or regional jails.

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 56,281,783 |
| 2 | Children's Protection Act09000 | 948,101 |
| 3 | Current Expenses13000 | 10,309,769 |
| 4 | Repairs and Alterations.....06400 | 450,523 |

| | | | |
|----|---|-------|------------------|
| 5 | Barracks Lease Payments | 55600 | 237,898 |
| 6 | Communications and Other Equipment (R) | 55800 | 70,968 |
| 7 | Trooper Retirement Fund..... | 60500 | 4,565,197 |
| 8 | Handgun Administration Expense | 74700 | 67,179 |
| 9 | Capital Outlay and Maintenance (R) | 75500 | 250,000 |
| 10 | Retirement Systems – Unfunded Liability.... | 77500 | 24,675,000 |
| 11 | Automated Fingerprint Identification System.... | 89800 | 723,064 |
| 12 | BRIM Premium..... | 91300 | <u>5,368,150</u> |
| 13 | Total..... | | \$103,947,632 |

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800), and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

| | | | |
|---|------------------------|-------|-----------|
| 1 | Current Expenses | 13000 | \$ 64,021 |
|---|------------------------|-------|-----------|

70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 531,051 |
| 2 | Current Expenses | 13000 | 132,696 |
| 3 | Repairs and Alterations..... | 06400 | 1,804 |
| 4 | Child Advocacy Centers (R)..... | 45800 | 1,701,671 |
| 5 | Community Corrections (R) | 56100 | 6,905,614 |

| | | | |
|----|---|-------|--------------|
| 6 | Statistical Analysis Program..... | 59700 | 46,381 |
| 7 | Sexual Assault Forensic | | |
| 8 | Examination Commission..... | 71400 | 76,231 |
| 9 | Qualitative Analysis and Training | | |
| 10 | for Youth Services (R)..... | 76200 | 332,018 |
| 11 | Law Enforcement Professional Standards | 83800 | 154,471 |
| 12 | BRIM Premium..... | 91300 | <u>1,788</u> |
| 13 | Total..... | | \$ 9,883,725 |

Any unexpended balances remaining in the appropriations for Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), and Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0546, fiscal year 2017, appropriation 56100 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200 (\$29,878) which shall expire on June 30, 2017.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

| | | | |
|----|--|-------|--------------|
| 1 | Statewide Reporting Centers..... | 26200 | \$ 6,279,447 |
| 2 | Robert L. Shell Juvenile Center..... | 26700 | 1,956,950 |
| 3 | Resident Medical Expenses (R)..... | 53501 | 3,604,999 |
| 4 | Central Office..... | 70100 | 2,307,517 |
| 5 | Capital Outlay and Maintenance (R) | 75500 | 250,000 |
| 6 | Gene Spadaro Juvenile Center | 79300 | 2,128,385 |
| 7 | BRIM Premium..... | 91300 | 108,380 |
| 8 | Kenneth Honey Rubenstein | | |
| 9 | Juvenile Center (R)..... | 98000 | 4,926,863 |
| 10 | Vicki Douglas Juvenile Center | 98100 | 1,870,388 |

| | | | |
|----|--|-------|------------------|
| 11 | Northern Regional Juvenile Center..... | 98200 | 2,876,302 |
| 12 | Lorrie Yeager Jr. Juvenile Center | 98300 | 1,909,246 |
| 13 | Sam Perdue Juvenile Center | 98400 | 2,003,196 |
| 14 | Tiger Morton Center | 98500 | 2,114,663 |
| 15 | Donald R. Kuhn Juvenile Center | 98600 | 4,057,994 |
| 16 | J.M. "Chick" Buckbee Juvenile Center | 98700 | <u>2,017,395</u> |
| 17 | Total..... | | \$ 38,411,725 |

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations, on July 1, 2017, the sum of \$50,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 2,772,420 |
| 2 | Unclassified (R) | 09900 | 21,991 |
| 3 | Current Expenses | 13000 | 139,232 |
| 4 | Repairs and Alterations..... | 06400 | 8,500 |
| 5 | Equipment (R)..... | 07000 | 64,171 |
| 6 | BRIM Premium..... | 91300 | <u>11,426</u> |
| 7 | Total..... | | \$ 3,017,740 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000), and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF REVENUE

73 - Office of the Secretary

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 486,146 |
| 2 | Unclassified.....09900 | | 5,954 |
| 3 | Current Expenses13000 | | 80,780 |
| 4 | Repairs and Alterations.....06400 | | 1,262 |
| 5 | Equipment.....07000 | | 8,000 |
| 6 | Other Assets.....69000 | | 500 |
| 7 | Total..... | \$ | 582,642 |

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 16,265,639 |
| 2 | Unclassified (R)09900 | | 224,578 |
| 3 | Current Expenses (R).....13000 | | 5,245,381 |
| 4 | Repairs and Alterations.....06400 | | 10,000 |
| 5 | Equipment.....07000 | | 50,000 |
| 6 | Tax Technology Upgrade09400 | | 2,700,000 |
| 7 | Multi State Tax Commission65300 | | 77,958 |
| 8 | Other Assets.....69000 | | 10,000 |

| | | | |
|----|-------------------|-------|---------------|
| 9 | BRIM Premium..... | 91300 | <u>14,560</u> |
| 10 | Total..... | | \$ 24,598,116 |

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), and Current Expenses (fund 0470, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

| | | | |
|---|--|-------|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 630,702 |
| 2 | Unclassified (R) | 09900 | <u>449</u> |
| 3 | Total..... | | \$ 631,151 |

Any unexpended balance remaining in the appropriation for Unclassified (fund 0595, appropriation 09900) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 424,872 |
| 2 | Current Expenses (R) | 13000 | 92,572 |
| 3 | Unclassified..... | 09900 | 5,255 |
| 4 | BRIM Premium..... | 91300 | <u>2,862</u> |
| 5 | Total..... | | \$ 525,561 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 7,200 |
| 2 | Current Expenses | 13000 | <u>29,611</u> |
| 3 | Total | \$ | 36,811 |

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 314,113 |
| 2 | Current Expenses | 13000 | 287,332 |
| 3 | Other Assets (R)..... | 69000 | 1,303,277 |
| 4 | BRIM Premium..... | 91300 | <u>188,356</u> |
| 5 | Total | \$ | 2,093,078 |

Any unexpended balance remaining in the appropriation Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

| | | | | |
|---|---------------------------|-------|----|------------------|
| 1 | Equipment (R)..... | 07000 | \$ | 384,710 |
| 2 | Current Expenses (R)..... | 13000 | | <u>1,878,279</u> |
| 3 | Total | | \$ | 2,262,989 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0510, fiscal year 2017, appropriation 07000 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 166,719 |
| 2 | Current Expenses (R).....13000 | | 591,614 |
| 3 | Repairs and Alterations.....06400 | | 100 |
| 4 | BRIM Premium.....91300 | | 4,148 |
| 5 | Total..... | \$ | 762,581 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0582, appropriation 09900) and Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE

81 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

| | | | |
|---|--|----|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,807,393 |
| 2 | Unclassified.....09900 | | 20,000 |
| 3 | Current Expenses13000 | | 137,189 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |

| | | | |
|----|--|-------|---------------|
| 5 | Veterans' Field Offices | 22800 | 248,345 |
| 6 | Veterans' Nursing Home (R) | 28600 | 5,527,826 |
| 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 | 160,001 |
| 13 | Memorial Day Patriotic Exercise | 69700 | 20,000 |
| 14 | Veterans Cemetery | 80800 | 375,428 |
| 15 | BRIM Premium | 91300 | <u>23,860</u> |
| 16 | Total | | \$ 9,022,554 |

Any unexpended balances remaining in the appropriations for Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0456, fiscal year 2017, appropriation 28600 (\$8,794), fund 0456, fiscal year 2017, appropriation 32900 (\$1,702), and fund 0456, fiscal year 2017, appropriation 34200 (\$29,000) which shall expire on June 30, 2017.

82 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,093,492 |
| 2 | Current Expenses | 13000 | <u>44,576</u> |
| 3 | Total | | \$ 1,138,068 |

BUREAU OF SENIOR SERVICES*83 - Bureau of Senior Services*

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

- | | | | |
|---|--|-------|---------------|
| 1 | Transfer to Division of Human Services | | |
| 2 | for Health Care and Title XIX | | |
| 3 | Waiver for Senior Citizens | 53900 | \$ 21,583,766 |

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

*84 - West Virginia Council for**Community and Technical College Education –**Control Account*

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

- | | | | |
|---|-------------------------------------|-------|------------|
| 1 | West Virginia Council for Community | | |
| 2 | and Technical Education (R) | 39200 | \$ 742,900 |
| 3 | Transit Training Partnership | 78300 | 35,217 |
| 4 | Community College | | |
| 5 | Workforce Development (R) | 87800 | 806,048 |
| 6 | College Transition Program..... | 88700 | 285,718 |

| | | | |
|----|---|-------|------------------|
| 7 | West Virginia Advance | | |
| 8 | Workforce Development (R) | 89300 | 3,200,720 |
| 9 | Technical Program Development (R) | 89400 | <u>1,849,250</u> |
| 10 | Total | | \$ 6,919,853 |

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), and Technical Program Development (fund 0596, appropriation 89400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0596, fiscal year 2017, appropriation 39200 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400 (\$45,964) which shall expire on June 30, 2017.

From the above appropriation for the Community College Workforce Development (fund 0596, appropriation 87800), \$200,000 shall be expended on the Mine Training Program in Southern West Virginia.

Included in the above appropriation for West Virginia Advance Workforce Development (fund 0596, appropriation 89300) is \$200,000 to be used exclusively for advanced manufacturing and energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | Mountwest Community | | |
| 2 | and Technical College | 48700 | \$ 5,458,142 |

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

- 1 New River Community
- 2 and Technical College35800 \$ 5,389,150

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

- 1 Pierpont Community
- 2 and Technical College93000 \$ 7,177,334

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

- 1 Blue Ridge Community
- 2 and Technical College88500 \$ 4,880,509

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

- 1 West Virginia University – Parkersburg47100 \$ 9,331,336

90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

- 1 Southern West Virginia Community
- 2 and Technical College44600 \$ 7,831,942

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

| | | | |
|---|----------------------------------|-------|--------------|
| 1 | West Virginia Northern Community | | |
| 2 | and Technical College | 44700 | \$ 6,760,490 |

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

| | | | |
|---|---------------------------------|-------|--------------|
| 1 | Eastern West Virginia Community | | |
| 2 | and Technical College | 41200 | \$ 1,798,607 |

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

| | | | |
|---|-----------------------------|-------|--------------|
| 1 | BridgeValley Community | | |
| 2 | and Technical College | 71700 | \$ 7,350,906 |

HIGHER EDUCATION POLICY COMMISSION*94 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 2,538,511 |
| 2 | Current Expenses | 13000 | 13,568 |
| 3 | Higher Education Grant Program | 16400 | 39,019,864 |
| 4 | Tuition Contract Program (R)..... | 16500 | 1,224,564 |
| 5 | Underwood-Smith Scholarship | | |
| 6 | Program-Student Awards..... | 16700 | 328,349 |
| 7 | Facilities Planning and Administration (R) | 38600 | 1,797,140 |
| 8 | PROMISE Scholarship – Transfer..... | 80000 | 18,500,000 |

| | | | |
|----|------------------------------|-------|---------------|
| 9 | HEAPS Grant Program (R)..... | 86700 | 5,007,764 |
| 10 | BRIM Premium..... | 91300 | <u>16,651</u> |
| 11 | Total..... | | \$ 68,446,411 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0589, appropriation 09700), Tuition Contract Program (fund 0589, appropriation 16500), Capital Improvements – Surplus (fund 0589, appropriation 66100), Capital Outlay and Maintenance (fund 0589, appropriation 75500), and HEAPS Grant Program (fund 0589, appropriation 86700) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall expire on June 30, 2017.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Education, Research and Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by W.Va. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program-Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher Scholarship and Loan Assistance Fund (fund 4922, org 0441) established by W.Va. Code §18C-4-1.

The above appropriation for PROMISE Scholarship – Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

1 WVNET16900 \$ 1,621,481

*96 - West Virginia University –**School of Medicine**Medical School Fund*

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

| | | | |
|---|---|-------|------------------|
| 1 | WVU School of Health Science – | | |
| 2 | Eastern Division..... | 05600 | \$ 2,149,539 |
| 3 | WVU – School of Health Sciences..... | 17400 | 14,833,144 |
| 4 | WVU – School of Health Sciences – | | |
| 5 | Charleston Division | 17500 | 2,210,767 |
| 6 | Rural Health Outreach Programs | 37700 | 162,639 |
| 7 | West Virginia University School of Medicine | | |
| 8 | BRIM Subsidy | 46000 | <u>1,203,087</u> |
| 9 | Total..... | | \$ 20,559,176 |

The above appropriation for Rural Health Outreach Programs (fund 0343, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia University School of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

*97 - West Virginia University –**General Administrative Fund*

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

| | | | |
|---|--|-------|------------------|
| 1 | West Virginia University | 45900 | \$ 93,511,253 |
| 2 | Jackson's Mill | 46100 | 478,967 |
| 3 | West Virginia University | | |
| 4 | Institute of Technology..... | 47900 | 7,636,347 |
| 5 | State Priorities – Brownfield | | |
| 6 | Professional Development..... | 53100 | 322,653 |
| 7 | West Virginia University – Potomac State ... | 99400 | <u>3,748,943</u> |
| 8 | Total..... | | \$ 105,698,163 |

From the above appropriation for Jackson's Mill (fund 0344, appropriation 46100) \$250,000 shall be used for the West Virginia State Fire Training Academy.

*98 - Marshall University –**School of Medicine*

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

| | | | |
|---|---|-------|----------------|
| 1 | Marshall Medical School | 17300 | \$ 12,179,256 |
| 2 | Rural Health Outreach Programs (R)..... | 37700 | 167,616 |
| 3 | Forensic Lab..... | 37701 | 241,438 |
| 4 | Center for Rural Health..... | 37702 | 160,166 |
| 5 | Marshall University Medical School | | |
| 6 | BRIM Subsidy | 44900 | <u>909,673</u> |
| 7 | Total..... | | \$ 13,658,149 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Program (fund 0347, appropriation 37700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0347, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for Marshall University Medical School BRIM Subsidy (fund 0347, appropriation 44900) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

99 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

| | | | |
|----|--------------------------------------|-------|------------------|
| 1 | Marshall University | 44800 | \$ 43,307,336 |
| 2 | Luke Lee Listening Language | | |
| 3 | and Learning Lab | 44801 | 97,585 |
| 4 | Vista E-Learning (R)..... | 51900 | 238,129 |
| 5 | State Priorities – Brownfield | | |
| 6 | Professional Development (R)..... | 53100 | 319,652 |
| 7 | Marshall University Graduate College | | |
| 8 | Writing Project (R) | 80700 | 19,825 |
| 9 | WV Autism Training Center (R) | 93200 | <u>1,716,307</u> |
| 10 | Total..... | | \$ 45,698,834 |

Any unexpended balances remaining in the appropriations for Vista E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), and WV Autism Training Center (fund 0348, appropriation 93200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0348, fiscal year 2017, appropriation 51900 (\$4,982), fund 0348, fiscal year 2017, appropriation 53100 (\$6,687), fund 0348, fiscal year 2017,

appropriation 80700 (\$415), and fund 0348, fiscal year 2017, appropriation 93200 (\$35,906) which shall expire on June 30, 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

| | | | |
|---|--|-------|----------------|
| 1 | West Virginia School | | |
| 2 | of Osteopathic Medicine..... | 17200 | \$ 6,662,274 |
| 3 | Rural Health Outreach Programs (R)..... | 37700 | 164,987 |
| 4 | West Virginia School of Osteopathic Medicine | | |
| 5 | BRIM Subsidy | 40300 | 153,405 |
| 6 | Rural Health Initiative – | | |
| 7 | Medical Schools Support..... | 58100 | <u>396,869</u> |
| 8 | Total..... | | \$ 7,377,535 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia School of Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation 40300) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

1 Bluefield State College40800 \$ 5,524,125

102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

1 Concord University41000 \$ 8,501,104

103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1 Fairmont State University41400 \$ 14,972,214

104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1 Glenville State College42800 \$ 5,773,569

105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1 Shepherd University43200 \$ 9,360,954

106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University43900 \$ 7,797,244

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

| | | | |
|---|---|-------|-------------------------|
| 1 | West Virginia State University | 44100 | \$ 9,771,311 |
| 2 | West Virginia State University | | |
| 3 | Land Grant Match..... | 95600 | <u>1,584,947</u> |
| 4 | Total..... | | \$ 11,356,258 |
| 5 | Total TITLE II, Section 1 – General Revenue | | |
| 6 | (Including claims against the state)..... | | \$ <u>4,333,500,000</u> |

Sec. 2. Appropriations from state road fund. — From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION*108 - Division of Motor Vehicles*

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

| | | State Road Fund |
|---|---|--------------------------------|
| | Appro- priation | |
| 1 | Personal Services and Employee Benefits00100 | \$ 23,278,949 |
| 2 | Current Expenses | 13000 16,192,150 |
| 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>73,630</u> |
| 8 | Total..... | \$ 43,378,729 |

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

| | | | |
|----|----------------------------------|-------|------------------|
| 1 | Debt Service..... | 04000 | \$ 24,000,000 |
| 2 | Maintenance..... | 23700 | 359,278,000 |
| 3 | Nonfederal Improvements | 23701 | 231,400,000 |
| 4 | Inventory Revolving | 27500 | 4,000,000 |
| 5 | Equipment Revolving | 27600 | 15,000,000 |
| 6 | General Operations | 27700 | 45,995,000 |
| 7 | Interstate Construction | 27800 | 100,000,000 |
| 8 | Other Federal Aid Programs | 27900 | 362,000,000 |
| 9 | Appalachian Programs | 28000 | 120,000,000 |
| 10 | Highway Litter Control..... | 28200 | 1,727,000 |
| 11 | Courtesy Patrol..... | 28201 | <u>5,000,000</u> |
| 12 | Total..... | | \$1,268,400,000 |

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian programs, funds in excess of the amount appropriated may be made available upon recommendation of the commissioner and approval of the Governor. Further, for the purpose of

Appalachian programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 Org 0808

| | | | |
|---|---|----|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,585,201 |
| 2 | Current Expenses13000 | | 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>1,314,293,957</u> |

Sec. 3. Appropriations from other funds. — From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 Org 2300

| | | Appro- priation | Other Funds |
|---|---|----------------------------|------------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 498,020 |
| 2 | Current Expenses13000 | | 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

112 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 1,600,000 |
|---|------------------------|-------|--------------|

113 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 500,000 |
|---|------------------------|-------|------------|

114 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 300,000 |
|---|------------------------|-------|------------|

EXECUTIVE

115 - Governor's Office –

Minority Affairs Fund

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 172,800 |
| 2 | Current Expenses13000 | | 503,200 |
| 3 | Martin Luther King, Jr. Holiday Celebration.....03100 | | <u>8,926</u> |
| 4 | Total..... | \$ | 684,926 |

116 - Auditor's Office –

Land Operating Fund

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 Org 1200

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 749,297 |
| 2 | Unclassified.....09900 | | 15,139 |
| 3 | Current Expenses13000 | | 715,291 |
| 4 | Repairs and Alterations.....06400 | | 2,600 |
| 5 | Equipment.....07000 | | 426,741 |
| 6 | Cost of Delinquent Land Sales.....76800 | | <u>1,341,168</u> |
| 7 | Total..... | \$ | 3,250,236 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

117 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2018 Org 1200

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 588,283 |
| 2 | Current Expenses13000 | | 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>2,000,000</u> |
| 7 | Total..... | | \$ 2,937,118 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.Va. Code §6-9-2b.

118 - Auditor's Office –

Securities Regulation Fund

(WV Code Chapter 32)

Fund 1225 FY 2018 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 |

119 - Auditor's Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

| | | | |
|---|------------------------|-------|----------------|
| 1 | Current Expenses | 13000 | \$ 160,000 |
| 2 | Other Assets..... | 69000 | <u>100,000</u> |
| 3 | Total..... | | \$ 260,000 |

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the purposes described in W.Va. Code §12-3-10c.

*120 - Auditor's Office –**Purchasing Card Administration Fund*

(WV Code Chapter 12)

Fund 1234 FY 2018 Org 1200

| | | |
|---|--|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,667,397 |
| 2 | Current Expenses13000 | 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>4,000,000</u> |
| 7 | Total..... | \$ 9,935,405 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

*121 - Auditor's Office –**Chief Inspector's Fund*

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 3,405,512 |
| 2 | Current Expenses13000 | 765,915 |
| 3 | Equipment.....07000 | <u>50,000</u> |
| 4 | Total..... | \$ 4,221,427 |

*122 - Auditor's Office –**Volunteer Fire Department Workers'**Compensation Premium Subsidy Fund*

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

| | | | |
|---|-------------------------------------|-------|--------------|
| 1 | Volunteer Fire Department | | |
| 2 | Workers' Compensation Subsidy | 83200 | \$ 2,500,000 |

*123 - Treasurer's Office**College Prepaid Tuition and Savings Program**Administrative Account*

(WV Code Chapter 18)

Fund 1301 FY 2018 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 |

*124 - Department of Agriculture –**Agriculture Fees Fund*

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 2,244,245 |
| 2 | Unclassified..... | 09900 | 37,425 |
| 3 | Current Expenses | 13000 | 1,356,184 |
| 4 | Repairs and Alterations..... | 06400 | 58,500 |
| 5 | Equipment..... | 07000 | 36,209 |
| 6 | Other Assets..... | 69000 | <u>10,000</u> |
| 7 | Total..... | | \$ 3,742,563 |

*125 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 73,807 |
| 2 | Unclassified.....09900 | | 10,476 |
| 3 | Current Expenses13000 | | <u>963,404</u> |
| 4 | Total..... | \$ | 1,047,687 |

*126 - Department of Agriculture –**General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 67,000 |
| 2 | Unclassified.....09900 | | 2,100 |
| 3 | Current Expenses13000 | | 89,500 |
| 4 | Repairs and Alterations.....06400 | | 36,400 |
| 5 | Equipment.....07000 | | <u>15,000</u> |
| 6 | Total..... | \$ | 210,000 |

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

*127 - Department of Agriculture –**Farm Operating Fund*

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 309,248 |
| 2 | Unclassified.....09900 | | 15,173 |
| 3 | Current Expenses13000 | | 1,167,464 |
| 4 | Repairs and Alterations.....06400 | | 238,722 |
| 5 | Equipment.....07000 | | 249,393 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,000,000 |

*128 - Department of Agriculture –**Donated Food Fund*

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 958,864 |
| 2 | Unclassified.....09900 | | 45,807 |
| 3 | Current Expenses13000 | | 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 |

*129 - Department of Agriculture –**Integrated Predation Management Fund*

(WV Code Chapter 7)

Fund 1465 FY 2018 Org 1400

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 100,000 |
|---|-----------------------------|----|---------|

*130 - Department of Agriculture –**West Virginia Spay Neuter Assistance Fund*

(WV Code Chapter 19)

Fund 1481 FY 2018 Org 1400

| | | | |
|---|-----------------------------|----|-----|
| 1 | Current Expenses13000 | \$ | 100 |
|---|-----------------------------|----|-----|

*131 - Department of Agriculture –**Veterans and Warriors to Agriculture Fund*

(WV Code Chapter 19)

Fund 1483 FY 2018 Org 1400

1 Current Expenses13000 \$ 7,500

132 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(WV Code Chapters 18 and 18A)

Fund 1484 FY 2018 Org 1400

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,169,194 |
| 2 | Unclassified.....09900 | 17,000 |
| 3 | Current Expenses13000 | 707,223 |
| 4 | Repairs and Alterations.....06400 | 57,500 |
| 5 | Equipment.....07000 | 1,000 |
| 6 | Buildings.....25800 | 1,000 |
| 7 | Other Assets.....69000 | 10,000 |
| 8 | Land73000 | <u>1,000</u> |
| 9 | Total..... | \$ 1,963,917 |

133 - Attorney General –

Antitrust Enforcement Fund

(WV Code Chapter 47)

Fund 1507 FY 2018 Org 1500

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 356,900 |
| 2 | Current Expenses13000 | 148,803 |
| 3 | Repairs and Alterations.....06400 | 1,000 |
| 4 | Equipment.....07000 | <u>1,000</u> |
| 5 | Total..... | \$ 507,703 |

134 - Attorney General –

Preneed Burial Contract Regulation Fund

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 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 |

135 - Attorney General –

Preneed Funeral Guarantee Fund

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 901,135 |
|---|------------------------|-------|------------|

136 - Secretary of State –

Service Fees and Collection Account

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 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 |

137 - Secretary of State –

General Administrative Fees Account

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 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*138 - Department of Administration –**Office of the Secretary –**Tobacco Settlement Fund*

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

| | | | |
|---|-----------------------------------|-------|---------------|
| 1 | Tobacco Settlement Securitization | | |
| 2 | Trustee Pass Thru | 65000 | \$ 80,000,000 |

*139 - Department of Administration –**Office of the Secretary –**Employee Pension and Health Care Benefit Fund*

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

| | | | |
|---|------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 34,638,000 |
|---|------------------------|-------|---------------|

The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – West Virginia Teachers' Retirement System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 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 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

141 - Division of Purchasing –

Vendor Fee Fund

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 655,208 |
| 2 | Unclassified..... | 09900 | 2,382 |
| 3 | Current Expenses | 13000 | 238,115 |
| 4 | Repairs and Alterations..... | 06400 | 5,000 |
| 5 | Equipment..... | 07000 | 2,500 |
| 6 | Other Assets..... | 69000 | 2,500 |
| 7 | BRIM Premium..... | 91300 | <u>810</u> |
| 8 | Total..... | | \$ 906,515 |

142 - Division of Purchasing –

Purchasing Improvement Fund

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 540,889 |
| 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..... | | \$ 941,867 |

143 - Travel Management –

Fleet Management Office Fund

(WV Code Chapter 5A)

Fund 2301 FY 2018 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 |

144 - Travel Management –

Aviation Fund

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

| | | | |
|---|------------------------------|-------|------------|
| 1 | Unclassified..... | 09900 | \$ 1,000 |
| 2 | Current Expenses | 13000 | 149,700 |
| 3 | Repairs and Alterations..... | 06400 | 400,237 |
| 4 | Equipment..... | 07000 | 1,000 |
| 5 | Buildings..... | 25800 | 100 |
| 6 | Other Assets..... | 69000 | 100 |
| 7 | Land | 73000 | <u>100</u> |
| 8 | Total..... | | \$ 552,237 |

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,942,590 |
| 2 | Unclassified.....09900 | | 51,418 |
| 3 | Current Expenses13000 | | 1,062,813 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |
| 5 | Equipment.....07000 | | 20,000 |
| 6 | Other Assets.....69000 | | <u>60,000</u> |
| 7 | Total..... | \$ | 5,141,821 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 249,242 |
| 2 | Unclassified.....09900 | | 4,023 |
| 3 | Current Expenses13000 | | 297,528 |
| 4 | Repairs and Alterations.....06400 | | 600 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Other Assets.....69000 | | <u>500</u> |
| 7 | Total..... | \$ | 552,393 |

*147 - Office of Technology –**Chief Technology Officer Administration Fund*

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 399,911 |
| 2 | Unclassified.....09900 | | 6,949 |
| 3 | Current Expenses13000 | | 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

From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

148 - Division of Forestry

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,464,328 |
| 2 | Current Expenses13000 | | 282,202 |
| 3 | Repairs and Alterations.....06400 | | 53,000 |
| 4 | Total..... | \$ | 1,799,530 |

149 - Division of Forestry –

Timbering Operations Enforcement Fund

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 224,433 |
| 2 | Current Expenses13000 | | 87,036 |
| 3 | Repairs and Alterations.....06400 | | 11,250 |
| 4 | Total..... | \$ | 322,719 |

150 - Division of Forestry –

Severance Tax Operations

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 859,626 |
| 2 | Current Expenses13000 | | 435,339 |
| 3 | Total..... | \$ | 1,294,965 |

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 37,966 |
| 2 | Unclassified.....09900 | | 2,182 |
| 3 | Current Expenses13000 | | 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 |

The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

*152 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2018 Org 0307

| | | | |
|---|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,528,219 |
| 2 | Unclassified.....09900 | | 30,000 |
| 3 | Current Expenses13000 | | <u>1,482,760</u> |
| 4 | Total..... | \$ | 3,040,979 |

*153 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2018 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 |

154 - Division of Labor –

HVAC Fund

(WV Code Chapter 21)

Fund 3186 FY 2018 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 |

155 - Division of Labor –

Contractor Licensing Board Fund

(WV Code Chapter 21)

Fund 3187 FY 2018 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 |

156 - Division of Labor –

Elevator Safety Fund

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 376,772 |
| 2 | Unclassified.....09900 | | 2,261 |
| 3 | Current Expenses13000 | | 44,112 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 434,645 |

*157 - Division of Labor –**Steam Boiler Fund*

(WV Code Chapter 21)

Fund 3189 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 80,000 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 15,000 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 1,000 |
| 7 | Total..... | \$ | 100,000 |

*158 - Division of Labor –**Crane Operator Certification Fund*

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 184,380 |
| 2 | Unclassified.....09900 | | 1,380 |
| 3 | Current Expenses13000 | | 49,765 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 246,525 |

*159 - Division of Labor –**Amusement Rides and Amusement Attraction Safety Fund*

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 179,316 |
| 2 | Unclassified.....09900 | | 1,281 |
| 3 | Current Expenses13000 | | 44,520 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 8,500 |
| 7 | Total..... | \$ | 236,617 |

*160 - Division of Labor –**State Manufactured Housing Administration Fund*

(WV Code Chapter 21)

Fund 3195 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 283,768 |
| 2 | Unclassified.....09900 | | 1,847 |
| 3 | Current Expenses13000 | | 43,700 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | 3,404 |
| 7 | Total..... | \$ | 334,719 |

*161 - Division of Labor –**Weights and Measures Fund*

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,965 |
| 2 | Current Expenses13000 | | 227,000 |

| | | | |
|---|------------------------------|-------|--------------|
| 3 | Repairs and Alterations..... | 06400 | 28,000 |
| 4 | Equipment..... | 07000 | 15,000 |
| 5 | BRIM Premium..... | 91300 | <u>8,500</u> |
| 6 | Total..... | | \$ 703,465 |

162 - Division of Labor –

Bedding and Upholstery Fund

(WV Code Chapter 21)

Fund 3198 FY 2018 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 |

163 - Division of Labor –

Psychophysiological Examiners Fund

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

| | | | |
|---|------------------------|-------|----------|
| 1 | Current Expenses | 13000 | \$ 4,000 |
|---|------------------------|-------|----------|

164 - Division of Natural Resources –

License Fund – Wildlife Resources

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

| | | | |
|---|---|-------|------------------|
| 1 | Wildlife Resources..... | 02300 | \$ 5,551,895 |
| 2 | Administration | 15500 | 1,387,974 |
| 3 | Capital Improvements and Land Purchase (R)... | 24800 | 1,387,973 |
| 4 | Law Enforcement..... | 80600 | <u>5,551,895</u> |

5 Total..... \$ 13,879,737

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

165 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

1 Current Expenses13000 \$ 125,000

166 - Division of Natural Resources –

Nongame Fund

(WV Code Chapter 20)

Fund 3203 FY 2018 Org 0310

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 678,109 |
| 2 | Current Expenses13000 | | 201,930 |
| 3 | Equipment07000 | | <u>106,615</u> |
| 4 | Total..... | \$ | 986,654 |

167 - Division of Natural Resources –

Planning and Development Division

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

1 Personal Services and Employee Benefits00100 \$ 289,167

| | | | |
|---|-------------------------------|-------|--------------|
| 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 | 31,700 |
| 8 | Total | | \$ 2,510,347 |

168 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(WV Code Chapter 20)

Fund 3253 FY 2018 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 | 6,969 |
| 5 | Total | | \$ 135,748 |

169 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

| | | | |
|---|------------------------|-------|-----------|
| 1 | Unclassified | 09900 | \$ 200 |
| 2 | Current Expenses | 13000 | 19,800 |
| 3 | Total | | \$ 20,000 |

170 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(WV Code Chapter 22A)

Fund 3355 FY 2018 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 |

171 - Department of Commerce –

Office of the Secretary –

Broadband Enhancement Fund

Fund 3013 FY 2018 Org 0327

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 1,887,000 |
|---|------------------------|-------|--------------|

172 - Office of Energy –

Energy Assistance

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

| | | | |
|---|---------------------------------|-------|-----------|
| 1 | Energy Assistance – Total | 64700 | \$ 62,000 |
|---|---------------------------------|-------|-----------|

DEPARTMENT OF EDUCATION

173 - State Board of Education –

Strategic Staff Development

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 134,000 |
| 2 | Unclassified..... | 09900 | 1,000 |
| 3 | Current Expenses | 13000 | <u>265,000</u> |
| 4 | Total..... | | \$ 400,000 |

*174 - State Board of Education –
School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | |
|---|-------------------------------|-------|------------------|
| 1 | SBA Construction Grants | 24000 | \$ 35,845,818 |
| 2 | Directed Transfer | 70000 | <u>1,371,182</u> |
| 3 | Total | | \$ 37,217,000 |

The above appropriation for Directed Transfer (fund 3951, appropriation 70000) shall be transferred to the School Building Authority Fund (3959) for the administrative expenses of the School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,085,152 |
| 2 | Current Expenses | 13000 | 246,880 |
| 3 | Repairs and Alterations | 06400 | 13,150 |
| 4 | Equipment | 07000 | <u>26,000</u> |
| 5 | Total | | \$ 1,371,182 |

DEPARTMENT OF EDUCATION AND THE ARTS

176 - Office of the Secretary –

Lottery Education Fund Interest Earnings –

Control Account

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

Any unexpended balance remaining in the appropriation for Educational Enhancements (fund 3508, appropriation 69500) at the

close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

177 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 211,418 |
| 2 | Current Expenses13000 | | 862,241 |
| 3 | Equipment07000 | | 75,000 |
| 4 | Buildings25800 | | 1,000 |
| 5 | Other Assets69000 | | 52,328 |
| 6 | Land73000 | | <u>1,000</u> |
| 7 | Total | \$ | 1,202,987 |

178 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 119,738 |
| 2 | Current Expenses13000 | | 2,180,122 |
| 3 | Repairs and Alterations06400 | | 85,500 |
| 4 | Equipment07000 | | 220,000 |
| 5 | Buildings25800 | | 150,000 |
| 6 | Other Assets69000 | | <u>150,000</u> |
| 7 | Total | \$ | 2,905,360 |

DEPARTMENT OF ENVIRONMENTAL PROTECTION

179 - Solid Waste Management Board

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 802,209 |
| 2 | Current Expenses13000 | | 2,061,057 |
| 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 |

180 - Division of Environmental Protection –

Hazardous Waste Management Fund

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 692,784 |
| 2 | Current Expenses13000 | | 195,569 |
| 3 | Repairs and Alterations.....06400 | | 500 |
| 4 | Equipment.....07000 | | 1,505 |
| 5 | Unclassified.....09900 | | 3,072 |
| 6 | Other Assets.....69000 | | <u>2,000</u> |
| 7 | Total..... | \$ | 895,430 |

181 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 935,324 |
| 2 | Current Expenses13000 | | 1,238,610 |
| 3 | Repairs and Alterations.....06400 | | 13,000 |
| 4 | Equipment.....07000 | | 53,105 |
| 5 | Unclassified.....09900 | | 2,900 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,262,939 |

*182 - Division of Environmental Protection –**Special Reclamation Fund*

(WV Code Chapter 22)

Fund 3321 FY 2018 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 |

*183 - Division of Environmental Protection –**Oil and Gas Reclamation Fund*

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 143,906 |
| 2 | Current Expenses | 13000 | <u>356,094</u> |
| 3 | Total..... | \$ | 500,000 |

*184 - Division of Environmental Protection –**Oil and Gas Operating Permit and Processing Fund*

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 3,321,164 |
| 2 | Current Expenses | 13000 | 1,257,758 |
| 3 | Repairs and Alterations.....06400 | | 20,600 |
| 4 | Equipment.....07000 | | 8,000 |
| 5 | Unclassified.....09900 | | 44,700 |
| 6 | Other Assets.....69000 | | <u>15,000</u> |
| 7 | Total..... | \$ | 4,667,222 |

*185 - Division of Environmental Protection –
Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 4,035,449 |
| 2 | Current Expenses | 13000 | 2,300,097 |
| 3 | Repairs and Alterations..... | 06400 | 60,260 |
| 4 | Equipment..... | 07000 | 85,134 |
| 5 | Unclassified..... | 09900 | 920 |
| 6 | Other Assets..... | 69000 | <u>57,500</u> |
| 7 | Total..... | \$ | 6,539,360 |

*186 - Division of Environmental Protection –
Underground Storage Tank*

Administrative Fund

(WV Code Chapter 22)

Fund 3325 FY 2018 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 |

*187 - Division of Environmental Protection –
Hazardous Waste Emergency Response Fund*

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 643,319 |
|---|--|----|---------|

| | | | |
|---|------------------------------|-------|---------------|
| 2 | Current Expenses | 13000 | 422,386 |
| 3 | Repairs and Alterations..... | 06400 | 7,014 |
| 4 | Equipment..... | 07000 | 9,000 |
| 5 | Unclassified..... | 09900 | 10,616 |
| 6 | Other Assets..... | 69000 | <u>11,700</u> |
| 7 | Total..... | | \$ 1,104,035 |

188 - Division of Environmental Protection –

Solid Waste Reclamation and

Environmental Response Fund

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 793,967 |
| 2 | Current Expenses | 13000 | 3,605,237 |
| 3 | Repairs and Alterations..... | 06400 | 25,000 |
| 4 | Equipment..... | 07000 | 31,500 |
| 5 | Unclassified..... | 09900 | 22,900 |
| 6 | Other Assets..... | 69000 | <u>1,000</u> |
| 7 | Total..... | | \$ 4,479,604 |

189 - Division of Environmental Protection –

Solid Waste Enforcement Fund

(WV Code Chapter 22)

Fund 3333 FY 2018 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 |

*190 - Division of Environmental Protection –**Air Pollution Control Fund*

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 5,667,421 |
| 2 | Current Expenses | 13000 | 1,518,704 |
| 3 | Repairs and Alterations..... | 06400 | 84,045 |
| 4 | Equipment..... | 07000 | 115,356 |
| 5 | Unclassified..... | 09900 | 5,580 |
| 6 | Other Assets..... | 69000 | <u>52,951</u> |
| 7 | Total..... | | \$ 7,444,057 |

*191 - Division of Environmental Protection –**Environmental Laboratory**Certification Fund*

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 295,444 |
| 2 | Current Expenses | 13000 | 216,288 |
| 3 | Repairs and Alterations..... | 06400 | 1,000 |
| 4 | Equipment..... | 07000 | 6,500 |
| 5 | Unclassified..... | 09900 | 1,120 |
| 6 | Other Assets..... | 69000 | <u>179,000</u> |
| 7 | Total..... | | \$ 699,352 |

*192 - Division of Environmental Protection –**Stream Restoration Fund*

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 9,298,205 |
|---|------------------------|-------|--------------|

*193 - Division of Environmental Protection –**Litter Control Fund*

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 60,000 |
|---|------------------------|-------|----|--------|

*194 - Division of Environmental Protection –**Recycling Assistance Fund*

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

| | | | | |
|---|---|-------|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 646,395 |
| 2 | Current Expenses | 13000 | | 2,735,112 |
| 3 | Repairs and Alterations.....06400 | | | 800 |
| 4 | Equipment.....07000 | | | 500 |
| 5 | Unclassified.....09900 | | | 400 |
| 6 | Other Assets.....69000 | | | <u>2,500</u> |
| 7 | Total..... | | \$ | 3,385,707 |

*195 - Division of Environmental Protection –**Mountaintop Removal Fund*

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 1,228,345 |
| 2 | Current Expenses | 13000 | | 638,729 |
| 3 | Repairs and Alterations.....06400 | | | 30,112 |
| 4 | Equipment.....07000 | | | 23,725 |
| 5 | Unclassified.....09900 | | | 1,180 |
| 6 | Other Assets.....69000 | | | <u>15,500</u> |
| 7 | Total..... | | \$ | 1,937,591 |

*196 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2018 Org 0315

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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*197 - Division of Health –**Ryan Brown Addiction Prevention and Recovery Fund*

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

| | | | |
|---|------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 22,000,000 |
|---|------------------------|-------|---------------|

*198 - Division of Health –**The Vital Statistics Account*

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 876,771 |
| 2 | Unclassified..... | 09900 | 15,500 |
| 3 | Current Expenses | 13000 | <u>1,257,788</u> |
| 4 | Total..... | \$ | 2,150,059 |

*199 - Division of Health –**Hospital Services Revenue Account*

*Special Fund**Capital Improvement, Renovation and Operations*

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

| | | | |
|---|--|-------|-------------------|
| 1 | Institutional Facilities Operations | 33500 | \$ 56,708,911 |
| 2 | Medical Services Trust Fund – Transfer | 51200 | <u>27,800,000</u> |
| 3 | Total | | \$ 84,508,911 |

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.Va. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated in fund 0525, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The Secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the appropriation for Institutional Facilities Operations to facilitate cost effective and cost saving services at the community level.

Necessary funds from the above appropriation may be used for medical facilities operations, either in connection with this fund or in connection with the appropriation designated Institutional Facilities Operations in the Consolidated Medical Service Fund (fund 0525, organization 0506).

From the above appropriation to Institutional Facilities Operations, together with available funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

*200 - Division of Health –**Laboratory Services Fund*

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 862,657 |
| 2 | Unclassified.....09900 | | 18,114 |
| 3 | Current Expenses13000 | | <u>930,716</u> |
| 4 | Total..... | \$ | 1,811,487 |

*201 - Division of Health –**The Health Facility Licensing Account*

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 605,950 |
| 2 | Unclassified.....09900 | | 7,113 |
| 3 | Current Expenses13000 | | <u>98,247</u> |
| 4 | Total..... | \$ | 711,310 |

*202 - Division of Health –**Hepatitis B Vaccine*

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 13,800 |
|---|-----------------------------|----|--------|

*203 - Division of Health –**Lead Abatement Account*

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 19,100 |
| 2 | Unclassified.....09900 | | 373 |
| 3 | Current Expenses13000 | | <u>17,875</u> |
| 4 | Total..... | \$ | 37,348 |

204 - Division of Health –

West Virginia Birth-to-Three Fund

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 707,545 |
| 2 | Unclassified.....09900 | | 223,999 |
| 3 | Current Expenses13000 | | <u>27,993,549</u> |
| 4 | Total..... | \$ | 28,925,093 |

205 - Division of Health –

Tobacco Control Special Fund

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|-------|
| 1 | Current Expenses13000 | \$ | 7,579 |
|---|-----------------------------|----|-------|

206 - West Virginia Health Care Authority –

Health Care Cost Review Fund

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,821 |
| 2 | Hospital Assistance.....02500 | | 600,000 |
| 3 | Unclassified.....09900 | | 67,000 |
| 4 | Current Expenses13000 | | 2,837,945 |
| 5 | Repairs and Alterations.....06400 | | 25,000 |
| 6 | Equipment.....07000 | | 50,000 |
| 7 | Buildings.....25800 | | 25,000 |

| | | | |
|---|-------------------|-------|----------------|
| 8 | Other Assets..... | 69000 | <u>100,000</u> |
| 9 | Total..... | | \$ 6,738,766 |

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.Va. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

The Health Care Authority is authorized to transfer up to \$1,500,000 from fund 5375 to the West Virginia Health Information Network Account (fund 5380) as authorized per W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

| | | | |
|---|--|------------|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 805,113 | |
| 2 | Current Expenses | 13000 | <u>774,967</u> |
| 3 | Total..... | | \$ 1,580,080 |

208 - West Virginia Health Care Authority –

West Virginia Health Information Network Account

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

| | | | |
|---|--|------------|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 729,000 | |
| 2 | Unclassified.....09900 | 20,000 | |
| 3 | Current Expenses | 13000 | 1,251,000 |
| 4 | Technology Infrastructure Network.....35100 | | <u>3,500,000</u> |
| 5 | Total..... | | \$ 5,500,000 |

209 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------|
| 1 | Medical Services..... | 18900 | \$198,381,008 |
| 2 | Medical Services Administrative Costs | 78900 | <u>418,992</u> |
| 3 | Total..... | | \$198,800,000 |

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Health and Human Resources for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the West Virginia Medical Services Fund (fund 5084.)

*210 - Division of Human Services –**Child Support Enforcement Fund*

(WV Code Chapter 48A)

Fund 5094 FY 2018 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 |

*211 - Division of Human Services –**Medical Services Trust Fund*

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------|
| 1 | Medical Services..... | 18900 | \$ 32,266,277 |
| 2 | Medical Services Administrative Costs | 78900 | <u>548,723</u> |
| 3 | Total..... | | \$ 32,815,000 |

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Division of Human Services accounts.

212 - Division of Human Services –

James “Tiger” Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 7,000 |
| 2 | Current Expenses13000 | | <u>693,000</u> |
| 3 | Total..... | \$ | 700,000 |

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 900,000 |
|---|-----------------------------|----|---------|

214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 1,000,000 |
|---|-----------------------------|----|-----------|

215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 2,000,000 |
|---|------------------------|-------|----|-----------|

216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 Org 0511

| | | | | |
|---|---|----|----|--------|
| 1 | Personal Services and Employee Benefits00100 | \$ | | 10,000 |
| 2 | Current Expenses | | | 25,000 |
| 3 | Total..... | | \$ | 35,000 |

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

217 - 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 2018 Org 0601

| | | | | |
|---|------------------------|-------|--|--------|
| 1 | Current Expenses | 13000 | | 32,000 |
|---|------------------------|-------|--|--------|

218 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,643,528 |
| 2 | Current Expenses13000 | | 650,000 |
| 3 | Repairs and Alterations06400 | | 485,652 |
| 4 | Equipment07000 | | 300,000 |
| 5 | Buildings25800 | | 770,820 |
| 6 | Other Assets69000 | | 100,000 |
| 7 | Land73000 | | <u>50,000</u> |
| 8 | Total..... | \$ | 4,000,000 |

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

*219 - Division of Homeland Security and**Emergency Management –**West Virginia Interoperable Radio Project*

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 2,000,000 |
|---|-----------------------------|----|-----------|

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 6295, appropriation 09600) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*220 - West Virginia Division of Corrections –**Parolee Supervision Fees*

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,013,793 |
| 2 | Unclassified.....09900 | 9,804 |
| 3 | Current Expenses13000 | 758,480 |
| 4 | Equipment07000 | 30,000 |
| 5 | Other Assets69000 | <u>40,129</u> |
| 6 | Total..... | \$ 1,852,206 |

221 - West Virginia State Police –

Motor Vehicle Inspection Fund

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,786,923 |
| 2 | Current Expenses13000 | 1,488,211 |
| 3 | Repairs and Alterations.....06400 | 204,500 |
| 4 | Equipment07000 | 3,770,751 |
| 5 | Buildings25800 | 534,000 |
| 6 | Other Assets69000 | 5,000 |
| 7 | BRIM Premium.....91300 | <u>302,432</u> |
| 8 | Total..... | \$ 8,091,817 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

222 - West Virginia State Police –

Drunk Driving Prevention Fund

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

| | | |
|---|-----------------------------|----------------|
| 1 | Current Expenses13000 | \$ 1,327,000 |
| 2 | Equipment07000 | 3,491,895 |
| 3 | BRIM Premium.....91300 | <u>154,452</u> |
| 4 | Total..... | \$ 4,973,347 |

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

| | | | | |
|---|-------------------|-------|----|---------------|
| 1 | Buildings | 25800 | \$ | 443,980 |
| 2 | Land | 73000 | | 1,000 |
| 3 | BRIM Premium..... | 91300 | | <u>77,222</u> |
| 4 | Total..... | | \$ | 522,202 |

224 - West Virginia State Police –

Surplus Transfer Account

(WV Code Chapter 15)

Fund 6519 FY 2018 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 |

225 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2018 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 |

226 - West Virginia State Police –

Bail Bond Enforcer Account

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

| | | | |
|---|------------------------|-------|----------|
| 1 | Current Expenses | 13000 | \$ 8,300 |
|---|------------------------|-------|----------|

227 - West Virginia State Police –

State Police Academy Post Exchange

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

| | | | |
|---|------------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 160,000 |
| 2 | Repairs and Alterations..... | 06400 | <u>40,000</u> |
| 3 | Total..... | | \$ 200,000 |

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,971,039 |
| 2 | Debt Service..... | 04000 | 9,000,000 |
| 3 | Current Expenses | 13000 | 495,852 |
| 4 | Repairs and Alterations..... | 06400 | 4,000 |
| 5 | Equipment..... | 07000 | <u>1,743</u> |
| 6 | Total..... | | \$ 11,472,634 |

*229 - Fire Commission –**Fire Marshal Fees*

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,683 |
| 2 | Unclassified.....09900 | | 3,800 |
| 3 | Current Expenses13000 | | 1,249,550 |
| 4 | Repairs and Alterations.....06400 | | 58,500 |
| 5 | Equipment.....07000 | | 140,800 |
| 6 | Other Assets.....69000 | | 12,000 |
| 7 | BRIM Premium.....91300 | | <u>50,000</u> |
| 8 | Total..... | \$ | 4,548,333 |

*230 - Division of Justice and Community Services –**WV Community Corrections Fund*

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 152,000 |
| 2 | Unclassified.....09900 | | 750 |
| 3 | Current Expenses13000 | | 1,846,250 |
| 4 | Repairs and Alterations.....06400 | | <u>1,000</u> |
| 5 | Total..... | \$ | 2,000,000 |

*231 - Division of Justice and Community Services –**Court Security Fund*

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 21,865 |
| 2 | Current Expenses13000 | | <u>1,478,135</u> |
| 3 | Total..... | \$ | 1,500,000 |

*232 - Division of Justice and Community Services –**Second Chance Driver's License Program Account*

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

1 Current Expenses13000 \$ 25,000

DEPARTMENT OF REVENUE*233 - Division of Financial Institutions*

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,503,751 |
| 2 | Unclassified.....09900 | 1,000 |
| 3 | Current Expenses13000 | 695,225 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 14,000 |
| 6 | Other Assets.....69000 | <u>15,000</u> |
| 7 | Total..... | \$ 3,229,076 |

*234 - Office of the Secretary –**State Debt Reduction Fund*

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

1 Directed Transfer70000 \$ 20,000,000

The above appropriation for Directed Transfer shall be transferred to the Consolidated Public Retirement Board – West Virginia Public Employees Retirement System Employers Accumulation Fund (fund 2510).

*235 - Tax Division –**Cemetery Company Account*

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 23,459 |
| 2 | Current Expenses13000 | | <u>7,717</u> |
| 3 | Total..... | \$ | 31,176 |

*236 - Tax Division –**Special Audit and Investigative Unit*

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 655,203 |
| 2 | Unclassified.....09900 | | 9,500 |
| 3 | Current Expenses13000 | | 273,297 |
| 4 | Repairs and Alterations.....06400 | | 7,000 |
| 5 | Equipment.....07000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 950,000 |

*237 - Tax Division –**Wine Tax Administration Fund*

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 254,162 |
| 2 | Current Expenses13000 | | <u>5,406</u> |
| 3 | Total..... | \$ | 259,568 |

*238 - Tax Division –**Reduced Cigarette Ignition Propensity**Standard and Fire Prevention Act Fund*

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

| | | | | |
|---|------------------------|-------|----|---------------|
| 1 | Current Expenses | 13000 | \$ | 35,000 |
| 2 | Equipment | 07000 | | <u>15,000</u> |
| 3 | Total | | \$ | 50,000 |

*239 - Tax Division –**Local Sales Tax and Excise Tax**Administration Fund*

(WV Code Chapter 11)

Fund 7099 FY 2018 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 |

*240 - State Budget Office –**Public Employees Insurance Reserve Fund*

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

| | | | | |
|---|------------------------------|-------|----|-----------|
| 1 | Public Employees Insurance | | | |
| 2 | Reserve Fund – Transfer..... | 90300 | \$ | 6,800,000 |

The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

*241 - State Budget Office –**Public Employee Insurance Agency Financial Stability Fund*

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

| | | | |
|---|------------------------------|-------|-------------------|
| 1 | Retiree Premium Offset | 80101 | \$ 5,000,000 |
| 2 | PEIA Reserve..... | 80102 | <u>10,000,000</u> |
| 3 | Total..... | | \$ 15,000,000 |

The above appropriation shall be transferred to special revenue funds to be utilized by the West Virginia Public Employees Insurance Agency for the purposes of permitting the PEIA Finance Board to offset \$5 million in retiree premium increases. Additionally, \$10 million will be put into a reserve fund to stabilize and preserve the future solvency of PEIA. Such amount shall not be included in the calculation of the plan year aggregate premium cost-sharing percentages between employers and employees.

*242 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2018 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 |

*243 - Insurance Commissioner –**Consumer Advocate*

(WV Code Chapter 33)

Fund 7151 FY 2018 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 |

244 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2018 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 |

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

| | | | |
|---|-------------------------|-------|--------------------|
| 1 | Employee Benefits | 01000 | \$ 50,000 |
| 2 | Current Expenses | 13000 | <u>250,500,000</u> |
| 3 | Total..... | | \$ 250,550,000 |

246 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

| | | | |
|---|------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 15,000,000 |
|---|------------------------|-------|---------------|

*247 - Insurance Commissioner –**Self-Insured Employer Guaranty Risk Pool*

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 9,000,000 |
|---|------------------------|-------|----|-----------|

*248 - Insurance Commissioner –**Self-Insured Employer Security Risk Pool*

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|------------|
| 1 | Current Expenses | 13000 | \$ | 14,000,000 |
|---|------------------------|-------|----|------------|

249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 Org 0706

| | | | | |
|---|---|-------|----|------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 247,523 |
| 2 | Current Expenses | 13000 | | 144,844 |
| 3 | Equipment | 07000 | | <u>100</u> |
| 4 | Total | | \$ | 392,467 |

*250 - Racing Commission –**Relief Fund*

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

| | | | | |
|---|--------------------------------|-------|----|--------|
| 1 | Medical Expenses – Total | 24500 | \$ | 57,000 |
|---|--------------------------------|-------|----|--------|

The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care and/or funeral expenses for persons contributing to this fund.

251 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 256,665 |
| 2 | Current Expenses | | 13000 93,335 |
| 3 | Other Assets | | 69000 5,000 |
| 4 | Total | \$ | 355,000 |

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 Org 0707

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,271,339 |
| 2 | Current Expenses | | 13000 566,248 |
| 3 | Repairs and Alterations.....06400 | | 7,000 |
| 4 | Other Assets | | 69000 50,000 |
| 5 | Total | \$ | 2,894,587 |

253 - Racing Commission –

*Administration, Promotion, Education, Capital Improvement
and Greyhound Adoption Programs*

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 Org 0707

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 864,474 |
| 2 | Current Expenses | | 214,406 |
| 3 | Other Assets | | <u>200,000</u> |
| 4 | Total | \$ | 1,278,880 |

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 Org 0708

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 122,339 |
| 2 | Current Expenses | | 69,186 |
| 3 | Repairs and Alterations.....06400 | | 7,263 |
| 4 | Equipment.....07000 | | 10,000 |
| 5 | Buildings | | 100,000 |
| 6 | Other Assets | | <u>100</u> |
| 7 | Total | \$ | 308,888 |

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 Org 0708

| | | | |
|----|---|----|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,413,237 |
| 2 | Current Expenses | | 2,890,577 |
| 3 | Repairs and Alterations.....06400 | | 91,000 |
| 4 | Equipment.....07000 | | 108,000 |
| 5 | Buildings | | 375,100 |
| 6 | Purchase of Supplies for Resale.....41900 | | 72,500,000 |
| 7 | Transfer Liquor Profits and Taxes | | 20,800,000 |
| 8 | Other Assets | | 125,100 |
| 9 | Land | | <u>100</u> |
| 10 | Total | \$ | <u>\$102,303,114</u> |

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses and equipment of administrative offices, warehouses and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

1 Current Expenses 13000 \$ 30,000

DEPARTMENT OF TRANSPORTATION

257 - Division of Motor Vehicles –

Dealer Recovery Fund

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

1 Current Expenses 13000 \$ 189,000

258 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,362,799 |
| 2 | Current Expenses13000 | | 4,374,083 |
| 3 | Repairs and Alterations.....06400 | | 16,000 |
| 4 | Equipment.....07000 | | 75,000 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | BRIM Premium.....91300 | | <u>73,629</u> |
| 7 | Total..... | \$ | 7,911,511 |

259 - Division of Highways –

A. James Manchin Fund

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 1,650,000 |
|---|-----------------------------|----|-----------|

DEPARTMENT OF VETERANS' ASSISTANCE

260 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 94,210 |
| 2 | Current Expenses13000 | | 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 |

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 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

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 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 |

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

263 - 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 2018 Org 0442

| | | | | |
|---|---|-------|----|----------------|
| 1 | Debt Service..... | 04000 | \$ | 27,716,974 |
| 2 | General Capital Expenditures | 30600 | | 5,000,000 |
| 3 | Facilities Planning and Administration..... | 38600 | | <u>421,082</u> |
| 4 | Total..... | | \$ | 33,138,056 |

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been refunded.

265 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Improvements – Total (fund 4908, appropriation 95800) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The total amount of this appropriation shall be paid from the sale of the 2009 Series A Community and Technical College Capital Improvement Revenue Bonds and anticipated interest earnings.

266 - West Virginia University –

West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 Org 0463

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 10,274,340 |
| 2 | Current Expenses13000 | 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

267 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

| | | |
|---|--|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 504,497 |
| 2 | Current Expenses13000 | <u>239,969</u> |
| 3 | Total..... | \$ 744,466 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

268 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 85,981 |
| 2 | Unclassified.....09900 | | 1,450 |
| 3 | Current Expenses13000 | | <u>57,740</u> |
| 4 | Total..... | \$ | 145,171 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the Code.

269 - *WV State Board of Examiners for Licensed Practical Nurses –**Licensed Practical Nurses*

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,324 |
| 2 | Current Expenses13000 | | <u>53,133</u> |
| 3 | Total..... | \$ | 483,457 |

270 - *WV Board of Examiners for Registered Professional Nurses –**Registered Professional Nurses*

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,081,694 |
| 2 | Current Expenses13000 | | 295,339 |
| 3 | Repairs and Alterations.....06400 | | 3,000 |
| 4 | Equipment.....07000 | | 19,500 |
| 5 | Other Assets.....69000 | | <u>4,500</u> |
| 6 | Total..... | \$ | 1,404,033 |

271 - *Public Service Commission*

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 11,807,314 |
| 2 | Unclassified.....09900 | 147,643 |
| 3 | Current Expenses13000 | 2,594,398 |
| 4 | Repairs and Alterations.....06400 | 55,000 |
| 5 | Equipment.....07000 | 160,000 |
| 6 | PSC Weight Enforcement.....34500 | 4,370,453 |
| 7 | Debt Payment/Capital Outlay52000 | 350,000 |
| 8 | BRIM Premium.....91300 | <u>150,040</u> |
| 9 | Total..... | \$ 19,634,848 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

*272 - Public Service Commission –**Gas Pipeline Division –**Public Service Commission Pipeline Safety Fund*

(WV Code Chapter 24B)

Fund 8624 FY 2018 Org 0926

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 284,198 |
| 2 | Unclassified.....09900 | 3,851 |
| 3 | Current Expenses13000 | 93,115 |
| 4 | Repairs and Alterations.....06400 | <u>4,000</u> |
| 5 | Total..... | \$ 385,164 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public

Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

273 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,243,526 |
| 2 | Unclassified.....09900 | | 29,233 |
| 3 | Current Expenses13000 | | 577,557 |
| 4 | Repairs and Alterations.....06400 | | 23,000 |
| 5 | Equipment.....07000 | | <u>50,000</u> |
| 6 | Total..... | \$ | 2,923,316 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

274 - Public Service Commission –

Consumer Advocate Fund

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 743,372 |
| 2 | Current Expenses13000 | | 276,472 |
| 3 | Equipment.....07000 | | 9,872 |
| 4 | BRIM Premium.....91300 | | <u>4,660</u> |
| 5 | Total..... | \$ | 1,034,376 |

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

*275 - Real Estate Commission –**Real Estate License Fund*

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 582,413 |
| 2 | Current Expenses13000 | | 285,622 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | <u>10,000</u> |
| 5 | Total..... | \$ | 883,035 |

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

*276 - WV Board of Examiners for Speech-Language**Pathology and Audiology –**Speech-Language Pathology and Audiology Operating Fund*

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 73,190 |
| 2 | Current Expenses13000 | | <u>65,623</u> |
| 3 | Total..... | \$ | 138,813 |

*277 - WV Board of Respiratory Care –**Board of Respiratory Care Fund*

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 79,643 |
| 2 | Current Expenses13000 | | 51,047 |
| 3 | Repairs and Alterations.....06400 | | <u>400</u> |
| 4 | Total..... | \$ | 131,090 |

*278 - WV Board of Licensed Dietitians –**Dietitians Licensure Board Fund*

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 15,950 |
| 2 | Current Expenses | 13000 | <u>17,050</u> |
| 3 | Total..... | \$ | 33,000 |

*279 - Massage Therapy Licensure Board –**Massage Therapist Board Fund*

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 104,418 |
| 2 | Current Expenses | 13000 | <u>22,648</u> |
| 3 | Total..... | \$ | 127,066 |

*280 - Economic Development Authority –**Cacapon and Beech Fork State Parks –**Lottery Revenue Debt Service*Fund 9067 FY 2018 Org 0944

| | | | |
|---|------------------------|----|-----------|
| 1 | Debt Service.....04000 | \$ | 1,400,000 |
|---|------------------------|----|-----------|

The above appropriation for Debt Service (fund 9067, appropriation 04000) shall be paid from the cash balance remaining in the Cacapon and Beech Fork State Parks Lottery Revenue Debt Service Fund (9067).

*281 - Board of Medicine –**Medical Licensing Board Fund*

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,187,752 |
| 2 | Current Expenses13000 | | 988,789 |
| 3 | Repairs and Alterations.....06400 | | <u>20,000</u> |
| 4 | Total..... | \$ | 2,196,541 |

*282 - West Virginia Enterprise Resource Planning Board –**Enterprise Resource Planning System Fund*

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 6,713,066 |
| 2 | Unclassified.....09900 | | 232,000 |
| 3 | Current Expenses13000 | | 20,140,134 |
| 4 | Repairs and Alterations.....06400 | | 300 |
| 5 | Equipment.....07000 | | 213,000 |
| 6 | Buildings25800 | | 2,000 |
| 7 | Other Assets.....69000 | | <u>199,500</u> |
| 8 | Total..... | \$ | 27,500,000 |

*283 - Board of Treasury Investments –**Board of Treasury Investments Fee Fund*

(WV Code Chapter 12)

Fund 9152 FY 2018 Org 0950

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 782,889 |
| 2 | Unclassified.....09900 | | 14,850 |
| 3 | Current Expenses13000 | | 650,714 |
| 4 | BRIM Premium.....91300 | | 36,547 |
| 5 | Fees of Custodians, Fund Advisors | | |
| 6 | and Fund Managers.....93800 | | <u>3,500,000</u> |
| 7 | Total..... | \$ | 4,985,000 |

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

Total TITLE II, Section 3 – Other Funds

(Including claims against the state)..... \$ 1,467,741,051

Sec. 4. Appropriations from lottery net profits. — Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, and Fund 3514 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

284 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

| | Appropriation | Lottery Funds |
|------------------------------|----------------------|----------------------|
| 1 Debt Service – Total | 31000 | \$ 10,000,000 |

285 - West Virginia Development Office –

West Virginia Tourism Office (WV Code Chapter 5B)

Fund 3067 FY 2018 Org 0304

| | | |
|--|-------|------------------|
| 1 Tourism – Telemarketing Center | 46300 | \$ 82,080 |
| 2 Tourism – Advertising (R)..... | 61800 | 7,422,407 |
| 3 Tourism – Operations (R) | 66200 | <u>3,951,872</u> |
| 4 Total..... | | \$ 11,456,359 |

From the above appropriation for Tourism – Operations (fund 3067, appropriation 66200) funding shall be provided for the operation of the WV Film Office.

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800), and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

| | | |
|---|-------|----------------|
| 1 Personal Services and Employee Benefits | 00100 | \$ 2,090,941 |
| 2 Current Expenses | 13000 | 23,000 |
| 3 Pricketts Fort State Park..... | 32400 | 106,560 |
| 4 Non-Game Wildlife (R) | 52700 | 365,540 |
| 5 State Parks and Recreation Advertising (R) | 61900 | <u>494,578</u> |
| 6 Total..... | | \$ 3,080,619 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3267, appropriation 09900), Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund

3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | | |
|---|--|-------|----|-------------------|
| 1 | FBI Checks..... | 37200 | \$ | 108,860 |
| 2 | Vocational Education | | | |
| 3 | Equipment Replacement..... | 39300 | | 800,000 |
| 4 | Assessment Program (R)..... | 39600 | | 2,946,059 |
| 5 | 21st Century Technology Infrastructure | | | |
| 6 | Network Tools and Support (R) | 93300 | | <u>14,151,287</u> |
| 7 | Total..... | | \$ | 18,006,206 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3951, appropriation 09900), Current Expenses (fund 3951, appropriation 13000), Assessment Program (fund 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

288 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

| | | | | |
|---|----------------------------|-------|----|-------------------|
| 1 | Debt Service – Total | 31000 | \$ | 6,414,437 |
| 2 | Directed Transfer | 70000 | | <u>11,585,563</u> |
| 3 | Total..... | | \$ | 18,000,000 |

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.Va. Code §29-22-18.

289 - Department of Education and the Arts –

Office of the Secretary –

Control Account –

Lottery Education Fund

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

| | | | | |
|---|---|-------|----|----------------|
| 1 | Unclassified (R) | 09900 | \$ | 9,483 |
| 2 | Current Expenses | 13000 | | 110,617 |
| 3 | Commission for National | | | |
| 4 | and Community Service | 19300 | | 348,254 |
| 5 | Statewide STEM 21st Century Academy | 89700 | | 130,000 |
| 6 | Literacy Project (R)..... | 89900 | | <u>350,000</u> |
| 7 | Total..... | | \$ | 948,354 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3508, appropriation 09900), Governor's Honors Academy (fund 3508, appropriation 47800), Arts Programs (fund 3508, appropriation 50000), and Literacy Project (fund 3508, appropriation 89900) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

290 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2018 Org 0432

| | | | | |
|---|-------------------------------|-------|----|-----------|
| 1 | Huntington Symphony | 02700 | \$ | 73,823 |
| 2 | Preservation WV (R)..... | 09200 | | 587,519 |
| 3 | Fairs and Festivals (R) | 12200 | | 1,668,297 |

| | | | |
|----|--|-------|---------------|
| 4 | Archeological Curation/Capital | | |
| 5 | Improvements (R)..... | 24600 | 37,593 |
| 6 | Historic Preservation Grants (R)..... | 31100 | 368,428 |
| 7 | West Virginia Public Theater..... | 31200 | 150,024 |
| 8 | Greenbrier Valley Theater | 42300 | 124,429 |
| 9 | Theater Arts of West Virginia..... | 46400 | 112,500 |
| 10 | Marshall Artists Series | 51800 | 45,007 |
| 11 | Grants for Competitive Arts Program (R)..... | 62400 | 726,000 |
| 12 | West Virginia State Fair..... | 65700 | 39,052 |
| 13 | Save the Music | 68000 | 30,000 |
| 14 | Contemporary American Theater Festival.... | 81100 | 71,602 |
| 15 | Independence Hall | 81200 | 34,097 |
| 16 | Mountain State Forest Festival | 86400 | 47,734 |
| 17 | WV Symphony..... | 90700 | 73,823 |
| 18 | Wheeling Symphony..... | 90800 | 73,823 |
| 19 | Appalachian Children's Chorus..... | 91600 | <u>68,193</u> |
| 20 | Total..... | | \$ 4,331,944 |

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$3,342, Aracoma Story (Logan) \$37,129, Arts Monongahela (Monongalia) \$14,852, Barbour County Arts and Humanities Council \$1,114, Beckley Main Street (Raleigh) \$3,713, Buffalo Creek Memorial (Logan) \$3,713, Carnegie Hall (Greenbrier) \$58,624, Ceredo Historical Society (Wayne) \$1,485, Ceredo Kenova Railroad Museum (Wayne) \$1,485, Ceredo Museum (Wayne) \$900, Children's Theatre of Charleston (Kanawha) \$3,909, Chuck Mathena Center (Mercer) \$78,165, Collis P. Huntington Railroad Historical Society (Cabell) \$7,426, Country Music Hall of Fame and Museum (Marion) \$5,198, First Stage Children's Theater Company \$1,485, Flannigan Murrell House (Summers) \$4,726, Fort Ashby Fort (Mineral) \$1,114, Fort New Salem (Harrison) \$2,748, Fort Randolph (Mason) \$3,713, General Adam Stephen Memorial Foundation (Berkeley) \$13,757, Grafton Mother's Day Shrine Committee (Taylor) \$6,312, Hardy County Tour and Crafts Association \$14,852, Heartwood in the Hills (Calhoun) \$6,300, Heritage Farm Museum & Village (Cabell) \$37,129, Historic Fayette Theater (Fayette) \$4,084, Historic

Middleway Conservancy (Jefferson) \$743, Jefferson County Black History Preservation Society \$3,713, Jefferson County Historical Landmark Commission \$5,941, Maddie Carroll House (Cabell) \$5,569, Marshall County Historical Society \$6,312, McCoy Theater (Hardy) \$14,852, Morgantown Theater Company (Monongalia) \$14,852, Mountaineer Boys' State (Lewis) \$7,426, Nicholas Old Main Foundation (Nicholas) \$1,485, Norman Dillon Farm Museum (Berkeley) \$7,426, Old Opera House Theater Company (Jefferson) \$11,138, Parkersburg Arts Center (Wood) \$14,852, Pocahontas Historic Opera House \$4,455, Raleigh County All Wars Museum \$7,426, Rhododendron Girl's State (Ohio) \$7,426, Roane County 4-H and FFA Youth Livestock Program \$3,713, Scottish Heritage Society/N. Central WV (Harrison) \$3,713, Society for the Preservation of McGrew House (Preston) \$2,599, Southern West Virginia Veterans' Museum \$4,242, Summers County Historic Landmark Commission \$3,713, Those Who Served War Museum (Mercer) \$2,970, Three Rivers Avian Center (Summers) \$6,638, Tug Valley Arts Council (Mingo) \$3,713, Tug Valley Chamber of Commerce Coal House (Mingo) \$1,485, Tunnelton Historical Society (Preston) \$1,485, Veterans Committee for Civic Improvement of Huntington (Wayne) \$3,713, West Virginia Museum of Glass (Lewis) \$3,713, West Virginia Music Hall of Fame (Kanawha) \$25,990, YMCA Camp Horseshoe (Tucker) \$74,257, Youth Museum of Southern West Virginia (Raleigh) \$8,911, Z.D. Ramsdell House (Wayne) \$900.

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$2,250, African-American Cultural Heritage Festival (Jefferson) \$3,713, Alderson 4th of July Celebration (Greenbrier) \$3,713, Allegheny Echo (Pocahontas) \$5,570, Alpine Festival/Leaf Peepers Festival (Tucker) \$8,354, American Civil War (Grant) \$3,909, American Legion Post 8 Veterans Day Parade (McDowell) \$1,563, Angus Beef and Cattle Show (Lewis) \$1,114, Annual Birch River Days (Nicholas) \$1,620, Annual Don Redman Heritage Concert & Awards (Jefferson) \$1,173, Annual Ruddle Park Jamboree (Pendleton) \$5,863, Antique Market Fair (Lewis) \$1,485, Apollo Theater-

Summer Program (Berkeley) \$1,485, Apple Butter Festival (Morgan) \$4,455, Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,599, Armed Forces Day-South Charleston (Kanawha) \$2,228, Arthurdale Heritage New Deal Festival (Preston) \$3,713, Athens Town Fair (Mercer) \$1,485, Augusta Fair (Randolph) \$3,713, Autumn Harvest Fest (Monroe) \$3,060, Barbour County Fair \$18,564, Barboursville Octoberfest (Cabell) \$3,713, Bass Festival (Pleasants) \$1,374, Battelle District Fair (Monongalia) \$3,713, Battle of Dry Creek (Greenbrier) \$1,114, Battle of Point Pleasant Memorial Committee (Mason) \$3,713, Belle Town Fair (Kanawha) \$3,342, Belleville Homecoming (Wood) \$14,852, Bergoo Down Home Days (Webster) \$1,857, Berkeley County Youth Fair \$13,738, Black Bear 4K Mountain Bike Race (Kanawha) \$855, Black Heritage Festival (Harrison) \$4,455, Black Walnut Festival (Roane) \$7,426, Blast from the Past (Upshur) \$1,800, Blue-Gray Reunion (Barbour) \$2,599, Boone County Fair \$7,426, Boone County Labor Day Celebration \$2,970, Bradshaw Fall Festival (McDowell) \$1,485, Brandonville Heritage Day (Preston) \$1,310, Braxton County Fair \$8,540, Braxton County Monster Fest / West Virginia Autumn Festival \$1,857, Brooke County Fair \$2,599, Bruceton Mills Good Neighbor Days (Preston) \$1,485, Buckwheat Festival (Preston) \$6,313, Buffalo 4th of July Celebration (Putnam) \$500, Buffalo October Fest (Putnam) \$4,050, Burlington Apple Harvest Festival (Mineral) \$22,277, Burlington Pumpkin Harvest Festival (Raleigh) \$3,713, Burnsville Harvest Festival (Braxton) \$1,759, Cabell County Fair \$7,426, Calhoun County Wood Festival \$1,485, Campbell's Creek Community Fair (Kanawha) \$1,857, Cape Coalwood Festival Association (McDowell) \$1,857, Capon Bridge Founders Day Festival (Hampshire) \$1,485, Capon Springs Ruritan 4th of July (Hampshire) \$855, Cass Homecoming (Pocahontas) \$1,485, Cedarville Town Festival (Gilmer) \$855, Celebration in the Park (Wood) \$2,970, Celebration of America (Monongalia) \$4,455, Ceredo Freedom Festival (Wayne) \$876, Chapmanville Apple Butter Festival (Logan) \$855, Chapmanville Fire Department 4th of July (Logan) \$2,228, Charles Town Christmas Festival (Jefferson) \$3,713, Charles Town Heritage Festival (Jefferson) \$3,713, Cherry River Festival (Nicholas) \$4,827, Chester Fireworks (Hancock) \$1,114, Chester 4th of July Festivities

(Hancock) \$3,713, Chief Logan State Park-Civil War Celebration (Logan) \$5,941, Chilifest West Virginia State Chili Championship (Cabell) \$1,954, Christmas In Our Town (Marion) \$3,909, Christmas in Shepherdstown (Jefferson) \$2,970, Christmas in the Park (Brooke) \$3,713, Christmas in the Park (Logan) \$18,564, City of Dunbar Critter Dinner (Kanawha) \$7,426, City of Logan Polar Express (Logan) \$5,570, City of New Martinsville Festival of Memories (Wetzel) \$8,168, Clay County Golden Delicious Apple Festival \$5,198, Clay District Fair (Monongalia) \$1,350, Coal Field Jamboree (Logan) \$25,990, Coalton Days Fair (Randolph) \$5,198, Country Roads Festival (Fayette) \$1,485, Cowen Railroad Festival (Webster) \$2,599, Craigsville Fall Festival (Nicholas) \$2,599, Cruise into Princeton (Mercer) \$2,700, Culturefest World Music & Arts Festival (Mercer) \$5,863, Delbarton Homecoming (Mingo) \$2,599, Doddridge County Fair \$5,198, Dorcas Ice Cream Social (Grant) \$4,455, Durbin Days (Pocahontas) \$3,713, Elbert/Filbert Reunion Festival (McDowell) \$1,114, Elkins Randolph County 4th of July Car Show (Randolph) \$1,485, Fairview 4th of July Celebration (Marion) \$855, Farm Safety Day (Preston) \$1,485, Farmer's Day Festival (Monroe) \$2,913, Farmers' Day Parade (Wyoming) \$900, Fenwick Mountain Old Time Community Festival (Nicholas) \$3,600, FestivALL Charleston (Kanawha) \$14,852, Flatwoods Days (Braxton) \$876, Flemington Day Fair and Festival (Taylor) \$2,599, Follansbee Community Days (Brooke) \$6,126, Fort Gay Mountain Heritage Days (Wayne) \$3,713, Fort Henry Days (Ohio) \$3,936, Fort Henry Living History (Ohio) \$1,954, Fort New Salem Spirit of Christmas Festival (Harrison) \$3,040, Frankford Autumnfest (Greenbrier) \$3,713, Franklin Fishing Derby (Pendleton) \$5,570, Freshwater Folk Festival (Greenbrier) \$3,713, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$3,713, Frontier Days (Harrison) \$2,228, Frontier Fest/Canaan Valley (Taylor) \$3,713, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$1,857, Gassaway Days Celebration (Braxton) \$3,713, Gilbert Elementary Fall Blast (Mingo) \$2,735, Gilbert Kiwanis Harvest Festival (Mingo) \$2,970, Gilbert Spring Fling (Mingo) \$4,494, Gilmer County Farm Show \$2,970, Grant County Arts Council \$1,485, Grape Stomping Wine Festival (Nicholas) \$1,485, Great Greenbrier River Race (Pocahontas) \$7,426, Greater Quinwood Days (Greenbrier) \$977,

Guyandotte Civil War Days (Cabell) \$7,426, Hamlin 4th of July Celebration (Lincoln) \$3,713, Hampshire Civil War Celebration Days (Hampshire) \$855, Hampshire County 4th of July Celebration \$14,852, Hampshire County Fair \$6,253, Hampshire Heritage Days (Hampshire) \$2,970, Hancock County Oldtime Fair \$3,713, Hardy County Commission - 4th of July \$7,426, Hatfield McCoy Matewan Reunion Festival (Mingo) \$15,413, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$3,713, Heat'n the Hills Chilifest (Lincoln) \$3,127, Heritage Craft Festival (Monroe) \$1,305, Heritage Days Festival (Roane) \$1,114, Hilltop Festival (Cabell) \$855, Hilltop Festival of Lights (McDowell) \$1,485, Hinton Railroad Days (Summers) \$5,434, Holly River Festival (Webster) \$1,114, Hometown Mountain Heritage Festival (Fayette) \$3,040, Hundred 4th of July (Wetzel) \$5,384, Hundred American Legion Earl Kiger Post Bluegrass Festival (Wetzel) \$1,485, Hurricane 4th of July Celebration (Putnam) \$3,713, Jaeger Town Fair (McDowell) \$1,114, Irish Heritage Festival of West Virginia (Raleigh) \$3,713, Irish Spring Festival (Lewis) \$855, Italian Heritage Festival-Clarksburg (Harrison) \$22,277, Jackson County Fair \$3,713, Jamboree (Pocahontas) \$3,713, Jane Lew Arts and Crafts Fair (Lewis) \$855, Jefferson County Fair Association \$18,564, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$855, John Henry Days Festival (Monroe) \$5,873, Johnnie Johnson Blues and Jazz Festival (Marion) \$3,713, Johnstown Community Fair (Harrison) \$1,857, Junior Heifer Preview Show (Lewis) \$1,485, Kanawha Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$3,713, Keeper of the Mountains-Kayford (Kanawha) \$1,857, Kenova Autumn Festival (Wayne) \$5,472, Kermit Fall Festival (Mingo) \$2,228, Keystone Reunion Gala (McDowell) \$1,954, King Coal Festival (Mingo) \$3,713, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,485, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$3,713, Lady of Agriculture (Preston) \$855, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$7,426, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$3,713, Last Blast of Summer (McDowell) \$3,713, Lewis County Fair Association \$2,599, Lewisburg Shanghai (Greenbrier) \$1,485, Lincoln County Fall Festival \$5,941, Lincoln County Winterfest \$3,713, Lindside

Veterans' Day Parade \$900, Little Levels Heritage Festival (Pocahontas) \$1,485, Lost Creek Community Festival (Harrison) \$5,198, Main Street Arts Festival (Upshur) \$3,909, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$3,517, Mannington District Fair (Marion) \$4,455, Maple Syrup Festival (Randolph) \$855, Marion County FFA Farm Fest \$1,857, Marmet Labor Day Celebration (Kanawha) \$3,848, Marshall County Antique Power Show \$1,857, Marshall County Fair \$5,570, Mason County Fair \$3,713, Mason Dixon Festival (Monongalia) \$5,198, Mewan Massacre Reenactment (Mingo) \$6,255, Mewan-Magnolia Fair (Mingo) \$19,915, McARTS-McDowell County \$14,852, McDowell County Fair \$1,857, McGrew House History Day (Preston) \$1,485, McNeill's Rangers (Mineral) \$5,941, Meadow Bridge Hometown Festival (Fayette) \$929, Meadow River Days Festival (Greenbrier) \$2,228, Mercer Bluestone Valley Fair (Mercer) \$1,485, Mercer County Fair \$1,485, Mercer County Heritage Festival \$4,343, Mid Ohio Valley Antique Engine Festival (Wood) \$2,228, Milton Christmas in the Park (Cabell) \$1,857, Milton 4th of July Celebration (Cabell) \$1,857, Mineral County Fair \$1,300, Mineral County Veterans Day Parade \$1,114, Molasses Festival (Calhoun) \$1,485, Monongahfest (Marion) \$4,690, Moon Over Mountwood Fishing Festival (Wood) \$2,228, Morgan County Fair-History Wagon \$1,114, Moundsville Bass Festival (Marshall) \$2,970, Moundsville July 4th Celebration (Marshall) \$3,713, Mount Liberty Fall Festival (Barbour) \$1,857, Mountain Fest (Monongalia) \$14,852, Mountain Festival (Mercer) \$3,434, Mountain Heritage Arts and Crafts Festival (Jefferson) \$3,713, Mountain Music Festival (McDowell) \$1,857, Mountain State Apple Harvest Festival (Berkeley) \$5,570, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$33,415, Mountaineer Hot Air Balloon Festival (Monongalia) \$2,970, Mullens Dogwood Festival (Wyoming) \$5,198, Multi-Cultural Festival of West Virginia (Kanawha) \$14,852, Music and Barbecue - Banks District VFD (Upshur) \$1,598, New Cumberland Christmas Parade (Hancock) \$2,228, New Cumberland 4th of July (Hancock) \$3,713, New River Bridge Day Festival (Fayette) \$29,703, Newburg Volunteer Fireman's Field Day (Preston) \$855, Nicholas County Fair \$3,713, Nicholas County Potato Festival \$2,599, Oak Leaf Festival (Fayette) \$7,817, Oceana Heritage Festival

(Wyoming) \$4,455, Oglebay City Park - Festival of Lights (Ohio) \$59,405, Oglebay Festival (Ohio) \$7,426, Ohio County Country Fair \$6,683, Ohio River Fest (Jackson) \$5,400, Ohio Valley Beef Association (Wood) \$1,857, Ohio Valley Black Heritage Festival (Ohio) \$4,084, Old Central City Fair (Cabell) \$3,713, Old Century City Fair (Barbour) \$1,563, Old Tyme Christmas (Jefferson) \$1,782, Paden City Labor Day Festival (Wetzel) \$4,827, Parkersburg Homecoming (Wood) \$10,943, Patty Fest (Monongalia) \$1,485, Paw Paw District Fair (Marion) \$2,599, Pax Reunion Committee (Fayette) \$3,713, Pendleton County 4-H Weekend \$1,485, Pendleton County Committee for Arts \$11,138, Pendleton County Fair \$7,817, Pennsboro Country Road Festival (Ritchie) \$1,485, Petersburg 4th of July Celebration (Grant) \$14,852, Petersburg HS Celebration (Grant) \$7,426, Piedmont-Annual Back Street Festival (Mineral) \$2,970, Pinch Reunion (Kanawha) \$1,114, Pine Bluff Fall Festival (Harrison) \$2,970, Pine Grove 4th of July Festival (Wetzel) \$5,198, Pineville Festival (Wyoming) \$4,455, Pleasants County Agriculture Youth Fair \$3,713, Poca Heritage Days (Putnam) \$2,228, Pocahontas County Pioneer Days \$5,198, Point Pleasant Stern Wheel Regatta (Mason) \$3,713, Pratt Fall Festival (Kanawha) \$1,857, Princeton Autumnfest (Mercer) \$1,954, Princeton Street Fair (Mercer) \$3,713, Putnam County Fair \$3,713, Quartets on Parade (Hardy) \$2,970, Rainelle Fall Festival (Greenbrier) \$3,909, Rand Community Center Festival (Kanawha) \$1,857, Randolph County Community Arts Council \$2,228, Randolph County Fair \$5,198, Randolph County Ramp and Rails \$1,485, Ranson Christmas Festival (Jefferson) \$3,713, Ranson Festival (Jefferson) \$3,713, Renick Liberty Festival (Greenbrier) \$855, Ripley 4th of July (Jackson) \$11,138, Ritchie County Fair and Exposition \$3,713, Ritchie County Pioneer Days \$855, River City Festival (Preston) \$855, Roane County Agriculture Field Day \$2,228, Rock the Park (Kanawha) \$4,050, Rocket Boys Festival (Raleigh) \$2,138, Romney Heritage Days (Hampshire) \$2,345, Ronceverte River Festival (Greenbrier) \$3,713, Rowlesburg Labor Day Festival (Preston) \$855, Rupert Country Fling (Greenbrier) \$2,228, Saint Spyridon Greek Festival (Harrison) \$1,857, Salem Apple Butter Festival (Harrison) \$2,970, Sistersville 4th of July (Tyler) \$4,084, Skirmish on the River (Mingo) \$1,563, Smoke on the Water

(Wetzel) \$2,228, South Charleston Summerfest (Kanawha) \$7,426, Southern Wayne County Fall Festival \$855, Spirit of Grafton Celebration (Taylor) \$7,426, Springfield Peach Festival (Hampshire) \$923, St. Albans City of Lights - December (Kanawha) \$3,713, Sternwheel Festival (Wood) \$2,228, Stoco Reunion (Raleigh) \$1,857, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$8,168, Stonewall Jackson's Roundhouse Raid (Berkeley) \$9,000, Storytelling Festival (Lewis) \$500, Strawberry Festival (Upshur) \$22,277, Sylvester Big Coal River Festival \$2,430, Tacy Fair (Barbour) \$855, Taste of Parkersburg (Wood) \$3,713, Taylor County Fair \$4,084, Terra Alta VFD 4th of July Celebration (Preston) \$855, The Gathering at Sweet Creek (Wood) \$2,228, Three Rivers Coal Festival (Marion) \$5,755, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$11,138, Town of Delbarton 4th of July Celebration (Mingo) \$2,228, Town of Fayetteville Heritage Festival (Fayette) \$5,570, Town of Matoaka Hog Roast (Mercer) \$855, Town of Rivesville 4th of July Festival (Marion) \$3,909, Town of Winfield - Putnam County Homecoming \$4,050, St. Albans Train Fest (Kanawha) \$7,650, Treasure Mountain Festival (Pendleton) \$18,564, Tri-County Fair (Grant) \$28,186, Tucker County Arts Festival and Celebration \$13,366, Tucker County Fair \$3,527, Tucker County Health Fair \$1,485, Tunnelton Depot Days (Preston) \$855, Tunnelton Volunteer Fire Department Festival (Preston) \$855, Turkey Festival (Hardy) \$2,228, Tyler County Fair \$3,861, Tyler County 4th of July \$500, Tyler County OctoberFest \$900, Union Community Irish Festival (Barbour) \$810, Uniquely West Virginia Festival (Morgan) \$1,485, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,857, Upper Ohio Valley Italian Festival (Ohio) \$8,911, Upshur County Youth Livestock Show \$1,800, Valley District Fair (Preston) \$2,599, Veterans Welcome Home Celebration (Cabell) \$1,173, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$855, Volcano Days at Mountwood Park (Wood) \$3,713, War Homecoming Fall Festival (McDowell) \$1,114, Wardensville Fall Festival (Hardy) \$3,713, Wayne County Fair \$3,713, Wayne County Fall Festival \$3,713, Webster County Fair \$4,500, Webster County Wood Chopping Festival \$11,138, Webster Wild Water Weekend \$1,485, Weirton July 4th Celebration (Hancock) \$14,852, Welcome Home Family Day

(Wayne) \$2,376, Wellsburg 4th of July Celebration (Brooke) \$5,570, Wellsburg Apple Festival of Brooke County \$3,713, West Virginia Blackberry Festival (Harrison) \$3,713, West Virginia Chestnut Festival (Preston) \$855, West Virginia Coal Festival (Boone) \$7,426, West Virginia Coal Show (Mercer) \$1,954, West Virginia Dairy Cattle Show (Lewis) \$7,426, West Virginia Dandelion Festival (Greenbrier) \$3,713, West Virginia Day at the Railroad Museum (Mercer) \$2,250, West Virginia Fair and Exposition (Wood) \$6,016, West Virginia Fireman's Rodeo (Fayette) \$1,857, West Virginia Oil and Gas Festival (Tyler) \$8,168, West Virginia Peach Festival (Hampshire) \$4,050, West Virginia Polled Hereford Association (Braxton) \$1,114, West Virginia Poultry Festival (Hardy) \$3,713, West Virginia Pumpkin Festival (Cabell) \$7,426, West Virginia State Folk Festival (Gilmer) \$3,713, West Virginia Water Festival - City of Hinton (Summers) \$11,431, Weston VFD 4th of July Firemen Festival (Lewis) \$1,485, Wetzel County Autumnfest \$4,084, Wetzel County Town and Country Days \$12,623, Wheeling Celtic Festival (Ohio) \$1,485, Wheeling City of Lights (Ohio) \$5,941, Wheeling Sternwheel Regatta (Ohio) \$7,426, Wheeling Vintage Raceboat Regatta (Ohio) \$14,852, Whipple Community Action (Fayette) \$1,857, Wileyville Homecoming (Wetzel) \$2,970, Wine Festival and Mountain Music Event (Harrison) \$3,713, Winter Festival of the Waters (Berkeley) \$3,713, Wirt County Fair \$1,857, Wirt County Pioneer Days \$1,485, Wyoming County Civil War Days \$1,620, Youth Stockman Beef Expo (Lewis) \$1,485.

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 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>852,729</u> |
| 6 | Total | | \$ | 11,423,076 |

Any unexpended balance remaining in the appropriation for Libraries – Special Projects (fund 3559, appropriation 62500) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | | |
|----|---|-------|----|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 193,505 |
| 2 | Current Expenses | 13000 | | 332,095 |
| 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 | | | |
| 7 | for Health Care and Title XIX | | | |
| 8 | Waiver for Senior Citizens | 53900 | | 12,982,692 |
| 9 | Roger Tompkins Alzheimer's Respite Care | 64300 | | 2,296,601 |
| 10 | WV Alzheimer's Hotline | 72400 | | 45,000 |

| | | | |
|----|--|-------|------------------|
| 11 | Regional Aged and Disabled Resource Center | 76700 | 425,000 |
| 12 | Senior Services Medicaid Transfer | 87100 | 8,670,000 |
| 13 | Legislative Initiatives for the Elderly..... | 90400 | 9,671,239 |
| 14 | Long Term Care Ombudsman..... | 90500 | 297,226 |
| 15 | BRIM Premium..... | 91300 | 7,152 |
| 16 | In-Home Services | | |
| 17 | and Nutrition for Senior Citizens..... | 91700 | <u>4,320,941</u> |
| 18 | Total..... | | \$ 41,696,201 |

Any unexpended balance remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 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 | 87,110 |

| | | | |
|----|--|-------|----------------|
| 6 | Minority Doctoral Fellowship (R) | 16600 | 129,604 |
| 7 | Health Sciences Scholarship (R)..... | 17600 | 220,690 |
| 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..... | | \$ 3,012,104 |

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

294 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

| | | | |
|---|----------------------------|-------|--------------|
| 1 | Debt Service – Total | 31000 | \$ 5,000,000 |
|---|----------------------------|-------|--------------|

Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*295 - Higher Education Policy Commission –**Lottery Education –**West Virginia University – School of Medicine*

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

| | | | |
|---|--|----|----------------|
| 1 | WVU Health Sciences – | | |
| 2 | RHI Program and Site Support (R).....03500 | \$ | 1,107,466 |
| 3 | MA Public Health Program and | | |
| 4 | Health Science Technology (R).....62300 | | 52,387 |
| 5 | Health Sciences Career | | |
| 6 | Opportunities Program (R)86900 | | 319,587 |
| 7 | HSTA Program (R)87000 | | 1,630,169 |
| 8 | Center for Excellence in Disabilities (R)96700 | | <u>292,554</u> |
| 9 | Total..... | \$ | 3,402,163 |

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*296 - Higher Education Policy Commission –**Lottery Education –**Marshall University – School of Medicine*

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

| | | | |
|---|--|----|---------|
| 1 | Marshall Medical School – | | |
| 2 | RHI Program and Site Support (R).....03300 | \$ | 396,249 |

| | | |
|---|--|-------------------|
| 3 | Vice Chancellor for Health Sciences – | |
| 4 | Rural Health Residency Program (R).....60100 | <u>163,858</u> |
| 5 | Total..... | <u>\$ 560,107</u> |

Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 4 – Lottery Revenue.....\$ 130,917,133

Sec. 5. Appropriations from state excess lottery revenue fund. — In accordance with W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

| | Excess Lottery Funds | Appro- priation |
|---------------------------|-------------------------------------|----------------------------|
| 1 Directed Transfer | 70000 | \$ 10,000,000 |

The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the commissioner's request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

- 1 General Revenue Fund – Transfer70011 \$ 65,000,000

The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

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

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

300 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2018 Org 0944

- 1 Debt Service – Total31000 \$ 19,000,000

Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the economic development project fund pursuant to section four of this title and W.Va. Code §29-22-18, subsection (f).

301 - Department of Education –

School Building Authority

Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

302 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2018 Org 0316

| | | |
|---|----------------|--|
| 1 | Directed | |
| 2 | Transfer | |
| 3 | 70000 | |
| 4 | \$ 46,000,000 | |

The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-15-9.

303 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2018 Org 0441

| | | |
|---|----------------|--|
| 1 | Directed | |
| 2 | Transfer | |
| 3 | 70000 | |
| 4 | \$ 15,000,000 | |

The above appropriation shall be transferred to fund 4903, org 0442 as authorized by Senate Concurrent Resolution No. 41.

*304 - Division of Natural Resources –**State Park Improvement Fund*Fund 3277 FY 2018 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 |

Any unexpended balances remaining in the above appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Unclassified (fund 3277, appropriation 09900), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*305 - Racing Commission –*Fund 7308 FY 2018 Org 0707

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

*306 - Lottery Commission –**Distributions to Statutory Funds and Purposes*Fund 7213 FY 2018 Org 0705

| | | | |
|---|-------------------------------------|-------|------------|
| 1 | Parking Garage Fund – Transfer..... | 70001 | \$ 500,000 |
| 2 | 2004 Capitol Complex | | |
| 3 | Parking Garage Fund – Transfer..... | 70002 | 254,147 |
| 4 | Capitol Dome and | | |
| 5 | Improvements Fund – Transfer | 70003 | 2,155,201 |

| | | | |
|----|---|-------|-------------------|
| 6 | Capitol Renovation and | | |
| 7 | Improvement Fund – Transfer | 70004 | 2,795,627 |
| 8 | Development Office | | |
| 9 | Promotion Fund – Transfer..... | 70005 | 1,524,887 |
| 10 | Research Challenge Fund – Transfer | 70006 | 2,033,184 |
| 11 | Tourism Promotion Fund – Transfer | 70007 | 5,659,115 |
| 12 | Cultural Facilities and Capitol Resources | | |
| 13 | Matching Grant | | |
| 14 | Program Fund – Transfer..... | 70008 | 1,433,371 |
| 15 | Workers’ Compensation | | |
| 16 | Debt Reduction Fund – Transfer | 70009 | 2,750,000 |
| 17 | State Debt Reduction Fund – Transfer..... | 70010 | 20,000,000 |
| 18 | General Revenue Fund – Transfer | 70011 | 9,763,472 |
| 19 | West Virginia Racing Commission Racetrack | | |
| 20 | Video Lottery Account | 70012 | 4,066,363 |
| 21 | Historic Resort Hotel Fund | 70013 | 34,200 |
| 22 | Licensed Racetrack Regular Purse Fund | 70014 | <u>10,111,678</u> |
| 23 | Total..... | | \$ 63,081,245 |

307 - Governor’s Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

Any unexpended balances remaining in the appropriations for Unclassified – Total (fund 3170, appropriation 09600), Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300), and Connectivity Research and

Development – Lottery Surplus (fund 3170, appropriation 92300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

309 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services..... 18900 \$ 24,506,170

311 - Division of Corrections –

Correctional Units

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

Fund 6283 FY 2018 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 5 – Excess Lottery Funds..... \$ 297,587,415

Sec. 6. Appropriations of federal funds. — In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

312 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

| | Appropriation | Federal Funds |
|---|----------------------|----------------------|
| 1 Economic Loss Claim Payment Fund..... | 33400 | \$ 2,360,125 |

JUDICIAL

313 - Supreme Court

Fund 8867 FY 2018 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

314 - Governor's Office

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

| | | |
|---------------------------------|-------|------------|
| 1 Current Expenses – Total..... | 13000 | \$ 225,000 |
|---------------------------------|-------|------------|

315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,563,760 |
| 2 | Unclassified.....09900 | | 50,534 |
| 3 | Current Expenses13000 | | 3,828,661 |
| 4 | Repairs and Alterations.....06400 | | 650,000 |
| 5 | Equipment.....07000 | | 910,500 |
| 6 | Other Assets.....69000 | | <u>50,000</u> |
| 7 | Total..... | \$ | 7,053,455 |

*316 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 610,830 |
| 2 | Unclassified.....09900 | | 8,755 |
| 3 | Current Expenses13000 | | 136,012 |
| 4 | Repairs and Alterations.....06400 | | 5,500 |
| 5 | Equipment.....07000 | | <u>114,478</u> |
| 6 | Total..... | \$ | 875,575 |

*317 - Department of Agriculture –**State Conservation Committee*

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 97,250 |
| 2 | Current Expenses13000 | | <u>14,099,974</u> |
| 3 | Total..... | \$ | 14,197,224 |

*318 - Department of Agriculture –**Land Protection Authority*Fund 8896 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 46,526 |
| 2 | Unclassified.....09900 | | 5,004 |
| 3 | Current Expenses13000 | | <u>448,920</u> |
| 4 | Total..... | \$ | 500,450 |

319 - Secretary of State –

State Election Fund

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 210,240 |
| 2 | Unclassified.....09900 | | 7,484 |
| 3 | Current Expenses13000 | | 415,727 |
| 4 | Repairs and Alterations.....06400 | | 15,000 |
| 5 | Other Assets69000 | | <u>100,000</u> |
| 6 | Total..... | \$ | 748,451 |

DEPARTMENT OF COMMERCE

320 - Division of Forestry

(WV Code Chapter 19)

Fund 8703 FY 2018 Org 0305

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,578,347 |
| 2 | Unclassified.....09900 | | 51,050 |
| 3 | Current Expenses13000 | | 5,232,560 |
| 4 | Repairs and Alterations.....06400 | | 155,795 |
| 5 | Equipment.....07000 | | 100,000 |
| 6 | Other Assets69000 | | <u>1,808,300</u> |
| 7 | Total..... | \$ | 8,926,052 |

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 Org 0306

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 54,432 |
| 2 | Unclassified.....09900 | | 2,803 |
| 3 | Current Expenses13000 | | 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 |

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 Org 0307

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 745,981 |
| 2 | Unclassified.....09900 | | 50,000 |
| 3 | Current Expenses13000 | | <u>4,504,019</u> |
| 4 | Total..... | \$ | 5,300,000 |

323 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 497,289 |
| 2 | Repairs and Alterations.....06400 | | 250 |
| 3 | Equipment.....07000 | | 6,000 |
| 4 | Unclassified.....09900 | | 106,795 |
| 5 | Current Expenses13000 | | <u>10,069,166</u> |
| 6 | Total..... | \$ | 10,679,500 |

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 Org 0308

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 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 | 4,951,000 |
| 8 | Land | 73000 | <u>6,001,000</u> |
| 9 | Total..... | | \$ 27,584,087 |

326 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 613,177 |
| 2 | Current Expenses | 13000 | <u>150,000</u> |
| 3 | Total..... | | \$ 763,177 |

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

| | | | |
|---|---------------------------------|-------|-----------|
| 1 | Unclassified..... | 09900 | \$ 5,127 |
| 2 | Current Expenses | 13000 | 507,530 |
| 3 | Reed Act 2002 – | | |
| 4 | Unemployment Compensation | 62200 | 2,850,000 |

| | | | |
|---|---|-------|--------------|
| 5 | Reed Act 2002 – Employment Services | 63000 | 1,650,000 |
| 6 | Total..... | | \$ 5,012,657 |

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state’s unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 Org 0328

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

DEPARTMENT OF EDUCATION

329 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 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 | 10,000 |
| 7 | Total..... | | \$ 220,026,675 |

*330 - State Board of Education –**School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,812,648 |
| 2 | Unclassified.....09900 | 1,150,500 |
| 3 | Current Expenses13000 | 143,281,265 |
| 4 | Repairs and Alterations.....06400 | 20,000 |
| 5 | Equipment.....07000 | 100,000 |
| 6 | Other Assets.....69000 | <u>25,000</u> |
| 7 | Total..... | \$146,389,413 |

*331 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,519,972 |
| 2 | Unclassified.....09900 | 155,000 |
| 3 | Current Expenses13000 | 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..... | \$ 16,025,053 |

*332 - State Board of Education –**Aid for Exceptional Children*

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 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

333 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 8841 FY 2018 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 |

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 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 |

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 Org 0433

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 333,648 |
| 2 | Current Expenses | 13000 | 1,076,162 |
| 3 | Equipment.....07000 | | <u>543,406</u> |
| 4 | Total..... | \$ | 1,953,216 |

336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

| | | | |
|---|---------------------|----|---------|
| 1 | Equipment.....07000 | \$ | 750,000 |
|---|---------------------|----|---------|

337 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 11,248,930 |
| 2 | Current Expenses | 13000 | 54,485,940 |
| 3 | Repairs and Alterations.....06400 | | 350,400 |
| 4 | Equipment.....07000 | | <u>1,275,870</u> |
| 5 | Total..... | \$ | 67,361,140 |

338 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(WV Code Chapter 18)

Fund 8890 FY 2018 Org 0932

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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*339 - Division of Environmental Protection*

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 29,177,068 |
| 2 | Current Expenses 13000 | 190,201,007 |
| 3 | Repairs and Alterations.....06400 | 738,283 |
| 4 | Equipment.....07000 | 1,725,238 |
| 5 | Unclassified.....09900 | 2,201,827 |
| 6 | Other Assets.....69000 | 2,154,416 |
| 7 | Land 73000 | <u>100,000</u> |
| 8 | Total..... | \$226,297,839 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*340 - Consolidated Medical Service Fund*

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 750,876 |
| 2 | Unclassified.....09900 | 73,307 |
| 3 | Current Expenses 13000 | <u>6,630,103</u> |
| 4 | Total..... | \$ 7,454,286 |

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

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 13,744,404 |
| 2 | Unclassified.....09900 | 947,948 |
| 3 | Current Expenses 13000 | 79,110,551 |
| 4 | Equipment.....07000 | 456,972 |

| | | | |
|---|-------------------|-------|----------------|
| 5 | Buildings..... | 25800 | 155,000 |
| 6 | Other Assets..... | 69000 | <u>380,000</u> |
| 7 | Total..... | | \$ 94,794,875 |

342 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

| | | | |
|---|--|-------|---------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund – Transfer..... | 68900 | \$ 16,000,000 |

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

| | | | |
|---|------------------------|-------|----------------|
| 1 | Unclassified..... | 09900 | \$ 9,966 |
| 2 | Current Expenses | 13000 | <u>986,649</u> |
| 3 | Total..... | | \$ 996,615 |

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 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 |

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 68,943,213 |
|---|--|-------|---------------|

| | | | |
|---|---|-------|-------------------|
| 2 | Unclassified..... | 09900 | 22,855,833 |
| 3 | Current Expenses | 13000 | 72,070,005 |
| 4 | Medical Services..... | 18900 | 3,234,265,405 |
| 5 | Medical Services Administrative Costs | 78900 | 132,045,119 |
| 6 | CHIP Administrative Costs..... | 85601 | 3,333,752 |
| 7 | CHIP Services..... | 85602 | 47,422,974 |
| 8 | Federal Economic Stimulus | 89100 | <u>20,000,000</u> |
| 9 | Total..... | | \$3,600,936,301 |

**DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC
SAFETY**

346 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 439,636 |
| 2 | Unclassified..... | 09900 | 250,000 |
| 3 | Current Expenses | 13000 | 24,307,690 |
| 4 | Repairs and Alterations..... | 06400 | 3,000 |
| 5 | Other Assets | 69000 | <u>5,000</u> |
| 6 | Total..... | | \$ 25,005,326 |

347 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2018 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 |

The Adjutant General shall have the authority to transfer between appropriations.

*348 - Adjutant General –**West Virginia National Guard Counterdrug Forfeiture Fund*

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,350,000 |
| 2 | Current Expenses13000 | | 300,000 |
| 3 | Equipment.....07000 | | <u>350,000</u> |
| 4 | Total..... | \$ | 2,000,000 |

*349 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 8727 FY 2018 Org 0606

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 721,650 |
| 2 | Current Expenses13000 | | 20,429,281 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | <u>100,000</u> |
| 5 | Total..... | \$ | 21,255,931 |

350 - Division of Corrections

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

Fund 8836 FY 2018 Org 0608

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 1,100 |
| 2 | Current Expenses13000 | | <u>108,900</u> |
| 3 | Total..... | \$ | 110,000 |

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,435,539 |
| 2 | Current Expenses13000 | | 2,125,971 |
| 3 | Repairs and Alterations.....06400 | | 42,000 |
| 4 | Equipment.....07000 | | 2,502,285 |
| 5 | Buildings.....25800 | | 750,500 |
| 6 | Other Assets.....69000 | | 144,500 |
| 7 | Land.....73000 | | 500 |
| 8 | Total..... | \$ | 8,001,295 |

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 80,000 |
|---|-----------------------------|----|--------|

353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,056,170 |
| 2 | Unclassified.....09900 | | 25,185 |
| 3 | Current Expenses13000 | | 18,774,373 |
| 4 | Repairs and Alterations.....06400 | | 1,750 |
| 5 | Total..... | \$ | 19,857,478 |

DEPARTMENT OF REVENUE*354 - Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 3,000,000 |
|---|-----------------------------|----|-----------|

DEPARTMENT OF TRANSPORTATION*355 - Division of Motor Vehicles*

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 501,394 |
| 2 | Current Expenses13000 | | 13,671,640 |
| 3 | Repairs and Alterations.....06400 | | <u>500</u> |
| 4 | Total..... | \$ | 14,173,534 |

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 702,637 |
| 2 | Current Expenses13000 | | 9,161,605 |
| 3 | Repairs and Alterations.....06400 | | 2,500 |
| 4 | Equipment.....07000 | | 4,726,958 |
| 5 | Buildings25800 | | 750,000 |
| 6 | Other Assets69000 | | <u>250,000</u> |
| 7 | Total..... | \$ | 15,593,700 |

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 200,000 |
|---|-----------------------------|----|---------|

DEPARTMENT OF VETERANS' ASSISTANCE*358 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 8858 FY 2018 Org 0613

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,751,100 |
| 2 | Current Expenses13000 | | 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 |

359 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 8728 FY 2018 Org 0618

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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

360 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2018 Org 0508

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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

361 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,286,913 |
| 2 | Current Expenses13000 | | 368,953 |
| 3 | Repairs and Alterations.....06400 | | 40,000 |
| 4 | Equipment07000 | | <u>750,000</u> |
| 5 | Total..... | \$ | 2,445,866 |

*362 - Public Service Commission –**Gas Pipeline Division*

(WV Code Chapter 24B)

Fund 8744 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 596,600 |
| 2 | Current Expenses13000 | | 124,628 |
| 3 | Equipment07000 | | 3,000 |
| 4 | Unclassified.....09900 | | <u>4,072</u> |
| 5 | Total..... | \$ | 728,300 |

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 159,235 |
| 2 | Current Expenses13000 | | 631,365 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment07000 | | 3,000 |
| 5 | Other Assets69000 | | 2,000 |
| 6 | Total..... | \$ | <u>800,600</u> |

7 Total TITLE II, Section 6 - Federal Funds \$ 4,874,926,288

Sec. 7. Appropriations from federal block grants. — The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2018.

*364 - West Virginia Development Office –**Community Development*Fund 8746 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 648,117 |
| 2 | Unclassified.....09900 | | 375,000 |
| 3 | Current Expenses13000 | | <u>36,476,883</u> |
| 4 | Total..... | \$ | 37,500,000 |

*365 - Department of Commerce**West Virginia Development Office –**Office of Economic Opportunity –**Community Services*Fund 8902 FY 2018 Org 0307

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 362,389 |
| 2 | Unclassified.....09900 | | 125,000 |
| 3 | Current Expenses13000 | | 12,002,111 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Equipment.....07000 | | <u>9,000</u> |
| 6 | Total..... | \$ | 12,500,000 |

*366 - WorkForce West Virginia –**Workforce Investment Act*Fund 8749 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,112,606 |
| 2 | Unclassified.....09900 | | 23,023 |
| 3 | Current Expenses13000 | | 39,263,511 |
| 4 | Repairs and Alterations.....06400 | | 1,600 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Buildings.....25800 | | <u>1,100</u> |
| 7 | Total..... | \$ | 41,402,340 |

*367 - Division of Health –**Maternal and Child Health*Fund 8750 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,124,294 |
| 2 | Unclassified.....09900 | | 110,017 |
| 3 | Current Expenses13000 | | <u>8,767,420</u> |
| 4 | Total..... | \$ | 11,001,731 |

*368 - Division of Health –**Preventive Health*Fund 8753 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 162,320 |
| 2 | Unclassified.....09900 | | 22,457 |
| 3 | Current Expenses13000 | | 1,895,366 |
| 4 | Equipment.....07000 | | <u>165,642</u> |
| 5 | Total..... | \$ | 2,245,785 |

*369 - Division of Health –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 822,766 |
| 2 | Unclassified.....09900 | | 115,924 |
| 3 | Current Expenses13000 | | <u>10,653,740</u> |
| 4 | Total..... | \$ | 11,592,430 |

*370 - Division of Health –**Community Mental Health Services*Fund 8794 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 936,557 |
| 2 | Unclassified.....09900 | | 33,533 |
| 3 | Current Expenses13000 | | <u>2,383,307</u> |

| | | |
|---|------------|--------------|
| 4 | Total..... | \$ 3,353,397 |
|---|------------|--------------|

371 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2018 Org 0511

| | | |
|---|---|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,514,312 |
| 2 | Unclassified.....09900 | 350,000 |
| 3 | Current Expenses13000 | <u>33,181,300</u> |
| 4 | Total..... | \$ 35,045,612 |

372 - Division of Human Services –

Social Services

Fund 8757 FY 2018 Org 0511

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 14,231,684 |
| 2 | Unclassified.....09900 | 171,982 |
| 3 | Current Expenses13000 | <u>2,870,508</u> |
| 4 | Total..... | \$ 17,274,174 |

373 - Division of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2018 Org 0511

| | | |
|---|---|--------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 18,297,327 |
| 2 | Unclassified.....09900 | 1,250,000 |
| 3 | Current Expenses13000 | <u>105,847,136</u> |
| 4 | Total..... | \$ 125,394,463 |

374 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2018 Org 0511

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,676,841 |
| 2 | Unclassified.....09900 | 350,000 |

| | | | |
|---|------------------------|-------|---------------|
| 3 | Current Expenses | 13000 | 31,999,456 |
| 4 | Total..... | | \$ 37,026,297 |

375 - Division of Justice and Community Services –

Juvenile Accountability Incentive

Fund 8829 FY 2018 Org 0620

| | | | |
|---|--|-------|-----------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,648 |
| 2 | Current Expenses | 13000 | 48,351 |
| 3 | Repairs and Alterations..... | 06400 | 1 |
| 4 | Total..... | | \$ 50,000 |

5 Total TITLE II, Section 7 – Federal Block Grants \$ 334,386,229

Sec. 8. Awards for claims against the state. — There are hereby appropriated for fiscal year 2018, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$930,144, special revenue funds in the amount of \$458,734, and state road funds in the amount of \$563,249 for payment of claims against the state.

Sec. 9. Appropriations from general revenue surplus accrued. — The following item is hereby appropriated from the state fund, general revenue, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus as of July 31, 2017 from the fiscal year ending June 30, 2017, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriation in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section

and each subsequent appropriation in the order listed in this section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

| | | | |
|---|------------------------------|-------|---------------------|
| 1 | Capital Outlay, Repairs | | |
| 2 | and Equipment – Surplus..... | 67700 | \$ <u>8,000,000</u> |

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

| | | | |
|---|--|-------|----------------------|
| 1 | Medical Services – Surplus..... | 63300 | \$ <u>20,159,358</u> |
| 2 | Total TITLE II, Section 9 – Surplus Accrued..... | | \$ <u>28,159,358</u> |

Sec. 10. Appropriations from lottery net profits surplus accrued. — The following item is hereby appropriated from the lottery net profits, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

378 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|---|---|-------|----------------------|
| 1 | Senior Services Medicaid Transfer – | | |
| 2 | Lottery Surplus | 68199 | \$ <u>10,500,000</u> |
| 3 | Total TITLE II, Section 10 – Surplus Accrued..... | | \$ <u>10,500,000</u> |

Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following item is hereby appropriated from the state excess lottery revenue fund, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

379 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------------|
| 1 | Medical Services – Lottery Surplus | 68100 | \$ <u>16,900,000</u> |
| 2 | Total TITLE II, Section 11 – Surplus Accrued..... | | \$ <u>16,900,000</u> |

Sec. 12. Special revenue appropriations. — There are hereby appropriated for expenditure during the fiscal year 2018 appropriations made by general law from special revenues which are not paid into the state fund as general revenue under the provisions of W.Va. Code §12-2-2: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.Va. Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending

unit has filed with the director of the budget and the legislative auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended.

Sec. 13. State improvement fund appropriations. — Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2018, for the purpose of making studies and recommendations relative to improvements of the administration and management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2018 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts. — A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment. — Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the

Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies. — There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the municipal bond commission as may be necessary for these purposes.

The municipal bond commission shall reimburse the state of West Virginia through the Governor from the first remittance collected from the West Virginia housing development fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments. — There are hereby appropriated for payment to counties, districts and municipal corporations such amounts as will be necessary to pay taxes due counties, districts and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations. — Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically

provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund. — The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional. — The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality. — If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

Following discussion,

The question being on the adoption of Senator Hall's amendment to the bill, the same was put and prevailed.

The bill, as just amended, was again ordered to engrossment.

Engrossed Senate Bill 1018 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Maroney, Mullins, Ojeda, Palumbo, Plymale,

Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel and Carmichael (Mr. President)—29.

The nays were: Karnes and Rucker—2.

Absent: Maynard, Miller and Weld—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1018) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Maroney, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Woelfel and Carmichael (Mr. President)—29.

The nays were: Karnes and Rucker—2.

Absent: Maynard, Miller and Weld—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1018) takes effect from passage.

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

At the request of Senator Trump, and by unanimous consent, Senator Trump offered the following resolution from the floor:

Senate Concurrent Resolution 104—Suspending the provisions of Joint Rule 3, relating to committees of conference and reports relative thereto.

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b)

are suspended as follows: the committee of conference on the disagreeing votes of the two houses, as to Engrossed Committee Substitute for House Bill 106 (*Relating generally to the furlough of public employees during a declared fiscal emergency*), is hereby extended until Monday, June 19, 2017.

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

The question being on the adoption of the resolution, the same was put.

On this question, the yeas were: Azinger, Beach, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Maynard, Miller, Weld and Woelfel—4.

So, two thirds of all the members present and voting having voted in the affirmative, the President declared the resolution (S. C. R. 104) adopted.

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

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Stollings.

At the request of Senator Stollings, unanimous consent being granted, the Senate stood in observance of a moment of silence in recognition of the passing of Rodney S. Osborne, a miner who was killed in an accident at Rockwell Mining LLC, Gateway Eagle Mine in Boone County, West Virginia, on Tuesday, June 13, 2017.

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senator Stollings were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, the Senate adjourned until tomorrow, Friday, June 16, 2017, at 2 p.m.

FRIDAY, JUNE 16, 2017

The Senate met at 2 p.m.

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

Prayer was offered by the Honorable Ronald F. Miller, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael J. Romano, a senator from the twelfth district.

Pending the reading of the Journal of Thursday, June 15, 2017,

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

The Senate proceeded to the third order of business.

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

Eng. Senate Bill 1006, Increasing funding for State Road Fund.

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

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

On page three, section five, line two, after the word “equivalent” by changing the colon to a period and striking out the words “*Provided, That on and after July 1, 2017, the flat rate tax increases to \$0.22 per invoiced gallon of motor fuel and, on alternative fuel, on each gallon equivalent.*”;

On page ten, section three-c, line seventy-two, by striking out the word “five” and inserting in lieu thereof the word “five-p”;

On page twenty-one, section four, lines one hundred eleven and one hundred twelve, by striking out the words “senior services bureau existing under the provisions of article five” and inserting in lieu thereof the words “Bureau of Senior Services existing under the provisions of article five-p”;

On page thirty-four, section three, line five, by striking out “\$50” and inserting in lieu thereof “\$40”;

And,

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

Eng. Senate Bill 1006—A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3c and §11-15-18b of said code; to amend and reenact §17A-2-13 of said code; to amend and reenact §17A-3-4 of said code; to amend and reenact §17A-4-1 of said code; to amend and reenact §17A-4-10 of said code as contained in Chapter 152, Acts of the Legislature, Regular Session, 2017; to amend and reenact §17A-4A-10 of said code; to amend and reenact §17A-7-2 of said code; to amend and reenact §17A-10-3, §17A-10-10 and §17A-10-11 of said code; to amend said code by adding thereto a new section, designated §17A-10-3c; to amend and reenact §17B-2-1, §17B-2-3a, §17B-2-5, §17B-2-6, §17B-2-8 and §17B-2-11 of said code; to amend and reenact §17C-5A-2a of said code; and to amend and reenact §17D-2-2 of said code, all relating generally to increasing the funding for the State Road Fund; increasing the

minimum average wholesale price of motor fuels and minimum tax for purposes of the five percent variable component of motor fuel excise tax as of specified date; increasing the rate of consumers sales and service tax on sales of motor vehicles as of a specified date; deleting superfluous language relating to floorstocks; increasing Division of Motor Vehicles administrative fees, including increasing fees for various documents, records, registrations, certificates, titles, liens, releases, transfers, cards, stickers, decals, licenses and plates; requiring payment of certain fee for each attempt at the written and road skills test; allowing the Division of Motor Vehicles to adjust fees every five years on September 1 based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index; limiting increase in fees to ten percent; imposing annual registration fee for certain alternative fuel vehicles; correcting cross-references and agency title; and specifying effective dates.

On motion of Senator Ferns, the following amendment to the House of Delegates amendments to the bill (Eng. S. B. 1006) was reported by the Clerk and adopted:

On page thirty-four, section three, line five, by striking out “\$40” and inserting in lieu thereof “\$50”.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 1006, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Mullins, Ojeda, Palumbo, Plymale, Romano, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—23.

The nays were: Azinger, Karnes, Maynard and Rucker—4.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) passed with its House of Delegates amended title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Miller, Mullins, Ojeda, Palumbo, Plymale, Romano, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—23.

The nays were: Azinger, Karnes, Maynard and Rucker—4.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1006) takes effect from passage.

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

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

Eng. Senate Bill 1013, Budget Bill.

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

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

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

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. — The purpose of this bill is to appropriate money necessary for the economical and efficient

discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2018.

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

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

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

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

The “fiscal year 2018” shall mean the period from July 1, 2017, through June 30, 2018.

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

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

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

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

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

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

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

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

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

Should the appropriation for “BRIM Premium” be insufficient to cover such cost, the remainder of such costs shall be paid by each spending unit from its “unclassified” appropriation, its “current expenses” appropriation or any other appropriate appropriation to

the Board of Risk and Insurance Management. Each spending unit is hereby authorized and required to make such payments. If there is no appropriation for "BRIM Premium" such costs shall be paid by each spending unit from its "current expenses" appropriation, "unclassified" appropriation or other appropriate appropriation.

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

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

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

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

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

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

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

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

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a “personal services and employee benefits” appropriation unless the source funds are also wholly from a “personal services and employee benefits” line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to “personal services and employee benefits,” “current expenses,” “repairs and alterations,” “equipment,” “other assets,” “land,” and “buildings” to other appropriations within the same account and no funds from other appropriations shall be transferred to the “personal services and employee benefits” or the “unclassified” appropriation: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further*, That if the Legislature by subsequent enactment consolidates agencies, boards or functions, the secretary or other appropriate agency head may transfer the funds formerly appropriated to such agency, board or function in order to implement such consolidation. No funds may be transferred from a Special Revenue Account, dedicated account,

capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

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

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

Sec. 5. Maximum expenditures. — No authority or requirement of law shall be interpreted as 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.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2018 Org 2100

| | General Revenue Fund | Appro- priation |
|---|-------------------------------------|----------------------------|
| 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 |

The appropriations for the Senate for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018: *Provided*, That on July 1, 2017, the following reappropriated funds and amounts be transferred to the Division of Human Services - Medical Services Trust Fund, fund 5185: Fund 0165, fiscal year 2012, appropriation 00500, Compensation and Per Diem of Officers and Employees, \$2,855,443.90; fund 0165, fiscal year 2012, appropriation 39900, Expenses of Members, \$2,846,352.39; fund 0165, fiscal year 2012, appropriation 10200, Computer Systems, \$2,475,425.32; fund 0165, fiscal year 2012, appropriation 00300, Compensation of Members, \$1,994,589.96; fund 0165, fiscal year 2012, appropriation 01000, Employee Benefits, \$1,075,030.30; fund 0165, fiscal year 2012, appropriation 06400, Repairs and Alterations, \$752,131.08; and fund 0165, fiscal year 2012, appropriation 02100, Current Expenses and Contingent Fund, \$98,653.36. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

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

requisitions for which are to be accompanied by bills to be filed with the Auditor.

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

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

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

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

*2 - House of Delegates*Fund 0170 FY 2018 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 | 3,929,031 |
| 5 | Expenses of Members (R).....39900 | 1,350,000 |
| 6 | BRIM Premium (R)91300 | <u>50,000</u> |
| 7 | Total..... | \$ 8,904,031 |

The appropriations for the House of Delegates for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

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

The Speaker of the House of Delegates, upon approval of the House committee on rules, shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session, or fixed by the Speaker, with the approval of the House committee on rules, during and

between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

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

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

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

| | | | |
|---|--------------------------------------|-------|---------------|
| 1 | Joint Committee on Government | | |
| 2 | and Finance (R)..... | 10400 | \$ 5,725,138 |
| 3 | Legislative Printing (R)..... | 10500 | 760,000 |
| 4 | Legislative Rule-Making | | |
| 5 | Review Committee (R)..... | 10600 | 147,250 |
| 6 | Legislative Computer System (R)..... | 10700 | 1,447,500 |
| 7 | BRIM Premium (R) | 91300 | <u>60,569</u> |
| 8 | Total..... | | \$ 8,140,457 |

The appropriations for the Joint Expenses for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances reappropriated may be transferred and credited to the fiscal year 2017 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts 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 2018 Org 2400

| | | |
|----|-------------------------------------|----------------|
| 1 | Personal Services and | |
| 2 | Employee Benefits (R) | \$101,924,358 |
| 3 | Children’s Protection Act (R) | 3,000,000 |
| 4 | Current Expenses (R) | 32,274,266 |
| 5 | Repairs and Alterations (R) | 636,450 |
| 6 | Equipment (R)..... | 1,800,000 |
| 7 | Judges’ Retirement System (R)..... | 900,000 |
| 8 | Buildings (R)..... | 100,000 |
| 9 | Other Assets (R)..... | 500,000 |
| 10 | BRIM Premium (R) | <u>624,596</u> |
| 11 | Total..... | \$141,759,670 |

The appropriations to the Supreme Court of Appeals for the fiscal years 2016 and 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The appropriation for the Judges’ Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating

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 2018 Org 0100

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,098,903 |
| 2 | Current Expenses (R).....13000 | 571,648 |
| 3 | Repairs and Alterations.....06400 | 2,000 |
| 4 | National Governors Association12300 | 60,700 |
| 5 | Herbert Henderson | |
| 6 | Office of Minority Affairs13400 | 146,726 |
| 7 | BRIM Premium.....91300 | <u>169,079</u> |
| 8 | Total..... | \$ 4,049,056 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), and Current Expenses (fund 0101, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation to Personal Services and Employee Benefits (fund 0101, appropriation 00100), is \$150,000 for the Salary of the Governor.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, 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 2018 Org 0100

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 351,089 |
| 2 | Current Expenses (R).....13000 | | 182,708 |
| 3 | Repairs and Alterations.....06400 | | <u>5,000</u> |
| 4 | Total..... | \$ | 538,797 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0102, fiscal year 2017, appropriation 13000 (\$20,000) which shall expire June 30, 2017.

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

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation 61400), and Natural Disasters – Surplus (fund 0105, appropriation 76400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year.

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

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency or unplanned events which may occur during the fiscal year and is not to be expended 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 2018 Org 1200

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,620,288 |
| 2 | Current Expenses (R).....13000 | | 10,622 |
| 3 | BRIM Premium.....91300 | | <u>11,287</u> |
| 4 | Total..... | \$ | 2,642,197 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,424,551 |
| 2 | Unclassified.....09900 | | 30,963 |
| 3 | Current Expenses (R).....13000 | | 472,377 |
| 4 | Abandoned Property Program.....11800 | | 41,794 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | ABLE Program.....69201 | | 150,000 |
| 7 | BRIM Premium.....91300 | | <u>54,409</u> |
| 8 | Total..... | \$ | 3,184,094 |

Any unexpended balances remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 5,105,550 |
| 2 | Animal Identification Program03900 | 121,528 |
| 3 | State Farm Museum05500 | 87,759 |
| 4 | Current Expenses (R)13000 | 135,155 |
| 5 | Gypsy Moth Program (R)11900 | 917,769 |
| 6 | Huntington Farmers Market.....12800 | 37,142 |
| 7 | Black Fly Control.....13700 | 450,434 |
| 8 | Donated Foods Program36300 | 45,000 |
| 9 | Predator Control (R)47000 | 176,400 |
| 10 | Logan Farmers Market.....50100 | 40,988 |
| 11 | Bee Research.....69100 | 65,470 |
| 12 | Charleston Farmers Market.....74600 | 71,429 |
| 13 | Microbiology Program.....78500 | 97,126 |
| 14 | Moorefield Agriculture Center78600 | 905,605 |
| 15 | Chesapeake Bay Watershed83000 | 102,023 |
| 16 | Livestock Care Standards Board.....84300 | 8,820 |
| 17 | BRIM Premium.....91300 | 129,818 |
| 18 | State FFA-FHA Camp | |
| 19 | and Conference Center94101 | 586,215 |
| 20 | Threat Preparedness94200 | 68,987 |
| 21 | WV Food Banks.....96900 | 126,000 |
| 22 | Senior's Farmers' Market | |
| 23 | Nutrition Coupon Program97000 | <u>55,840</u> |
| 24 | Total..... | \$ 9,335,058 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0131, fiscal year 2017, appropriation 11900 (\$18,859), fund 0131, fiscal year 2017, appropriation 13000 (\$19,343), and fund 0131, fiscal year 2017, appropriation 47000 (\$3,600) which shall expire on June 30, 2017.

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

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

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

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

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

| | | | |
|---|--|----|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 725,163 |
| 2 | Unclassified (R).....09900 | | 77,808 |
| 3 | Current Expenses (R).....13000 | | 316,049 |
| 4 | Soil Conservation Projects (R).....12000 | | 6,536,679 |

| | | | |
|---|-------------------|-------|---------------|
| 5 | BRIM Premium..... | 91300 | <u>30,213</u> |
| 6 | Total..... | | \$ 7,685,912 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0132, appropriation 09900), Soil Conservation Projects (fund 0132, appropriation 12000), and Current Expenses (fund 0132, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0132, fiscal year 2017, appropriation 12000 (\$157,439) which shall expire on June 30, 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 620,127 |
| 2 | Unclassified..... | 09900 | 7,090 |
| 3 | Current Expenses | 13000 | <u>81,880</u> |
| 4 | Total..... | | \$ 709,097 |

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

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

| | | | |
|---|---|-------|---------------|
| 1 | Programs and Awards for | | |
| 2 | 4-H Clubs and FFA/FHA..... | 57700 | \$ 15,000 |
| 3 | Commissioner's Awards and Programs..... | 73700 | <u>39,250</u> |
| 4 | Total..... | | \$ 54,250 |

*14 - Department of Agriculture –**West Virginia Agricultural Land Protection Authority*

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 94,823 |
| 2 | Unclassified.....09900 | | <u>950</u> |
| 3 | Total..... | \$ | 95,773 |

15 - Attorney General

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

Fund 0150 FY 2018 Org 1500

| | | | |
|----|-------------------------------------|----|----------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R)00100 | \$ | 2,281,145 |
| 3 | Unclassified (R)09900 | | 24,428 |
| 4 | Current Expenses (R)13000 | | 752,408 |
| 5 | Repairs and Alterations.....06400 | | 1,000 |
| 6 | Equipment.....07000 | | 1,000 |
| 7 | Criminal Convictions and | | |
| 8 | Habeas Corpus Appeals (R).....26000 | | 908,529 |
| 9 | Better Government Bureau74000 | | 271,991 |
| 10 | BRIM Premium.....91300 | | <u>112,761</u> |
| 11 | Total..... | \$ | 4,353,262 |

Any unexpended balances remaining in the above appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0150, fiscal year 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year

2017, appropriation 26000 (\$69,575) which shall expire on June 30, 2017.

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

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 117,213 |
| 2 | Unclassified (R)09900 | | 9,731 |
| 3 | Current Expenses (R)13000 | | 805,697 |
| 4 | BRIM Premium.....91300 | | <u>21,695</u> |
| 5 | Total..... | \$ | 954,336 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0155, fiscal year 2017 appropriation 13000 (\$19,613) which shall expire on June 30, 2017.

Included in the above appropriation to Personal Services and Employee Benefits (fund 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 2018 Org 1601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,477 |
| 2 | Unclassified.....09900 | | 75 |
| 3 | Current Expenses13000 | | <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 2018 Org 0201

| | | | |
|----|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 580,647 |
| 2 | Unclassified.....09900 | | 9,177 |
| 3 | Current Expenses13000 | | 84,883 |
| 4 | Repairs and Alterations.....06400 | | 100 |
| 5 | Equipment.....07000 | | 1,000 |
| 6 | Financial Advisor (R)30400 | | 27,546 |
| 7 | Lease Rental Payments51600 | | 15,000,000 |
| 8 | Design-Build Board54000 | | 4,000 |
| 9 | Other Assets.....69000 | | 100 |
| 10 | BRIM Premium.....91300 | | <u>5,887</u> |
| 11 | Total..... | \$ | 15,713,340 |

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0186, fiscal year

2017, appropriation 30400 (\$73,000) which shall expire on June 30, 2017.

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

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

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

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 65,574 |
| 2 | Unclassified.....09900 | | 1,400 |
| 3 | Current Expenses13000 | | 68,083 |
| 4 | GAAP Project (R).....12500 | | 591,072 |
| 5 | BRIM Premium.....91300 | | <u>5,625</u> |
| 6 | Total..... | \$ | 731,754 |

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,504,207 |
| 2 | Unclassified.....09900 | 20,000 |
| 3 | Current Expenses13000 | 725,024 |
| 4 | Repairs and Alterations.....06400 | 500 |
| 5 | Equipment.....07000 | 5,000 |
| 6 | Fire Service Fee12600 | 14,000 |
| 7 | Buildings (R).....25800 | 500 |
| 8 | Preservation and Maintenance of | |
| 9 | Statues and Monuments | |
| 10 | on Capitol Grounds.....37100 | 68,000 |
| 11 | Capital Outlay, Repairs and Equipment (R)58900 | 4,122,932 |
| 12 | Other Assets.....69000 | 500 |
| 13 | Land (R).....73000 | 500 |
| 14 | BRIM Premium.....91300 | <u>121,479</u> |
| 15 | Total..... | \$ 7,582,642 |

Any unexpended balances remaining in the above appropriations for Buildings (fund 0230, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Land (fund 0230, appropriation 73000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 997,906 |
| 2 | Unclassified.....09900 | | 144 |
| 3 | Current Expenses13000 | | 250 |
| 4 | Repairs and Alterations.....06400 | | 200 |
| 5 | BRIM Premium.....91300 | | <u>6,469</u> |
| 6 | Total..... | \$ | 1,004,969 |

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for 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 2018 Org 0215

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 762,556 |
| 2 | Unclassified.....09900 | | 12,032 |
| 3 | Current Expenses13000 | | 430,532 |
| 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..... | \$ | 1,211,320 |

Any unexpended balance remaining in the appropriation for Buildings (fund 0615, appropriation 25800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 45,550 |
|---|-----------------------------|----|--------|

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 2018 Org 0219

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 911,114 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 142,854 |
| 4 | Equipment.....07000 | | 50 |
| 5 | BRIM Premium.....91300 | | 9,608 |
| 6 | Total..... | \$ | 1,064,626 |

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 575,930 |
| 2 | Unclassified.....09900 | | 2,200 |
| 3 | Current Expenses13000 | | 104,637 |
| 4 | Repairs and Alterations.....06400 | | 500 |
| 5 | Other Assets.....69000 | | 100 |
| 6 | BRIM Premium.....91300 | | 4,473 |
| 7 | Total..... | \$ | 687,840 |

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,322,946 |
| 2 | Unclassified.....09900 | | 314,700 |
| 3 | Current Expenses13000 | | 11,165 |
| 4 | Public Defender Corporations.....35200 | | 19,198,028 |
| 5 | Appointed Counsel Fees (R).....78800 | | 10,723,115 |
| 6 | BRIM Premium.....91300 | | 9,594 |

7 Total..... \$ 31,579,548

Any unexpended balance remaining in the above appropriation for Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,187 |
| 2 | Current Expenses | 13000 | <u>868</u> |
| 3 | Total | \$ | 4,055 |

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

The Division of Highways, Division of Motor Vehicles, Public Service Commission and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the public employees health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

| | | | | |
|---|---|-------|----|---------|
| 1 | Forensic Medical Examinations (R) | 68300 | \$ | 137,954 |
|---|---|-------|----|---------|

| | | | | |
|---|------------------------------------|-------|----|---------|
| 2 | Federal Funds/Grant Match (R)..... | 74900 | | 98,443 |
| 3 | Total..... | | \$ | 236,397 |

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

| | | | | |
|---|---|-------|----|---------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 642,679 |
| 2 | Unclassified..... | 09900 | | 1,000 |
| 3 | Current Expenses | 13000 | | 137,926 |
| 4 | Repairs and Alterations..... | 06400 | | 100 |
| 5 | Equipment..... | 07000 | | 2,500 |
| 6 | BRIM Premium..... | 91300 | | 7,976 |
| 7 | Total..... | | \$ | 792,181 |

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

| | | | | |
|---|---|-------|----|-----------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 2,451,074 |
| 2 | Unclassified..... | 09900 | | 21,435 |
| 3 | Current Expenses | 13000 | | 334,903 |
| 4 | Repairs and Alterations..... | 06400 | | 80,000 |
| 5 | Equipment (R)..... | 07000 | | 2,061 |
| 6 | BRIM Premium..... | 91300 | | 92,293 |
| 7 | Total..... | | \$ | 2,981,766 |

Any unexpended balance remaining in the appropriation for Equipment (fund 0250, appropriation 07000) at the close of the

fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

33 - *Geological and Economic Survey*

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,561,820 |
| 2 | Unclassified.....09900 | | 28,173 |
| 3 | Current Expenses13000 | | 49,140 |
| 4 | Repairs and Alterations.....06400 | | 968 |
| 5 | Mineral Mapping System (R)20700 | | 1,096,873 |
| 6 | BRIM Premium.....91300 | | <u>22,766</u> |
| 7 | Total..... | \$ | 2,759,740 |

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall expire on June 30, 2017.

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

34 - *West Virginia Development Office*

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

| | | | |
|---|--|----|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 4,261,006 |
| 2 | Unclassified.....09900 | | 108,687 |
| 3 | Save Our State (SOS).....05050 | | 0 |

| | | | |
|----|--|-------|----------------|
| 4 | Current Expenses | 13000 | 3,763,900 |
| 5 | National Youth Science Camp..... | 13200 | 241,570 |
| 6 | Local Economic | | |
| 7 | Development Partnerships (R)..... | 13300 | 792,000 |
| 8 | ARC Assessment | 13600 | 152,585 |
| 9 | Guaranteed Work Force Grant (R)..... | 24200 | 969,633 |
| 10 | Mainstreet Program..... | 79400 | 163,758 |
| 11 | BRIM Premium..... | 91300 | 2,345 |
| 12 | Hatfield McCoy Recreational Trail..... | 96000 | <u>198,415</u> |
| 13 | Total..... | | \$ 10,653,899 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Guaranteed Work Force Grant (fund 0256, appropriation 24200), Industrial Park Assistance (fund 0256, appropriation 48000), Small Business Development (fund 0256, appropriation 70300), Local Economic Development Assistance (fund 0256, appropriation 81900), and 4-H Camp Improvements (fund 0256, appropriation 94100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 15,476,492 |
| 2 | Unclassified.....09900 | 184,711 |
| 3 | Current Expenses13000 | 170,047 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 100 |
| 6 | Buildings.....25800 | 100 |
| 7 | Litter Control Conservation Officers56400 | 139,877 |
| 8 | Upper Mud River Flood Control.....65400 | 159,762 |
| 9 | Other Assets.....69000 | 100 |
| 10 | Land (R).....73000 | 100 |
| 11 | Law Enforcement.....80600 | 2,413,523 |
| 12 | BRIM Premium.....91300 | <u>23,470</u> |
| 13 | Total..... | \$ 18,568,382 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0265, appropriation 25800), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 9,205,577 |
| 2 | Unclassified.....09900 | 120,000 |
| 3 | Current Expenses13000 | 1,378,532 |
| 4 | Coal Dust and Rock Dust Sampling27000 | 474,050 |
| 5 | BRIM Premium.....91300 | <u>75,110</u> |
| 6 | Total..... | \$ 11,253,269 |

Included in the above appropriation for Current Expenses (fund 0277, appropriation 13000) is \$500,000 to be used for coal mine

training activities at an established mine training facility in southern West Virginia.

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 226,550 |
| 2 | Unclassified.....09900 | | 3,551 |
| 3 | Current Expenses13000 | | <u>117,917</u> |
| 4 | Total..... | \$ | 348,018 |

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 51,728 |
| 2 | Unclassified.....09900 | | 596 |
| 3 | Current Expenses13000 | | <u>7,334</u> |
| 4 | Total..... | \$ | 59,658 |

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 398,752 |
| 2 | Unclassified.....09900 | | 3,500 |
| 3 | Current Expenses13000 | | <u>14,725</u> |
| 4 | Total..... | \$ | 416,977 |

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 194,457 |
| 2 | Unclassified.....09900 | | 15,204 |
| 3 | Current Expenses | 13000 | 1,026,720 |
| 4 | BRIM Premium.....91300 | | <u>3,604</u> |
| 5 | Total..... | \$ | 1,239,985 |

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

DEPARTMENT OF EDUCATION

41 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 321,931 |
| 2 | Current Expenses | 13000 | <u>2,118,490</u> |
| 3 | Total..... | \$ | 2,440,421 |

42 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,278,989 |
| 2 | Technology System Specialist | 06200 | 0 |
| 3 | Teachers' Retirement Savings Realized | 09500 | 34,638,000 |
| 4 | Unclassified (R) | 09900 | 300,000 |
| 5 | Current Expenses (R) | 13000 | 2,518,992 |
| 6 | Equipment..... | 07000 | 5,000 |
| 7 | Increased Enrollment | 14000 | 2,650,000 |
| 8 | Safe Schools..... | 14300 | 4,911,959 |
| 9 | Teacher Mentor..... | 15800 | 550,000 |

| | | | |
|----|---|-------|----------------|
| 10 | National Teacher Certification (R) | 16100 | 300,000 |
| 11 | Buildings (R)..... | 25800 | 1,000 |
| 12 | Allowance for County Transfers..... | 26400 | 64,212 |
| 13 | Technology Repair and Modernization..... | 29800 | 951,003 |
| 14 | HVAC Technicians | 35500 | 495,507 |
| 15 | Early Retirement Notification Incentive | 36600 | 300,000 |
| 16 | MATH Program | 36800 | 336,532 |
| 17 | Assessment Programs | 39600 | 1,339,588 |
| 18 | 21st Century Fellows | 50700 | 0 |
| 19 | English as a Second Language..... | 52800 | 96,000 |
| 20 | Teacher Reimbursement | 57300 | 297,188 |
| 21 | Hospitality Training..... | 60000 | 267,123 |
| 22 | Hi-Y Youth in Government | 61600 | 100,000 |
| 23 | High Acuity Special Needs (R)..... | 63400 | 1,500,000 |
| 24 | Foreign Student Education..... | 63600 | 150,000 |
| 25 | Principals Mentorship | 64900 | 69,250 |
| 26 | State Board of Education | | |
| 27 | Administrative Costs | 68400 | 266,152 |
| 28 | Other Assets..... | 69000 | 1,000 |
| 29 | IT Academy (R) | 72100 | 500,000 |
| 30 | Land (R)..... | 73000 | 1,000 |
| 31 | Early Literacy Program..... | 75600 | 5,700,000 |
| 32 | School Based Truancy Prevention (R)..... | 78101 | 0 |
| 33 | Innovation in Education..... | 78102 | 0 |
| 34 | 21st Century Learners (R)..... | 88600 | 0 |
| 35 | BRIM Premium..... | 91300 | 320,429 |
| 36 | 21st Century Assessment | | |
| 37 | and Professional Development | 93100 | 1,999,007 |
| 38 | 21st Century Technology | | |
| 39 | Infrastructure Network | | |
| 40 | Tools and Support..... | 93300 | 7,636,586 |
| 41 | Educational Program Allowance | 99600 | <u>516,250</u> |
| 42 | Total..... | | \$ 73,060,767 |

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

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses

(fund 0313, appropriation 13000), National Teacher Certification (fund 0313, appropriation 16100), Buildings (fund 0313, appropriation 25800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), Land (fund 0313, appropriation 73000), School Based Truancy Prevention (fund 0313, appropriation 78101), and 21st Century Learners (fund 0313, appropriation 88600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

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

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

1 Special Education – Counties15900 \$ 7,271,757

| | | | |
|---|---|-------|-------------------|
| 2 | Special Education – Institutions..... | 16000 | 3,748,794 |
| 3 | Education of Juveniles Held in Predispositional | | |
| 4 | Juvenile Detention Centers | 30200 | 591,646 |
| 5 | Education of Institutionalized | | |
| 6 | Juveniles and Adults (R)..... | 47200 | <u>17,736,957</u> |
| 7 | Total..... | | \$ 29,349,154 |

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

44 - State Board of Education –

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

| | | | |
|----|---|-------|--------------------|
| 1 | Other Current Expenses | 02200 | \$149,939,086 |
| 2 | Advanced Placement..... | 05300 | 553,954 |
| 3 | Professional Educators..... | 15100 | 843,200,570 |
| 4 | Service Personnel..... | 15200 | 286,915,321 |
| 5 | Fixed Charges | 15300 | 100,484,631 |
| 6 | Transportation | 15400 | 70,276,078 |
| 7 | Professional Student Support Services | 65500 | 36,952,999 |
| 8 | Improved Instructional Programs..... | 15600 | 49,131,108 |
| 9 | 21st Century Strategic | | |
| 10 | Technology Learning Growth..... | 93600 | <u>20,756,981</u> |
| 11 | Basic Foundation Allowances..... | | 1,558,210,728 |
| 12 | Less Local Share | | (454,486,958) |
| 13 | Adjustments | | <u>(2,441,341)</u> |
| 14 | Total Basic State Aid | | 1,101,282,429 |
| 15 | Public Employees' Insurance Matching | 01200 | 242,714,967 |
| 16 | Teachers' Retirement System | 01900 | 72,125,000 |
| 17 | School Building Authority | 45300 | 23,424,770 |

| | | |
|----|--|--------------------|
| 18 | Retirement Systems – Unfunded Liability....77500 | <u>343,963,000</u> |
| 19 | Total..... | \$1,783,510,166 |

45 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,275,473 |
| 2 | Unclassified.....09900 | 268,800 |
| 3 | Current Expenses13000 | 882,131 |
| 4 | Wood Products – | |
| 5 | Forestry Vocational Program.....14600 | 68,993 |
| 6 | Albert Yanni Vocational Program14700 | 131,951 |
| 7 | Vocational Aid.....14800 | 22,440,602 |
| 8 | Adult Basic Education14900 | 4,591,896 |
| 9 | Program Modernization30500 | 884,313 |
| 10 | High School Equivalency | |
| 11 | Diploma Testing (R).....72600 | 778,815 |
| 12 | FFA Grant Awards.....83900 | 11,496 |
| 13 | Pre-Engineering Academy Program84000 | <u>265,294</u> |
| 14 | Total..... | \$ 31,599,764 |

Any unexpended balances remaining in the appropriations for GED Testing (fund 0390, appropriation 33900) and High School Equivalency Diploma Testing (fund 0390, appropriation 72600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

46 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 11,304,805 |
| 2 | Unclassified.....09900 | 110,000 |

| | | | |
|---|--|-------|----------------|
| 3 | Current Expenses | 13000 | 1,988,129 |
| 4 | Repairs and Alterations..... | 06400 | 85,000 |
| 5 | Equipment..... | 07000 | 70,000 |
| 6 | Buildings (R)..... | 25800 | 85,000 |
| 7 | Capital Outlay and Maintenance (R) | 75500 | 82,500 |
| 8 | BRIM Premium..... | 91300 | <u>124,890</u> |
| 9 | Total..... | | \$ 13,850,324 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS

47 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

| | | | |
|----|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 514,428 |
| 2 | Unclassified..... | 09900 | 35,000 |
| 3 | Center for Professional Development (R)..... | 11500 | 1,490,833 |
| 4 | Current Expenses | 13000 | 6,562 |
| 5 | WV Humanities Council..... | 16800 | 250,000 |
| 6 | Benedum Professional | | |
| 7 | Development Collaborative (R)..... | 42700 | 429,116 |
| 8 | Governor's Honors Academy (R) | 47800 | 1,059,270 |
| 9 | Educational Enhancements | 69500 | 196,000 |
| 10 | S.T.E.M. Education and Grant Program | 71900 | 490,286 |
| 11 | Energy Express | 86100 | 382,935 |
| 12 | BRIM Premium..... | 91300 | 4,870 |
| 13 | Special Olympic Games..... | 96600 | <u>25,000</u> |
| 14 | Total..... | | \$ 4,884,300 |

Any unexpended balances remaining in the appropriations for Center for Professional Development (fund 0294, appropriation

11500), Benedum Professional Development Collaborative (fund 0294, appropriation 42700), Governor's Honors Academy (fund 0294, appropriation 47800), and S.T.E.M. Education and Grant Program (fund 0294, appropriation 71900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0294, fiscal year 2017, appropriation 42700 (\$66,416) which shall expire on June 30, 2017.

From the above appropriation for Educational Enhancements (fund 0294, appropriation 69500), \$73,500 shall be used for the Clay Center and \$122,500 for Reconnecting McDowell – Save the Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,148,509 |
| 2 | Current Expenses13000 | 605,585 |
| 3 | Repairs and Alterations.....06400 | 1,000 |
| 4 | Equipment.....07000 | 1 |
| 5 | Unclassified.....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>36,371</u> |
| 13 | Total..... | \$ 4,128,673 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293,

appropriation 67700), Land (fund 0293, appropriation 73000), and Capital Outlay and Maintenance (fund 0293, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,208,032 |
| 2 | Current Expenses | 13000 | 137,674 |
| 3 | Repairs and Alterations..... | 06400 | 6,500 |
| 4 | Services to Blind & Handicapped..... | 18100 | 161,717 |
| 5 | BRIM Premium..... | 91300 | <u>16,734</u> |
| 6 | Total..... | \$ | 1,530,657 |

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 3,245,141 |
| 2 | Current Expenses | 13000 | 20,146 |
| 3 | Mountain Stage | 40700 | 300,000 |
| 4 | Capital Outlay and Maintenance..... | 75500 | 10,000 |
| 5 | BRIM Premium..... | 91300 | <u>45,283</u> |
| 6 | Total..... | \$ | 3,620,570 |

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500)

at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

51 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 10,590,552 |
| 2 | Independent Living Services.....00900 | 429,418 |
| 3 | Current Expenses13000 | 545,202 |
| 4 | Workshop Development16300 | 1,817,427 |
| 5 | Supported Employment Extended Services..20600 | 77,960 |
| 6 | Ron Yost Personal Assistance Fund40700 | 333,828 |
| 7 | Employment Attendant Care Program.....59800 | 131,575 |
| 8 | BRIM Premium.....91300 | <u>72,396</u> |
| 9 | Total..... | \$ 13,998,358 |

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

| | | |
|---|--|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 72,067 |
| 2 | Current Expenses13000 | 29,203 |
| 3 | Repairs and Alterations.....06400 | 100 |
| 4 | Equipment.....07000 | 300 |
| 5 | Other Assets.....69000 | 400 |

| | | | |
|---|-------------------|-------|------------|
| 6 | BRIM Premium..... | 91300 | <u>739</u> |
| 7 | Total..... | \$ | 102,809 |

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

| | | | | |
|----|---|-------|----|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 3,926,093 |
| 2 | Water Resources Protection and Management ... | 06800 | | 566,284 |
| 3 | Current Expenses | 13000 | | 96,242 |
| 4 | Repairs and Alterations..... | 06400 | | 4,950 |
| 5 | Unclassified..... | 09900 | | 25,049 |
| 6 | Dam Safety..... | 60700 | | 210,959 |
| 7 | West Virginia Stream Partners Program | 63700 | | 77,396 |
| 8 | Meth Lab Cleanup..... | 65600 | | 200,073 |
| 9 | Other Assets | 69000 | | 1,000 |
| 10 | WV Contributions to River Commissions | 77600 | | 148,485 |
| 11 | Office of Water Resources | | | |
| 12 | Non-Enforcement Activity | 85500 | | <u>908,854</u> |
| 13 | Total..... | | \$ | 6,165,385 |

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

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

| | | | | |
|---|--|-------|----|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 61,108 |
| 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>2,153</u> |

7 Total..... \$ 76,273

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 373,601 |
| 2 | Unclassified.....09900 | | 8,014 |
| 3 | Current Expenses13000 | | 48,833 |
| 4 | Women’s Commission (R)19100 | | 155,489 |
| 5 | Commission for the Deaf | | |
| 6 | and Hard of Hearing70400 | | <u>215,479</u> |
| 7 | Total..... | \$ | 801,416 |

Any unexpended balance remaining in the appropriation for the Women’s Commission (fund 0400, appropriation 19100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

56 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

| | | | |
|---|--|----|------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 12,048,586 |
| 2 | Chief Medical Examiner04500 | | 5,954,317 |
| 3 | Unclassified.....09900 | | 691,862 |
| 4 | Current Expenses13000 | | 4,640,355 |
| 5 | State Aid for Local and | | |
| 6 | Basic Public Health Services18400 | | 12,645,160 |
| 7 | Safe Drinking Water Program (R)18700 | | 2,167,723 |
| 8 | Women, Infants and Children21000 | | 38,621 |
| 9 | Early Intervention22300 | | 8,134,060 |

| | | | |
|----|---|-------|------------------|
| 10 | Cancer Registry..... | 22500 | 195,868 |
| 11 | Statewide EMS Program Support (R)..... | 38300 | 1,824,458 |
| 12 | Black Lung Clinics | 46700 | 170,885 |
| 13 | Vaccine for Children..... | 55100 | 332,942 |
| 14 | Tuberculosis Control..... | 55300 | 364,556 |
| 15 | Maternal and Child Health Clinics, Clinicians | | |
| 16 | Medical Contracts and Fees (R) | 57500 | 6,327,015 |
| 17 | Epidemiology Support | 62600 | 1,492,573 |
| 18 | Primary Care Support | 62800 | 4,665,575 |
| 19 | Sexual Assault Intervention and Prevention..... | 72300 | 125,000 |
| 20 | Health Right Free Clinics..... | 72700 | 2,750,000 |
| 21 | Capital Outlay and Maintenance (R) | 75500 | 100,000 |
| 22 | Maternal Mortality Review..... | 83400 | 46,563 |
| 23 | Diabetes Education and Prevention | 87300 | 97,125 |
| 24 | BRIM Premium..... | 91300 | 228,111 |
| 25 | State Trauma and Emergency Care System..... | 91800 | <u>1,986,847</u> |
| 26 | Total..... | | \$ 67,028,202 |

Any unexpended balances remaining in the appropriations for Safe Drinking Water Program (fund 0407, appropriation 18700), Statewide EMS Program Support (fund 0407, appropriation 38300), Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Assistance to Primary Health Care Centers Community Health Foundation (fund 0407, appropriation 84500), and Tobacco Education Program (fund 0407, appropriation 90600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018; Provided that on June 30, 2017, the following reappropriated funds and amounts be transferred to the Division of Human Services - Medical Services Trust Fund, fund 5185: Fund 0407 appropriation 84500, Assistance to Primary Health Care Centers Community Health Foundation, \$2,473,236; fund 0407, appropriation 82200, Emergency Response Entities – Special Projects, \$441,303; and fund 0407, appropriation 75500, Capital Outlay and Maintenance, \$6,000,000.

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

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

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

| | | | |
|----|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,554,852 |
| 2 | Current Expenses13000 | | 12,463 |
| 3 | Behavioral Health Program (R)21900 | | 64,415,611 |
| 4 | Family Support Act.....22100 | | 251,226 |
| 5 | Institutional Facilities Operations (R).....33500 | | 100,067,434 |
| 6 | Substance Abuse Continuum of Care (R).....35400 | | 5,000,000 |
| 7 | Capital Outlay and Maintenance (R)75500 | | 950,000 |
| 8 | Renaissance Program80400 | | 165,996 |
| 9 | BRIM Premium.....91300 | | <u>1,211,307</u> |
| 10 | Total..... | \$ | 173,628,889 |

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation 33500), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), Capital Outlay (fund 0525, appropriation 51100), Behavioral Health Program – Surplus (fund 0525, appropriation 63100), Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200), Substance Abuse Continuum of

Care – Surplus (fund 0525, appropriation 72200), and Capital Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

From the above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500), together with available funds from the Division of Health – Hospital Services Revenue Account (fund 5156, appropriation 33500), on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

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

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

Additional funds have been appropriated in fund 5156, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the Institutional Facilities Operations appropriation to facilitate cost effective and cost saving services at the community level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

| | | | |
|---|--|-------|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund-Transfer..... | 68900 | \$ 647,500 |

The above appropriation for Drinking Water Treatment Revolving Fund – Transfer shall be transferred to the West Virginia Drinking Water Treatment Revolving Fund or appropriate bank depository and the Drinking Water Treatment Revolving – Administrative Expense Fund as provided by Chapter 16 of the Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,002,668 |
| 2 | Unclassified..... | 09900 | 4,024 |
| 3 | Current Expenses | 13000 | 330,029 |
| 4 | BRIM Premium..... | 91300 | <u>10,056</u> |
| 5 | Total..... | | \$ 1,346,777 |

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 43,080,824 |
| 2 | Unclassified.....09900 | 5,688,944 |
| 3 | Current Expenses13000 | 11,315,095 |
| 4 | Child Care Development.....14400 | 9,079,268 |
| 5 | Medical Services Contracts and | |
| 6 | Office of Managed Care18300 | 1,835,469 |
| 7 | Medical Services18900 | 448,532,081 |
| 8 | Social Services19500 | 145,947,791 |
| 9 | Family Preservation Program19600 | 1,565,000 |
| 10 | Family Resource Networks.....27400 | 1,762,464 |
| 11 | Domestic Violence Legal Services Fund38400 | 400,000 |
| 12 | James “Tiger” Morton | |
| 13 | Catastrophic Illness Fund45500 | 101,005 |
| 14 | I/DD Waiver.....46600 | 88,753,483 |
| 15 | Child Protective Services Case Workers46800 | 22,446,545 |
| 16 | OSCAR and RAPIDS51500 | 6,405,873 |
| 17 | Title XIX Waiver for Seniors.....53300 | 13,593,620 |
| 18 | WV Teaching Hospitals Tertiary/Safety Net.....54700 | 6,356,000 |
| 19 | Child Welfare System60300 | 1,250,959 |
| 20 | In-Home Family Education.....68800 | 1,000,000 |
| 21 | WV Works Separate State Program.....69800 | 1,935,000 |
| 22 | Child Support Enforcement70500 | 6,260,676 |
| 23 | Medicaid Auditing70600 | 606,750 |
| 24 | Temporary Assistance for Needy Families/ | |
| 25 | Maintenance of Effort.....70700 | 22,969,096 |
| 26 | Child Care – Maintenance of Effort Match70800 | 5,693,743 |
| 27 | Child and Family Services73600 | 2,850,000 |
| 28 | Grants for Licensed Domestic Violence | |
| 29 | Programs and Statewide Prevention75000 | 2,500,000 |
| 30 | Capital Outlay and Maintenance (R)75500 | 11,875 |
| 31 | Community Based Services | |
| 32 | and Pilot Programs for Youth75900 | 1,000,000 |
| 33 | Medical Services Administrative Costs78900 | 35,609,925 |
| 34 | Traumatic Brain Injury Waiver.....83500 | 800,000 |
| 35 | Indigent Burials (R)85100 | 2,050,000 |
| 36 | BRIM Premium.....91300 | 834,187 |
| 37 | Rural Hospitals Under 150 Beds.....94000 | 2,596,000 |

| | | | |
|----|---------------------------------------|-------|----------------|
| 38 | Children’s Trust Fund – Transfer..... | 95100 | <u>220,000</u> |
| 39 | Total..... | | \$895,051,673 |

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation 85100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

The secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

The above appropriation for James “Tiger” Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James “Tiger” Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467), and the WV Works Separate State Two-Parent Program Fund (fund 5468)

as determined by the secretary of the Department of Health and Human Resources.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500) an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided equally and distributed among the fourteen (14) licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board.

The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children's Trust Fund (fund 5469, org 0511).

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 711,738 |
| 2 | Unclassified (R).....09900 | | 21,719 |
| 3 | Current Expenses13000 | | 66,492 |
| 4 | Repairs and Alterations.....06400 | | 6,000 |
| 5 | Equipment.....07000 | | 3,000 |
| 6 | Fusion Center (R).....46900 | | 534,332 |

| | | | |
|----|--|-------|----------------|
| 7 | Other Assets..... | 69000 | 3,000 |
| 8 | Directed Transfer | 70000 | 32,000 |
| 9 | BRIM Premium..... | 91300 | 11,938 |
| 10 | WV Fire and EMS Survivor Benefit (R) | 93900 | 200,000 |
| 11 | Homeland State Security | | |
| 12 | Administrative Agency (R)..... | 95300 | <u>531,683</u> |
| 13 | Total..... | | \$ 2,121,902 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Substance Abuse Program – Surplus (fund 0430, appropriation 69600), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0430, fiscal year 2017, appropriation 93900 (\$50,000) which shall expire on June 30, 2017.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

| | | | |
|---|-------------------------------------|-------|------------------|
| 1 | Unclassified..... | 09900 | \$ 356,017 |
| 2 | College Education Fund..... | 23200 | 4,000,000 |
| 3 | Civil Air Patrol..... | 23400 | 249,219 |
| 4 | Mountaineer ChalleNGe Academy | 70900 | 1,500,000 |
| 5 | Armory Board Transfer..... | 70015 | 2,317,555 |
| 6 | Military Authority | 74800 | <u>5,857,390</u> |
| 7 | Total..... | | \$ 14,280,181 |

Any unexpended balance remaining in the appropriations for Unclassified (fund 0433, appropriation 09900) and Military Authority (fund 0433, appropriation 74800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations an amount approved by the Adjutant General and the secretary of Military Affairs and Public Safety may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The adjutant general shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$4,500,000 to the Mountaineer Challenge Academy to meet anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 100,000 |
| 2 | Current Expenses | 13000 | <u>57,775</u> |
| 3 | Total..... | \$ | 157,775 |

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 382,952 |
| 2 | Current Expenses | 13000 | 294,559 |
| 3 | Salaries of Members of | | |
| 4 | West Virginia Parole Board..... | 22700 | 593,029 |
| 5 | BRIM Premium..... | 91300 | <u>5,747</u> |
| 6 | Total..... | \$ | 1,276,287 |

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va. Code §5-5-1), and related employee benefits of board members.

65 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

| | | | |
|----|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,006,489 |
| 2 | Unclassified.....09900 | | 26,342 |
| 3 | Current Expenses13000 | | 51,674 |
| 4 | Repairs and Alterations.....06400 | | 600 |
| 5 | Radiological Emergency Preparedness.....55400 | | 17,230 |
| 6 | Federal Funds/Grant Match (R).....74900 | | 660,991 |
| 7 | Mine and Industrial Accident Rapid | | |
| 8 | Response Call Center.....78100 | | 450,539 |
| 9 | Early Warning Flood System (R)87700 | | 466,845 |
| 10 | BRIM Premium.....91300 | | 20,786 |
| 11 | WVU Charleston Poison Control Hotline.....94400 | | <u>712,942</u> |
| 12 | Total..... | \$ | <u>3,414,438</u> |

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall expire on June 30, 2017.

66 - Division of Corrections –

Central Office

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

Fund 0446 FY 2018 Org 0608

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 593,431 |
| 2 | Current Expenses13000 | | <u>1,800</u> |
| 3 | Total..... | \$ | 595,231 |

*67 - Division of Corrections –**Correctional Units*

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

Fund 0450 FY 2018 Org 0608

| | | | | |
|----|---|-------|----|------------|
| 1 | Employee Benefits | 01000 | \$ | 1,258,136 |
| 2 | Children's Protection Act (R) | 09000 | | 838,437 |
| 3 | Unclassified (R) | 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 | | 2,585,251 |
| 7 | Beckley Correctional Center..... | 49000 | | 1,780,425 |
| 8 | Huntington Work Release Center | 49500 | | 965,100 |
| 9 | Anthony Correctional Center | 50400 | | 5,009,807 |
| 10 | Huttonsville Correctional Center | 51400 | | 19,760,309 |
| 11 | Northern Correctional Center..... | 53400 | | 6,738,979 |
| 12 | Inmate Medical Expenses (R) | 53500 | | 21,226,064 |
| 13 | Pruntytown Correctional Center | 54300 | | 6,939,316 |
| 14 | Corrections Academy..... | 56900 | | 1,556,666 |
| 15 | Information Technology Services..... | 59901 | | 1,616,491 |
| 16 | Martinsburg Correctional Center | 66300 | | 3,515,195 |
| 17 | Parole Services..... | 68600 | | 4,945,361 |
| 18 | Special Services | 68700 | | 6,654,557 |
| 19 | Investigative Services | 71600 | | 2,980,734 |
| 20 | Capital Outlay and Maintenance (R) | 75500 | | 2,000,000 |
| 21 | Salem Correctional Center..... | 77400 | | 9,530,531 |
| 22 | McDowell County Correctional Center | 79000 | | 2,542,590 |
| 23 | Stevens Correctional Center..... | 79100 | | 7,863,195 |
| 24 | Parkersburg Correctional Center..... | 82800 | | 2,501,777 |
| 25 | St. Mary's Correctional Center | 88100 | | 11,958,071 |
| 26 | Denmar Correctional Center | 88200 | | 4,334,308 |

| | | | |
|----|---------------------------------------|-------|------------------|
| 27 | Ohio County Correctional Center | 88300 | 1,753,224 |
| 28 | Mt. Olive Correctional Complex | 88800 | 18,789,864 |
| 29 | Lakin Correctional Center..... | 89600 | 8,658,905 |
| 30 | BRIM Premium..... | 91300 | <u>2,359,770</u> |
| 31 | Total..... | | \$184,667,074 |

Any unexpended balances remaining in the appropriations for Children’s Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Operating Expenses – Surplus (fund 0450, appropriation 77900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0450, fiscal year 2017, appropriation 09000 (\$100,000) which shall expire on June 30, 2017.

The Commissioner of Corrections shall have the authority to transfer between appropriations to the individual correctional units above and may transfer funds from the individual correctional units to Current Expenses (fund 0450, appropriation 13000) or Inmate Medical Expenses (fund 0450, appropriation 53500).

From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1, 2017, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000) payment shall be made to house Division of Corrections inmates in federal, county, and /or regional jails.

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

| | | |
|----|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 56,281,783 |
| 2 | Children's Protection Act09000 | 948,101 |
| 3 | Current Expenses13000 | 10,309,769 |
| 4 | Repairs and Alterations.....06400 | 450,523 |
| 5 | Barracks Lease Payments55600 | 237,898 |
| 6 | Communications and Other Equipment (R)..55800 | 70,968 |
| 7 | Trooper Retirement Fund.....60500 | 4,565,197 |
| 8 | Handgun Administration Expense74700 | 67,179 |
| 9 | Capital Outlay and Maintenance (R)75500 | 250,000 |
| 10 | Retirement Systems – Unfunded Liability....77500 | 24,675,000 |
| 11 | Automated Fingerprint | |
| 12 | Identification System.....89800 | 723,064 |
| 13 | BRIM Premium.....91300 | <u>5,368,150</u> |
| 14 | Total..... | \$103,947,632 |

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800), and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 64,021 |
|---|------------------------|-------|----|--------|

70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

| | | | | |
|----|--|-------|----|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 531,051 |
| 2 | Current Expenses | 13000 | | 132,696 |
| 3 | Repairs and Alterations..... | 06400 | | 1,804 |
| 4 | Child Advocacy Centers (R)..... | 45800 | | 1,701,671 |
| 5 | Community Corrections (R) | 56100 | | 6,905,614 |
| 6 | Statistical Analysis Program..... | 59700 | | 46,381 |
| 7 | Sexual Assault Forensic | | | |
| 8 | Examination Commission..... | 71400 | | 76,231 |
| 9 | Qualitative Analysis and | | | |
| 10 | Training for Youth Services (R)..... | 76200 | | 332,018 |
| 11 | Law Enforcement Professional Standards | 83800 | | 154,471 |
| 12 | BRIM Premium..... | 91300 | | <u>1,788</u> |
| 13 | Total..... | | \$ | 9,883,725 |

Any unexpended balances remaining in the appropriations for Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), and Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0546, fiscal year 2017, appropriation 56100 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200 (\$29,878) which shall expire on June 30, 2017.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

| | | | |
|----|--|-------|------------------|
| 1 | Statewide Reporting Centers..... | 26200 | \$ 6,279,447 |
| 2 | Robert L. Shell Juvenile Center | 26700 | 1,956,950 |
| 3 | Resident Medical Expenses (R) | 53501 | 3,604,999 |
| 4 | Central Office..... | 70100 | 2,307,517 |
| 5 | Capital Outlay and Maintenance (R) | 75500 | 250,000 |
| 6 | Gene Spadaro Juvenile Center | 79300 | 2,128,385 |
| 7 | BRIM Premium..... | 91300 | 108,380 |
| 8 | Kenneth Honey Rubenstein | | |
| 9 | Juvenile Center (R) | 98000 | 4,926,863 |
| 10 | Vicki Douglas Juvenile Center | 98100 | 1,870,388 |
| 11 | Northern Regional Juvenile Center..... | 98200 | 2,876,302 |
| 12 | Lorrie Yeager Jr. Juvenile Center | 98300 | 1,909,246 |
| 13 | Sam Perdue Juvenile Center | 98400 | 2,003,196 |
| 14 | Tiger Morton Center | 98500 | 2,114,663 |
| 15 | Donald R. Kuhn Juvenile Center | 98600 | 4,057,994 |
| 16 | J.M. "Chick" Buckbee Juvenile Center | 98700 | <u>2,017,395</u> |
| 17 | Total..... | | \$ 38,411,725 |

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations, on July 1, 2017, the sum of \$50,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers

above and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,772,420 |
| 2 | Unclassified (R)09900 | | 21,991 |
| 3 | Current Expenses13000 | | 139,232 |
| 4 | Repairs and Alterations06400 | | 8,500 |
| 5 | Equipment (R)07000 | | 64,171 |
| 6 | BRIM Premium91300 | | <u>11,426</u> |
| 7 | Total | \$ | 3,017,740 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000), and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF REVENUE

73 - Office of the Secretary

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

| | | | |
|---|---|----|----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 486,146 |
| 2 | Unclassified09900 | | 5,954 |
| 3 | Current Expenses13000 | | 80,780 |
| 4 | Repairs and Alterations06400 | | 1,262 |
| 5 | Equipment07000 | | 8,000 |
| 6 | Other Assets69000 | | 500 |
| 7 | State Road fund – Transfer70017 | | <u>0</u> |
| 8 | Total | \$ | 582,642 |

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close

of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 16,265,639 |
| 2 | Unclassified (R)09900 | 224,578 |
| 3 | Current Expenses (R)13000 | 5,245,381 |
| 4 | Repairs and Alterations06400 | 10,000 |
| 5 | Equipment07000 | 50,000 |
| 6 | Tax Technology Upgrade09400 | 2,700,000 |
| 7 | Multi State Tax Commission65300 | 77,958 |
| 8 | Other Assets69000 | 10,000 |
| 9 | BRIM Premium91300 | <u>14,560</u> |
| 10 | Total | \$ 24,598,116 |

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), and Current Expenses (fund 0470, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 630,702 |
| 2 | Unclassified (R)09900 | <u>449</u> |
| 3 | Total | \$ 631,151 |

Any unexpended balance remaining in the appropriation for Unclassified (fund 0595, appropriation 09900) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,872 |
| 2 | Current Expenses (R).....13000 | | 92,572 |
| 3 | Unclassified.....09900 | | 5,255 |
| 4 | BRIM Premium.....91300 | | <u>2,862</u> |
| 5 | Total..... | \$ | 525,561 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 7,200 |
| 2 | Current Expenses13000 | | <u>29,611</u> |
| 3 | Total..... | \$ | 36,811 |

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 314,113 |
| 2 | Current Expenses13000 | | 287,332 |
| 3 | Other Assets (R).....69000 | | 1,303,277 |
| 4 | BRIM Premium.....91300 | | <u>188,356</u> |
| 5 | Total..... | \$ | 2,093,078 |

Any unexpended balance remaining in the appropriation Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

| | | | | |
|---|---------------------------|-------|----|------------------|
| 1 | Equipment (R)..... | 07000 | \$ | 384,710 |
| 2 | Current Expenses (R)..... | 13000 | | <u>1,878,279</u> |
| 3 | Total..... | | \$ | 2,262,989 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0510, fiscal year 2017, appropriation 07000 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

| | | | | |
|---|---|-------|----|--------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 166,719 |
| 2 | Current Expenses (R)..... | 13000 | | 591,614 |
| 3 | Repairs and Alterations..... | 06400 | | 100 |
| 4 | BRIM Premium..... | 91300 | | <u>4,148</u> |
| 5 | Total..... | | \$ | 762,581 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0582, appropriation 09900) and Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE

81 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

| | | | |
|----|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,807,393 |
| 2 | Unclassified.....09900 | | 12,000 |
| 3 | Current Expenses13000 | | 137,189 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |
| 5 | Veterans' Field Offices22800 | | 240,924 |
| 6 | Veterans' Nursing Home (R)28600 | | 5,519,032 |
| 7 | Veterans' Toll Free Assistance Line.....32800 | | 1,000 |
| 8 | Veterans' Reeducation Assistance (R).....32900 | | 27,800 |
| 9 | Veterans' Grant Program (R).....34200 | | 1,741 |
| 10 | Veterans' Grave Markers47300 | | 5,000 |
| 11 | Veterans' Transportation48500 | | 532,000 |
| 12 | Veterans Outreach Programs61700 | | 160,001 |
| 13 | Memorial Day Patriotic Exercise.....69700 | | 5,000 |
| 14 | Veterans Cemetery.....80800 | | 346,891 |
| 15 | BRIM Premium.....91300 | | <u>23,860</u> |
| 16 | Total..... | \$ | 8,824,831 |

Any unexpended balances remaining in the appropriations for Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0456, fiscal year 2017, appropriation 28600 (\$8,794), fund 0456, fiscal year 2017, appropriation 32900 (\$1,702),

and fund 0456, fiscal year 2017, appropriation 34200 (\$29,000) which shall expire on June 30, 2017.

82 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,093,492 |
| 2 | Current Expenses | 13000 | <u>44,576</u> |
| 3 | Total..... | \$ | 1,138,068 |

BUREAU OF SENIOR SERVICES

83 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

| | | | |
|---|--|-------|---------------|
| 1 | Transfer to Division of Human Services | | |
| 2 | for Health Care and Title XIX | | |
| 3 | Waiver for Senior Citizens | 53900 | \$ 21,583,766 |

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

84 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

| | | | |
|----|---|-------|------------------|
| 1 | West Virginia Council for Community | | |
| 2 | and Technical Education (R) | 39200 | \$ 742,900 |
| 3 | Transit Training Partnership | 78300 | 35,217 |
| 4 | Community College Workforce | | |
| 5 | Development (R) | 87800 | 806,048 |
| 6 | College Transition Program | 88700 | 285,718 |
| 7 | West Virginia Advance | | |
| 8 | Workforce Development (R) | 89300 | 3,200,720 |
| 9 | Technical Program Development (R) | 89400 | <u>1,849,250</u> |
| 10 | Total | | \$ 6,919,853 |

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), and Technical Program Development (fund 0596, appropriation 89400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0596, fiscal year 2017, appropriation 39200 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400 (\$45,964) which shall expire on June 30, 2017.

From the above appropriation for the Community College Workforce Development (fund 0596, appropriation 87800), \$200,000 shall be expended on the Mine Training Program in Southern West Virginia.

Included in the above appropriation for West Virginia Advance Workforce Development (fund 0596, appropriation 89300) is \$200,000 to be used exclusively for advanced manufacturing and energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

- 1 Mountwest Community
- 2 and Technical College48700 \$ 5,452,824

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

- 1 New River Community
- 2 and Technical College35800 \$ 5,383,901

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

- 1 Pierpont Community
- 2 and Technical College93000 \$ 7,170,342

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

- 1 Blue Ridge Community
- 2 and Technical College88500 \$ 4,930,310

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

- 1 West Virginia University – Parkersburg.....47100 \$ 9,322,243

90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

- 1 Southern West Virginia Community
- 2 and Technical College44600 \$ 7,824,313

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

- 1 West Virginia Northern Community
- 2 and Technical College44700 \$ 6,753,902

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

- 1 Eastern West Virginia Community
- 2 and Technical College41200 \$ 1,796,854

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

- 1 BridgeValley Community
- 2 and Technical College71700 \$ 7,343,727

HIGHER EDUCATION POLICY COMMISSION*94 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

| | | | |
|----|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,538,511 |
| 2 | Current Expenses | | 13,568 |
| 3 | Higher Education Grant Program | | 39,019,864 |
| 4 | Tuition Contract Program (R)..... | | 1,224,564 |
| 5 | Underwood-Smith Scholarship | | |
| 6 | Program-Student Awards..... | | 328,349 |
| 7 | Facilities Planning and Administration (R) | | 1,797,140 |
| 8 | PROMISE Scholarship – Transfer..... | | 18,500,000 |
| 9 | HEAPS Grant Program (R)..... | | 5,007,764 |
| 10 | BRIM Premium..... | | <u>16,651</u> |
| 11 | Total..... | \$ | 68,446,411 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0589, appropriation 09700), Tuition Contract Program (fund 0589, appropriation 16500), Capital Improvements – Surplus (fund 0589, appropriation 66100), Capital Outlay and Maintenance (fund 0589, appropriation 75500), and HEAPS Grant Program (fund 0589, appropriation 86700) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall expire on June 30, 2017.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Education, Research and Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by W.Va. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program-Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher Scholarship and

Loan Assistance Fund (fund 4922, org 0441) established by W.Va. Code §18C-4-1.

The above appropriation for PROMISE Scholarship – Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

| | | | | |
|---|-------------|-------|----|-----------|
| 1 | WVNET | 16900 | \$ | 1,621,481 |
|---|-------------|-------|----|-----------|

96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

| | | | | |
|---|---|-------|----|------------------|
| 1 | WVU School of Health Science – | | | |
| 2 | Eastern Division..... | 05600 | \$ | 2,104,570 |
| 3 | WVU – School of Health Sciences | 17400 | | 14,513,140 |
| 4 | WVU – School of Health Sciences – | | | |
| 5 | Charleston Division | 17500 | | 2,164,517 |
| 6 | Rural Health Outreach Programs | 37700 | | 159,236 |
| 7 | West Virginia University School of Medicine | | | |
| 8 | BRIM Subsidy | 46000 | | <u>1,179,861</u> |
| 9 | Total..... | | \$ | 20,121,324 |

The above appropriation for Rural Health Outreach Programs (fund 0343, appropriation 37700) includes rural health activities

and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia University School of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

97 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

| | | | |
|---|---|-------|------------------|
| 1 | West Virginia University | 45900 | \$ 91,505,165 |
| 2 | Jackson’s Mill | 46100 | 224,177 |
| 3 | West Virginia University | | |
| 4 | Institute of Technology | 47900 | 7,476,591 |
| 5 | State Priorities – | | |
| 6 | Brownfield Professional Development...53100 | | 315,903 |
| 7 | West Virginia University – Potomac State ...99400 | | <u>3,670,513</u> |
| 8 | Total | | \$ 103,192,349 |

98 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

| | | | |
|---|--|-------|----------------|
| 1 | Marshall Medical School | 17300 | \$ 11,929,229 |
| 2 | Rural Health Outreach Programs (R).....37700 | | 164,264 |
| 3 | Forensic Lab.....37701 | | 236,609 |
| 4 | Center for Rural Health.....37702 | | 156,963 |
| 5 | Marshall University Medical School | | |
| 6 | BRIM Subsidy | 44900 | <u>892,827</u> |
| 7 | Total | | \$ 13,379,892 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Program (fund 0347, appropriation 37700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0347, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for Marshall University Medical School BRIM Subsidy (fund 0347, appropriation 44900) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

99 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

| | | | |
|----|--------------------------------------|-------|------------------|
| 1 | Marshall University | 44800 | \$ 42,367,284 |
| 2 | Luke Lee Listening Language | | |
| 3 | and Learning Lab | 44801 | 95,543 |
| 4 | Vista E-Learning (R)..... | 51900 | 233,147 |
| 5 | State Priorities – Brownfield | | |
| 6 | Professional Development (R)..... | 53100 | 312,965 |
| 7 | Marshall University Graduate College | | |
| 8 | Writing Project (R) | 80700 | 19,410 |
| 9 | WV Autism Training Center (R) | 93200 | <u>1,680,401</u> |
| 10 | Total..... | | \$ 44,708,750 |

Any unexpended balances remaining in the appropriations for Vista E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation

53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), and WV Autism Training Center (fund 0348, appropriation 93200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0348, fiscal year 2017, appropriation 51900 (\$4,982), fund 0348, fiscal year 2017, appropriation 53100 (\$6,687), fund 0348, fiscal year 2017, appropriation 80700 (\$415), and fund 0348, fiscal year 2017, appropriation 93200 (\$35,906) which shall expire on June 30, 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

| | | | |
|---|--|-------|----------------|
| 1 | West Virginia School of | | |
| 2 | Osteopathic Medicine | 17200 | \$ 6,658,729 |
| 3 | Rural Health Outreach Programs (R)..... | 37700 | 164,987 |
| 4 | West Virginia School of Osteopathic Medicine | | |
| 5 | BRIM Subsidy | 40300 | 153,405 |
| 6 | Rural Health Initiative – | | |
| 7 | Medical Schools Support..... | 58100 | <u>396,869</u> |
| 8 | Total..... | | \$ 7,373,990 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia School of Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation 40300) shall be paid to the Board of Risk and Insurance

Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

1 Bluefield State College40800 \$ 5,521,472

102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

1 Concord University41000 \$ 8,497,014

103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1 Fairmont State University41400 \$ 14,965,018

104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1 Glenville State College42800 \$ 5,770,788

105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1 Shepherd University43200 \$ 9,356,447

106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University.....43900 \$ 7,793,490

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

| | | | | |
|---|---|-------|----|----------------------|
| 1 | West Virginia State University | 44100 | \$ | 9,771,311 |
| 2 | West Virginia State University | | | |
| 3 | Land Grant Match..... | 95600 | | <u>1,700,827</u> |
| 4 | Total..... | | \$ | |
| 5 | 11,472,138 | | | |
| 6 | Total TITLE II, Section 1 – General Revenue | | | |
| 7 | (Including claims against the state) | | \$ | <u>4,225,050,000</u> |

Sec. 2. Appropriations from state road fund. — From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION

108 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

| | | | State Road Fund | Appro- priation |
|---|--|-------|--------------------------------|----------------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 23,278,949 |
| 2 | Current Expenses | 13000 | | 16,192,150 |

| | | | |
|---|------------------------------|-------|---------------|
| 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>73,630</u> |
| 8 | Total..... | | \$ 43,378,729 |

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

| | | | |
|----|----------------------------------|-------|------------------|
| 1 | Debt Service..... | 04000 | \$ 24,000,000 |
| 2 | Maintenance..... | 23700 | 359,278,000 |
| 3 | Nonfederal Improvements | 23701 | 232,400,000 |
| 4 | Inventory Revolving | 27500 | 4,000,000 |
| 5 | Equipment Revolving | 27600 | 15,000,000 |
| 6 | General Operations | 27700 | 45,995,000 |
| 7 | Interstate Construction | 27800 | 100,000,000 |
| 8 | Other Federal Aid Programs | 27900 | 362,000,000 |
| 9 | Appalachian Programs | 28000 | 120,000,000 |
| 10 | Highway Litter Control..... | 28200 | 1,727,000 |
| 11 | Courtesy Patrol..... | 28201 | <u>4,000,000</u> |
| 12 | Total..... | | \$1,268,400,000 |

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian programs, funds in excess of the amount appropriated may be made available upon recommendation of the commissioner and approval of the Governor. Further, for the purpose of Appalachian programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 Org 0808

| | | |
|---|---|-------------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,585,201 |
| 2 | Current Expenses13000 | 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>\$ 1,314,293,957</u> |

Sec. 3. Appropriations from other funds. — From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 Org 2300

| | Appropriation | Other Funds |
|---|----------------------|--------------------|
| 1 Personal Services and Employee Benefits00100 | \$ | 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

112 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

| | | | |
|--------------------------|-------|----|-----------|
| 1 Current Expenses | 13000 | \$ | 1,600,000 |
|--------------------------|-------|----|-----------|

113 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

| | | | |
|--------------------------|-------|----|---------|
| 1 Current Expenses | 13000 | \$ | 500,000 |
|--------------------------|-------|----|---------|

114 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

| | | | |
|--------------------------|-------|----|---------|
| 1 Current Expenses | 13000 | \$ | 300,000 |
|--------------------------|-------|----|---------|

EXECUTIVE*115 - Governor's Office –**Minority Affairs Fund*

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 172,800 |
| 2 | Current Expenses13000 | | 503,200 |
| 3 | Martin Luther King, Jr. Holiday Celebration03100 | | <u>8,926</u> |
| 4 | Total..... | \$ | 684,926 |

*116 - Auditor's Office –**Land Operating Fund*

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 Org 1200

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 749,297 |
| 2 | Unclassified.....09900 | | 15,139 |
| 3 | Current Expenses13000 | | 715,291 |
| 4 | Repairs and Alterations.....06400 | | 2,600 |
| 5 | Equipment.....07000 | | 426,741 |
| 6 | Cost of Delinquent Land Sales.....76800 | | <u>1,341,168</u> |
| 7 | Total..... | \$ | 3,250,236 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

*117 - Auditor's Office –**Local Government Purchasing Card Expenditure Fund*

(WV Code Chapter 6)

Fund 1224 FY 2018 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>2,000,000</u> |
| 7 | Total..... | \$ | <u>2,937,118</u> |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.Va. Code §6-9-2b.

*118 - Auditor's Office –**Securities Regulation Fund*

(WV Code Chapter 32)

Fund 1225 FY 2018 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..... | \$ | <u>5,178,632</u> |

119 - Auditor's Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

| | | | | |
|---|------------------------|-------|----|----------------|
| 1 | Current Expenses | 13000 | \$ | 160,000 |
| 2 | Other Assets | 69000 | | <u>100,000</u> |
| 3 | Total..... | | \$ | 260,000 |

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer’s Office – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the purposes described in W.Va. Code §12-3-10c.

120 - Auditor’s Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2018 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>4,000,000</u> |
| 7 | Total..... | | \$ | 9,935,405 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

121 - Auditor’s Office –

Chief Inspector’s Fund

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,405,512 |
| 2 | Current Expenses | | 765,915 |
| 3 | Equipment.....07000 | | <u>50,000</u> |
| 4 | Total..... | \$ | 4,221,427 |

122 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

| | | | |
|---|-------------------------------------|-------|--------------|
| 1 | Volunteer Fire Department | | |
| 2 | Workers' Compensation Subsidy | 83200 | \$ 2,500,000 |

123 - Treasurer's Office

College Prepaid Tuition and Savings Program

Administrative Account

(WV Code Chapter 18)

Fund 1301 FY 2018 Org 1300

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 774,769 |
| 2 | Unclassified.....09900 | | 14,000 |
| 3 | Current Expenses | 13000 | <u>619,862</u> |
| 4 | Total..... | \$ | 1,408,631 |

124 - Department of Agriculture –

Agriculture Fees Fund

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,244,245 |
| 2 | Unclassified.....09900 | | 37,425 |

| | | | |
|---|------------------------------|-------|---------------|
| 3 | Current Expenses | 13000 | 1,356,184 |
| 4 | Repairs and Alterations..... | 06400 | 58,500 |
| 5 | Equipment..... | 07000 | 36,209 |
| 6 | Other Assets..... | 69000 | <u>10,000</u> |
| 7 | Total..... | | \$ 3,742,563 |

125 - Department of Agriculture –

West Virginia Rural Rehabilitation Program

(WV Code Chapter 19)

Fund 1408 FY 2018 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 |

126 - Department of Agriculture –

General John McCausland Memorial Farm Fund

(WV Code Chapter 19)

Fund 1409 FY 2018 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 |

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

127 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 309,248 |
| 2 | Unclassified.....09900 | | 15,173 |
| 3 | Current Expenses13000 | | 1,167,464 |
| 4 | Repairs and Alterations.....06400 | | 238,722 |
| 5 | Equipment.....07000 | | 249,393 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,000,000 |

*128 - Department of Agriculture –**Donated Food Fund*

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 958,864 |
| 2 | Unclassified.....09900 | | 45,807 |
| 3 | Current Expenses13000 | | 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 |

*129 - Department of Agriculture –**Integrated Predation Management Fund*

(WV Code Chapter 7)

Fund 1465 FY 2018 Org 1400

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 100,000 |
|---|-----------------------------|----|---------|

*130 - Department of Agriculture –**West Virginia Spay Neuter Assistance Fund*

(WV Code Chapter 19)

Fund 1481 FY 2018 Org 1400

1 Current Expenses13000 \$ 100

*131 - Department of Agriculture –
Veterans and Warriors to Agriculture Fund
(WV Code Chapter 19)
Fund 1483 FY 2018 Org 1400*

1 Current Expenses13000 \$ 7,500

*132 - Department of Agriculture –
State FFA-FHA Camp and Conference Center
(WV Code Chapters 18 and 18A)
Fund 1484 FY 2018 Org 1400*

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,169,194 |
| 2 | Unclassified.....09900 | | 17,000 |
| 3 | Current Expenses13000 | | 707,223 |
| 4 | Repairs and Alterations.....06400 | | 57,500 |
| 5 | Equipment.....07000 | | 1,000 |
| 6 | Buildings25800 | | 1,000 |
| 7 | Other Assets.....69000 | | 10,000 |
| 8 | Land73000 | | <u>1,000</u> |
| 9 | Total..... | \$ | 1,963,917 |

*133 - Attorney General –
Antitrust Enforcement Fund
(WV Code Chapter 47)
Fund 1507 FY 2018 Org 1500*

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 356,900 |
| 2 | Current Expenses13000 | | 148,803 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | <u>1,000</u> |
| 5 | Total..... | \$ | 507,703 |

*134 - Attorney General –**Preneed Burial Contract Regulation Fund*

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 210,226 |
| 2 | Current Expenses13000 | | 54,615 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | <u>1,000</u> |
| 5 | Total..... | \$ | 266,841 |

*135 - Attorney General –**Preneed Funeral Guarantee Fund*

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 901,135 |
|---|-----------------------------|----|---------|

*136 - Secretary of State –**Service Fees and Collection Account*

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 Org 1600

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 991,051 |
| 2 | Unclassified.....09900 | | 4,524 |
| 3 | Current Expenses13000 | | <u>8,036</u> |
| 4 | Total..... | \$ | 1,003,611 |

*137 - Secretary of State –**General Administrative Fees Account*

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 Org 1600

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,769,898 |
| 2 | Unclassified.....09900 | 25,529 |
| 3 | Current Expenses13000 | 796,716 |
| 4 | Technology Improvements59900 | <u>750,000</u> |
| 5 | Total..... | \$ 4,342,143 |

DEPARTMENT OF ADMINISTRATION*138 - Department of Administration –**Office of the Secretary –**Tobacco Settlement Fund*

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

| | | |
|---|-----------------------------------|---------------|
| 1 | Tobacco Settlement Securitization | |
| 2 | Trustee Pass Thru65000 | \$ 80,000,000 |

*139 - Department of Administration –**Office of the Secretary –**Employee Pension and Health Care Benefit Fund*

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

| | | |
|---|-----------------------------|---------------|
| 1 | Current Expenses13000 | \$ 34,638,000 |
|---|-----------------------------|---------------|

The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – West Virginia Teachers’ Retirement System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 Org 0210

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 21,378,322 |
| 2 | Unclassified.....09900 | 382,354 |
| 3 | Current Expenses13000 | 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 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

*141 - Division of Purchasing –**Vendor Fee Fund*

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 655,208 |
| 2 | Unclassified.....09900 | 2,382 |
| 3 | Current Expenses13000 | 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 |

*142 - Division of Purchasing –**Purchasing Improvement Fund*

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 540,889 |
| 2 | Unclassified.....09900 | | 5,562 |
| 3 | Current Expenses13000 | | 393,066 |
| 4 | Repairs and Alterations.....06400 | | 500 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Other Assets.....69000 | | 500 |
| 7 | BRIM Premium.....91300 | | 850 |
| 8 | Total..... | \$ | 941,867 |

*143 - Travel Management –**Fleet Management Office Fund*

(WV Code Chapter 5A)

Fund 2301 FY 2018 Org 0215

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 722,586 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 8,130,614 |
| 4 | Repairs and Alterations.....06400 | | 12,000 |
| 5 | Equipment.....07000 | | 800,000 |
| 6 | Other Assets.....69000 | | 2,000 |
| 7 | Total..... | \$ | 9,671,200 |

*144 - Travel Management –**Aviation Fund*

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

| | | | |
|---|-----------------------------------|----|---------|
| 1 | Unclassified.....09900 | \$ | 1,000 |
| 2 | Current Expenses13000 | | 149,700 |
| 3 | Repairs and Alterations.....06400 | | 400,237 |
| 4 | Equipment.....07000 | | 1,000 |
| 5 | Buildings.....25800 | | 100 |
| 6 | Other Assets.....69000 | | 100 |
| 7 | Land.....73000 | | 100 |

8 Total..... \$ 552,237

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,942,590 |
| 2 | Unclassified.....09900 | 51,418 |
| 3 | Current Expenses13000 | 1,062,813 |
| 4 | Repairs and Alterations.....06400 | 5,000 |
| 5 | Equipment.....07000 | 20,000 |
| 6 | Other Assets.....69000 | <u>60,000</u> |
| 7 | Total..... | \$ 5,141,821 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 249,242 |
| 2 | Unclassified.....09900 | 4,023 |
| 3 | Current Expenses13000 | 297,528 |
| 4 | Repairs and Alterations.....06400 | 600 |
| 5 | Equipment.....07000 | 500 |
| 6 | Other Assets.....69000 | <u>500</u> |
| 7 | Total..... | \$ 552,393 |

147 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 399,911 |
| 2 | Unclassified.....09900 | | 6,949 |
| 3 | Current Expenses13000 | | 227,116 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Equipment07000 | | 50,000 |
| 6 | Other Assets69000 | | <u>10,000</u> |
| 7 | Total..... | \$ | 694,976 |

From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

148 - Division of Forestry

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,464,328 |
| 2 | Current Expenses13000 | | 282,202 |
| 3 | Repairs and Alterations.....06400 | | <u>53,000</u> |
| 4 | Total..... | \$ | 1,799,530 |

149 - Division of Forestry –

Timbering Operations Enforcement Fund

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 224,433 |
| 2 | Current Expenses13000 | | 87,036 |
| 3 | Repairs and Alterations.....06400 | | <u>11,250</u> |
| 4 | Total..... | \$ | 322,719 |

150 - Division of Forestry –

Severance Tax Operations

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 859,626 |
| 2 | Current Expenses13000 | | <u>435,339</u> |
| 3 | Total..... | \$ | 1,294,965 |

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 37,966 |
| 2 | Unclassified.....09900 | | 2,182 |
| 3 | Current Expenses13000 | | 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 |

The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

*152 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2018 Org 0307

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,528,219 |
| 2 | Unclassified.....09900 | | 30,000 |
| 3 | Current Expenses13000 | | <u>1,482,760</u> |
| 4 | Total..... | \$ | 3,040,979 |

*153 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2018 Org 0307

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,724 |
| 2 | Unclassified.....09900 | | 8,300 |
| 3 | Current Expenses13000 | | <u>399,191</u> |
| 4 | Total..... | \$ | 838,215 |

*154 - Division of Labor –**HVAC Fund*

(WV Code Chapter 21)

Fund 3186 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 300,000 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 85,000 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Building.....25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 400,000 |

*155 - Division of Labor –**Contractor Licensing Board Fund*

(WV Code Chapter 21)

Fund 3187 FY 2018 Org 0308

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,019,374 |
| 2 | Unclassified.....09900 | | 21,589 |
| 3 | Current Expenses13000 | | 597,995 |
| 4 | Repairs and Alterations.....06400 | | 15,000 |
| 5 | Buildings25800 | | 5,000 |

| | | | |
|---|-------------------|-------|--------------|
| 6 | BRIM Premium..... | 91300 | <u>8,500</u> |
| 7 | Total..... | | \$ 3,667,458 |

156 - Division of Labor –

Elevator Safety Fund

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 376,772 |
| 2 | Unclassified..... | 09900 | 2,261 |
| 3 | Current Expenses | 13000 | 44,112 |
| 4 | Repairs and Alterations..... | 06400 | 2,000 |
| 5 | Buildings | 25800 | 1,000 |
| 6 | BRIM Premium..... | 91300 | <u>8,500</u> |
| 7 | Total..... | | \$ 434,645 |

157 - Division of Labor –

Steam Boiler Fund

(WV Code Chapter 21)

Fund 3189 FY 2018 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 |

158 - Division of Labor –

Crane Operator Certification Fund

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 184,380 |
| 2 | Unclassified.....09900 | | 1,380 |
| 3 | Current Expenses13000 | | 49,765 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 246,525 |

159 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 179,316 |
| 2 | Unclassified.....09900 | | 1,281 |
| 3 | Current Expenses13000 | | 44,520 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 236,617 |

160 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 283,768 |
| 2 | Unclassified.....09900 | | 1,847 |
| 3 | Current Expenses13000 | | 43,700 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>3,404</u> |
| 7 | Total..... | \$ | 334,719 |

*161 - Division of Labor –**Weights and Measures Fund*

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,965 |
| 2 | Current Expenses13000 | | 227,000 |
| 3 | Repairs and Alterations.....06400 | | 28,000 |
| 4 | Equipment.....07000 | | 15,000 |
| 5 | BRIM Premium.....91300 | | <u>8,500</u> |
| 6 | Total..... | \$ | 703,465 |

*162 - Division of Labor –**Bedding and Upholstery Fund*

(WV Code Chapter 21)

Fund 3198 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 150,000 |
| 2 | Unclassified.....09900 | | 2,000 |
| 3 | Current Expenses13000 | | 43,000 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>2,000</u> |
| 7 | Total..... | \$ | 200,000 |

*163 - Division of Labor –**Psychophysiological Examiners Fund*

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

| | | | |
|---|-----------------------------|----|-------|
| 1 | Current Expenses13000 | \$ | 4,000 |
|---|-----------------------------|----|-------|

*164 - Division of Natural Resources –**License Fund – Wildlife Resources*

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

| | | | | |
|---|--------------------------|-------|----|------------------|
| 1 | Wildlife Resources..... | 02300 | \$ | 5,551,895 |
| 2 | Administration | 15500 | | 1,387,974 |
| 3 | Capital Improvements and | | | |
| 4 | Land Purchase (R) | 24800 | | 1,387,973 |
| 5 | Law Enforcement..... | 80600 | | <u>5,551,895</u> |
| 6 | Total..... | | \$ | 13,879,737 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*165 - Division of Natural Resources –**Natural Resources Game Fish and Aquatic Life Fund*

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 125,000 |
|---|------------------------|-------|----|---------|

*166 - Division of Natural Resources –**Nongame Fund*

(WV Code Chapter 20)

Fund 3203 FY 2018 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 |

167 - Division of Natural Resources –

Planning and Development Division

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 289,167 |
| 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 | | \$ 2,510,347 |

168 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(WV Code Chapter 20)

Fund 3253 FY 2018 Org 0310

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 62,704 |
| 2 | Current Expenses | 13000 | 64,778 |
| 3 | Equipment | 07000 | 1,297 |
| 4 | Buildings | 25800 | <u>6,969</u> |
| 5 | Total | | \$ 135,748 |

169 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

| | | | | |
|---|------------------------|-------|----|---------------|
| 1 | Unclassified..... | 09900 | \$ | 200 |
| 2 | Current Expenses | 13000 | | <u>19,800</u> |
| 3 | Total..... | | \$ | 20,000 |

170 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(WV Code Chapter 22A)

Fund 3355 FY 2018 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 |

171 - Department of Commerce –

Office of the Secretary –

Broadband Enhancement Fund

Fund 3013 FY 2018 Org 0327

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 1,887,000 |
|---|------------------------|-------|----|-----------|

172 - Office of Energy –

Energy Assistance

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

| | | | | |
|---|---------------------------------|-------|----|--------|
| 1 | Energy Assistance – Total | 64700 | \$ | 62,000 |
|---|---------------------------------|-------|----|--------|

DEPARTMENT OF EDUCATION*173 - State Board of Education –**Strategic Staff Development*

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 134,000 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | <u>265,000</u> |
| 4 | Total..... | \$ | 400,000 |

*174 - State Board of Education –**School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | |
|---|------------------------------------|----|------------------|
| 1 | SBA Construction Grants24000 | \$ | 35,845,818 |
| 2 | Directed Transfer70000 | | <u>1,371,182</u> |
| 3 | Total..... | \$ | 37,217,000 |

The above appropriation for Directed Transfer (fund 3951, appropriation 70000) shall be transferred to the School Building Authority Fund (3959) for the administrative expenses of the School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,085,152 |
| 2 | Current Expenses13000 | | 246,880 |
| 3 | Repairs and Alterations.....06400 | | 13,150 |
| 4 | Equipment.....07000 | | <u>26,000</u> |
| 5 | Total..... | \$ | 1,371,182 |

DEPARTMENT OF EDUCATION AND THE ARTS*176 - Office of the Secretary –**Lottery Education Fund Interest Earnings –**Control Account*

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

Any unexpended balance remaining in the appropriation for Educational Enhancements (fund 3508, appropriation 69500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*177 - Division of Culture and History –**Public Records and Preservation Revenue Account*

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

*178 - State Board of Rehabilitation –**Division of Rehabilitation Services –**West Virginia Rehabilitation Center Special Account*

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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

179 - Solid Waste Management Board

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 802,209 |
| 2 | Current Expenses | 13000 | 2,061,057 |
| 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 |

180 - Division of Environmental Protection –

Hazardous Waste Management Fund

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 692,784 |
| 2 | Current Expenses | 13000 | 195,569 |
| 3 | Repairs and Alterations.....06400 | | 500 |
| 4 | Equipment.....07000 | | 1,505 |
| 5 | Unclassified.....09900 | | 3,072 |
| 6 | Other Assets.....69000 | | <u>2,000</u> |
| 7 | Total..... | \$ | 895,430 |

181 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 935,324 |
| 2 | Current Expenses | 13000 | 1,238,610 |
| 3 | Repairs and Alterations..... | 06400 | 13,000 |
| 4 | Equipment..... | 07000 | 53,105 |
| 5 | Unclassified..... | 09900 | 2,900 |
| 6 | Other Assets | 69000 | <u>20,000</u> |
| 7 | Total..... | \$ | 2,262,939 |

*182 - Division of Environmental Protection –**Special Reclamation Fund*

(WV Code Chapter 22)

Fund 3321 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

*183 - Division of Environmental Protection –**Oil and Gas Reclamation Fund*

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 143,906 |
| 2 | Current Expenses | 13000 | <u>356,094</u> |
| 3 | Total..... | \$ | 500,000 |

*184 - Division of Environmental Protection –**Oil and Gas Operating Permit and Processing Fund*

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,321,164 |
| 2 | Current Expenses13000 | | 1,257,758 |
| 3 | Repairs and Alterations.....06400 | | 20,600 |
| 4 | Equipment.....07000 | | 8,000 |
| 5 | Unclassified.....09900 | | 44,700 |
| 6 | Other Assets.....69000 | | <u>15,000</u> |
| 7 | Total..... | \$ | 4,667,222 |

*185 - Division of Environmental Protection –**Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,035,449 |
| 2 | Current Expenses13000 | | 2,300,097 |
| 3 | Repairs and Alterations.....06400 | | 60,260 |
| 4 | Equipment.....07000 | | 85,134 |
| 5 | Unclassified.....09900 | | 920 |
| 6 | Other Assets.....69000 | | <u>57,500</u> |
| 7 | Total..... | \$ | 6,539,360 |

*186 - Division of Environmental Protection –**Underground Storage Tank**Administrative Fund*

(WV Code Chapter 22)

Fund 3325 FY 2018 Org 0313

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 466,543 |
| 2 | Current Expenses13000 | | 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 |

187 - Division of Environmental Protection –

Hazardous Waste Emergency Response Fund

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 643,319 |
| 2 | Current Expenses | 13000 | 422,386 |
| 3 | Repairs and Alterations..... | 06400 | 7,014 |
| 4 | Equipment..... | 07000 | 9,000 |
| 5 | Unclassified..... | 09900 | 10,616 |
| 6 | Other Assets..... | 69000 | <u>11,700</u> |
| 7 | Total..... | | \$ 1,104,035 |

188 - Division of Environmental Protection –

Solid Waste Reclamation and

Environmental Response Fund

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 793,967 |
| 2 | Current Expenses | 13000 | 3,605,237 |
| 3 | Repairs and Alterations..... | 06400 | 25,000 |
| 4 | Equipment..... | 07000 | 31,500 |
| 5 | Unclassified..... | 09900 | 22,900 |
| 6 | Other Assets..... | 69000 | <u>1,000</u> |
| 7 | Total..... | | \$ 4,479,604 |

189 - Division of Environmental Protection –

Solid Waste Enforcement Fund

(WV Code Chapter 22)

Fund 3333 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,041,424 |
| 2 | Current Expenses13000 | | 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 |

*190 - Division of Environmental Protection –**Air Pollution Control Fund*

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,667,421 |
| 2 | Current Expenses13000 | | 1,518,704 |
| 3 | Repairs and Alterations.....06400 | | 84,045 |
| 4 | Equipment.....07000 | | 115,356 |
| 5 | Unclassified.....09900 | | 5,580 |
| 6 | Other Assets.....69000 | | <u>52,951</u> |
| 7 | Total..... | \$ | 7,444,057 |

*191 - Division of Environmental Protection –**Environmental Laboratory**Certification Fund*

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 295,444 |
| 2 | Current Expenses13000 | | 216,288 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | 6,500 |

| | | |
|---|------------------------|----------------|
| 5 | Unclassified.....09900 | 1,120 |
| 6 | Other Assets.....69000 | <u>179,000</u> |
| 7 | Total..... | \$ 699,352 |

192 - Division of Environmental Protection –

Stream Restoration Fund

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 9,298,205 |
|---|------------------------|-------|--------------|

193 - Division of Environmental Protection –

Litter Control Fund

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

| | | | |
|---|------------------------|-------|-----------|
| 1 | Current Expenses | 13000 | \$ 60,000 |
|---|------------------------|-------|-----------|

194 - Division of Environmental Protection –

Recycling Assistance Fund

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

| | | |
|---|---|-----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 646,395 |
| 2 | Current Expenses | 13000 2,735,112 |
| 3 | Repairs and Alterations.....06400 | 800 |
| 4 | Equipment.....07000 | 500 |
| 5 | Unclassified.....09900 | 400 |
| 6 | Other Assets.....69000 | <u>2,500</u> |
| 7 | Total..... | \$ 3,385,707 |

195 - Division of Environmental Protection –

Mountaintop Removal Fund

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,228,345 |
| 2 | Current Expenses13000 | | 638,729 |
| 3 | Repairs and Alterations.....06400 | | 30,112 |
| 4 | Equipment.....07000 | | 23,725 |
| 5 | Unclassified.....09900 | | 1,180 |
| 6 | Other Assets69000 | | <u>15,500</u> |
| 7 | Total..... | \$ | 1,937,591 |

*196 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2018 Org 0315

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 157,224 |
| 2 | Current Expenses13000 | | 161,225 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | 9,481 |
| 5 | Other Assets69000 | | <u>1,500</u> |
| 6 | Total..... | \$ | 330,430 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*197 - Division of Health –**Ryan Brown Addiction Prevention and Recovery Fund*

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|------------|
| 1 | Current Expenses13000 | \$ | 22,000,000 |
|---|-----------------------------|----|------------|

*198 - Division of Health –**The Vital Statistics Account*

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 876,771 |
| 2 | Unclassified.....09900 | | 15,500 |
| 3 | Current Expenses13000 | | <u>1,257,788</u> |
| 4 | Total..... | \$ | 2,150,059 |

*199 - Division of Health –**Hospital Services Revenue Account**Special Fund**Capital Improvement, Renovation and Operations*

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

| | | | |
|---|--|----|-------------------|
| 1 | Institutional Facilities Operations33500 | \$ | 56,708,911 |
| 2 | Medical Services Trust Fund – Transfer.....51200 | | <u>27,800,000</u> |
| 3 | Total..... | \$ | 84,508,911 |

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.Va. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated in fund 0525, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The Secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the appropriation for Institutional Facilities Operations to facilitate cost effective and cost saving services at the community level.

Necessary funds from the above appropriation may be used for medical facilities operations, either in connection with this fund or in connection with the appropriation designated Institutional

Facilities Operations in the Consolidated Medical Service Fund (fund 0525, organization 0506).

From the above appropriation to Institutional Facilities Operations, together with available funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

200 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 862,657 |
| 2 | Unclassified.....09900 | | 18,114 |
| 3 | Current Expenses13000 | | <u>930,716</u> |
| 4 | Total..... | \$ | 1,811,487 |

201 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 605,950 |
| 2 | Unclassified.....09900 | | 7,113 |
| 3 | Current Expenses13000 | | <u>98,247</u> |
| 4 | Total..... | \$ | 711,310 |

202 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 13,800 |
|---|------------------------|-------|----|--------|

*203 - Division of Health –**Lead Abatement Account*

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 19,100 |
| 2 | Unclassified.....09900 | | | 373 |
| 3 | Current Expenses | 13000 | | <u>17,875</u> |
| 4 | Total..... | | \$ | 37,348 |

*204 - Division of Health –**West Virginia Birth-to-Three Fund*

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

| | | | | |
|---|---|-------|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 707,545 |
| 2 | Unclassified.....09900 | | | 223,999 |
| 3 | Current Expenses | 13000 | | <u>27,993,549</u> |
| 4 | Total..... | | \$ | 28,925,093 |

*205 - Division of Health –**Tobacco Control Special Fund*

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

| | | | | |
|---|------------------------|-------|----|-------|
| 1 | Current Expenses | 13000 | \$ | 7,579 |
|---|------------------------|-------|----|-------|

206 - West Virginia Health Care Authority –

Health Care Cost Review Fund

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,821 |
| 2 | Hospital Assistance02500 | | 600,000 |
| 3 | Unclassified.....09900 | | 67,000 |
| 4 | Current Expenses13000 | | 2,837,945 |
| 5 | Repairs and Alterations.....06400 | | 25,000 |
| 6 | Equipment.....07000 | | 50,000 |
| 7 | Buildings25800 | | 25,000 |
| 8 | Other Assets69000 | | <u>100,000</u> |
| 9 | Total..... | \$ | 6,738,766 |

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.Va. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

The Health Care Authority is authorized to transfer up to \$1,500,000 from fund 5375 to the West Virginia Health Information Network Account (fund 5380) as authorized per W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 805,113 |
| 2 | Current Expenses13000 | | <u>774,967</u> |
| 3 | Total..... | \$ | 1,580,080 |

208 - West Virginia Health Care Authority –

West Virginia Health Information Network Account

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 729,000 |
| 2 | Unclassified.....09900 | | 20,000 |
| 3 | Current Expenses13000 | | 1,251,000 |
| 4 | Technology Infrastructure Network.....35100 | | <u>3,500,000</u> |
| 5 | Total..... | \$ | 5,500,000 |

*209 - Division of Human Services –**Health Care Provider Tax –**Medicaid State Share Fund*

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

| | | | |
|---|--|----|----------------|
| 1 | Medical Services.....18900 | \$ | 198,381,008 |
| 2 | Medical Services Administrative Costs78900 | | <u>418,992</u> |
| 3 | Total..... | \$ | 198,800,000 |

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Health and Human Resources for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the West Virginia Medical Services Fund (fund 5084.)

*210 - Division of Human Services –**Child Support Enforcement Fund*

(WV Code Chapter 48A)

Fund 5094 FY 2018 Org 0511

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 24,809,509 |
| 2 | Unclassified.....09900 | | 380,000 |
| 3 | Current Expenses13000 | | <u>12,810,491</u> |

| | | |
|---|------------|---------------|
| 4 | Total..... | \$ 38,000,000 |
|---|------------|---------------|

211 - Division of Human Services –

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

| | | |
|---|---|----------------------|
| 1 | Medical Services..... | 18900 \$ 56,510,937 |
| 2 | Medical Services Administrative Costs | 78900 <u>548,723</u> |
| 3 | Total..... | \$ 57,059,660 |

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Division of Human Services accounts.

212 - Division of Human Services –

James “Tiger” Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

| | | |
|---|------------------------|----------------------|
| 1 | Unclassified..... | 09900 \$ 7,000 |
| 2 | Current Expenses | 13000 <u>693,000</u> |
| 3 | Total..... | \$ 700,000 |

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

1 Current Expenses13000 \$ 900,000

214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

1 Current Expenses13000 \$ 1,000,000

215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

1 Current Expenses13000 \$ 2,000,000

216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 Org 0511

1 Personal Services and Employee Benefits00100 \$ 10,000

2 Current Expenses13000 25,000

3 Total..... \$ 35,000

**DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC
SAFETY**

217 - 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 2018 Org 0601

| | | | |
|---|------------------------|-------|--------|
| 1 | Current Expenses | 13000 | 32,000 |
|---|------------------------|-------|--------|

*218 - State Armory Board –**General Armory Fund*

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,643,528 |
| 2 | Current Expenses | 13000 | 650,000 |
| 3 | Repairs and Alterations..... | 06400 | 485,652 |
| 4 | Equipment..... | 07000 | 300,000 |
| 5 | Buildings..... | 25800 | 770,820 |
| 6 | Other Assets..... | 69000 | 100,000 |
| 7 | Land | 73000 | <u>50,000</u> |
| 8 | Total..... | | \$ 4,000,000 |

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

*219 - Division of Homeland Security and**Emergency Management –**West Virginia Interoperable Radio Project*

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

| | | | |
|---|------------------------|-------|--------------|
| 1 | Current Expenses | 13000 | \$ 2,000,000 |
|---|------------------------|-------|--------------|

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 6295, appropriation 09600) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

220 - West Virginia Division of Corrections –

Parolee Supervision Fees

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,013,793 |
| 2 | Unclassified.....09900 | | 9,804 |
| 3 | Current Expenses13000 | | 758,480 |
| 4 | Equipment.....07000 | | 30,000 |
| 5 | Other Assets.....69000 | | <u>40,129</u> |
| 6 | Total..... | \$ | 1,852,206 |

221 - West Virginia State Police –

Motor Vehicle Inspection Fund

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,786,923 |
| 2 | Current Expenses13000 | | 1,488,211 |
| 3 | Repairs and Alterations.....06400 | | 204,500 |
| 4 | Equipment.....07000 | | 3,770,751 |
| 5 | Buildings25800 | | 534,000 |
| 6 | Other Assets.....69000 | | 5,000 |
| 7 | BRIM Premium.....91300 | | <u>302,432</u> |
| 8 | Total..... | \$ | 8,091,817 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

222 - West Virginia State Police –

Drunk Driving Prevention Fund

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

| | | | | |
|---|------------------------|-------|----|----------------|
| 1 | Current Expenses | 13000 | \$ | 1,327,000 |
| 2 | Equipment | 07000 | | 3,491,895 |
| 3 | BRIM Premium..... | 91300 | | <u>154,452</u> |
| 4 | Total..... | | \$ | 4,973,347 |

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

| | | | | |
|---|-------------------|-------|----|---------------|
| 1 | Buildings | 25800 | \$ | 443,980 |
| 2 | Land | 73000 | | 1,000 |
| 3 | BRIM Premium..... | 91300 | | <u>77,222</u> |
| 4 | Total..... | | \$ | 522,202 |

224 - West Virginia State Police –

Surplus Transfer Account

(WV Code Chapter 15)

Fund 6519 FY 2018 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 |

225 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2018 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 |

226 - West Virginia State Police –

Bail Bond Enforcer Account

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

| | | | | |
|---|------------------------|-------|----|-------|
| 1 | Current Expenses | 13000 | \$ | 8,300 |
|---|------------------------|-------|----|-------|

227 - West Virginia State Police –

State Police Academy Post Exchange

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

| | | | | |
|---|------------------------------|-------|----|---------------|
| 1 | Current Expenses | 13000 | \$ | 160,000 |
| 2 | Repairs and Alterations..... | 06400 | | <u>40,000</u> |
| 3 | Total..... | | \$ | 200,000 |

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,971,039 |
| 2 | Debt Service.....04000 | | 9,000,000 |
| 3 | Current Expenses13000 | | 495,852 |
| 4 | Repairs and Alterations.....06400 | | 4,000 |
| 5 | Equipment.....07000 | | <u>1,743</u> |
| 6 | Total..... | \$ | 11,472,634 |

*229 - Fire Commission –**Fire Marshal Fees*

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,683 |
| 2 | Unclassified.....09900 | | 3,800 |
| 3 | Current Expenses13000 | | 1,249,550 |
| 4 | Repairs and Alterations.....06400 | | 58,500 |
| 5 | Equipment.....07000 | | 140,800 |
| 6 | Other Assets.....69000 | | 12,000 |
| 7 | BRIM Premium.....91300 | | <u>50,000</u> |
| 8 | Total..... | \$ | 4,548,333 |

*230 - Division of Justice and Community Services –**WV Community Corrections Fund*

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 152,000 |
| 2 | Unclassified.....09900 | | 750 |
| 3 | Current Expenses13000 | | 1,846,250 |
| 4 | Repairs and Alterations.....06400 | | <u>1,000</u> |

5 Total..... \$ 2,000,000

231 - Division of Justice and Community Services –

Court Security Fund

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 21,865 |
| 2 | Current Expenses13000 | | <u>1,478,135</u> |
| 3 | Total..... | \$ | 1,500,000 |

232 - Division of Justice and Community Services –

Second Chance Driver's License Program Account

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 25,000 |
|---|-----------------------------|----|--------|

DEPARTMENT OF REVENUE

233 - Division of Financial Institutions

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,503,751 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | 695,225 |
| 4 | Repairs and Alterations.....06400 | | 100 |
| 5 | Equipment.....07000 | | 14,000 |
| 6 | Other Assets.....69000 | | <u>15,000</u> |
| 7 | Total..... | \$ | 3,229,076 |

234 - Office of the Secretary –

State Debt Reduction Fund

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

1 Directed Transfer70000 \$ 20,000,000

The above appropriation for Directed Transfer shall be transferred to the Consolidated Public Retirement Board – West Virginia Public Employees Retirement System Employers Accumulation Fund (fund 2510).

235 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 23,459 |
| 2 | Current Expenses13000 | | <u>7,717</u> |
| 3 | Total..... | \$ | 31,176 |

236 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 655,203 |
| 2 | Unclassified.....09900 | | 9,500 |
| 3 | Current Expenses13000 | | 273,297 |
| 4 | Repairs and Alterations.....06400 | | 7,000 |
| 5 | Equipment.....07000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 950,000 |

237 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 254,162 |
| 2 | Current Expenses13000 | | <u>5,406</u> |
| 3 | Total..... | \$ | 259,568 |

*238 - Tax Division –**Reduced Cigarette Ignition Propensity**Standard and Fire Prevention Act Fund*

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

| | | | |
|---|-----------------------------|----|---------------|
| 1 | Current Expenses13000 | \$ | 35,000 |
| 2 | Equipment07000 | | <u>15,000</u> |
| 3 | Total..... | \$ | 50,000 |

*239 - Tax Division –**Local Sales Tax and Excise Tax**Administration Fund*

(WV Code Chapter 11)

Fund 7099 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,508,968 |
| 2 | Unclassified.....09900 | | 10,000 |
| 3 | Current Expenses13000 | | 784,563 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Equipment07000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 2,309,531 |

*240 - State Budget Office –**Public Employees Insurance Reserve Fund*

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

| | | | |
|---|------------------------------|-------|--------------|
| 1 | Public Employees Insurance | | |
| 2 | Reserve Fund – Transfer..... | 90300 | \$ 6,800,000 |

The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

*241 - State Budget Office –**Public Employees Insurance Agency Financial Stability Fund*

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

| | | | |
|---|------------------------------|-------|-------------------|
| 1 | Retiree Premium Offset | 80101 | \$ 5,000,000 |
| 2 | PEIA Reserve..... | 80102 | <u>10,000,000</u> |
| 3 | Total..... | | \$ 15,000,000 |

The above appropriation shall be transferred to special revenue funds to be utilized by the West Virginia Public Employees Insurance Agency for the purposes of permitting the PEIA Finance Board to offset \$5 million in retiree premium increases. Additionally, \$10 million will be put into a reserve fund to stabilize and preserve the future solvency of PEIA. Such amount shall not be included in the calculation of the plan year aggregate premium cost-sharing percentages between employers and employees.

*242 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2018 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 |

243 - Insurance Commissioner –

Consumer Advocate

(WV Code Chapter 33)

Fund 7151 FY 2018 Org 0704

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

244 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2018 Org 0704

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

| | | | | |
|---|-------------------------|-------|----|--------------------|
| 1 | Employee Benefits | 01000 | \$ | 50,000 |
| 2 | Current Expenses | 13000 | | <u>250,500,000</u> |
| 3 | Total..... | | | \$250,550,000 |

246 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|------------|
| 1 | Current Expenses | 13000 | \$ | 15,000,000 |
|---|------------------------|-------|----|------------|

247 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 9,000,000 |
|---|------------------------|-------|----|-----------|

248 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

| | | | | |
|---|------------------------|-------|----|------------|
| 1 | Current Expenses | 13000 | \$ | 14,000,000 |
|---|------------------------|-------|----|------------|

249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 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 |

250 - Racing Commission –

Relief Fund

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

| | | | | |
|---|-------------------------------|-------|----|--------|
| 1 | Medical Expenses – Total..... | 24500 | \$ | 57,000 |
|---|-------------------------------|-------|----|--------|

The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care and/or funeral expenses for persons contributing to this fund.

251 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

| | | | | |
|---|---|-------|----|---------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 256,665 |
| 2 | Current Expenses | 13000 | | 93,335 |
| 3 | Other Assets..... | 69000 | | 5,000 |
| 4 | Total..... | | \$ | 355,000 |

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 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 |

253 - Racing Commission –

Administration, Promotion, Education, Capital Improvement

and Greyhound Adoption Programs

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 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 |

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 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 |

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 Org 0708

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 5,413,237 |
| 2 | Current Expenses13000 | 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 Taxes42500 | 20,800,000 |
| 8 | Other Assets69000 | 125,100 |
| 9 | Land73000 | <u>100</u> |
| 10 | Total..... | \$102,303,114 |

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses and equipment of administrative offices, warehouses and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

| | | |
|---|-----------------------------|-----------|
| 1 | Current Expenses13000 | \$ 30,000 |
|---|-----------------------------|-----------|

DEPARTMENT OF TRANSPORTATION*257 - Division of Motor Vehicles –**Dealer Recovery Fund*

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

| | | | | |
|---|------------------------|-------|----|---------|
| 1 | Current Expenses | 13000 | \$ | 189,000 |
|---|------------------------|-------|----|---------|

*258 - Division of Motor Vehicles –**Motor Vehicle Fees Fund*

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 3,362,799 |
| 2 | Current Expenses | 13000 | | 4,374,083 |
| 3 | Repairs and Alterations.....06400 | | | 16,000 |
| 4 | Equipment.....07000 | | | 75,000 |
| 5 | Other Assets.....69000 | | | 10,000 |
| 6 | BRIM Premium.....91300 | | | <u>73,629</u> |
| 7 | Total..... | | \$ | 7,911,511 |

*259 - Division of Highways –**A. James Manchin Fund*

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 1,650,000 |
|---|------------------------|-------|----|-----------|

DEPARTMENT OF VETERANS' ASSISTANCE*260 - Veterans' Facilities Support Fund*

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 94,210 |
| 2 | Current Expenses13000 | | 2,255,997 |
| 3 | Repairs and Alterations.....06400 | | 10,000 |
| 4 | Equipment07000 | | 10,000 |
| 5 | Other Assets69000 | | <u>10,000</u> |
| 6 | Total..... | \$ | 2,380,207 |

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 Org 0618

| | | | |
|---|-----------------------------------|----|---------------|
| 1 | Current Expenses13000 | \$ | 700,000 |
| 2 | Repairs and Alterations.....06400 | | <u>50,000</u> |
| 3 | Total..... | \$ | 750,000 |

BUREAU OF SENIOR SERVICES

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 Org 0508

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 151,290 |
| 2 | Current Expenses13000 | | <u>10,348,710</u> |
| 3 | Total..... | \$ | 10,500,000 |

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION*263 - 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 2018 Org 0442

| | | | |
|---|---|-------|----------------|
| 1 | Debt Service..... | 04000 | \$ 27,716,974 |
| 2 | General Capital Expenditures | 30600 | 5,000,000 |
| 3 | Facilities Planning and Administration..... | 38600 | <u>421,082</u> |
| 4 | Total..... | | \$ 33,138,056 |

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The

appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been refunded.

265 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Improvements – Total (fund 4908, appropriation 95800) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The total amount of this appropriation shall be paid from the sale of the 2009 Series A Community and Technical College Capital Improvement Revenue Bonds and anticipated interest earnings.

266 - West Virginia University –

West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 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*267 - Board of Barbers and Cosmetologists –**Barbers and Beauticians Special Fund*

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 504,497 |
| 2 | Current Expenses | | <u>239,969</u> |
| 3 | Total | \$ | 744,466 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

*268 - Hospital Finance Authority –**Hospital Finance Authority Fund*

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 85,981 |
| 2 | Unclassified.....09900 | | 1,450 |
| 3 | Current Expenses | | <u>57,740</u> |
| 4 | Total | \$ | 145,171 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the Code.

*269 - WV State Board of Examiners for Licensed Practical Nurses –**Licensed Practical Nurses*

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,324 |
| 2 | Current Expenses | 13000 | <u>53,133</u> |
| 3 | Total..... | \$ | 483,457 |

270 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,081,694 |
| 2 | Current Expenses | 13000 | 295,339 |
| 3 | Repairs and Alterations..... | 06400 | 3,000 |
| 4 | Equipment..... | 07000 | 19,500 |
| 5 | Other Assets..... | 69000 | <u>4,500</u> |
| 6 | Total..... | \$ | 1,404,033 |

271 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 11,807,314 |
| 2 | Unclassified..... | 09900 | 147,643 |
| 3 | Current Expenses | 13000 | 2,594,398 |
| 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>150,040</u> |
| 9 | Total..... | \$ | 19,634,848 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the

amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

272 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2018 Org 0926

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 284,198 |
| 2 | Unclassified.....09900 | | 3,851 |
| 3 | Current Expenses13000 | | 93,115 |
| 4 | Repairs and Alterations.....06400 | | <u>4,000</u> |
| 5 | Total..... | \$ | 385,164 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

273 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,243,526 |
| 2 | Unclassified.....09900 | | 29,233 |
| 3 | Current Expenses13000 | | 577,557 |
| 4 | Repairs and Alterations.....06400 | | 23,000 |
| 5 | Equipment.....07000 | | <u>50,000</u> |
| 6 | Total..... | \$ | 2,923,316 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public

Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

274 - Public Service Commission –

Consumer Advocate Fund

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 743,372 |
| 2 | Current Expenses13000 | | 276,472 |
| 3 | Equipment07000 | | 9,872 |
| 4 | BRIM Premium91300 | | <u>4,660</u> |
| 5 | Total | \$ | 1,034,376 |

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

275 - Real Estate Commission –

Real Estate License Fund

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 582,413 |
| 2 | Current Expenses13000 | | 285,622 |
| 3 | Repairs and Alterations06400 | | 5,000 |
| 4 | Equipment07000 | | <u>10,000</u> |
| 5 | Total | \$ | 883,035 |

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

276 - WV Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 73,190 |
| 2 | Current Expenses | | <u>65,623</u> |
| 3 | Total | \$ | 138,813 |

*277 - WV Board of Respiratory Care –**Board of Respiratory Care Fund*

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 79,643 |
| 2 | Current Expenses | | 51,047 |
| 3 | Repairs and Alterations.....06400 | | <u>400</u> |
| 4 | Total | \$ | 131,090 |

*278 - WV Board of Licensed Dietitians –**Dietitians Licensure Board Fund*

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 15,950 |
| 2 | Current Expenses | | <u>17,050</u> |
| 3 | Total | \$ | 33,000 |

*279 - Massage Therapy Licensure Board –**Massage Therapist Board Fund*

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 104,418 |
| 2 | Current Expenses | | <u>22,648</u> |

3 Total..... \$ 127,066

280 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2018 Org 0944

1 Debt Service.....04000 \$ 1,400,000

The above appropriation for Debt Service (fund 9067, appropriation 04000) shall be paid from the cash balance remaining in the Cacapon and Beech Fork State Parks Lottery Revenue Debt Service Fund (9067).

281 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

1 Personal Services and Employee Benefits00100 \$ 1,187,752

2 Current Expenses13000 988,789

3 Repairs and Alterations.....06400 20,000

4 Total..... \$ 2,196,541

282 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

1 Personal Services and Employee Benefits00100 \$ 6,713,066

2 Unclassified.....09900 232,000

3 Current Expenses13000 20,140,134

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..... | | \$ 27,500,000 |

283 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(WV Code Chapter 12)

Fund 9152 FY 2018 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 | | |
| 6 | and Fund Managers..... | 93800 | <u>3,500,000</u> |
| 7 | Total..... | | \$ 4,985,000 |

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

Total TITLE II, Section 3 – Other Funds

(Including claims against the state)\$ 1,491,985,711

Sec. 4. Appropriations from lottery net profits. — Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the

Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, and Fund 3514 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

284 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

| | Appropriation | Lottery Funds |
|------------------------------|----------------------|----------------------|
| 1 Debt Service – Total | 31000 | \$ 10,000,000 |

285 - West Virginia Development Office –

West Virginia Tourism Office (WV Code Chapter 5B)

Fund 3067 FY 2018 Org 0304

| | | |
|--|-------|------------------|
| 1 Tourism – Telemarketing Center | 46300 | \$ 82,080 |
| 2 Tourism – Advertising (R)..... | 61800 | 2,422,407 |
| 3 Tourism – Operations (R)..... | 66200 | <u>3,951,872</u> |
| 4 Total..... | | \$ 6,456,359 |

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800), and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,090,941 |
| 2 | Current Expenses | 13000 | 23,000 |
| 3 | Pricketts Fort State Park..... | 32400 | 106,560 |
| 4 | Non-Game Wildlife (R) | 52700 | 365,540 |
| 5 | State Parks and Recreation Advertising (R) | 61900 | <u>494,578</u> |
| 6 | Total..... | | \$ 3,080,619 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3267, appropriation 09900), Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | | |
|---|--|-------|----|-------------------|
| 1 | FBI Checks..... | 37200 | \$ | 108,860 |
| 2 | Vocational Education | | | |
| 3 | Equipment Replacement..... | 39300 | | 800,000 |
| 4 | Assessment Program (R)..... | 39600 | | 2,946,059 |
| 5 | 21st Century Technology Infrastructure | | | |
| 6 | Network Tools and Support (R) | 93300 | | <u>14,151,287</u> |
| 7 | Total..... | | | \$ 18,006,206 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3951, appropriation 09900), Current Expenses (fund 3951, appropriation 13000), Assessment Program (fund 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*288 - State Department of Education –**School Building Authority –**Debt Service Fund*

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

| | | | | |
|---|----------------------------|-------|----|-------------------|
| 1 | Debt Service – Total | 31000 | \$ | 6,414,437 |
| 2 | Directed Transfer | 70000 | | <u>11,585,563</u> |
| 3 | Total | | \$ | 18,000,000 |

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.Va. Code §29-22-18.

*289 - Department of Education and the Arts –**Office of the Secretary –**Control Account –**Lottery Education Fund*

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

| | | | | |
|---|---|-------|----|----------------|
| 1 | Unclassified (R) | 09900 | \$ | 9,483 |
| 2 | Current Expenses | 13000 | | 110,617 |
| 3 | Commission for National | | | |
| 4 | and Community Service | 19300 | | 348,254 |
| 5 | Statewide STEM 21st Century Academy | 89700 | | 130,000 |
| 6 | Literacy Project (R)..... | 89900 | | <u>350,000</u> |
| 7 | Total | | \$ | 948,354 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3508, appropriation 09900), Governor's Honors Academy (fund 3508, appropriation 47800), Arts Programs (fund 3508, appropriation 50000), and Literacy Project (fund 3508,

appropriation 89900) at the close of fiscal year 2017 are hereby reapportioned for expenditure during the fiscal year 2018.

290 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2018 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/ | | | |
| 5 | Capital Improvements (R) | 24600 | | 30,074 |
| 6 | Historic Preservation Grants (R)..... | 31100 | | 294,742 |
| 7 | West Virginia Public Theater..... | 31200 | | 120,019 |
| 8 | Greenbrier Valley Theater | 42300 | | 99,543 |
| 9 | Theater Arts of West Virginia..... | 46400 | | 90,000 |
| 10 | Marshall Artists Series | 51800 | | 36,005 |
| 11 | Grants for Competitive Arts Program (R)..... | 62400 | | 580,800 |
| 12 | West Virginia State Fair..... | 65700 | | 31,241 |
| 13 | Save the Music | 68000 | | 24,000 |
| 14 | Contemporary American Theater Festival | 81100 | | 57,281 |
| 15 | Independence Hall | 81200 | | 27,277 |
| 16 | Mountain State Forest Festival | 86400 | | 38,187 |
| 17 | WV Symphony..... | 90700 | | 59,058 |
| 18 | Wheeling Symphony..... | 90800 | | 59,058 |
| 19 | Appalachian Children's Chorus..... | 91600 | | 54,554 |
| 20 | Total..... | | \$ | 3,499,632 |

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$2,673, Aracoma Story (Logan) \$29,703, Arts Monongahela (Monongalia) \$11,881, Barbour County Arts and Humanities Council \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical Society (Wayne) \$1,166, Ceredo

Kenova Railroad Museum (Wayne) \$1,166, Ceredo Museum (Wayne) \$720, Children's Theatre of Charleston (Kanawha) \$3,127, Chuck Mathena Center (Mercer) \$62,532, Clay Center (Kanawha) \$25,000, Collis P. Huntington Railroad Historical Society (Cabell) \$5,940, Country Music Hall of Fame and Museum (Marion) \$4,158, First Stage Children's Theater Company \$1,166, Flannigan Murrell House (Summers) \$3,780, Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison) \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen Memorial Foundation (Berkeley) \$11,005, Grafton Mother's Day Shrine Committee (Taylor) \$5,049, Hardy County Tour and Crafts Association \$11,881, Heartwood in the Hills (Calhoun) \$5,040, Heritage Farm Museum & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette) \$3,267, Historic Middleway Conservancy (Jefferson) \$594, Jefferson County Black History Preservation Society \$2,970, Jefferson County Historical Landmark Commission \$4,752, Maddie Carroll House (Cabell) \$4,455, Marshall County Historical Society \$5,049, McCoy Theater (Hardy) \$11,881, Morgantown Theater Company (Monongalia) \$11,881, Mountaineer Boys' State (Lewis) \$5,940, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum (Berkeley) \$5,940, Old Opera House Theater Company (Jefferson) \$8,910, Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic Opera House \$3,564, Raleigh County All Wars Museum \$5,940, Rhododendron Girl's State (Ohio) \$5,940, Roane County 4-H and FFA Youth Livestock Program \$2,970, Scottish Heritage Society/N. Central WV (Harrison) \$2,970, Society for the Preservation of McGrew House (Preston) \$2,079, Southern West Virginia Veterans' Museum \$3,393, Summers County Historic Landmark Commission \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian Center (Summers) \$5,310, Tug Valley Arts Council (Mingo) \$2,970, Tug Valley Chamber of Commerce Coal House (Mingo) \$1,188, Tunnelton Historical Society (Preston) \$1,188, Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia Museum of Glass (Lewis) \$3,713, West Virginia Music Hall of Fame (Kanawha) \$20,792, YMCA Camp Horseshoe (Tucker) \$59,405, Youth Museum of Southern West Virginia (Raleigh) \$7,128, Z.D. Ramsdell House (Wayne) \$720.

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage Festival (Jefferson) \$2,970, Alderson 4th of July Celebration (Greenbrier) \$2,970, Allegheny Echo (Pocahontas) \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Angus Beef and Cattle Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296, Annual Don Redman Heritage Concert & Awards (Jefferson) \$938, Annual Ruddle Park Jamboree (Pendleton) \$4,690, Antique Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program (Berkeley) \$1,188, Apple Butter Festival (Morgan) \$3,564, Arkansas Homemaker's Heritage Weekend (Hardy) \$2,079, Armed Forces Day-South Charleston (Kanawha) \$1,782, Arthurdale Heritage New Deal Festival (Preston) \$2,970, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn Harvest Fest (Monroe) \$2,448, Barbour County Fair \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Bass Festival (Pleasants) \$1,099, Battelle District Fair (Monongalia) \$2,970, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee (Mason) \$2,970, Belle Town Fair (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881, Bergoo Down Home Days (Webster) \$1,485, Berkeley County Youth Fair \$10,990, Black Bear 4K Mountain Bike Race (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564, Black Walnut Festival (Roane) \$5,940, Blast from the Past (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone County Fair \$5,940, Boone County Labor Day Celebration \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair \$6,832, Braxton County Monster Fest / West Virginia Autumn Festival \$1,485, Brooke County Fair \$2,079, Bruceton Mills Good Neighbor Days (Preston) \$1,188, Buckwheat Festival (Preston) \$5,050, Buffalo 4th of July Celebration (Putnam) \$400, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest Festival (Mineral) \$17,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burnsville Harvest Festival (Braxton) \$1,407, Cabell County Fair \$5,940, Calhoun County Wood Festival \$1,188, Campbell's Creek

Community Fair (Kanawha) \$1,485, Cape Coalwood Festival Association (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$1,188, Capon Springs Ruritan 4th of July (Hampshire) \$684, Cass Homecoming (Pocahontas) \$1,188, Cedarville Town Festival (Gilmer) \$684, Celebration in the Park (Wood) \$2,376, Celebration of America (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700, Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson) \$2,970, Cherry River Festival (Nicholas) \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July Festivities (Hancock) \$2,970, Chief Logan State Park-Civil War Celebration (Logan) \$4,752, Chilifest West Virginia State Chili Championship (Cabell) \$1,563, Christmas In Our Town (Marion) \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, City of Dunbar Critter Dinner (Kanawha) \$5,940, City of Logan Polar Express (Logan) \$4,456, City of New Martinsville Festival of Memories (Wetzel) \$6,534, Clay County Golden Delicious Apple Festival \$4,158, Clay District Fair (Monongalia) \$1,080, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158, Country Roads Festival (Fayette) \$1,188, Cowen Railroad Festival (Webster) \$2,079, Craigsville Fall Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer) \$2,160, Culturefest World Music & Arts Festival (Mercer) \$4,690, Delbarton Homecoming (Mingo) \$2,079, Doddridge County Fair \$4,158, Dorcas Ice Cream Social (Grant) \$3,564, Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion Festival (McDowell) \$891, Elkins Randolph County 4th of July Car Show (Randolph) \$1,188, Fairview 4th of July Celebration (Marion) \$684, Farm Safety Day (Preston) \$1,188, Farmer's Day Festival (Monroe) \$2,330, Farmers' Day Parade (Wyoming) \$720, Fenwick Mountain Old Time Community Festival (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881, Flatwoods Days (Braxton) \$700, Flemington Day Fair and Festival (Taylor) \$2,079, Follansbee Community Days (Brooke) \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas

Festival (Harrison) \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$4,456, Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$2,970, Frontier Days (Harrison) \$1,782, Frontier Fest/Canaan Valley (Taylor) \$2,970, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$1,485, Gassaway Days Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast (Mingo) \$2,188, Gilbert Kiwanis Harvest Festival (Mingo) \$2,376, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County Farm Show \$2,376, Grant County Arts Council \$1,188, Grape Stomping Wine Festival (Nicholas) \$1,188, Great Greenbrier River Race (Pocahontas) \$5,940, Greater Quinwood Days (Greenbrier) \$781, Guyandotte Civil War Days (Cabell) \$5,940, Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire) \$684, Hampshire County 4th of July Celebration \$11,881, Hampshire County Fair \$5,002, Hampshire Heritage Days (Hampshire) \$2,376, Hancock County Oldtime Fair \$2,970, Hardy County Commission - 4th of July \$5,940, Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln) \$2,970, Heritage Craft Festival (Monroe) \$1,044, Heritage Days Festival (Roane) \$891, Hilltop Festival (Cabell) \$684, Hilltop Festival of Lights (McDowell) \$1,188, Hinton Railroad Days (Summers) \$4,347, Holly River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432, Hundred 4th of July (Wetzel) \$4,307, Hundred American Legion Earl Kiger Post Bluegrass Festival (Wetzel) \$1,188, Hurricane 4th of July Celebration (Putnam) \$2,970, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County Fair \$2,970, Jamboree (Pocahontas) \$2,970, Jane Lew Arts and Crafts Fair (Lewis) \$684, Jefferson County Fair Association \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Kanawha Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$2,970,

Keeper of the Mountains-Kayford (Kanawha) \$1,485, Kenova Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782, Keystone Reunion Gala (McDowell) \$1,563, King Coal Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,188, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$2,970, Lady of Agriculture (Preston) \$684, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$2,970, Last Blast of Summer (McDowell) \$2,970, Lewis County Fair Association \$2,079, Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival \$4,752, Lincoln County Winterfest \$2,970, Linside Veterans' Day Parade \$720, Little Levels Heritage Festival (Pocahontas) \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813, Mannington District Fair (Marion) \$3,564, Maple Syrup Festival (Randolph) \$684, Marion County FFA Farm Fest \$1,485, Marmet Labor Day Celebration (Kanawha) \$3,078, Marshall County Antique Power Show \$1,485, Marshall County Fair \$4,456, Mason County Fair \$2,970, Mason Dixon Festival (Monongalia) \$4,158, Matewan Massacre Reenactment (Mingo) \$5,004, Matewan-Magnolia Fair (Mingo) \$15,932, McARTS-McDowell County \$11,881, McDowell County Fair \$1,485, McGrew House History Day (Preston) \$1,188, McNeill's Rangers (Mineral) \$4,752, Meadow Bridge Hometown Festival (Fayette) \$743, Meadow River Days Festival (Greenbrier) \$1,782, Mercer Bluestone Valley Fair (Mercer) \$1,188, Mercer County Fair \$1,188, Mercer County Heritage Festival \$3,474, Mid Ohio Valley Antique Engine Festival (Wood) \$1,782, Milton Christmas in the Park (Cabell) \$1,485, Milton 4th of July Celebration (Cabell) \$1,485, Mineral County Fair \$1,040, Mineral County Veterans Day Parade \$891, Molasses Festival (Calhoun) \$1,188, Monongahfest (Marion) \$3,752, Moon Over Mountwood Fishing Festival (Wood) \$1,782, Morgan County Fair-History Wagon \$891, Moundsville Bass Festival (Marshall) \$2,376, Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485, Mountain Fest (Monongalia) \$11,881, Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts and Crafts Festival (Jefferson)

\$2,970, Mountain Music Festival (McDowell) \$1,485, Mountain State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$26,732, Mountaineer Hot Air Balloon Festival (Monongalia) \$2,376, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$11,881, Music and Barbecue - Banks District VFD (Upshur) \$1,278, New Cumberland Christmas Parade (Hancock) \$1,782, New Cumberland 4th of July (Hancock) \$2,970, New River Bridge Day Festival (Fayette) \$23,762, Newburg Volunteer Fireman's Field Day (Preston) \$684, Nicholas County Fair \$2,970, Nicholas County Potato Festival \$2,079, Oak Leaf Festival (Fayette) \$6,253, Oceana Heritage Festival (Wyoming) \$3,564, Oglebay City Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair \$5,346, Ohio River Fest (Jackson) \$4,320, Ohio Valley Beef Association (Wood) \$1,485, Ohio Valley Black Heritage Festival (Ohio) \$3,267, Old Central City Fair (Cabell) \$2,970, Old Century City Fair (Barbour) \$1,250, Old Tyme Christmas (Jefferson) \$1,425, Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188, Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend \$1,188, Pendleton County Committee for Arts \$8,910, Pendleton County Fair \$6,253, Pennsboro Country Road Festival (Ritchie) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881, Petersburg HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$891, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564, Pleasants County Agriculture Youth Fair \$2,970, Poca Heritage Days (Putnam) \$1,782, Pocahontas County Pioneer Days \$4,158, Point Pleasant Stern Wheel Regatta (Mason) \$2,970, Pratt Fall Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer) \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County Fair \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival (Kanawha) \$1,485, Randolph County Community Arts Council \$1,782, Randolph County Fair \$4,158, Randolph County Ramp and Rails \$1,188, Ranson Christmas

Festival (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier) \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie County Fair and Exposition \$2,970, Ritchie County Pioneer Days \$684, River City Festival (Preston) \$684, Roane County Agriculture Field Day \$1,782, Rock the Park (Kanawha) \$3,240, Rocket Boys Festival (Raleigh) \$1,710, Romney Heritage Days (Hampshire) \$1,876, Ronceverte River Festival (Greenbrier) \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter Festival (Harrison) \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the River (Mingo) \$1,250, Smoke on the Water (Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$5,940, Southern Wayne County Fall Festival \$684, Spirit of Grafton Celebration (Taylor) \$5,940, Springfield Peach Festival (Hampshire) \$738, St. Albans City of Lights - December (Kanawha) \$2,970, Sternwheel Festival (Wood) \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200, Storytelling Festival (Lewis) \$400, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival \$1,944, Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair \$3,267, Terra Alta VFD 4th of July Celebration (Preston) \$684, The Gathering at Sweet Creek (Wood) \$1,782, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$8,910, Town of Delbarton 4th of July Celebration (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Matoaka Hog Roast (Mercer) \$684, Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County Homecoming \$3,240, St. Albans Train Fest (Kanawha) \$6,120, Treasure Mountain Festival (Pendleton) \$14,851, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and Celebration \$10,692, Tucker County Fair \$2,821, Tucker County Health Fair \$1,188, Tunnelton Depot Days (Preston) \$684, Tunnelton Volunteer Fire Department Festival (Preston) \$684, Turkey Festival (Hardy) \$1,782, Tyler County Fair \$3,088, Tyler County 4th of July \$400, Tyler County OctoberFest \$720, Union Community Irish Festival (Barbour) \$648, Uniquely West Virginia

Festival (Morgan) \$1,188, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,485, Upper Ohio Valley Italian Festival (Ohio) \$7,128, Upshur County Youth Livestock Show \$1,440, Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival (Hardy) \$2,970, Wayne County Fair \$2,970, Wayne County Fall Festival \$2,970, Webster County Fair \$3,600, Webster County Wood Chopping Festival \$8,910, Webster Wild Water Weekend \$1,188, Weirton July 4th Celebration (Hancock) \$11,881, Welcome Home Family Day (Wayne) \$1,900, Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple Festival of Brooke County \$2,970, West Virginia Blackberry Festival (Harrison) \$2,970, West Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940, West Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Fireman's Rodeo (Fayette) \$1,485, West Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach Festival (Hampshire) \$3,240, West Virginia Polled Hereford Association (Braxton) \$891, West Virginia Poultry Festival (Hardy) \$2,970, West Virginia Pumpkin Festival (Cabell) \$5,940, West Virginia State Folk Festival (Gilmer) \$2,970, West Virginia Water Festival - City of Hinton (Summers) \$9,144, Weston VFD 4th of July Firemen Festival (Lewis) \$1,188, Wetzel County Autumnfest \$3,267, Wetzel County Town and Country Days \$10,098, Wheeling Celtic Festival (Ohio) \$1,166, Wheeling City of Lights (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio) \$5,940, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881, Whipple Community Action (Fayette) \$1,485, Wileyville Homecoming (Wetzel) \$2,376, Wine Festival and Mountain Music Event (Harrison) \$2,970, Winter Festival of the Waters (Berkeley) \$2,970, Wirt County Fair \$1,485, Wirt County Pioneer Days \$1,188, Wyoming County Civil War Days \$1,296, Youth Stockman Beef Expo (Lewis) \$1,188.

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 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 | | 852,729 |
| 6 | Total | | \$ | 11,423,076 |

Any unexpended balance remaining in the appropriation for Libraries – Special Projects (fund 3559, appropriation 62500) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|----|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 193,505 |
| 2 | Current Expenses | | 332,095 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Local Programs Service Delivery Costs | | 2,435,250 |
| 5 | Silver Haired Legislature | | 18,500 |
| 6 | Transfer to Division of Human Services | | |
| 7 | for Health Care and Title XIX Waiver | | |
| 8 | for Senior Citizens | | 12,982,692 |
| 9 | Roger Tompkins Alzheimer's Respite Care | | 2,296,601 |
| 10 | WV Alzheimer's Hotline | | 45,000 |
| 11 | Regional Aged and Disabled | | |
| 12 | Resource Center..... | | 425,000 |
| 13 | Senior Services Medicaid Transfer | | 14,502,312 |
| 14 | Legislative Initiatives for the Elderly..... | | 9,671,239 |
| 15 | Long Term Care Ombudsman..... | | 297,226 |
| 16 | BRIM Premium..... | | 7,152 |
| 17 | In-Home Services and | | |
| 18 | Nutrition for Senior Citizens | | <u>4,320,941</u> |
| 19 | Total..... | \$ | <u>47,528,513</u> |

Any unexpended balance remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 Org 0441

| | | |
|----|--|----------------|
| 1 | RHI Program and Site Support (R).....03600 | \$ 1,912,491 |
| 2 | RHI Program and Site Support – | |
| 3 | RHEP Program Administration03700 | 146,653 |
| 4 | RHI Program and Site Support – Grad Med | |
| 5 | Ed and Fiscal Oversight (R)03800 | 87,110 |
| 6 | Minority Doctoral Fellowship (R)16600 | 129,604 |
| 7 | Health Sciences Scholarship (R).....17600 | 220,690 |
| 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..... | \$ 3,012,104 |

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

*294 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

| | | | |
|---|----------------------------|-------|--------------|
| 1 | Debt Service – Total | 31000 | \$ 5,000,000 |
|---|----------------------------|-------|--------------|

Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

295 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

| | | | |
|---|--|----|----------------|
| 1 | WVU Health Sciences – | | |
| 2 | RHI Program and Site Support (R).....03500 | \$ | 1,107,466 |
| 3 | MA Public Health Program and | | |
| 4 | Health Science Technology (R).....62300 | | 52,387 |
| 5 | Health Sciences Career | | |
| 6 | Opportunities Program (R)86900 | | 319,587 |
| 7 | HSTA Program (R)87000 | | 1,630,169 |
| 8 | Center for Excellence in Disabilities (R)96700 | | <u>292,554</u> |
| 9 | Total..... | \$ | 3,402,163 |

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

296 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

| | | | |
|---|--|----|----------------|
| 1 | Marshall Medical School – | | |
| 2 | RHI Program and Site Support (R).....03300 | \$ | 396,249 |
| 3 | Vice Chancellor for Health Sciences – | | |
| 4 | Rural Health Residency Program (R).....60100 | | <u>163,858</u> |
| 5 | Total..... | \$ | <u>560,107</u> |

Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 4 – Lottery Revenue.....\$ 130,917,133

Sec. 5. Appropriations from state excess lottery revenue fund. — In accordance with W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

| | Excess Lottery Funds | Appro- priation |
|---------------------------|-------------------------------------|----------------------------|
| 1 Directed Transfer | 70000 | \$ 10,000,000 |

The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the commissioner’s request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

| | | |
|---|-------|---------------|
| 1 General Revenue Fund – Transfer | 70011 | \$ 65,000,000 |
|---|-------|---------------|

The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

| | | |
|--|-------|---------------|
| 1 PROMISE Scholarship – Transfer | 80000 | \$ 29,000,000 |
|--|-------|---------------|

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

*300 - Economic Development Authority –**Economic Development Project Fund*Fund 9065 FY 2018 Org 0944

1 Debt Service – Total31000 \$ 19,000,000

Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the economic development project fund pursuant to section four of this title and W.Va. Code §29-22-18, subsection (f).

*301 - Department of Education –**School Building Authority*Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

*302 - West Virginia Infrastructure Council –**West Virginia Infrastructure Transfer Fund*Fund 3390 FY 2018 Org 0316

1 Directed Transfer70000 \$ 46,000,000

The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-15-9.

*303 - Higher Education Policy Commission –**Higher Education Improvement Fund*Fund 4297 FY 2018 Org 0441

1 Directed Transfer70000 \$ 15,000,000

The above appropriation shall be transferred to fund 4903, org 0442 as authorized by Senate Concurrent Resolution No. 41.

*304 - Division of Natural Resources –**State Park Improvement Fund*Fund 3277 FY 2018 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 |

Any unexpended balances remaining in the above appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Unclassified (fund 3277, appropriation 09900), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*305 - Racing Commission –*Fund 7308 FY 2018 Org 0707

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

*306 - Lottery Commission –**Distributions to Statutory Funds and Purposes*Fund 7213 FY 2018 Org 0705

| | | | |
|---|-------------------------------------|-------|------------|
| 1 | Parking Garage Fund – Transfer..... | 70001 | \$ 500,000 |
| 2 | 2004 Capitol Complex | | |
| 3 | Parking Garage Fund – Transfer..... | 70002 | 254,147 |
| 4 | Capitol Dome and | | |
| 5 | Improvements Fund – Transfer | 70003 | 2,155,201 |
| 6 | Capitol Renovation and | | |

| | | | |
|----|--|-------|-------------------|
| 7 | Improvement Fund – Transfer | 70004 | 2,795,627 |
| 8 | Development Office | | |
| 9 | Promotion Fund – Transfer..... | 70005 | 1,524,887 |
| 10 | Research Challenge Fund – Transfer | 70006 | 2,033,184 |
| 11 | Tourism Promotion Fund – Transfer | 70007 | 5,659,115 |
| 12 | Cultural Facilities and Capitol Resources Matching | | |
| 13 | Grant Program Fund – Transfer..... | 70008 | 1,433,371 |
| 14 | Workers’ Compensation Debt Reduction | | |
| 15 | Fund – Transfer..... | 70009 | 2,750,000 |
| 16 | State Debt Reduction Fund – Transfer..... | 70010 | 20,000,000 |
| 17 | General Revenue Fund – Transfer | 70011 | 9,763,472 |
| 18 | West Virginia Racing Commission Racetrack | | |
| 19 | Video Lottery Account | 70012 | 4,066,363 |
| 20 | Historic Resort Hotel Fund..... | 70013 | 34,200 |
| 21 | Licensed Racetrack Regular Purse Fund | 70014 | <u>10,111,678</u> |
| 22 | Total..... | | \$ 63,081,245 |

307 - Governor’s Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

Any unexpended balances remaining in the appropriations for Unclassified – Total (fund 3170, appropriation 09600), Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300), and Connectivity Research and Development – Lottery Surplus (fund 3170, appropriation 92300)

at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

309 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services..... 18900 \$ 24,506,170

311 - Division of Corrections –

Correctional Units

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

Fund 6283 FY 2018 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 5 – Excess Lottery Funds..... \$ 297,587,415

Sec. 6. Appropriations of federal funds. — In accordance with Article 11, Chapter 4 of the Code from federal funds there are

hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

312 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

| | Appropriation | Federal Funds |
|---|----------------------|----------------------|
| 1 Economic Loss Claim Payment Fund..... | 33400 | \$ 2,360,125 |

JUDICIAL

313 - Supreme Court

Fund 8867 FY 2018 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

314 - Governor's Office

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

| | | |
|---------------------------------|-------|------------|
| 1 Current Expenses – Total..... | 13000 | \$ 225,000 |
|---------------------------------|-------|------------|

315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,563,760 |
| 2 | Unclassified.....09900 | | 50,534 |
| 3 | Current Expenses13000 | | 3,828,661 |
| 4 | Repairs and Alterations.....06400 | | 650,000 |
| 5 | Equipment.....07000 | | 910,500 |
| 6 | Other Assets.....69000 | | <u>50,000</u> |
| 7 | Total..... | \$ | 7,053,455 |

316 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 610,830 |
| 2 | Unclassified.....09900 | | 8,755 |
| 3 | Current Expenses13000 | | 136,012 |
| 4 | Repairs and Alterations.....06400 | | 5,500 |
| 5 | Equipment.....07000 | | <u>114,478</u> |
| 6 | Total..... | \$ | 875,575 |

317 - Department of Agriculture –

State Conservation Committee

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 97,250 |
| 2 | Current Expenses13000 | | <u>14,099,974</u> |
| 3 | Total..... | \$ | 14,197,224 |

318 - Department of Agriculture –

Land Protection Authority

Fund 8896 FY 2018 Org 1400

| | | | |
|---|---|----|--------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 46,526 |
|---|---|----|--------|

| | | | |
|---|------------------------|-------|----------------|
| 2 | Unclassified..... | 09900 | 5,004 |
| 3 | Current Expenses | 13000 | <u>448,920</u> |
| 4 | Total..... | | \$ 500,450 |

319 - Secretary of State –

State Election Fund

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 210,240 |
| 2 | Unclassified..... | 09900 | 7,484 |
| 3 | Current Expenses | 13000 | 415,727 |
| 4 | Repairs and Alterations..... | 06400 | 15,000 |
| 5 | Other Assets..... | 69000 | <u>100,000</u> |
| 6 | Total..... | | \$ 748,451 |

DEPARTMENT OF COMMERCE

320 - Division of Forestry

(WV Code Chapter 19)

Fund 8703 FY 2018 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 |

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 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 |

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 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 |

323 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2018 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 |

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 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 |

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 Org 0310

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 7,912,218 |
| 2 | Unclassified.....09900 | 107,693 |
| 3 | Current Expenses13000 | 5,556,594 |
| 4 | Repairs and Alterations.....06400 | 289,400 |
| 5 | Equipment.....07000 | 1,815,182 |
| 6 | Buildings25800 | 951,000 |
| 7 | Other Assets.....69000 | 4,951,000 |
| 8 | Land73000 | <u>6,001,000</u> |
| 9 | Total..... | \$ 27,584,087 |

326 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 613,177 |
| 2 | Current Expenses13000 | <u>150,000</u> |
| 3 | Total..... | \$ 763,177 |

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

| | | |
|---|--|------------------|
| 1 | Unclassified.....09900 | \$ 5,127 |
| 2 | Current Expenses13000 | 507,530 |
| 3 | Reed Act 2002 – | |
| 4 | Unemployment Compensation62200 | 2,850,000 |
| 5 | Reed Act 2002 – Employment Services63000 | <u>1,650,000</u> |

6 Total..... \$ 5,012,657

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state’s unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 Org 0328

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 411,574 |
| 2 | Unclassified.....09900 | | 7,350 |
| 3 | Current Expenses13000 | | <u>2,816,076</u> |
| 4 | Total..... | \$ | 3,235,000 |

DEPARTMENT OF EDUCATION

329 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,628,855 |
| 2 | Unclassified.....09900 | | 2,000,000 |
| 3 | Current Expenses13000 | | 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 |

*330 - State Board of Education –**School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,812,648 |
| 2 | Unclassified.....09900 | 1,150,500 |
| 3 | Current Expenses13000 | 143,281,265 |
| 4 | Repairs and Alterations.....06400 | 20,000 |
| 5 | Equipment.....07000 | 100,000 |
| 6 | Other Assets.....69000 | <u>25,000</u> |
| 7 | Total..... | \$146,389,413 |

*331 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,519,972 |
| 2 | Unclassified.....09900 | 155,000 |
| 3 | Current Expenses13000 | 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..... | \$ 16,025,053 |

*332 - State Board of Education –**Aid for Exceptional Children*

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 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

333 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 8841 FY 2018 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 |

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 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 |

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 Org 0433

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 333,648 |
| 2 | Current Expenses | 13000 | 1,076,162 |
| 3 | Equipment.....07000 | | <u>543,406</u> |
| 4 | Total..... | \$ | 1,953,216 |

336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

| | | | |
|---|---------------------|----|---------|
| 1 | Equipment.....07000 | \$ | 750,000 |
|---|---------------------|----|---------|

337 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 11,248,930 |
| 2 | Current Expenses | 13000 | 54,485,940 |
| 3 | Repairs and Alterations.....06400 | | 350,400 |
| 4 | Equipment.....07000 | | <u>1,275,870</u> |
| 5 | Total..... | \$ | 67,361,140 |

338 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(WV Code Chapter 18)

Fund 8890 FY 2018 Org 0932

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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*339 - Division of Environmental Protection*

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 29,177,068 |
| 2 | Current Expenses 13000 | 190,201,007 |
| 3 | Repairs and Alterations.....06400 | 738,283 |
| 4 | Equipment.....07000 | 1,725,238 |
| 5 | Unclassified.....09900 | 2,201,827 |
| 6 | Other Assets.....69000 | 2,154,416 |
| 7 | Land 73000 | <u>100,000</u> |
| 8 | Total..... | \$226,297,839 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*340 - Consolidated Medical Service Fund*

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 750,876 |
| 2 | Unclassified.....09900 | 73,307 |
| 3 | Current Expenses 13000 | <u>6,630,103</u> |
| 4 | Total..... | \$ 7,454,286 |

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

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 13,744,404 |
| 2 | Unclassified.....09900 | 947,948 |
| 3 | Current Expenses 13000 | 79,110,551 |
| 4 | Equipment.....07000 | 456,972 |

| | | | |
|---|-------------------|-------|----------------|
| 5 | Buildings..... | 25800 | 155,000 |
| 6 | Other Assets..... | 69000 | <u>380,000</u> |
| 7 | Total..... | | \$ 94,794,875 |

342 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

| | | | |
|---|--|-------|---------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund – Transfer..... | 68900 | \$ 16,000,000 |

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

| | | | |
|---|------------------------|-------|----------------|
| 1 | Unclassified..... | 09900 | \$ 9,966 |
| 2 | Current Expenses | 13000 | <u>986,649</u> |
| 3 | Total..... | | \$ 996,615 |

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 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 |

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 68,943,213 |
|---|--|-------|---------------|

| | | | |
|---|---|-------|-------------------|
| 2 | Unclassified..... | 09900 | 22,855,833 |
| 3 | Current Expenses | 13000 | 72,070,005 |
| 4 | Medical Services..... | 18900 | 3,234,265,405 |
| 5 | Medical Services Administrative Costs | 78900 | 132,045,119 |
| 6 | CHIP Administrative Costs..... | 85601 | 3,333,752 |
| 7 | CHIP Services..... | 85602 | 47,422,974 |
| 8 | Federal Economic Stimulus | 89100 | <u>20,000,000</u> |
| 9 | Total..... | | \$3,600,936,301 |

**DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC
SAFETY**

346 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 439,636 |
| 2 | Unclassified..... | 09900 | 250,000 |
| 3 | Current Expenses | 13000 | 24,307,690 |
| 4 | Repairs and Alterations..... | 06400 | 3,000 |
| 5 | Other Assets | 69000 | <u>5,000</u> |
| 6 | Total..... | | \$ 25,005,326 |

347 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2018 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
8 between appropriations.

*348 - Adjutant General –**West Virginia National Guard Counterdrug Forfeiture Fund*

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,350,000 |
| 2 | Current Expenses13000 | | 300,000 |
| 3 | Equipment.....07000 | | <u>350,000</u> |
| 4 | Total..... | \$ | 2,000,000 |

*349 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 8727 FY 2018 Org 0606

| | | | |
|---|--|----|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 721,650 |
| 2 | Current Expenses13000 | | 20,429,281 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | <u>100,000</u> |
| 5 | Total..... | \$ | 21,255,931 |

350 - Division of Corrections

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

Fund 8836 FY 2018 Org 0608

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 1,100 |
| 2 | Current Expenses13000 | | <u>108,900</u> |
| 3 | Total..... | \$ | 110,000 |

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,435,539 |
| 2 | Current Expenses13000 | 2,125,971 |
| 3 | Repairs and Alterations.....06400 | 42,000 |
| 4 | Equipment.....07000 | 2,502,285 |
| 5 | Buildings.....25800 | 750,500 |
| 6 | Other Assets.....69000 | 144,500 |
| 7 | Land.....73000 | <u>500</u> |
| 8 | Total..... | \$ 8,001,295 |

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

| | | |
|---|-----------------------------|-----------|
| 1 | Current Expenses13000 | \$ 80,000 |
|---|-----------------------------|-----------|

353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,056,170 |
| 2 | Unclassified.....09900 | 25,185 |
| 3 | Current Expenses13000 | 18,774,373 |
| 4 | Repairs and Alterations.....06400 | <u>1,750</u> |
| 5 | Total..... | \$ 19,857,478 |

DEPARTMENT OF REVENUE*354 - Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

| | | |
|---|-----------------------------|--------------|
| 1 | Current Expenses13000 | \$ 3,000,000 |
|---|-----------------------------|--------------|

DEPARTMENT OF TRANSPORTATION*355 - Division of Motor Vehicles*

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 501,394 |
| 2 | Current Expenses13000 | | 13,671,640 |
| 3 | Repairs and Alterations.....06400 | | <u>500</u> |
| 4 | Total..... | \$ | 14,173,534 |

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 702,637 |
| 2 | Current Expenses13000 | | 9,161,605 |
| 3 | Repairs and Alterations.....06400 | | 2,500 |
| 4 | Equipment.....07000 | | 4,726,958 |
| 5 | Buildings25800 | | 750,000 |
| 6 | Other Assets.....69000 | | <u>250,000</u> |
| 7 | Total..... | \$ | 15,593,700 |

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 200,000 |
|---|-----------------------------|----|---------|

DEPARTMENT OF VETERANS' ASSISTANCE*358 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 8858 FY 2018 Org 0613

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,751,100 |
| 2 | Current Expenses13000 | | 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 |

359 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 8728 FY 2018 Org 0618

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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

360 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2018 Org 0508

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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

361 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,286,913 |
| 2 | Current Expenses13000 | | 368,953 |
| 3 | Repairs and Alterations.....06400 | | 40,000 |
| 4 | Equipment.....07000 | | <u>750,000</u> |
| 5 | Total..... | \$ | <u>2,445,866</u> |

*362 - Public Service Commission –**Gas Pipeline Division*

(WV Code Chapter 24B)

Fund 8744 FY 2018 Org 0926

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 596,600 |
| 2 | Current Expenses13000 | | 124,628 |
| 3 | Equipment.....07000 | | 3,000 |
| 4 | Unclassified.....09900 | | <u>4,072</u> |
| 5 | Total..... | \$ | <u>728,300</u> |

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

| | | | |
|---|---|----|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 159,235 |
| 2 | Current Expenses13000 | | 631,365 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | 3,000 |
| 5 | Other Assets69000 | | 2,000 |
| 6 | Total..... | \$ | <u>800,600</u> |
| 7 | Total TITLE II, Section 6 - Federal Funds..... | \$ | <u>4,874,926,288</u> |

Sec. 7. Appropriations from federal block grants. — The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2018.

*364 - West Virginia Development Office –**Community Development*

Fund 8746 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 648,117 |
| 2 | Unclassified.....09900 | | 375,000 |
| 3 | Current Expenses13000 | | <u>36,476,883</u> |
| 4 | Total..... | \$ | 37,500,000 |

*365 - Department of Commerce**West Virginia Development Office –**Office of Economic Opportunity –**Community Services*Fund 8902 FY 2018 Org 0307

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 362,389 |
| 2 | Unclassified.....09900 | | 125,000 |
| 3 | Current Expenses13000 | | 12,002,111 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Equipment.....07000 | | <u>9,000</u> |
| 6 | Total..... | \$ | 12,500,000 |

*366 - WorkForce West Virginia –**Workforce Investment Act*Fund 8749 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,112,606 |
| 2 | Unclassified.....09900 | | 23,023 |
| 3 | Current Expenses13000 | | 39,263,511 |
| 4 | Repairs and Alterations.....06400 | | 1,600 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Buildings.....25800 | | <u>1,100</u> |
| 7 | Total..... | \$ | 41,402,340 |

*367 - Division of Health –**Maternal and Child Health*

Fund 8750 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,124,294 |
| 2 | Unclassified.....09900 | | 110,017 |
| 3 | Current Expenses13000 | | <u>8,767,420</u> |
| 4 | Total..... | \$ | 11,001,731 |

*368 - Division of Health –**Preventive Health*Fund 8753 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 162,320 |
| 2 | Unclassified.....09900 | | 22,457 |
| 3 | Current Expenses13000 | | 1,895,366 |
| 4 | Equipment.....07000 | | <u>165,642</u> |
| 5 | Total..... | \$ | 2,245,785 |

*369 - Division of Health –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 822,766 |
| 2 | Unclassified.....09900 | | 115,924 |
| 3 | Current Expenses13000 | | <u>10,653,740</u> |
| 4 | Total..... | \$ | 11,592,430 |

*370 - Division of Health –**Community Mental Health Services*Fund 8794 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 936,557 |
| 2 | Unclassified.....09900 | | 33,533 |
| 3 | Current Expenses13000 | | <u>2,383,307</u> |
| 4 | Total..... | \$ | 3,353,397 |

*371 - Division of Human Services –**Energy Assistance*

Fund 8755 FY 2018 Org 0511

| | | |
|---|---|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,514,312 |
| 2 | Unclassified.....09900 | 350,000 |
| 3 | Current Expenses13000 | <u>33,181,300</u> |
| 4 | Total..... | \$ 35,045,612 |

*372 - Division of Human Services –**Social Services*Fund 8757 FY 2018 Org 0511

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 14,231,684 |
| 2 | Unclassified.....09900 | 171,982 |
| 3 | Current Expenses13000 | <u>2,870,508</u> |
| 4 | Total..... | \$ 17,274,174 |

*373 - Division of Human Services –**Temporary Assistance for Needy Families*Fund 8816 FY 2018 Org 0511

| | | |
|---|---|--------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 18,297,327 |
| 2 | Unclassified.....09900 | 1,250,000 |
| 3 | Current Expenses13000 | <u>105,847,136</u> |
| 4 | Total..... | \$ 125,394,463 |

*374 - Division of Human Services –**Child Care and Development*Fund 8817 FY 2018 Org 0511

| | | |
|---|---|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,676,841 |
| 2 | Unclassified.....09900 | 350,000 |
| 3 | Current Expenses13000 | <u>31,999,456</u> |
| 4 | Total..... | \$ 37,026,297 |

*375 - Division of Justice and Community Services –**Juvenile Accountability Incentive*

Fund 8829 FY 2018 Org 0620

| | | | |
|---|--|----|--------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,648 |
| 2 | Current Expenses | | 48,351 |
| 3 | Repairs and Alterations.....06400 | | <u>1</u> |
| 4 | Total..... | \$ | <u>50,000</u> |
| 5 | Total TITLE II, Section 7 – Federal Block Grants | \$ | <u>334,386,229</u> |

Sec. 8. Awards for claims against the state. — There are hereby appropriated for fiscal year 2018, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$930,144, special revenue funds in the amount of \$458,734, and state road funds in the amount of \$563,249 for payment of claims against the state.

Sec. 9. Appropriations from general revenue surplus accrued. — The following item is hereby appropriated from the state fund, general revenue, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus as of July 31, 2017 from the fiscal year ending June 30, 2017, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriation in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

- 1 Capital Outlay, Repairs
- 2 and Equipment – Surplus.....67700 \$ 8,000,000

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

- 1 Medical Services – Surplus.....63300 \$ 30,159,358

378 - State Auditor –

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

- 1 Volunteer Fire Department
- 2 Workers’ Compensation
- 3 Subsidy – Surplus##### \$ 2,000,000

379 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

- 1 Enhanced Enforcement and Auditing -
- 2 Surplus##### \$ 750,000
- 3 Total TITLE II, Section 9 – Surplus Accrued..... \$ 40,909,358

Sec. 10. Appropriations from lottery net profits surplus accrued. — The following item is hereby appropriated from the lottery net profits, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

380 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|---|---|-------|----------------------|
| 1 | Senior Services Medicaid | | |
| 2 | Transfer – Lottery Surplus..... | 68199 | \$ <u>15,500,000</u> |
| 3 | Total TITLE II, Section 10 – Surplus Accrued..... | | \$ <u>15,500,000</u> |

Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following item is hereby appropriated from the state excess lottery revenue fund, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

381 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------------|
| 1 | Medical Services – Lottery Surplus..... | 68100 | \$ <u>26,900,000</u> |
| 2 | Total TITLE II, Section 11 – Surplus Accrued..... | | \$ <u>26,900,000</u> |

Sec. 12. Special revenue appropriations. — There are hereby appropriated for expenditure during the fiscal year 2018 appropriations made by general law from special revenues which are not paid into the state fund as general revenue under the provisions of W.Va. Code §12-2-2: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.Va. Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending unit has filed with the director of the budget and the legislative auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended.

During Fiscal Year 2018, the following funds are hereby available and are to be transferred to the Department of Health and Human Resources, Division of Human Services – Medical Services Trust Fund (fund 5185) from available balances per the following:

382 - Treasurer’s Office –

Banking Services Fund

(WV Code Chapter 12)

Fund 1322 FY 2018 Org 1300

1 Directed Transfer 70000 \$1,209,197.40

383 - Department of Administration -

Office of the Secretary -

State Employee Sick Leave Fund

(WV Code Chapter 5)

Fund 2045 FY 2018 Org 0201

1 Directed Transfer70000 \$ 540,659.06

384 - Department of Administration -

Office of the Secretary -

Gifts, Grants and Donations

(WV Code Chapter 5A)

Fund 2046 FY 2018 Org 0201

1 Directed Transfer70000 \$ 80,000

385 - Department of Administration -

Division of Personnel -

Civil Service Emergency Employment Fund

(WV Code Chapter 29)

Fund 2444 FY 2018 Org 0222

1 Directed Transfer70000 \$ 264.96

386 - Department of Health and Human Resources -

Division of Health -

Breast and Cervical Diagnostic and Treatment Fund

(WV Code Chapter 16)

Fund 5197 FY 2018 Org 0506

1 Directed Transfer70000 \$ 1,500,000

2 Total TITLE II, Section 12 – Directed Transfer \$3,330,121.42

Sec. 13. State improvement fund appropriations. — Requests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2018, for the purpose of making studies and recommendations relative to improvements of the administration and management of spending

units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2018 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts. — A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment. — Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies. — There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund

requirements. The Governor is authorized to transfer from time to time such amounts to the municipal bond commission as may be necessary for these purposes.

The municipal bond commission shall reimburse the state of West Virginia through the Governor from the first remittance collected from the West Virginia housing development fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments. — There are hereby appropriated for payment to counties, districts and municipal corporations such amounts as will be necessary to pay taxes due counties, districts and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations. — Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund. — The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional. — The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are

conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality. — If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

On motion of Senator Hall, the following amendment to the House of Delegates amendment to the bill (Eng. S. B. 1013) was reported by the Clerk:

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

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. — The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2018.

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

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

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

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

The “fiscal year 2018” shall mean the period from July 1, 2017, through June 30, 2018.

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

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

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

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

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

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

“Employee benefits” shall mean social security matching, workers’ compensation, unemployment compensation, pension and retirement contributions, public employees insurance matching, personnel fees or any other benefit normally paid by the employer as a direct cost of employment. Should the appropriation

be insufficient to cover such costs, the remainder of such cost shall be paid by each spending unit from its “unclassified” appropriation, or its “current expenses” appropriation or other appropriate appropriation. Each spending unit is hereby authorized and required to make such payments in accordance with the provisions of Article 2, Chapter 11B of the Code.

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

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

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

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

“Current expenses” shall mean operating costs other than personal services and shall not include equipment, repairs and alterations, buildings or lands. Each spending unit shall be

responsible for and charged monthly for all postage meter service and shall reimburse the appropriate revolving fund monthly for all such amounts. Such expenditures shall be considered a current expense.

“Equipment” shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

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

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

“Lands” shall mean the purchase of real property or interest in real property.

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

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

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a “personal services and employee benefits” appropriation unless the source funds are also wholly from a “personal services and

employee benefits” line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to “personal services and employee benefits,” “current expenses,” “repairs and alterations,” “equipment,” “other assets,” “land,” and “buildings” to other appropriations within the same account and no funds from other appropriations shall be transferred to the “personal services and employee benefits” or the “unclassified” appropriation: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further*, That if the Legislature by subsequent enactment consolidates agencies, boards or functions, the secretary or other appropriate agency head may transfer the funds formerly appropriated to such agency, board or function in order to implement such consolidation. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

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

Sec. 4. Method of expenditure. — Money appropriated by this bill, unless otherwise specifically directed, shall be appropriated and expended according to the provisions of Article 3, Chapter 12

of the Code or according to any law detailing a procedure specifically limiting that article.

Sec. 5. Maximum expenditures. — No authority or requirement of law shall be interpreted as 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.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2018 Org 2100

| | General Revenue Fund | Appro- priation |
|---|-------------------------------------|----------------------------|
| 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 |

The appropriations for the Senate for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018; Provided that on July 1, 2017, the following reappropriated funds and amounts be transferred to the Division of Human Services - Medical Services Trust Fund, fund 5185: Fund

0165, fiscal year 2012, appropriation 00500, Compensation and Per Diem of Officers and Employees, \$2,855,443.90; fund 0165, fiscal year 2012, appropriation 39900, Expenses of Members, \$2,846,352.39; fund 0165, fiscal year 2012, appropriation 10200, Computer Systems, \$2,475,425.32; fund 0165, fiscal year 2012, appropriation 00300, Compensation of Members, \$1,994,589.96; fund 0165, fiscal year 2012, appropriation 01000, Employee Benefits, \$1,075,030.30; fund 0165, fiscal year 2012, appropriation 06400, Repairs and Alterations, \$752,131.08; and fund 0165, fiscal year 2012, appropriation 02100, Current Expenses and Contingent Fund, \$98,653.36. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

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

The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by the Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is hereby authorized to draw his or her requisitions upon the Auditor for the payment of all such

staff personnel for such services, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

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

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

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

2 - House of Delegates

Fund 0170 FY 2018 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 | 3,929,031 |
| 5 | Expenses of Members (R).....39900 | 1,350,000 |
| 6 | BRIM Premium (R)91300 | <u>50,000</u> |
| 7 | Total..... | \$ 8,904,031 |

The appropriations for the House of Delegates for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer amounts between items of the total

appropriation in order to protect or increase the efficiency of the service.

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

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

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

Included in the above appropriation for House of Delegates (fund 0170, appropriation 02100), an amount not less than \$5,000

is to be used for the West Virginia Academy of Family Physicians
- Doc of the Day Program.

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2018 Org 2300

| | | | |
|---|--------------------------------------|-------|---------------|
| 1 | Joint Committee on | | |
| 2 | Government and Finance (R)..... | 10400 | \$ 5,725,138 |
| 3 | Legislative Printing (R)..... | 10500 | 760,000 |
| 4 | Legislative Rule-Making | | |
| 5 | Review Committee (R)..... | 10600 | 147,250 |
| 6 | Legislative Computer System (R)..... | 10700 | 1,447,500 |
| 7 | BRIM Premium (R) | 91300 | <u>60,569</u> |
| 8 | Total..... | | \$ 8,140,457 |

The appropriations for the Joint Expenses for the fiscal year 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances reappropriated may be transferred and credited to the fiscal year 2017 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts 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 2018 Org 2400

| | | | |
|---|-------------------------------------|-------|----------------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R) | 00100 | \$ 101,924,358 |
| 3 | Children’s Protection Act (R) | 09000 | 3,000,000 |
| 4 | Current Expenses (R) | 13000 | 32,274,266 |

| | | | |
|----|------------------------------------|-------|----------------|
| 5 | Repairs and Alterations (R) | 06400 | 636,450 |
| 6 | Equipment (R)..... | 07000 | 1,800,000 |
| 7 | Judges' Retirement System (R)..... | 11000 | 900,000 |
| 8 | Buildings (R)..... | 25800 | 100,000 |
| 9 | Other Assets (R)..... | 69000 | 500,000 |
| 10 | BRIM Premium (R) | 91300 | <u>624,596</u> |
| 11 | Total..... | | \$ 141,759,670 |

The appropriations to the Supreme Court of Appeals for the fiscal years 2016 and 2017 are to remain in full force and effect and are hereby reappropriated to June 30, 2018. Any balances so reappropriated may be transferred and credited to the fiscal year 2017 accounts.

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

The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating 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 2018 Org 0100

| | | | |
|---|--|-------|----------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 3,098,903 |
| 2 | Current Expenses (R)..... | 13000 | 571,648 |
| 3 | Repairs and Alterations..... | 06400 | 2,000 |
| 4 | National Governors Association | 12300 | 60,700 |
| 5 | Herbert Henderson | | |
| 6 | Office of Minority Affairs | 13400 | 146,726 |
| 7 | BRIM Premium..... | 91300 | <u>169,079</u> |
| 8 | Total..... | | \$ 4,049,056 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), and Current Expenses (fund 0101, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation to Personal Services and Employee Benefits (fund 0101, appropriation 00100), is \$150,000 for the Salary of the Governor.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, 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 2018 Org 0100

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 351,089 |
| 2 | Current Expenses (R).....13000 | | 182,708 |
| 3 | Repairs and Alterations.....06400 | | <u>5,000</u> |
| 4 | Total..... | \$ | 538,797 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0102, fiscal year 2017, appropriation 13000 (\$20,000) which shall expire June 30, 2017.

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

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2018 Org 0100

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation 61400), and Natural Disasters – Surplus (fund 0105, appropriation 76400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year.

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

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency or unplanned events which may occur during the fiscal year and is not to be expended 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 2018 Org 1200

| | | | |
|---|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,620,288 |
| 2 | Current Expenses (R).....13000 | | 10,622 |
| 3 | BRIM Premium.....91300 | | <u>11,287</u> |
| 4 | Total..... | \$ | <u>2,642,197</u> |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of

the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2018 Org 1300

| | | | |
|---|--|----|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 2,424,551 |
| 2 | Unclassified.....09900 | | 30,963 |
| 3 | Current Expenses (R).....13000 | | 472,377 |
| 4 | Abandoned Property Program.....11800 | | 41,794 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | ABLE Program.....69201 | | 150,000 |
| 7 | BRIM Premium.....91300 | | 54,409 |
| 8 | Total..... | \$ | 3,184,094 |

Any unexpended balances remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2018 Org 1400

| | | | |
|---|--|----|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 5,105,550 |
| 2 | Animal Identification Program.....03900 | | 121,528 |
| 3 | State Farm Museum.....05500 | | 87,759 |
| 4 | Current Expenses (R).....13000 | | 135,155 |
| 5 | Gypsy Moth Program (R).....11900 | | 917,769 |

| | | | |
|----|-------------------------------------|-------|---------------|
| 6 | Huntington Farmers Market..... | 12800 | 37,142 |
| 7 | Black Fly Control..... | 13700 | 450,434 |
| 8 | Donated Foods Program | 36300 | 45,000 |
| 9 | Predator Control (R) | 47000 | 176,400 |
| 10 | Logan Farmers Market..... | 50100 | 40,988 |
| 11 | Bee Research..... | 69100 | 65,470 |
| 12 | Charleston Farmers Market..... | 74600 | 71,429 |
| 13 | Microbiology Program..... | 78500 | 97,126 |
| 14 | Moorefield Agriculture Center | 78600 | 905,605 |
| 15 | Chesapeake Bay Watershed..... | 83000 | 102,023 |
| 16 | Livestock Care Standards Board..... | 84300 | 8,820 |
| 17 | BRIM Premium..... | 91300 | 129,818 |
| 18 | State FFA-FHA Camp | | |
| 19 | and Conference Center | 94101 | 586,215 |
| 20 | Threat Preparedness | 94200 | 68,987 |
| 21 | WV Food Banks..... | 96900 | 126,000 |
| 22 | Senior's Farmers' Market | | |
| 23 | Nutrition Coupon Program | 97000 | <u>55,840</u> |
| 24 | Total..... | | \$ 9,335,058 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0131, appropriation 09700), Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0131, fiscal year 2017, appropriation 11900 (\$18,859), fund 0131, fiscal year 2017, appropriation 13000 (\$19,343), and fund 0131, fiscal year 2017, appropriation 47000 (\$3,600) which shall expire on June 30, 2017.

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

The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be made available to the United States

Department of Agriculture, Wildlife Services to administer the Predator Control Program.

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

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

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2018 Org 1400

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 725,163 |
| 2 | Unclassified (R).....09900 | | 77,808 |
| 3 | Current Expenses (R).....13000 | | 316,049 |
| 4 | Soil Conservation Projects (R).....12000 | | 6,536,679 |
| 5 | BRIM Premium.....91300 | | <u>30,213</u> |
| 6 | Total..... | \$ | 7,685,912 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0132, appropriation 09900), Soil Conservation Projects (fund 0132, appropriation 12000), and Current Expenses (fund 0132, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0132, fiscal year 2017, appropriation 12000 (\$157,439) which shall expire on June 30, 2017.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 620,127 |
| 2 | Unclassified.....09900 | | 7,090 |
| 3 | Current Expenses13000 | | <u>81,880</u> |
| 4 | Total..... | \$ | 709,097 |

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

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2018 Org 1400

| | | | |
|---|--|----|---------------|
| 1 | Programs and Awards | | |
| 2 | for 4-H Clubs and FFA/FHA.....57700 | \$ | 15,000 |
| 3 | Commissioner's Awards and Programs.....73700 | | <u>39,250</u> |
| 4 | Total..... | \$ | 54,250 |

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2018 Org 1400

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 94,823 |
| 2 | Unclassified.....09900 | | <u>950</u> |
| 3 | Total..... | \$ | 95,773 |

15 - Attorney General

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

Fund 0150 FY 2018 Org 1500

| | | | |
|---|----------------------------------|----|-----------|
| 1 | Personal Services and | | |
| 2 | Employee Benefits (R)00100 | \$ | 2,281,145 |
| 3 | Unclassified (R)09900 | | 24,428 |

| | | | |
|----|--------------------------------|-------|----------------|
| 4 | Current Expenses (R)..... | 13000 | 752,408 |
| 5 | Repairs and Alterations..... | 06400 | 1,000 |
| 6 | Equipment..... | 07000 | 1,000 |
| 7 | Criminal Convictions and | | |
| 8 | Habeas Corpus Appeals (R)..... | 26000 | 908,529 |
| 9 | Better Government Bureau..... | 74000 | 271,991 |
| 10 | BRIM Premium..... | 91300 | <u>112,761</u> |
| 11 | Total..... | | \$ 4,353,262 |

Any unexpended balances remaining in the above appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0150, fiscal year 2017, appropriation 09900 (\$20,000), and fund 0150, fiscal year 2017, appropriation 26000 (\$69,575) which shall expire on June 30, 2017.

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

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2018 Org 1600

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 117,213 |
| 2 | Unclassified (R)09900 | | 9,731 |
| 3 | Current Expenses (R)13000 | | 805,697 |
| 4 | BRIM Premium.....91300 | | <u>21,695</u> |
| 5 | Total..... | \$ | 954,336 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0155, fiscal year 2017 appropriation 13000 (\$19,613) which shall expire on June 30, 2017.

Included in the above appropriation to Personal Services and Employee Benefits (fund 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 2018 Org 1601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,477 |
| 2 | Unclassified.....09900 | | 75 |
| 3 | Current Expenses13000 | | <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 2018 Org 0201

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 580,647 |
|---|---|----|---------|

| | | | |
|----|------------------------------|-------|---------------|
| 2 | Unclassified..... | 09900 | 9,177 |
| 3 | Current Expenses | 13000 | 84,883 |
| 4 | Repairs and Alterations..... | 06400 | 100 |
| 5 | Equipment..... | 07000 | 1,000 |
| 6 | Financial Advisor (R) | 30400 | 27,546 |
| 7 | Lease Rental Payments | 51600 | 15,000,000 |
| 8 | Design-Build Board | 54000 | 4,000 |
| 9 | Other Assets..... | 69000 | 100 |
| 10 | BRIM Premium..... | 91300 | <u>5,887</u> |
| 11 | Total..... | | \$ 15,713,340 |

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0186, fiscal year 2017, appropriation 30400 (\$73,000) which shall expire on June 30, 2017.

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

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2018 Org 0205

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

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2018 Org 0209

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 65,574 |
| 2 | Unclassified.....09900 | | 1,400 |
| 3 | Current Expenses13000 | | 68,083 |
| 4 | GAAP Project (R).....12500 | | 591,072 |
| 5 | BRIM Premium.....91300 | | <u>5,625</u> |
| 6 | Total..... | \$ | 731,754 |

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

| | | | |
|----|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,504,207 |
| 2 | Unclassified.....09900 | | 20,000 |
| 3 | Current Expenses13000 | | 725,024 |
| 4 | Repairs and Alterations.....06400 | | 500 |
| 5 | Equipment.....07000 | | 5,000 |
| 6 | Fire Service Fee12600 | | 14,000 |
| 7 | Buildings (R).....25800 | | 500 |
| 8 | Preservation and Maintenance of | | |
| 9 | Statues and Monuments | | |
| 10 | on Capitol Grounds.....37100 | | 68,000 |
| 11 | Capital Outlay, Repairs and Equipment (R) .58900 | | 4,122,932 |
| 12 | Other Assets69000 | | 500 |
| 13 | Land (R)73000 | | 500 |
| 14 | BRIM Premium.....91300 | | <u>121,479</u> |
| 15 | Total..... | \$ | 7,582,642 |

Any unexpended balances remaining in the above appropriations for Buildings (fund 0230, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Land (fund 0230, appropriation

73000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2018 Org 0213

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 997,906 |
| 2 | Unclassified.....09900 | | 144 |
| 3 | Current Expenses13000 | | 250 |
| 4 | Repairs and Alterations.....06400 | | 200 |
| 5 | BRIM Premium.....91300 | | <u>6,469</u> |
| 6 | Total..... | \$ | 1,004,969 |

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for 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 2018 Org 0215

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 762,556 |
| 2 | Unclassified.....09900 | | 12,032 |
| 3 | Current Expenses13000 | | 430,532 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Equipment.....07000 | | 5,000 |

| | | | |
|---|--------------------|-------|--------------|
| 6 | Buildings (R)..... | 25800 | 100 |
| 7 | Other Assets..... | 69000 | 100 |
| 8 | Total..... | | \$ 1,211,320 |

Any unexpended balance remaining in the appropriation for Buildings (fund 0615, appropriation 25800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2018 Org 0217

| | | | |
|---|------------------------|-------|-----------|
| 1 | Current Expenses | 13000 | \$ 45,550 |
|---|------------------------|-------|-----------|

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 2018 Org 0219

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 911,114 |
| 2 | Unclassified..... | 09900 | 1,000 |
| 3 | Current Expenses | 13000 | 142,854 |
| 4 | Equipment..... | 07000 | 50 |
| 5 | BRIM Premium..... | 91300 | 9,608 |
| 6 | Total..... | | \$ 1,064,626 |

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2018 Org 0220

| | | | |
|---|---|-------|------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 575,930 |
| 2 | Unclassified..... | 09900 | 2,200 |
| 3 | Current Expenses | 13000 | 104,637 |

| | | | |
|---|------------------------------|-------|--------------|
| 4 | Repairs and Alterations..... | 06400 | 500 |
| 5 | Other Assets..... | 69000 | 100 |
| 6 | BRIM Premium..... | 91300 | <u>4,473</u> |
| 7 | Total..... | | \$ 687,840 |

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2018 Org 0221

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,322,946 |
| 2 | Unclassified..... | 09900 | 314,700 |
| 3 | Current Expenses | 13000 | 11,165 |
| 4 | Public Defender Corporations..... | 35200 | 19,198,028 |
| 5 | Appointed Counsel Fees (R)..... | 78800 | 10,723,115 |
| 6 | BRIM Premium..... | 91300 | <u>9,594</u> |
| 7 | Total..... | | \$ 31,579,548 |

Any unexpended balance remaining in the above appropriation for Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2018 Org 0224

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

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2018 Org 0225

The Division of Highways, Division of Motor Vehicles, Public Service Commission and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the public employees health insurance cost for their respective divisions.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2018 Org 0228

| | | | | |
|---|---|-------|----|---------------|
| 1 | Forensic Medical Examinations (R) | 68300 | \$ | 137,954 |
| 2 | Federal Funds/Grant Match (R) | 74900 | | <u>98,443</u> |
| 3 | Total..... | | \$ | 236,397 |

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2018 Org 0233

| | | | | |
|---|--|-------|----|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 642,679 |
| 2 | Unclassified..... | 09900 | | 1,000 |
| 3 | Current Expenses | 13000 | | 137,926 |
| 4 | Repairs and Alterations..... | 06400 | | 100 |
| 5 | Equipment..... | 07000 | | 2,500 |
| 6 | BRIM Premium..... | 91300 | | <u>7,976</u> |
| 7 | Total..... | | \$ | 792,181 |

DEPARTMENT OF COMMERCE*32 - Division of Forestry*

(WV Code Chapter 19)

Fund 0250 FY 2018 Org 0305

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 2,451,074 |
| 2 | Unclassified.....09900 | 21,435 |
| 3 | Current Expenses13000 | 334,903 |
| 4 | Repairs and Alterations.....06400 | 80,000 |
| 5 | Equipment (R).....07000 | 2,061 |
| 6 | BRIM Premium.....91300 | <u>92,293</u> |
| 7 | Total..... | \$ 2,981,766 |

Any unexpended balance remaining in the appropriation for Equipment (fund 0250, appropriation 07000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2018 Org 0306

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 1,561,820 |
| 2 | Unclassified.....09900 | 28,173 |
| 3 | Current Expenses13000 | 49,140 |
| 4 | Repairs and Alterations.....06400 | 968 |
| 5 | Mineral Mapping System (R)20700 | 1,096,873 |
| 6 | BRIM Premium.....91300 | <u>22,766</u> |
| 7 | Total..... | \$ 2,759,740 |

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2017 is hereby reappropriated for

expenditure during the fiscal year 2018, with the exception of fund 0253, fiscal year 2017, appropriation 20700 (\$57,599) which shall expire on June 30, 2017.

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

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2018 Org 0307

| | | |
|----|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,261,006 |
| 2 | Unclassified.....09900 | 108,687 |
| 3 | Save Our State (SOS).....05050 | 0 |
| 4 | Current Expenses13000 | 3,763,900 |
| 5 | National Youth Science Camp.....13200 | 241,570 |
| 6 | Local Economic | |
| 7 | Development Partnerships (R).....13300 | 792,000 |
| 8 | ARC Assessment13600 | 152,585 |
| 9 | Guaranteed Work Force Grant (R).....24200 | 969,633 |
| 10 | Mainstreet Program.....79400 | 163,758 |
| 11 | BRIM Premium.....91300 | 2,345 |
| 12 | Hatfield McCoy Recreational Trail.....96000 | <u>198,415</u> |
| 13 | Total..... | \$ 10,653,899 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Guaranteed Work Force Grant (fund 0256, appropriation 24200), Industrial Park Assistance (fund 0256, appropriation 48000), Small Business Development (fund 0256, appropriation 70300), Local Economic Development Assistance (fund 0256, appropriation 81900), and 4-H Camp Improvements (fund 0256, appropriation 94100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2018 Org 0310

| | | |
|----|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 15,476,492 |
| 2 | Unclassified.....09900 | 184,711 |
| 3 | Current Expenses13000 | 170,047 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 100 |
| 6 | Buildings25800 | 100 |
| 7 | Litter Control Conservation Officers56400 | 139,877 |
| 8 | Upper Mud River Flood Control.....65400 | 159,762 |
| 9 | Other Assets.....69000 | 100 |
| 10 | Land (R)73000 | 100 |
| 11 | Law Enforcement.....80600 | 2,413,523 |
| 12 | BRIM Premium.....91300 | <u>23,470</u> |
| 13 | Total..... | \$ 18,568,382 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0265, appropriation 25800), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

36 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2018 Org 0314

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 9,205,577 |
| 2 | Unclassified.....09900 | | 120,000 |
| 3 | Current Expenses13000 | | 1,378,532 |
| 4 | Coal Dust and Rock Dust Sampling27000 | | 474,050 |
| 5 | BRIM Premium.....91300 | | <u>75,110</u> |
| 6 | Total..... | \$ | 11,253,269 |

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

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2018 Org 0319

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 226,550 |
| 2 | Unclassified.....09900 | | 3,551 |
| 3 | Current Expenses13000 | | <u>117,917</u> |
| 4 | Total..... | \$ | 348,018 |

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2018 Org 0323

| | | | |
|---|---|----|--------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 51,728 |
| 2 | Unclassified.....09900 | | 596 |

| | | | | |
|---|------------------------|-------|----|--------------|
| 3 | Current Expenses | 13000 | | <u>7,334</u> |
| 4 | Total..... | | \$ | 59,658 |

39 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2018 Org 0327

| | | | | |
|---|---|-------|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 398,752 |
| 2 | Unclassified.....09900 | | | 3,500 |
| 3 | Current Expenses | 13000 | | <u>14,725</u> |
| 4 | Total..... | | \$ | 416,977 |

40 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2018 Org 0328

| | | | | |
|---|---|-------|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 194,457 |
| 2 | Unclassified.....09900 | | | 15,204 |
| 3 | Current Expenses | 13000 | | 1,026,720 |
| 4 | BRIM Premium.....91300 | | | <u>3,604</u> |
| 5 | Total..... | | \$ | 1,239,985 |

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

DEPARTMENT OF EDUCATION

41 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2018 Org 0402

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 321,931 |
| 2 | Current Expenses | | 13000 |
| | | | <u>2,118,490</u> |
| 3 | Total | \$ | 2,440,421 |

42 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2018 Org 0402

| | | | |
|----|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 4,278,989 |
| 2 | Technology System Specialist | | 06200 |
| 3 | Teachers' Retirement Savings Realized | | 09500 |
| 4 | Unclassified (R) | | 09900 |
| 5 | Current Expenses (R) | | 13000 |
| 6 | Equipment | | 07000 |
| 7 | Increased Enrollment | | 14000 |
| 8 | Safe Schools | | 14300 |
| 9 | Teacher Mentor | | 15800 |
| 10 | National Teacher Certification (R) | | 16100 |
| 11 | Buildings (R) | | 25800 |
| 12 | Allowance for County Transfers | | 26400 |
| 13 | Technology Repair and Modernization | | 29800 |
| 14 | HVAC Technicians | | 35500 |
| 15 | Early Retirement Notification Incentive | | 36600 |
| 16 | MATH Program | | 36800 |
| 17 | Assessment Programs | | 39600 |
| 18 | 21st Century Fellows | | 50700 |
| 19 | English as a Second Language | | 52800 |
| 20 | Teacher Reimbursement | | 57300 |
| 21 | Hospitality Training | | 60000 |
| 22 | Hi-Y Youth in Government | | 61600 |
| 23 | High Acuity Special Needs (R) | | 63400 |
| 24 | Foreign Student Education | | 63600 |
| 25 | Principals Mentorship | | 64900 |
| 26 | State Board of Education | | |
| 27 | Administrative Costs | | 68400 |
| 28 | Other Assets | | 69000 |
| | | | <u>266,152</u> |
| | | | <u>1,000</u> |

| | | | |
|----|--|-------|----------------|
| 29 | IT Academy (R) | 72100 | 500,000 |
| 30 | Land (R) | 73000 | 1,000 |
| 31 | Early Literacy Program..... | 75600 | 5,700,000 |
| 32 | School Based Truancy Prevention (R)..... | 78101 | 2,000,000 |
| 33 | Innovation in Education..... | 78102 | 0 |
| 34 | 21st Century Learners (R)..... | 88600 | 1,706,441 |
| 35 | BRIM Premium..... | 91300 | 320,429 |
| 36 | 21st Century Assessment | | |
| 37 | and Professional Development | 93100 | 1,999,007 |
| 38 | 21st Century Technology | | |
| 39 | Infrastructure Network | | |
| 40 | Tools and Support..... | 93300 | 7,636,586 |
| 41 | Educational Program Allowance | 99600 | <u>516,250</u> |
| 42 | Total..... | | \$ 77,042,107 |

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

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses (fund 0313, appropriation 13000), National Teacher Certification (fund 0313, appropriation 16100), Buildings (fund 0313, appropriation 25800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), Land (fund 0313, appropriation 73000), School Based Truancy Prevention (fund 0313, appropriation 78101), and 21st Century Learners (fund 0313, appropriation 88600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

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

43 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2018 Org 0402

| | | | | |
|---|---------------------------------------|-------|----|-------------------|
| 1 | Special Education – Counties | 15900 | \$ | 7,271,757 |
| 2 | Special Education – Institutions..... | 16000 | | 3,748,794 |
| 3 | Education of Juveniles | | | |
| 4 | Held in Predispositional | | | |
| 5 | Juvenile Detention Centers | 30200 | | 591,646 |
| 6 | Education of Institutionalized | | | |
| 7 | Juveniles and Adults (R)..... | 47200 | | <u>17,736,957</u> |
| 8 | Total..... | | \$ | 29,349,154 |

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

44 - State Board of Education –

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2018 Org 0402

| | | | |
|----|---|-------|--------------------|
| 1 | Other Current Expenses | 02200 | \$ 149,939,086 |
| 2 | Advanced Placement..... | 05300 | 553,954 |
| 3 | Professional Educators..... | 15100 | 843,200,570 |
| 4 | Service Personnel..... | 15200 | 286,915,321 |
| 5 | Fixed Charges | 15300 | 100,484,631 |
| 6 | Transportation..... | 15400 | 70,276,078 |
| 7 | Professional Student Support Services | 65500 | 36,952,999 |
| 8 | Improved Instructional Programs..... | 15600 | 49,131,108 |
| 9 | 21st Century Strategic | | |
| 10 | Technology Learning Growth..... | 93600 | <u>20,756,981</u> |
| 11 | Basic Foundation Allowances..... | | 1,558,210,728 |
| 12 | Less Local Share | | (454,486,958) |
| 13 | Adjustments | | <u>(2,441,341)</u> |
| 14 | Total Basic State Aid | | 1,101,282,429 |
| 15 | Public Employees' Insurance Matching | 01200 | 242,714,967 |
| 16 | Teachers' Retirement System | 01900 | 72,125,000 |
| 17 | School Building Authority | 45300 | 23,424,770 |
| 18 | Retirement Systems – Unfunded Liability.... | 77500 | <u>343,963,000</u> |
| 19 | Total..... | | \$1,783,510,166 |

45 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2018 Org 0402

| | | | |
|----|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 1,275,473 |
| 2 | Unclassified..... | 09900 | 268,800 |
| 3 | Current Expenses | 13000 | 882,131 |
| 4 | Wood Products – | | |
| 5 | Forestry Vocational Program..... | 14600 | 68,993 |
| 6 | Albert Yanni Vocational Program | 14700 | 131,951 |
| 7 | Vocational Aid..... | 14800 | 22,440,602 |
| 8 | Adult Basic Education | 14900 | 4,591,896 |
| 9 | Program Modernization | 30500 | 884,313 |
| 10 | High School Equivalency | | |
| 11 | Diploma Testing (R)..... | 72600 | 778,815 |
| 12 | FFA Grant Awards..... | 83900 | 11,496 |

| | | | |
|----|---------------------------------------|-------|----------------|
| 13 | Pre-Engineering Academy Program | 84000 | <u>265,294</u> |
| 14 | Total..... | | \$ 31,599,764 |

Any unexpended balances remaining in the appropriations for GED Testing (fund 0390, appropriation 33900) and High School Equivalency Diploma Testing (fund 0390, appropriation 72600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

46 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2018 Org 0403

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ 11,304,805 |
| 2 | Unclassified.....09900 | | 110,000 |
| 3 | Current Expenses | 13000 | 1,988,129 |
| 4 | Repairs and Alterations.....06400 | | 85,000 |
| 5 | Equipment.....07000 | | 70,000 |
| 6 | Buildings (R).....25800 | | 85,000 |
| 7 | Capital Outlay and Maintenance (R) | 75500 | 82,500 |
| 8 | BRIM Premium.....91300 | | <u>124,890</u> |
| 9 | Total..... | | \$ 13,850,324 |

Any unexpended balances remaining in the appropriations for Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF EDUCATION AND THE ARTS

47 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2018 Org 0431

| | | | |
|----|--|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 514,428 |
| 2 | Unclassified.....09900 | | 35,000 |
| 3 | Center for Professional Development (R)..... 11500 | | 1,490,833 |
| 4 | Current Expenses 13000 | | 6,562 |
| 5 | WV Humanities Council..... 16800 | | 250,000 |
| 6 | Benedum Professional | | |
| 7 | Development Collaborative (R).....42700 | | 429,116 |
| 8 | Governor's Honors Academy (R)47800 | | 1,059,270 |
| 9 | Educational Enhancements69500 | | 196,000 |
| 10 | S.T.E.M. Education and Grant Program71900 | | 490,286 |
| 11 | Energy Express86100 | | 382,935 |
| 12 | BRIM Premium.....91300 | | 4,870 |
| 13 | Special Olympic Games.....96600 | | <u>25,000</u> |
| 14 | Total..... | \$ | 4,884,300 |

Any unexpended balances remaining in the appropriations for Center for Professional Development (fund 0294, appropriation 11500), Benedum Professional Development Collaborative (fund 0294, appropriation 42700), Governor's Honors Academy (fund 0294, appropriation 47800), and S.T.E.M. Education and Grant Program (fund 0294, appropriation 71900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0294, fiscal year 2017, appropriation 42700 (\$66,416) which shall expire on June 30, 2017.

From the above appropriation for Educational Enhancements (fund 0294, appropriation 69500), \$73,500 shall be used for the Clay Center and \$122,500 for Reconnecting McDowell – Save the Children.

48 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2018 Org 0432

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,148,509 |
| 2 | Current Expenses 13000 | | 605,585 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |

| | | | |
|----|--|-------|---------------|
| 4 | Equipment..... | 07000 | 1 |
| 5 | Unclassified..... | 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>36,371</u> |
| 13 | Total..... | | \$ 4,128,673 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Land (fund 0293, appropriation 73000), and Capital Outlay and Maintenance (fund 0293, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

49 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2018 Org 0433

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,208,032 |
| 2 | Current Expenses | 13000 | 137,674 |
| 3 | Repairs and Alterations..... | 06400 | 6,500 |
| 4 | Services to Blind & Handicapped..... | 18100 | 161,717 |
| 5 | BRIM Premium..... | 91300 | <u>16,734</u> |

6 Total..... \$ 1,530,657

50 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2018 Org 0439

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 3,245,141 |
| 2 | Current Expenses13000 | 20,146 |
| 3 | Mountain Stage40700 | 300,000 |
| 4 | Capital Outlay and Maintenance.....75500 | 10,000 |
| 5 | BRIM Premium.....91300 | <u>45,283</u> |
| 6 | Total..... | \$ 3,620,570 |

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

51 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2018 Org 0932

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 10,590,552 |
| 2 | Independent Living Services.....00900 | 429,418 |
| 3 | Current Expenses13000 | 545,202 |
| 4 | Workshop Development16300 | 1,817,427 |
| 5 | Supported Employment Extended Services.....20600 | 77,960 |
| 6 | Ron Yost Personal Assistance Fund40700 | 333,828 |
| 7 | Employment Attendant Care Program.....59800 | 131,575 |
| 8 | BRIM Premium.....91300 | <u>72,396</u> |
| 9 | Total..... | \$ 13,998,358 |

From the above appropriation for Workshop Development (fund 0310, appropriation 16300), funds shall be used exclusively with the private nonprofit community rehabilitation program organizations known as work centers or sheltered workshops. The

appropriation shall also be used to continue the support of the program, services, and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2018 Org 0311

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 72,067 |
| 2 | Current Expenses13000 | | 29,203 |
| 3 | Repairs and Alterations.....06400 | | 100 |
| 4 | Equipment.....07000 | | 300 |
| 5 | Other Assets.....69000 | | 400 |
| 6 | BRIM Premium.....91300 | | 739 |
| 7 | Total..... | \$ | 102,809 |

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2018 Org 0313

| | | | |
|----|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,926,093 |
| 2 | Water Resources | | |
| 3 | Protection and Management06800 | | 566,284 |
| 4 | Current Expenses13000 | | 96,242 |
| 5 | Repairs and Alterations.....06400 | | 4,950 |
| 6 | Unclassified.....09900 | | 25,049 |
| 7 | Dam Safety.....60700 | | 210,959 |
| 8 | West Virginia Stream Partners Program.....63700 | | 77,396 |
| 9 | Meth Lab Cleanup.....65600 | | 200,073 |
| 10 | Other Assets.....69000 | | 1,000 |
| 11 | WV Contributions to River Commissions.....77600 | | 148,485 |
| 12 | Office of Water Resources | | |
| 13 | Non-Enforcement Activity85500 | | 908,854 |
| 14 | Total..... | \$ | 6,165,385 |

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

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2018 Org 0325

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 61,108 |
| 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>2,153</u> |
| 7 | Total..... | \$ | 76,273 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2018 Org 0501

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 373,601 |
| 2 | Unclassified..... | 09900 | 8,014 |
| 3 | Current Expenses | 13000 | 48,833 |
| 4 | Women's Commission (R) | 19100 | 0 |
| 5 | Commission for the Deaf | | |
| 6 | and Hard of Hearing | 70400 | <u>215,479</u> |
| 7 | Total..... | \$ | 645,927 |

Any unexpended balance remaining in the appropriation for the Women's Commission (fund 0400, appropriation 19100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

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

(WV Code Chapter 16)

Fund 0407 FY 2018 Org 0506

| | | |
|----|--|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 12,048,586 |
| 2 | Chief Medical Examiner.....04500 | 5,954,317 |
| 3 | Unclassified.....09900 | 691,862 |
| 4 | Current Expenses.....13000 | 4,640,355 |
| 5 | State Aid for Local and | |
| 6 | Basic Public Health Services.....18400 | 12,645,160 |
| 7 | Safe Drinking Water Program (R).....18700 | 2,167,723 |
| 8 | Women, Infants and Children.....21000 | 38,621 |
| 9 | Early Intervention.....22300 | 8,134,060 |
| 10 | Cancer Registry.....22500 | 195,868 |
| 11 | Statewide EMS Program Support (R).....38300 | 1,824,458 |
| 12 | Black Lung Clinics.....46700 | 170,885 |
| 13 | Center for End of Life.....54500 | 150,000 |
| 14 | Vaccine for Children.....55100 | 332,942 |
| 15 | Tuberculosis Control.....55300 | 364,556 |
| 16 | Maternal and Child Health Clinics, | |
| 17 | Clinicians Medical Contracts | |
| 18 | and Fees (R).....57500 | 6,327,015 |
| 19 | Epidemiology Support.....62600 | 1,492,573 |
| 20 | Primary Care Support.....62800 | 4,665,575 |
| 21 | Sexual Assault Intervention and Prevention.....72300 | 125,000 |
| 22 | Health Right Free Clinics.....72700 | 2,750,000 |
| 23 | Capital Outlay and Maintenance (R).....75500 | 100,000 |
| 24 | Maternal Mortality Review.....83400 | 46,563 |
| 25 | Diabetes Education and Prevention.....87300 | 97,125 |
| 26 | BRIM Premium.....91300 | 228,111 |
| 27 | State Trauma and Emergency Care System.....91800 | <u>1,986,847</u> |
| 28 | Total..... | \$ 67,178,202 |

Any unexpended balances remaining in the appropriations for Safe Drinking Water Program (fund 0407, appropriation 18700), Statewide EMS Program Support (fund 0407, appropriation

38300), Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Assistance to Primary Health Care Centers Community Health Foundation (fund 0407, appropriation 84500), and Tobacco Education Program (fund 0407, appropriation 90600) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018; Provided that on July 1, 2017, the following reappropriated funds and amounts are to be transferred to the Division of Human Services - Medical Services Trust Fund, fund 5185: Fund 0407, fiscal year 2007, appropriation 84500, Assistance to Primary Health Care Centers Community Health Foundation, \$400,000; fund 0407, fiscal year 2008, appropriation 84500, Assistance to Primary Health Care Centers - Community Health Foundation \$840,000; fund 0407, fiscal year 2009, appropriation 84500, Assistance to Primary Health Care Centers - Community Health Foundation, \$675,000; fund 0407, fiscal year 2010, appropriation 84500 Assistance to Primary Health Care Centers - Community Health Foundation, 558,236.61; fund 0407, fiscal year 2008, appropriation 82200, Emergency Response Entities – Special Projects, \$77,062; fund 0407, fiscal year 2009, appropriation 82200, Emergency Response Entities – Special Projects \$81,176; fund 0407, fiscal year 2010, appropriation 82200, Emergency Response Entities – Special Projects \$40,141.23; fund 0407, fiscal year 2011, appropriation 82200, Emergency Response Entities – Special Projects \$93,192.02; fund 0407, fiscal year 2012, appropriation 82200, Emergency Response Entities – Special Projects \$50,610.02; fund 0407, fiscal year 2013, appropriation 82200, Emergency Response Entities – Special Projects \$67,152; fund 0407, fiscal year 2014, appropriation 82200, Emergency Response Entities – Special Projects \$31,969.73; fund 0407, fiscal year 2007, appropriation 75500, Capital Outlay and Maintenance, \$91,095.33; fund 0407, fiscal year 2009, appropriation 75500, Capital Outlay and Maintenance, \$128,084; fund 0407, fiscal year 2010, appropriation 75500, Capital Outlay and Maintenance, \$518,934.53; fund 0407, fiscal year 2011, appropriation 75500, Capital Outlay and Maintenance, \$2,125,000; fund 0407, fiscal year 2012, appropriation 75500,

Capital Outlay and Maintenance, \$2,125,000; and fund 0407, fiscal year 2013, appropriation 75500, Capital Outlay and Maintenance, \$1,011,886.14.

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

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

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2018 Org 0506

| | | | |
|----|---|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,554,852 |
| 2 | Current Expenses13000 | | 12,463 |
| 3 | Behavioral Health Program (R)21900 | | 64,415,611 |
| 4 | Family Support Act.....22100 | | 251,226 |
| 5 | Institutional Facilities Operations (R).....33500 | | 100,067,434 |
| 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>1,211,307</u> |
| 10 | Total..... | \$ | 173,628,889 |

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation 33500), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), Capital Outlay (fund 0525, appropriation

51100), Behavioral Health Program – Surplus (fund 0525, appropriation 63100), Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200), Substance Abuse Continuum of Care – Surplus (fund 0525, appropriation 72200), and Capital Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

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

From the above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500), together with available funds from the Division of Health – Hospital Services Revenue Account (fund 5156, appropriation 33500), on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

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

From the above appropriation for Substance Abuse Continuum of Care (fund 0525, appropriation 35400), the funding will be

consistent with the goal areas outlined in the Comprehensive Substance Abuse Strategic Action Plan.

Additional funds have been appropriated in fund 5156, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the Institutional Facilities Operations appropriation to facilitate cost effective and cost saving services at the community level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2018 Org 0506

| | | | |
|---|--|-------|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund-Transfer..... | 68900 | \$ 647,500 |

The above appropriation for Drinking Water Treatment Revolving Fund – Transfer shall be transferred to the West Virginia Drinking Water Treatment Revolving Fund or appropriate bank depository and the Drinking Water Treatment Revolving – Administrative Expense Fund as provided by Chapter 16 of the Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2018 Org 0510

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,002,668 |
| 2 | Unclassified..... | 09900 | 4,024 |
| 3 | Current Expenses | 13000 | 330,029 |
| 4 | BRIM Premium..... | 91300 | <u>10,056</u> |
| 5 | Total..... | | \$ 1,346,777 |

60 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 43,080,824 |
| 2 | Unclassified.....09900 | 5,688,944 |
| 3 | Current Expenses13000 | 11,315,095 |
| 4 | Child Care Development.....14400 | 9,079,268 |
| 5 | Medical Services Contracts | |
| 6 | and Office of Managed Care.....18300 | 1,835,469 |
| 7 | Medical Services18900 | 448,532,081 |
| 8 | Social Services19500 | 145,947,791 |
| 9 | Family Preservation Program19600 | 1,565,000 |
| 10 | Family Resource Networks27400 | 1,762,464 |
| 11 | Domestic Violence Legal Services Fund38400 | 400,000 |
| 12 | James “Tiger” Morton | |
| 13 | Catastrophic Illness Fund45500 | 101,005 |
| 14 | I/DD Waiver.....46600 | 88,753,483 |
| 15 | Child Protective Services Case Workers46800 | 22,446,545 |
| 16 | OSCAR and RAPIDS51500 | 6,405,873 |
| 17 | Title XIX Waiver for Seniors.....53300 | 13,593,620 |
| 18 | WV Teaching Hospitals | |
| 19 | Tertiary/Safety Net54700 | 6,356,000 |
| 20 | Child Welfare System60300 | 1,250,959 |
| 21 | In-Home Family Education.....68800 | 1,000,000 |
| 22 | WV Works Separate State Program.....69800 | 1,935,000 |
| 23 | Child Support Enforcement70500 | 6,260,676 |
| 24 | Medicaid Auditing70600 | 606,750 |
| 25 | Temporary Assistance for Needy Families/ | |
| 26 | Maintenance of Effort.....70700 | 22,969,096 |
| 27 | Child Care – Maintenance of Effort Match70800 | 5,693,743 |
| 28 | Child and Family Services73600 | 2,850,000 |
| 29 | Grants for Licensed Domestic Violence | |
| 30 | Programs and Statewide Prevention75000 | 2,500,000 |
| 31 | Capital Outlay and Maintenance (R)75500 | 11,875 |
| 32 | Community Based Services | |
| 33 | and Pilot Programs for Youth.....75900 | 1,000,000 |
| 34 | Medical Services Administrative Costs78900 | 35,609,925 |
| 35 | Traumatic Brain Injury Waiver.....83500 | 800,000 |
| 36 | Indigent Burials (R)85100 | 2,050,000 |
| 37 | BRIM Premium.....91300 | 834,187 |

| | | | |
|----|---------------------------------------|-------|----------------|
| 38 | Rural Hospitals Under 150 Beds..... | 94000 | 2,596,000 |
| 39 | Children’s Trust Fund – Transfer..... | 95100 | <u>220,000</u> |
| 40 | Total..... | | \$ 895,051,673 |

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation 85100) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

The secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

The above appropriation for James “Tiger” Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James “Tiger” Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467), and the WV Works Separate State Two-Parent Program Fund (fund 5468)

as determined by the secretary of the Department of Health and Human Resources.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500) an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided equally and distributed among the fourteen (14) licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board.

The above appropriation for Children’s Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children’s Trust Fund (fund 5469, org 0511).

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

61 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2018 Org 0601

| | | | |
|---|--|----|---------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 711,738 |
| 2 | Unclassified (R).....09900 | | 21,719 |
| 3 | Current Expenses13000 | | 66,492 |
| 4 | Repairs and Alterations.....06400 | | 6,000 |
| 5 | Equipment.....07000 | | 3,000 |
| 6 | Fusion Center (R).....46900 | | 534,332 |

| | | | |
|----|--|-------|----------------|
| 7 | Other Assets..... | 69000 | 3,000 |
| 8 | Directed Transfer | 70000 | 32,000 |
| 9 | BRIM Premium..... | 91300 | 11,938 |
| 10 | WV Fire and EMS Survivor Benefit (R) | 93900 | 200,000 |
| 11 | Homeland State Security | | |
| 12 | Administrative Agency (R)..... | 95300 | <u>531,683</u> |
| 13 | Total..... | | \$ 2,121,902 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Substance Abuse Program – Surplus (fund 0430, appropriation 69600), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0430, fiscal year 2017, appropriation 93900 (\$50,000) which shall expire on June 30, 2017.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

62 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2018 Org 0603

| | | | |
|---|-------------------------------------|-------|------------------|
| 1 | Unclassified..... | 09900 | \$ 106,798 |
| 2 | College Education Fund..... | 23200 | 4,000,000 |
| 3 | Civil Air Patrol..... | 23400 | 249,219 |
| 4 | Mountaineer ChalleNGe Academy | 70900 | 1,500,000 |
| 5 | Armory Board Transfer..... | 70015 | 2,317,555 |
| 6 | Military Authority | 74800 | <u>5,857,390</u> |
| 7 | Total..... | | \$ 14,030,962 |

Any unexpended balance remaining in the appropriations for Unclassified (fund 0433, appropriation 09900) and Military Authority (fund 0433, appropriation 74800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations an amount approved by the Adjutant General and the secretary of Military Affairs and Public Safety may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The adjutant general shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$4,500,000 to the Mountaineer ChalleNGe Academy to meet anticipated program demand.

63 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2018 Org 0603

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 100,000 |
| 2 | Current Expenses | 13000 | <u>57,775</u> |
| 3 | Total..... | \$ | 157,775 |

64 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2018 Org 0605

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 382,952 |
| 2 | Current Expenses | 13000 | 294,559 |
| 3 | Salaries of Members of | | |
| 4 | West Virginia Parole Board..... | 22700 | 593,029 |
| 5 | BRIM Premium..... | 91300 | <u>5,747</u> |

6 Total..... \$ 1,276,287

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va. Code §5-5-1), and related employee benefits of board members.

65 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2018 Org 0606

| | | |
|----|--|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 1,006,489 |
| 2 | Unclassified.....09900 | 26,342 |
| 3 | Current Expenses13000 | 51,674 |
| 4 | Repairs and Alterations.....06400 | 600 |
| 5 | Radiological Emergency Preparedness.....55400 | 17,230 |
| 6 | Federal Funds/Grant Match (R).....74900 | 660,991 |
| 7 | Mine and Industrial Accident Rapid | |
| 8 | Response Call Center.....78100 | 450,539 |
| 9 | Early Warning Flood System (R)87700 | 466,845 |
| 10 | BRIM Premium.....91300 | 20,786 |
| 11 | WVU Charleston Poison Control Hotline.....94400 | <u>712,942</u> |
| 12 | Total..... | \$ 3,414,438 |

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation 87700), and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0443, fiscal year 2017, appropriation 87700 (\$9,500) which shall expire on June 30, 2017.

66 - Division of Corrections –

Central Office

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

Fund 0446 FY 2018 Org 0608

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 593,431 |
| 2 | Current Expenses13000 | | <u>1,800</u> |
| 3 | Total..... | \$ | 595,231 |

*67 - Division of Corrections –**Correctional Units*

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

Fund 0450 FY 2018 Org 0608

| | | | |
|----|--|----|------------|
| 1 | Employee Benefits01000 | \$ | 1,258,136 |
| 2 | Children's Protection Act (R)09000 | | 838,437 |
| 3 | Unclassified (R)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 Center45600 | | 2,585,251 |
| 7 | Beckley Correctional Center.....49000 | | 1,780,425 |
| 8 | Huntington Work Release Center49500 | | 965,100 |
| 9 | Anthony Correctional Center50400 | | 5,009,807 |
| 10 | Huttonsville Correctional Center51400 | | 19,760,309 |
| 11 | Northern Correctional Center.....53400 | | 6,738,979 |
| 12 | Inmate Medical Expenses (R)53500 | | 21,226,064 |
| 13 | Pruntytown Correctional Center54300 | | 6,939,316 |
| 14 | Corrections Academy.....56900 | | 1,556,666 |
| 15 | Information Technology Services.....59901 | | 1,616,491 |
| 16 | Martinsburg Correctional Center66300 | | 3,515,195 |
| 17 | Parole Services.....68600 | | 4,945,361 |
| 18 | Special Services68700 | | 6,654,557 |
| 19 | Investigative Services71600 | | 2,980,734 |
| 20 | Capital Outlay and Maintenance (R)75500 | | 2,000,000 |
| 21 | Salem Correctional Center77400 | | 9,530,531 |
| 22 | McDowell County Correctional Center79000 | | 2,542,590 |
| 23 | Stevens Correctional Center.....79100 | | 7,863,195 |
| 24 | Parkersburg Correctional Center.....82800 | | 2,501,777 |
| 25 | St. Mary's Correctional Center88100 | | 11,958,071 |

| | | | |
|----|---------------------------------------|-------|------------------|
| 26 | Denmar Correctional Center | 88200 | 4,334,308 |
| 27 | Ohio County Correctional Center | 88300 | 1,753,224 |
| 28 | Mt. Olive Correctional Complex | 88800 | 18,789,864 |
| 29 | Lakin Correctional Center..... | 89600 | 8,658,905 |
| 30 | BRIM Premium..... | 91300 | <u>2,359,770</u> |
| 31 | Total..... | | \$184,667,074 |

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Operating Expenses – Surplus (fund 0450, appropriation 77900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0450, fiscal year 2017, appropriation 09000 (\$100,000) which shall expire on June 30, 2017.

The Commissioner of Corrections shall have the authority to transfer between appropriations to the individual correctional units above and may transfer funds from the individual correctional units to Current Expenses (fund 0450, appropriation 13000) or Inmate Medical Expenses (fund 0450, appropriation 53500).

From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1, 2017, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000) payment shall be made to house Division of Corrections inmates in federal, county, and /or regional jails.

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

68 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2018 Org 0612

| | | |
|----|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 56,281,783 |
| 2 | Children's Protection Act09000 | 948,101 |
| 3 | Current Expenses13000 | 10,309,769 |
| 4 | Repairs and Alterations.....06400 | 450,523 |
| 5 | Barracks Lease Payments55600 | 237,898 |
| 6 | Communications and Other Equipment (R)..55800 | 70,968 |
| 7 | Trooper Retirement Fund.....60500 | 4,565,197 |
| 8 | Handgun Administration Expense74700 | 67,179 |
| 9 | Capital Outlay and Maintenance (R)75500 | 250,000 |
| 10 | Retirement Systems – Unfunded Liability....77500 | 24,675,000 |
| 11 | Automated Fingerprint Identification System89800 | 723,064 |
| 12 | BRIM Premium.....91300 | <u>5,368,150</u> |
| 13 | Total..... | \$103,947,632 |

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800), and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

69 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2018 Org 0619

1 Current Expenses13000 \$ 64,021

70 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2018 Org 0620

| | | | |
|----|--|----|------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 531,051 |
| 2 | Current Expenses13000 | | 132,696 |
| 3 | Repairs and Alterations.....06400 | | 1,804 |
| 4 | Child Advocacy Centers (R).....45800 | | 1,701,671 |
| 5 | Community Corrections (R)56100 | | 6,905,614 |
| 6 | Statistical Analysis Program.....59700 | | 46,381 |
| 7 | Sexual Assault | | |
| 8 | Forensic Examination Commission.....71400 | | 76,231 |
| 9 | Qualitative Analysis and | | |
| 10 | Training for Youth Services (R)76200 | | 332,018 |
| 11 | Law Enforcement Professional Standards83800 | | 154,471 |
| 12 | BRIM Premium.....91300 | | <u>1,788</u> |
| 13 | Total..... | \$ | <u>9,883,725</u> |

Any unexpended balances remaining in the appropriations for Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), and Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0546, fiscal year 2017, appropriation 56100 (\$172,000), and fund 0546, fiscal year 2017, appropriation 76200 (\$29,878) which shall expire on June 30, 2017.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

71 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2018 Org 0621

| | | | |
|----|--|-------|------------------|
| 1 | Statewide Reporting Centers..... | 26200 | \$ 6,279,447 |
| 2 | Robert L. Shell Juvenile Center | 26700 | 1,956,950 |
| 3 | Resident Medical Expenses (R) | 53501 | 3,604,999 |
| 4 | Central Office..... | 70100 | 2,307,517 |
| 5 | Capital Outlay and Maintenance (R) | 75500 | 250,000 |
| 6 | Gene Spadaro Juvenile Center | 79300 | 2,128,385 |
| 7 | BRIM Premium..... | 91300 | 108,380 |
| 8 | Kenneth Honey Rubenstein | | |
| 9 | Juvenile Center (R) | 98000 | 4,926,863 |
| 10 | Vicki Douglas Juvenile Center | 98100 | 1,870,388 |
| 11 | Northern Regional Juvenile Center..... | 98200 | 2,876,302 |
| 12 | Lorrie Yeager Jr. Juvenile Center | 98300 | 1,909,246 |
| 13 | Sam Perdue Juvenile Center | 98400 | 2,003,196 |
| 14 | Tiger Morton Center | 98500 | 2,114,663 |
| 15 | Donald R. Kuhn Juvenile Center | 98600 | 4,057,994 |
| 16 | J.M. "Chick" Buckbee Juvenile Center | 98700 | <u>2,017,395</u> |
| 17 | Total..... | | \$ 38,411,725 |

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

From the above appropriations, on July 1, 2017, the sum of \$50,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

72 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2018 Org 0622

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,772,420 |
| 2 | Unclassified (R)09900 | | 21,991 |
| 3 | Current Expenses13000 | | 139,232 |
| 4 | Repairs and Alterations06400 | | 8,500 |
| 5 | Equipment (R)07000 | | 64,171 |
| 6 | BRIM Premium91300 | | <u>11,426</u> |
| 7 | Total | \$ | 3,017,740 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000), and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF REVENUE*73 - Office of the Secretary*

(WV Code Chapter 11)

Fund 0465 FY 2018 Org 0701

| | | | |
|---|---|----|----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 486,146 |
| 2 | Unclassified09900 | | 5,954 |
| 3 | Current Expenses13000 | | 80,780 |
| 4 | Repairs and Alterations06400 | | 1,262 |
| 5 | Equipment07000 | | 8,000 |
| 6 | Other Assets69000 | | 500 |
| 7 | State Road fund – Transfer70017 | | <u>0</u> |
| 8 | Total | \$ | 582,642 |

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

74 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 16,265,639 |
| 2 | Unclassified (R)09900 | 224,578 |
| 3 | Current Expenses (R)13000 | 5,245,381 |
| 4 | Repairs and Alterations06400 | 10,000 |
| 5 | Equipment07000 | 50,000 |
| 6 | Tax Technology Upgrade09400 | 2,700,000 |
| 7 | Multi State Tax Commission65300 | 77,958 |
| 8 | Other Assets69000 | 10,000 |
| 9 | BRIM Premium91300 | <u>14,560</u> |
| 10 | Total..... | \$ 24,598,116 |

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), and Current Expenses (fund 0470, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

75 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2018 Org 0703

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 630,702 |
| 2 | Unclassified (R)09900 | <u>449</u> |
| 3 | Total..... | \$ 631,151 |

Any unexpended balance remaining in the appropriation for Unclassified (fund 0595, appropriation 09900) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

76 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2018 Org 0709

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,872 |
| 2 | Current Expenses (R) | 13000 | 92,572 |
| 3 | Unclassified..... | 09900 | 5,255 |
| 4 | BRIM Premium..... | 91300 | <u>2,862</u> |
| 5 | Total..... | \$ | 525,561 |

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*77 - Division of Professional and Occupational Licenses –**State Athletic Commission*

(WV Code Chapter 29)

Fund 0523 FY 2018 Org 0933

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 7,200 |
| 2 | Current Expenses | 13000 | <u>29,611</u> |
| 3 | Total..... | \$ | 36,811 |

DEPARTMENT OF TRANSPORTATION*78 - State Rail Authority*

(WV Code Chapter 29)

Fund 0506 FY 2018 Org 0804

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 314,113 |
| 2 | Current Expenses | 13000 | 287,332 |
| 3 | Other Assets (R)..... | 69000 | 1,303,277 |
| 4 | BRIM Premium..... | 91300 | <u>188,356</u> |
| 5 | Total..... | \$ | 2,093,078 |

Any unexpended balance remaining in the appropriation Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year

2018, with the exception of fund 0506, fiscal year 2017, appropriation 69000 (\$32,483) which shall expire on June 30, 2017.

79 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2018 Org 0805

| | | | | |
|---|---------------------------|-------|----|------------------|
| 1 | Equipment (R)..... | 07000 | \$ | 384,710 |
| 2 | Current Expenses (R)..... | 13000 | | <u>1,878,279</u> |
| 3 | Total..... | | \$ | 2,262,989 |

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0510, fiscal year 2017, appropriation 07000 (\$22,203), fund 0510, fiscal year 2017, appropriation 25800 (\$5,281), and fund 0510, fiscal year 2017, appropriation 69000 (\$5,000) which shall expire on June 30, 2017.

80 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2018 Org 0807

| | | | | |
|---|---|-------|----|--------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ | 166,719 |
| 2 | Current Expenses (R)..... | 13000 | | 591,614 |
| 3 | Repairs and Alterations..... | 06400 | | 100 |
| 4 | BRIM Premium..... | 91300 | | <u>4,148</u> |
| 5 | Total..... | | \$ | 762,581 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 0582, appropriation 09900) and Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

DEPARTMENT OF VETERANS' ASSISTANCE*81 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 0456 FY 2018 Org 0613

| | | | |
|----|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,807,393 |
| 2 | Unclassified.....09900 | | 20,000 |
| 3 | Current Expenses13000 | | 137,189 |
| 4 | Repairs and Alterations.....06400 | | 5,000 |
| 5 | Veterans' Field Offices22800 | | 248,345 |
| 6 | Veterans' Nursing Home (R)28600 | | 5,527,826 |
| 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 Markers47300 | | 10,254 |
| 11 | Veterans' Transportation48500 | | 625,000 |
| 12 | Veterans Outreach Programs61700 | | 160,001 |
| 13 | Memorial Day Patriotic Exercise.....69700 | | 20,000 |
| 14 | Veterans Cemetery.....80800 | | 375,428 |
| 15 | BRIM Premium.....91300 | | <u>23,860</u> |
| 16 | Total..... | \$ | 9,022,554 |

Any unexpended balances remaining in the appropriations for Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0456, fiscal year 2017, appropriation 28600 (\$8,794), fund 0456, fiscal year 2017, appropriation 32900 (\$1,702), and fund 0456, fiscal year 2017, appropriation 34200 (\$29,000) which shall expire on June 30, 2017.

*82 - Department of Veterans' Assistance –
Veterans' Home*

(WV Code Chapter 9A)

Fund 0460 FY 2018 Org 0618

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,093,492 |
| 2 | Current Expenses | 13000 | <u>44,576</u> |
| 3 | Total..... | \$ | 1,138,068 |

BUREAU OF SENIOR SERVICES

83 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2018 Org 0508

| | | | |
|---|--|-------|---------------|
| 1 | Transfer to Division of Human Services | | |
| 2 | for Health Care | | |
| 3 | and Title XIX Waiver | | |
| 4 | for Senior Citizens | 53900 | \$ 21,583,766 |

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

84 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2018 Org 0420

| | | | |
|----|---|-------|------------------|
| 1 | West Virginia Council for Community | | |
| 2 | and Technical Education (R) | 39200 | \$ 723,410 |
| 3 | Transit Training Partnership | 78300 | 34,293 |
| 4 | Community College | | |
| 5 | Workforce Development (R) | 87800 | 784,901 |
| 6 | College Transition Program | 88700 | 278,222 |
| 7 | West Virginia Advance | | |
| 8 | Workforce Development (R) | 89300 | 3,116,749 |
| 9 | Technical Program Development (R) | 89400 | <u>1,800,735</u> |
| 10 | Total | | \$ 6,738,310 |

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), and Technical Program Development (fund 0596, appropriation 89400) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0596, fiscal year 2017, appropriation 39200 (\$14,000), fund 0596, fiscal year 2017, appropriation 89300 (\$69,244), and fund 0596, fiscal year 2017, appropriation 89400 (\$45,964) which shall expire on June 30, 2017.

From the above appropriation for the Community College Workforce Development (fund 0596, appropriation 87800), \$200,000 shall be expended on the Mine Training Program in Southern West Virginia.

Included in the above appropriation for West Virginia Advance Workforce Development (fund 0596, appropriation 89300) is \$200,000 to be used exclusively for advanced manufacturing and energy industry specific training programs.

85 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2018 Org 0444

- | | | | |
|---|-----------------------------|-------|--------------|
| 1 | Mountwest Community | | |
| 2 | and Technical College | 48700 | \$ 5,314,947 |

86 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2018 Org 0445

- | | | | |
|---|-----------------------------|-------|--------------|
| 1 | New River Community | | |
| 2 | and Technical College | 35800 | \$ 5,247,765 |

87 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2018 Org 0446

- | | | | |
|---|-----------------------------|-------|--------------|
| 1 | Pierpont Community | | |
| 2 | and Technical College | 93000 | \$ 6,989,036 |

88 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2018 Org 0447

- | | | | |
|---|-----------------------------|-------|--------------|
| 1 | Blue Ridge Community | | |
| 2 | and Technical College | 88500 | \$ 4,880,509 |

89 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2018 Org 0464

- | | | | |
|---|---|-------|--------------|
| 1 | West Virginia University – Parkersburg..... | 47100 | \$ 9,086,528 |
|---|---|-------|--------------|

90 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2018 Org 0487

- 1 Southern West Virginia Community
- 2 and Technical College44600 \$ 7,626,471

91 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2018 Org 0489

- 1 West Virginia Northern Community
- 2 and Technical College44700 \$ 6,583,128

92 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2018 Org 0492

- 1 Eastern West Virginia Community
- 2 and Technical College41200 \$ 1,751,421

93 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2018 Org 0493

- 1 BridgeValley Community
- 2 and Technical College71700 \$ 7,158,055

HIGHER EDUCATION POLICY COMMISSION

94 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2018 Org 0441

| | | |
|----|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,471,913 |
| 2 | Current Expenses13000 | 13,212 |
| 3 | Higher Education Grant Program16400 | 39,019,864 |
| 4 | Tuition Contract Program (R).....16500 | 1,224,564 |
| 5 | Underwood-Smith Scholarship | |
| 6 | Program-Student Awards.....16700 | 328,349 |
| 7 | Facilities Planning and Administration (R)38600 | 1,749,992 |
| 8 | PROMISE Scholarship – Transfer.....80000 | 18,500,000 |
| 9 | HEAPS Grant Program (R).....86700 | 5,007,764 |
| 10 | BRIM Premium.....91300 | <u>16,651</u> |
| 11 | Total..... | \$ 68,332,309 |

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0589, appropriation 09700), Tuition Contract Program (fund 0589, appropriation 16500), Capital Improvements – Surplus (fund 0589, appropriation 66100), Capital Outlay and Maintenance (fund 0589, appropriation 75500), and HEAPS Grant Program (fund 0589, appropriation 86700) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0589, fiscal year 2017, appropriation 16500 (\$24,991) which shall expire on June 30, 2017.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Education, Research and Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by W.Va. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program-Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher Scholarship and

Loan Assistance Fund (fund 4922, org 0441) established by W.Va. Code §18C-4-1.

The above appropriation for PROMISE Scholarship – Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by W.Va. Code §18C-7-7.

95 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2018 Org 0495

| | | | | |
|---|-------------|-------|----|-----------|
| 1 | WVNET | 16900 | \$ | 1,578,941 |
|---|-------------|-------|----|-----------|

96 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2018 Org 0463

| | | | | |
|---|---|-------|----|------------------|
| 1 | WVU School of Health Science – | | | |
| 2 | Eastern Division..... | 05600 | \$ | 2,093,146 |
| 3 | WVU – School of Health Sciences | 17400 | | 14,443,996 |
| 4 | WVU – School of Health Sciences – | | | |
| 5 | Charleston Division | 17500 | | 2,152,767 |
| 6 | Rural Health Outreach Programs | 37700 | | 158,372 |
| 7 | West Virginia University School of Medicine | | | |
| 8 | BRIM Subsidy | 46000 | | <u>1,203,087</u> |
| 9 | Total..... | | \$ | 20,051,368 |

The above appropriation for Rural Health Outreach Programs (fund 0343, appropriation 37700) includes rural health activities

and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia University School of Medicine BRIM Subsidy (fund 0343, appropriation 46000) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

97 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2018 Org 0463

| | | | |
|---|---|-------|------------------|
| 1 | West Virginia University | 45900 | \$ 91,057,983 |
| 2 | Jackson’s Mill | 46100 | 472,960 |
| 3 | West Virginia University | | |
| 4 | Institute of Technology | 47900 | 7,436,007 |
| 5 | State Priorities – | | |
| 6 | Brownfield Professional Development...53100 | | 314,188 |
| 7 | West Virginia University – Potomac State ...99400 | | <u>3,650,589</u> |
| 8 | Total | | \$102,931,727 |

From the above appropriation for Jackson’s Mill (fund 0344, appropriation 46100) \$250,000 shall be used for the West Virginia State Fire Training Academy.

98 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2018 Org 0471

| | | | |
|---|---|-------|---------------|
| 1 | Marshall Medical School | 17300 | \$ 11,859,733 |
| 2 | Rural Health Outreach Programs (R)..... | 37700 | 163,219 |
| 3 | Forensic Lab..... | 37701 | 235,104 |

| | | | |
|---|------------------------------------|-------|----------------|
| 4 | Center for Rural Health..... | 37702 | 155,964 |
| 5 | Marshall University Medical School | | |
| 6 | BRIM Subsidy | 44900 | <u>909,673</u> |
| 7 | Total..... | | \$ 13,323,693 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Program (fund 0347, appropriation 37700) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0347, fiscal year 2017, appropriation 37700 (\$3,352) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0347, appropriation 37700) includes rural health activities and programs; rural residency development and education; and rural outreach activities.

The above appropriation for Marshall University Medical School BRIM Subsidy (fund 0347, appropriation 44900) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

99 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2018 Org 0471

| | | | |
|---|--------------------------------------|-------|------------------|
| 1 | Marshall University | 44800 | \$ 42,171,166 |
| 2 | Luke Lee Listening | | |
| 3 | Language and Learning Lab | 44801 | 93,441 |
| 4 | Vista E-Learning (R)..... | 51900 | 229,019 |
| 5 | State Priorities – Brownfield | | |
| 6 | Professional Development (R)..... | 53100 | 309,606 |
| 7 | Marshall University Graduate College | | |
| 8 | Writing Project (R) | 80700 | 25,412 |
| 9 | WV Autism Training Center (R) | 93200 | <u>1,671,280</u> |

10 Total..... \$ 44,499,924

Any unexpended balances remaining in the appropriations for Vista E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), and WV Autism Training Center (fund 0348, appropriation 93200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0348, fiscal year 2017, appropriation 51900 (\$4,982), fund 0348, fiscal year 2017, appropriation 53100 (\$6,687), fund 0348, fiscal year 2017, appropriation 80700 (\$415), and fund 0348, fiscal year 2017, appropriation 93200 (\$35,906) which shall expire on June 30, 2017.

100 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2018 Org 0476

| | | | |
|---|---|-------|----------------|
| 1 | West Virginia School | | |
| 2 | of Osteopathic Medicine..... | 17200 | \$ 6,487,489 |
| 3 | Rural Health Outreach Programs (R)..... | 37700 | 160,659 |
| 4 | West Virginia School | | |
| 5 | of Osteopathic Medicine | | |
| 6 | BRIM Subsidy | 40300 | 153,405 |
| 7 | Rural Health Initiative – | | |
| 8 | Medical Schools Support..... | 58100 | <u>386,457</u> |
| 9 | Total..... | | \$ 7,188,010 |

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018, with the exception of fund 0336, fiscal year 2017, appropriation 37700 (\$3,367) which shall expire on June 30, 2017.

The above appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700) includes rural health activities

and programs; rural residency development and education; and rural outreach activities.

The above appropriation for West Virginia School of Osteopathic Medicine BRIM Subsidy (fund 0336, appropriation 40300) shall be paid to the Board of Risk and Insurance Management as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their malpractice insurance coverage.

101 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2018 Org 0482

1 Bluefield State College40800 \$ 5,379,199

102 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2018 Org 0483

1 Concord University41000 \$ 8,278,077

103 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2018 Org 0484

1 Fairmont State University41400 \$ 14,579,417

104 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2018 Org 0485

1 Glenville State College42800 \$ 5,622,099

105 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2018 Org 0486

1 Shepherd University.....43200 \$ 9,360,954

106 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2018 Org 0488

1 West Liberty University.....43900 \$ 7,592,683

107 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2018 Org 0490

1 West Virginia State University44100 \$ 9,514,960

2 West Virginia State University

3 Land Grant Match.....95600 1,584,947

4 Total..... \$ 11,099,907

5 Total TITLE II, Section 1 – General Revenue

6 (Including claims against the state)..... \$ 4,225,050,000

Sec. 2. Appropriations from state road fund. — From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

DEPARTMENT OF TRANSPORTATION*108 - Division of Motor Vehicles*

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2018 Org 0802

| | State Road Fund | Appro- priation |
|---|--------------------------------|----------------------------|
| 1 Personal Services and Employee Benefits00100 | \$ 23,278,949 | |
| 2 Current Expenses | 13000 | 16,192,150 |
| 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>73,630</u> |
| 8 Total..... | | \$ 43,378,729 |

109 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2018 Org 0803

| | |
|-------------------------------------|------------------|
| 1 Debt Service.....04000 | \$ 24,000,000 |
| 2 Maintenance.....23700 | 359,278,000 |
| 3 Nonfederal Improvements | 23701 |
| 4 Inventory Revolving | 27500 |
| 5 Equipment Revolving | 27600 |
| 6 General Operations | 27700 |
| 7 Interstate Construction.....27800 | 100,000,000 |
| 8 Other Federal Aid Programs | 27900 |
| 9 Appalachian Programs | 28000 |
| 10 Highway Litter Control.....28200 | 1,727,000 |
| 11 Courtesy Patrol.....28201 | <u>5,000,000</u> |
| 12 Total..... | \$1,268,400,000 |

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian programs, funds in excess of the amount appropriated may be made available upon recommendation of the commissioner and approval of the Governor. Further, for the purpose of Appalachian programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the commissioner and approval of the Governor.

110 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2018 Org 0808

| | | | |
|---|--|----|----------------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,585,201 |
| 2 | Current Expenses13000 | | 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>1,314,293,957</u> |

Sec. 3. Appropriations from other funds. — From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2018 Org 2300

| | Appropriation | Other Funds |
|---|----------------------|--------------------|
| 1 Personal Services and Employee Benefits00100 | \$ 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*112 - Supreme Court –**Family Court Fund*

(WV Code Chapter 51)

Fund 1763 FY 2018 Org 2400

| | | |
|--------------------------|-------|--------------|
| 1 Current Expenses | 13000 | \$ 1,600,000 |
|--------------------------|-------|--------------|

*113 - Supreme Court –**Court Advanced Technology Subscription Fund*

(WV Code Chapter 51)

Fund 1704 FY 2018 Org 2400

| | | |
|--------------------------|-------|------------|
| 1 Current Expenses | 13000 | \$ 500,000 |
|--------------------------|-------|------------|

*114 - Supreme Court –**Adult Drug Court Participation Fund*

(WV Code Chapter 62)

Fund 1705 FY 2018 Org 2400

1 Current Expenses13000 \$ 300,000

EXECUTIVE

115 - Governor's Office –

Minority Affairs Fund

(WV Code Chapter 5)

Fund 1058 FY 2018 Org 0100

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 172,800 |
| 2 | Current Expenses13000 | | 503,200 |
| 3 | Martin Luther King, Jr. Holiday Celebration.....03100 | | <u>8,926</u> |
| 4 | Total..... | \$ | 684,926 |

116 - Auditor's Office –

Land Operating Fund

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2018 Org 1200

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 749,297 |
| 2 | Unclassified.....09900 | | 15,139 |
| 3 | Current Expenses13000 | | 715,291 |
| 4 | Repairs and Alterations.....06400 | | 2,600 |
| 5 | Equipment.....07000 | | 426,741 |
| 6 | Cost of Delinquent Land Sales.....76800 | | <u>1,341,168</u> |
| 7 | Total..... | \$ | 3,250,236 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

*117 - Auditor's Office –**Local Government Purchasing Card Expenditure Fund*

(WV Code Chapter 6)

Fund 1224 FY 2018 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>2,000,000</u> |
| 7 | Total..... | \$ | 2,937,118 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.Va. Code §6-9-2b.

*118 - Auditor's Office –**Securities Regulation Fund*

(WV Code Chapter 32)

Fund 1225 FY 2018 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 |

119 - Auditor's Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2018 Org 1200

| | | | | |
|---|------------------------|-------|----|----------------|
| 1 | Current Expenses | 13000 | \$ | 160,000 |
| 2 | Other Assets | 69000 | | <u>100,000</u> |
| 3 | Total..... | | \$ | 260,000 |

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer’s Office – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the purposes described in W.Va. Code §12-3-10c.

120 - Auditor’s Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2018 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>4,000,000</u> |
| 7 | Total..... | | \$ | 9,935,405 |

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

121 - Auditor’s Office –

Chief Inspector’s Fund

(WV Code Chapter 6)

Fund 1235 FY 2018 Org 1200

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,405,512 |
| 2 | Current Expenses | | 765,915 |
| 3 | Equipment.....07000 | | <u>50,000</u> |
| 4 | Total..... | \$ | 4,221,427 |

122 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(WV Code Chapters 12 and 33)

Fund 1239 FY 2018 Org 1200

| | | | |
|---|-------------------------------------|-------|--------------|
| 1 | Volunteer Fire Department | | |
| 2 | Workers' Compensation Subsidy | 83200 | \$ 2,500,000 |

123 - Treasurer's Office

College Prepaid Tuition and Savings Program

Administrative Account

(WV Code Chapter 18)

Fund 1301 FY 2018 Org 1300

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 774,769 |
| 2 | Unclassified.....09900 | | 14,000 |
| 3 | Current Expenses | 13000 | <u>619,862</u> |
| 4 | Total..... | \$ | 1,408,631 |

124 - Department of Agriculture –

Agriculture Fees Fund

(WV Code Chapter 19)

Fund 1401 FY 2018 Org 1400

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,244,245 |
| 2 | Unclassified.....09900 | | 37,425 |

| | | | |
|---|------------------------------|-------|---------------|
| 3 | Current Expenses | 13000 | 1,356,184 |
| 4 | Repairs and Alterations..... | 06400 | 58,500 |
| 5 | Equipment..... | 07000 | 36,209 |
| 6 | Other Assets..... | 69000 | <u>10,000</u> |
| 7 | Total..... | | \$ 3,742,563 |

125 - Department of Agriculture –

West Virginia Rural Rehabilitation Program

(WV Code Chapter 19)

Fund 1408 FY 2018 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 |

126 - Department of Agriculture –

General John McCausland Memorial Farm Fund

(WV Code Chapter 19)

Fund 1409 FY 2018 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 |

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

127 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 309,248 |
| 2 | Unclassified.....09900 | | 15,173 |
| 3 | Current Expenses13000 | | 1,167,464 |
| 4 | Repairs and Alterations.....06400 | | 238,722 |
| 5 | Equipment.....07000 | | 249,393 |
| 6 | Other Assets.....69000 | | <u>20,000</u> |
| 7 | Total..... | \$ | 2,000,000 |

*128 - Department of Agriculture –**Donated Food Fund*

(WV Code Chapter 19)

Fund 1446 FY 2018 Org 1400

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 958,864 |
| 2 | Unclassified.....09900 | | 45,807 |
| 3 | Current Expenses13000 | | 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 |

*129 - Department of Agriculture –**Integrated Predation Management Fund*

(WV Code Chapter 7)

Fund 1465 FY 2018 Org 1400

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 100,000 |
|---|-----------------------------|----|---------|

*130 - Department of Agriculture –**West Virginia Spay Neuter Assistance Fund*

(WV Code Chapter 19)

Fund 1481 FY 2018 Org 1400

1 Current Expenses13000 \$ 100

*131 - Department of Agriculture –
Veterans and Warriors to Agriculture Fund
(WV Code Chapter 19)
Fund 1483 FY 2018 Org 1400*

1 Current Expenses13000 \$ 7,500

*132 - Department of Agriculture –
State FFA-FHA Camp and Conference Center
(WV Code Chapters 18 and 18A)
Fund 1484 FY 2018 Org 1400*

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,169,194 |
| 2 | Unclassified.....09900 | | 17,000 |
| 3 | Current Expenses13000 | | 707,223 |
| 4 | Repairs and Alterations.....06400 | | 57,500 |
| 5 | Equipment.....07000 | | 1,000 |
| 6 | Buildings25800 | | 1,000 |
| 7 | Other Assets.....69000 | | 10,000 |
| 8 | Land73000 | | <u>1,000</u> |
| 9 | Total..... | \$ | 1,963,917 |

*133 - Attorney General –
Antitrust Enforcement Fund
(WV Code Chapter 47)
Fund 1507 FY 2018 Org 1500*

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 356,900 |
| 2 | Current Expenses13000 | | 148,803 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | <u>1,000</u> |
| 5 | Total..... | \$ | 507,703 |

*134 - Attorney General –**Preneed Burial Contract Regulation Fund*

(WV Code Chapter 47)

Fund 1513 FY 2018 Org 1500

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 210,226 |
| 2 | Current Expenses13000 | | 54,615 |
| 3 | Repairs and Alterations.....06400 | | 1,000 |
| 4 | Equipment.....07000 | | <u>1,000</u> |
| 5 | Total..... | \$ | 266,841 |

*135 - Attorney General –**Preneed Funeral Guarantee Fund*

(WV Code Chapter 47)

Fund 1514 FY 2018 Org 1500

| | | | |
|---|-----------------------------|----|---------|
| 1 | Current Expenses13000 | \$ | 901,135 |
|---|-----------------------------|----|---------|

*136 - Secretary of State –**Service Fees and Collection Account*

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2018 Org 1600

| | | | |
|---|--|----|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 991,051 |
| 2 | Unclassified.....09900 | | 4,524 |
| 3 | Current Expenses13000 | | <u>8,036</u> |
| 4 | Total..... | \$ | 1,003,611 |

*137 - Secretary of State –**General Administrative Fees Account*

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2018 Org 1600

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,769,898 |
| 2 | Unclassified.....09900 | 25,529 |
| 3 | Current Expenses13000 | 796,716 |
| 4 | Technology Improvements59900 | <u>750,000</u> |
| 5 | Total..... | \$ 4,342,143 |

DEPARTMENT OF ADMINISTRATION

138 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(WV Code Chapter 4)

Fund 2041 FY 2018 Org 0201

| | | |
|---|-----------------------------------|---------------|
| 1 | Tobacco Settlement Securitization | |
| 2 | Trustee Pass Thru65000 | \$ 80,000,000 |

139 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(WV Code Chapter 18)

Fund 2044 FY 2018 Org 0201

| | | |
|---|-----------------------------|---------------|
| 1 | Current Expenses13000 | \$ 34,638,000 |
|---|-----------------------------|---------------|

The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – West Virginia Teachers’ Retirement System Employers Accumulation Fund (fund 2601).

140 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2018 Org 0210

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 21,378,322 |
| 2 | Unclassified.....09900 | 382,354 |
| 3 | Current Expenses13000 | 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 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

*141 - Division of Purchasing –**Vendor Fee Fund*

(WV Code Chapter 5A)

Fund 2263 FY 2018 Org 0213

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 655,208 |
| 2 | Unclassified.....09900 | 2,382 |
| 3 | Current Expenses13000 | 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 |

*142 - Division of Purchasing –**Purchasing Improvement Fund*

(WV Code Chapter 5A)

Fund 2264 FY 2018 Org 0213

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 540,889 |
| 2 | Unclassified.....09900 | | 5,562 |
| 3 | Current Expenses13000 | | 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..... | \$ | 941,867 |

*143 - Travel Management –**Fleet Management Office Fund*

(WV Code Chapter 5A)

Fund 2301 FY 2018 Org 0215

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 722,586 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 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 |

*144 - Travel Management –**Aviation Fund*

(WV Code Chapter 5A)

Fund 2302 FY 2018 Org 0215

| | | | |
|---|-----------------------------------|----|------------|
| 1 | Unclassified.....09900 | \$ | 1,000 |
| 2 | Current Expenses13000 | | 149,700 |
| 3 | Repairs and Alterations.....06400 | | 400,237 |
| 4 | Equipment.....07000 | | 1,000 |
| 5 | Buildings.....25800 | | 100 |
| 6 | Other Assets.....69000 | | 100 |
| 7 | Land73000 | | <u>100</u> |

8 Total..... \$ 552,237

145 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2018 Org 0222

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,942,590 |
| 2 | Unclassified.....09900 | 51,418 |
| 3 | Current Expenses13000 | 1,062,813 |
| 4 | Repairs and Alterations.....06400 | 5,000 |
| 5 | Equipment.....07000 | 20,000 |
| 6 | Other Assets.....69000 | <u>60,000</u> |
| 7 | Total..... | \$ 5,141,821 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

146 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2018 Org 0228

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 249,242 |
| 2 | Unclassified.....09900 | 4,023 |
| 3 | Current Expenses13000 | 297,528 |
| 4 | Repairs and Alterations.....06400 | 600 |
| 5 | Equipment.....07000 | 500 |
| 6 | Other Assets.....69000 | <u>500</u> |
| 7 | Total..... | \$ 552,393 |

147 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2018 Org 0231

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 399,911 |
| 2 | Unclassified.....09900 | | 6,949 |
| 3 | Current Expenses13000 | | 227,116 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Equipment07000 | | 50,000 |
| 6 | Other Assets69000 | | <u>10,000</u> |
| 7 | Total..... | \$ | 694,976 |

From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

148 - Division of Forestry

(WV Code Chapter 19)

Fund 3081 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,464,328 |
| 2 | Current Expenses13000 | | 282,202 |
| 3 | Repairs and Alterations.....06400 | | <u>53,000</u> |
| 4 | Total..... | \$ | 1,799,530 |

149 - Division of Forestry –

Timbering Operations Enforcement Fund

(WV Code Chapter 19)

Fund 3082 FY 2018 Org 0305

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 224,433 |
| 2 | Current Expenses13000 | | 87,036 |
| 3 | Repairs and Alterations.....06400 | | <u>11,250</u> |
| 4 | Total..... | \$ | 322,719 |

150 - Division of Forestry –

Severance Tax Operations

(WV Code Chapter 11)

Fund 3084 FY 2018 Org 0305

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 859,626 |
| 2 | Current Expenses | 13000 | <u>435,339</u> |
| 3 | Total..... | \$ | 1,294,965 |

*151 - Geological and Economic Survey –**Geological and Analytical Services Fund*

(WV Code Chapter 29)

Fund 3100 FY 2018 Org 0306

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 37,966 |
| 2 | Unclassified.....09900 | | 2,182 |
| 3 | Current Expenses | 13000 | 141,631 |
| 4 | Repairs and Alterations.....06400 | | 50,000 |
| 5 | Equipment.....07000 | | 20,000 |
| 6 | Other Assets.....69000 | | <u>10,000</u> |
| 7 | Total..... | \$ | 261,779 |

The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

*152 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2018 Org 0307

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,528,219 |
| 2 | Unclassified.....09900 | | 30,000 |
| 3 | Current Expenses | 13000 | <u>1,482,760</u> |
| 4 | Total..... | \$ | 3,040,979 |

*153 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2018 Org 0307

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,724 |
| 2 | Unclassified.....09900 | | 8,300 |
| 3 | Current Expenses13000 | | <u>399,191</u> |
| 4 | Total..... | \$ | 838,215 |

*154 - Division of Labor –**HVAC Fund*

(WV Code Chapter 21)

Fund 3186 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 300,000 |
| 2 | Unclassified.....09900 | | 4,000 |
| 3 | Current Expenses13000 | | 85,000 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 400,000 |

*155 - Division of Labor –**Contractor Licensing Board Fund*

(WV Code Chapter 21)

Fund 3187 FY 2018 Org 0308

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,019,374 |
| 2 | Unclassified.....09900 | | 21,589 |
| 3 | Current Expenses13000 | | 597,995 |
| 4 | Repairs and Alterations.....06400 | | 15,000 |
| 5 | Buildings25800 | | 5,000 |

| | | | |
|---|-------------------|-------|--------------|
| 6 | BRIM Premium..... | 91300 | <u>8,500</u> |
| 7 | Total..... | | \$ 3,667,458 |

156 - Division of Labor –

Elevator Safety Fund

(WV Code Chapter 21)

Fund 3188 FY 2018 Org 0308

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 376,772 |
| 2 | Unclassified..... | 09900 | 2,261 |
| 3 | Current Expenses | 13000 | 44,112 |
| 4 | Repairs and Alterations..... | 06400 | 2,000 |
| 5 | Buildings | 25800 | 1,000 |
| 6 | BRIM Premium..... | 91300 | <u>8,500</u> |
| 7 | Total..... | | \$ 434,645 |

157 - Division of Labor –

Steam Boiler Fund

(WV Code Chapter 21)

Fund 3189 FY 2018 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 |

158 - Division of Labor –

Crane Operator Certification Fund

(WV Code Chapter 21)

Fund 3191 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 184,380 |
| 2 | Unclassified.....09900 | | 1,380 |
| 3 | Current Expenses13000 | | 49,765 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total | \$ | 246,525 |

159 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 179,316 |
| 2 | Unclassified.....09900 | | 1,281 |
| 3 | Current Expenses13000 | | 44,520 |
| 4 | Repairs and Alterations.....06400 | | 2,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>8,500</u> |
| 7 | Total..... | \$ | 236,617 |

160 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2018 Org 0308

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 283,768 |
| 2 | Unclassified.....09900 | | 1,847 |
| 3 | Current Expenses13000 | | 43,700 |
| 4 | Repairs and Alterations.....06400 | | 1,000 |
| 5 | Buildings25800 | | 1,000 |
| 6 | BRIM Premium.....91300 | | <u>3,404</u> |
| 7 | Total..... | \$ | 334,719 |

*161 - Division of Labor –**Weights and Measures Fund*

(WV Code Chapter 47)

Fund 3196 FY 2018 Org 0308

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 424,965 |
| 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 | \$ | 703,465 |

*162 - Division of Labor –**Bedding and Upholstery Fund*

(WV Code Chapter 21)

Fund 3198 FY 2018 Org 0308

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

*163 - Division of Labor –**Psychophysiological Examiners Fund*

(WV Code Chapter 21)

Fund 3199 FY 2018 Org 0308

| | | | | |
|---|------------------------|-------|----|-------|
| 1 | Current Expenses | 13000 | \$ | 4,000 |
|---|------------------------|-------|----|-------|

*164 - Division of Natural Resources –**License Fund – Wildlife Resources*

(WV Code Chapter 20)

Fund 3200 FY 2018 Org 0310

| | | | |
|---|----------------------------|-------|------------------|
| 1 | Wildlife Resources..... | 02300 | \$ 5,551,895 |
| 2 | Administration | 15500 | 1,387,974 |
| 3 | Capital Improvements | | |
| 4 | and Land Purchase (R)..... | 24800 | 1,387,973 |
| 5 | Law Enforcement..... | 80600 | <u>5,551,895</u> |
| 6 | Total..... | | \$ 13,879,737 |

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

165 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(WV Code Chapter 22)

Fund 3202 FY 2018 Org 0310

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 125,000 |
|---|------------------------|-------|------------|

166 - Division of Natural Resources –

Nongame Fund

(WV Code Chapter 20)

Fund 3203 FY 2018 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 |

*167 - Division of Natural Resources –**Planning and Development Division*

(WV Code Chapter 20)

Fund 3205 FY 2018 Org 0310

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 289,167 |
| 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..... | \$ | 2,510,347 |

*168 - Division of Natural Resources –**Whitewater Study and Improvement Fund*

(WV Code Chapter 20)

Fund 3253 FY 2018 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 |

*169 - Division of Natural Resources –**Whitewater Advertising and Promotion Fund*

(WV Code Chapter 20)

Fund 3256 FY 2018 Org 0310

| | | | |
|---|------------------------|-------|---------------|
| 1 | Unclassified.....09900 | \$ | 200 |
| 2 | Current Expenses | 13000 | <u>19,800</u> |
| 3 | Total..... | \$ | 20,000 |

*170 - Division of Miners' Health, Safety and Training –
Special Health, Safety and Training Fund*

(WV Code Chapter 22A)

Fund 3355 FY 2018 Org 0314

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 471,606 |
| 2 | WV Mining Extension Service02600 | | 150,000 |
| 3 | Unclassified.....09900 | | 40,985 |
| 4 | Current Expenses13000 | | 1,954,557 |
| 5 | Buildings25800 | | 481,358 |
| 6 | Land73000 | | <u>1,000,000</u> |
| 7 | Total..... | \$ | 4,098,506 |

171 - Department of Commerce –

Office of the Secretary –

Broadband Enhancement Fund

Fund 3013 FY 2018 Org 0327

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 1,887,000 |
|---|-----------------------------|----|-----------|

172 - Office of Energy –

Energy Assistance

(WV Code Chapter 5B)

Fund 3010 FY 2018 Org 0328

| | | | |
|---|--------------------------------------|----|--------|
| 1 | Energy Assistance – Total64700 | \$ | 62,000 |
|---|--------------------------------------|----|--------|

DEPARTMENT OF EDUCATION

173 - State Board of Education –

Strategic Staff Development

(WV Code Chapter 18)

Fund 3937 FY 2018 Org 0402

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 134,000 |
| 2 | Unclassified.....09900 | | 1,000 |
| 3 | Current Expenses13000 | | <u>265,000</u> |
| 4 | Total..... | \$ | 400,000 |

*174 - State Board of Education –**School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | |
|---|------------------------------------|----|------------------|
| 1 | SBA Construction Grants24000 | \$ | 35,845,818 |
| 2 | Directed Transfer70000 | | <u>1,371,182</u> |
| 3 | Total..... | \$ | 37,217,000 |

The above appropriation for Directed Transfer (fund 3951, appropriation 70000) shall be transferred to the School Building Authority Fund (3959) for the administrative expenses of the School Building Authority.

175 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,085,152 |
| 2 | Current Expenses13000 | | 246,880 |
| 3 | Repairs and Alterations.....06400 | | 13,150 |
| 4 | Equipment.....07000 | | <u>26,000</u> |
| 5 | Total..... | \$ | 1,371,182 |

DEPARTMENT OF EDUCATION AND THE ARTS*176 - Office of the Secretary –**Lottery Education Fund Interest Earnings –**Control Account*

(WV Code Chapter 29)

Fund 3508 FY 2018 Org 0431

Any unexpended balance remaining in the appropriation for Educational Enhancements (fund 3508, appropriation 69500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

*177 - Division of Culture and History –**Public Records and Preservation Revenue Account*

(WV Code Chapter 5A)

Fund 3542 FY 2018 Org 0432

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 211,418 |
| 2 | Current Expenses13000 | | 862,241 |
| 3 | Equipment07000 | | 75,000 |
| 4 | Buildings25800 | | 1,000 |
| 5 | Other Assets69000 | | 52,328 |
| 6 | Land73000 | | <u>1,000</u> |
| 7 | Total..... | \$ | 1,202,987 |

*178 - State Board of Rehabilitation –**Division of Rehabilitation Services –**West Virginia Rehabilitation Center Special Account*

(WV Code Chapter 18)

Fund 8664 FY 2018 Org 0932

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 119,738 |
| 2 | Current Expenses13000 | | 2,180,122 |
| 3 | Repairs and Alterations06400 | | 85,500 |
| 4 | Equipment07000 | | 220,000 |
| 5 | Buildings25800 | | 150,000 |
| 6 | Other Assets69000 | | <u>150,000</u> |
| 7 | Total..... | \$ | 2,905,360 |

DEPARTMENT OF ENVIRONMENTAL PROTECTION*179 - Solid Waste Management Board*

(WV Code Chapter 22C)

Fund 3288 FY 2018 Org 0312

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 802,209 |
| 2 | Current Expenses | 13000 | 2,061,057 |
| 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 |

*180 - Division of Environmental Protection –**Hazardous Waste Management Fund*

(WV Code Chapter 22)

Fund 3023 FY 2018 Org 0313

| | | | |
|---|--|-------|--------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 692,784 |
| 2 | Current Expenses | 13000 | 195,569 |
| 3 | Repairs and Alterations..... | 06400 | 500 |
| 4 | Equipment..... | 07000 | 1,505 |
| 5 | Unclassified..... | 09900 | 3,072 |
| 6 | Other Assets..... | 69000 | <u>2,000</u> |
| 7 | Total..... | \$ | 895,430 |

*181 - Division of Environmental Protection –**Air Pollution Education and Environment Fund*

(WV Code Chapter 22)

Fund 3024 FY 2018 Org 0313

| | | | |
|---|--|-------|-----------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 935,324 |
| 2 | Current Expenses | 13000 | 1,238,610 |
| 3 | Repairs and Alterations..... | 06400 | 13,000 |

| | | | |
|---|-------------------|-------|---------------|
| 4 | Equipment..... | 07000 | 53,105 |
| 5 | Unclassified..... | 09900 | 2,900 |
| 6 | Other Assets..... | 69000 | <u>20,000</u> |
| 7 | Total..... | | \$ 2,262,939 |

182 - Division of Environmental Protection –

Special Reclamation Fund

(WV Code Chapter 22)

Fund 3321 FY 2018 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 |

183 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(WV Code Chapter 22)

Fund 3322 FY 2018 Org 0313

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 143,906 |
| 2 | Current Expenses | 13000 | <u>356,094</u> |
| 3 | Total..... | | \$ 500,000 |

184 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(WV Code Chapter 22)

Fund 3323 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 3,321,164 |
| 2 | Current Expenses | 13000 | 1,257,758 |
| 3 | Repairs and Alterations..... | 06400 | 20,600 |

| | | | |
|---|-------------------|-------|---------------|
| 4 | Equipment..... | 07000 | 8,000 |
| 5 | Unclassified..... | 09900 | 44,700 |
| 6 | Other Assets..... | 69000 | <u>15,000</u> |
| 7 | Total..... | | \$ 4,667,222 |

185 - Division of Environmental Protection –

Mining and Reclamation Operations Fund

(WV Code Chapter 22)

Fund 3324 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 4,035,449 |
| 2 | Current Expenses | 13000 | 2,300,097 |
| 3 | Repairs and Alterations..... | 06400 | 60,260 |
| 4 | Equipment..... | 07000 | 85,134 |
| 5 | Unclassified..... | 09900 | 920 |
| 6 | Other Assets..... | 69000 | <u>57,500</u> |
| 7 | Total..... | | \$ 6,539,360 |

186 - Division of Environmental Protection –

Underground Storage Tank

Administrative Fund

(WV Code Chapter 22)

Fund 3325 FY 2018 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 |

187 - Division of Environmental Protection –

Hazardous Waste Emergency Response Fund

(WV Code Chapter 22)

Fund 3331 FY 2018 Org 0313

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 643,319 |
| 2 | Current Expenses | 13000 | 422,386 |
| 3 | Repairs and Alterations..... | 06400 | 7,014 |
| 4 | Equipment..... | 07000 | 9,000 |
| 5 | Unclassified..... | 09900 | 10,616 |
| 6 | Other Assets | 69000 | <u>11,700</u> |
| 7 | Total..... | \$ | 1,104,035 |

*188 - Division of Environmental Protection –**Solid Waste Reclamation and**Environmental Response Fund*

(WV Code Chapter 22)

Fund 3332 FY 2018 Org 0313

| | | | |
|---|---|-------|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 793,967 |
| 2 | Current Expenses | 13000 | 3,605,237 |
| 3 | Repairs and Alterations..... | 06400 | 25,000 |
| 4 | Equipment..... | 07000 | 31,500 |
| 5 | Unclassified..... | 09900 | 22,900 |
| 6 | Other Assets | 69000 | <u>1,000</u> |
| 7 | Total..... | \$ | 4,479,604 |

*189 - Division of Environmental Protection –**Solid Waste Enforcement Fund*

(WV Code Chapter 22)

Fund 3333 FY 2018 Org 0313

| | | | |
|---|---|-------|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 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 |

190 - Division of Environmental Protection –

Air Pollution Control Fund

(WV Code Chapter 22)

Fund 3336 FY 2018 Org 0313

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 5,667,421 |
| 2 | Current Expenses13000 | 1,518,704 |
| 3 | Repairs and Alterations.....06400 | 84,045 |
| 4 | Equipment.....07000 | 115,356 |
| 5 | Unclassified.....09900 | 5,580 |
| 6 | Other Assets.....69000 | <u>52,951</u> |
| 7 | Total..... | \$ 7,444,057 |

191 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(WV Code Chapter 22)

Fund 3340 FY 2018 Org 0313

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 295,444 |
| 2 | Current Expenses13000 | 216,288 |
| 3 | Repairs and Alterations.....06400 | 1,000 |
| 4 | Equipment.....07000 | 6,500 |
| 5 | Unclassified.....09900 | 1,120 |
| 6 | Other Assets.....69000 | <u>179,000</u> |
| 7 | Total..... | \$ 699,352 |

192 - Division of Environmental Protection –

Stream Restoration Fund

(WV Code Chapter 22)

Fund 3349 FY 2018 Org 0313

| | | | | |
|---|------------------------|-------|----|-----------|
| 1 | Current Expenses | 13000 | \$ | 9,298,205 |
|---|------------------------|-------|----|-----------|

*193 - Division of Environmental Protection –**Litter Control Fund*

(WV Code Chapter 22)

Fund 3486 FY 2018 Org 0313

| | | | | |
|---|------------------------|-------|----|--------|
| 1 | Current Expenses | 13000 | \$ | 60,000 |
|---|------------------------|-------|----|--------|

*194 - Division of Environmental Protection –**Recycling Assistance Fund*

(WV Code Chapter 22)

Fund 3487 FY 2018 Org 0313

| | | | | |
|---|---|-------|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 646,395 |
| 2 | Current Expenses | 13000 | | 2,735,112 |
| 3 | Repairs and Alterations.....06400 | | | 800 |
| 4 | Equipment.....07000 | | | 500 |
| 5 | Unclassified.....09900 | | | 400 |
| 6 | Other Assets.....69000 | | | <u>2,500</u> |
| 7 | Total..... | | \$ | <u>3,385,707</u> |

*195 - Division of Environmental Protection –**Mountaintop Removal Fund*

(WV Code Chapter 22)

Fund 3490 FY 2018 Org 0313

| | | | | |
|---|---|-------|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | | \$ | 1,228,345 |
| 2 | Current Expenses | 13000 | | 638,729 |
| 3 | Repairs and Alterations.....06400 | | | 30,112 |

| | | | |
|---|-------------------|-------|---------------|
| 4 | Equipment..... | 07000 | 23,725 |
| 5 | Unclassified..... | 09900 | 1,180 |
| 6 | Other Assets..... | 69000 | <u>15,500</u> |
| 7 | Total..... | | \$ 1,937,591 |

196 - Oil and Gas Conservation Commission –

Special Oil and Gas Conservation Fund

(WV Code Chapter 22C)

Fund 3371 FY 2018 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

197 - Division of Health –

Ryan Brown Addiction Prevention and Recovery Fund

(WV Code Chapter 19)

Fund 5111 FY 2018 Org 0506

| | | | |
|---|------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 22,000,000 |
|---|------------------------|-------|---------------|

198 - Division of Health –

The Vital Statistics Account

(WV Code Chapter 16)

Fund 5144 FY 2018 Org 0506

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 876,771 |
| 2 | Unclassified..... | 09900 | 15,500 |
| 3 | Current Expenses | 13000 | <u>1,257,788</u> |

4 Total..... \$ 2,150,059

199 - Division of Health –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(WV Code Chapter 16)

Fund 5156 FY 2018 Org 0506

| | | | |
|---|--|-------|-------------------|
| 1 | Institutional Facilities Operations | 33500 | \$ 56,708,911 |
| 2 | Medical Services Trust Fund – Transfer | 51200 | <u>27,800,000</u> |
| 3 | Total | | \$ 84,508,911 |

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.Va. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated in fund 0525, fiscal year 2018, organization 0506, for the operation of the institutional facilities. The Secretary of the Department of Health and Human Resources is authorized to utilize up to ten percent of the funds from the appropriation for Institutional Facilities Operations to facilitate cost effective and cost saving services at the community level.

Necessary funds from the above appropriation may be used for medical facilities operations, either in connection with this fund or in connection with the appropriation designated Institutional Facilities Operations in the Consolidated Medical Service Fund (fund 0525, organization 0506).

From the above appropriation to Institutional Facilities Operations, together with available funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1, 2017, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as

advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.

200 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 862,657 |
| 2 | Unclassified.....09900 | | 18,114 |
| 3 | Current Expenses13000 | | <u>930,716</u> |
| 4 | Total..... | \$ | 1,811,487 |

201 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2018 Org 0506

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 605,950 |
| 2 | Unclassified.....09900 | | 7,113 |
| 3 | Current Expenses13000 | | <u>98,247</u> |
| 4 | Total..... | \$ | 711,310 |

202 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 13,800 |
|---|-----------------------------|----|--------|

203 - Division of Health –

Lead Abatement Account

(WV Code Chapter 16)

Fund 5204 FY 2018 Org 0506

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 19,100 |
| 2 | Unclassified.....09900 | | 373 |
| 3 | Current Expenses13000 | | <u>17,875</u> |
| 4 | Total..... | \$ | 37,348 |

*204 - Division of Health –**West Virginia Birth-to-Three Fund*

(WV Code Chapter 16)

Fund 5214 FY 2018 Org 0506

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 707,545 |
| 2 | Unclassified.....09900 | | 223,999 |
| 3 | Current Expenses13000 | | <u>27,993,549</u> |
| 4 | Total..... | \$ | 28,925,093 |

*205 - Division of Health –**Tobacco Control Special Fund*

(WV Code Chapter 16)

Fund 5218 FY 2018 Org 0506

| | | | |
|---|-----------------------------|----|-------|
| 1 | Current Expenses13000 | \$ | 7,579 |
|---|-----------------------------|----|-------|

*206 - West Virginia Health Care Authority –**Health Care Cost Review Fund*

(WV Code Chapter 16)

Fund 5375 FY 2018 Org 0507

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,821 |
| 2 | Hospital Assistance02500 | | 600,000 |
| 3 | Unclassified.....09900 | | 67,000 |

| | | | |
|---|------------------------------|-------|----------------|
| 4 | Current Expenses | 13000 | 2,837,945 |
| 5 | Repairs and Alterations..... | 06400 | 25,000 |
| 6 | Equipment..... | 07000 | 50,000 |
| 7 | Buildings | 25800 | 25,000 |
| 8 | Other Assets..... | 69000 | <u>100,000</u> |
| 9 | Total..... | | \$ 6,738,766 |

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.Va. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

The Health Care Authority is authorized to transfer up to \$1,500,000 from fund 5375 to the West Virginia Health Information Network Account (fund 5380) as authorized per W.Va. Code §16-29G-4.

207 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2018 Org 0507

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 805,113 |
| 2 | Current Expenses | 13000 | <u>774,967</u> |
| 3 | Total..... | | \$ 1,580,080 |

208 - West Virginia Health Care Authority –

West Virginia Health Information Network Account

(WV Code Chapter 16)

Fund 5380 FY 2018 Org 0507

| | | | |
|---|---|-------|------------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 729,000 |
| 2 | Unclassified..... | 09900 | 20,000 |
| 3 | Current Expenses | 13000 | 1,251,000 |
| 4 | Technology Infrastructure Network..... | 35100 | <u>3,500,000</u> |
| 5 | Total..... | | \$ 5,500,000 |

209 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------|
| 1 | Medical Services..... | 18900 | \$ 198,381,008 |
| 2 | Medical Services Administrative Costs | 78900 | <u>418,992</u> |
| 3 | Total..... | | \$ 198,800,000 |

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Health and Human Resources for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the West Virginia Medical Services Fund (fund 5084.)

210 - Division of Human Services –

Child Support Enforcement Fund

(WV Code Chapter 48A)

Fund 5094 FY 2018 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 |

211 - Division of Human Services –

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2018 Org 0511

| | | | |
|---|-----------------------|-------|---------------|
| 1 | Medical Services..... | 18900 | \$ 56,318,952 |
|---|-----------------------|-------|---------------|

| | | | |
|---|---|-------|---------------|
| 2 | Medical Services Administrative Costs | 78900 | 548,723 |
| 3 | Total..... | | \$ 56,867,675 |

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Division of Human Services accounts.

212 - Division of Human Services –

James “Tiger” Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2018 Org 0511

| | | | |
|---|------------------------|-------|------------|
| 1 | Unclassified..... | 09900 | \$ 7,000 |
| 2 | Current Expenses | 13000 | 693,000 |
| 3 | Total..... | | \$ 700,000 |

213 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2018 Org 0511

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 900,000 |
|---|------------------------|-------|------------|

214 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2018 Org 0511

1 Current Expenses13000 \$ 1,000,000

215 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2018 Org 0511

1 Current Expenses13000 \$ 2,000,000

216 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2018 Org 0511

1 Personal Services and Employee Benefits00100 \$ 10,000

2 Current Expenses13000 25,000

3 Total..... \$ 35,000

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

217 - 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 2018 Org 0601

1 Current Expenses13000 32,000

218 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2018 Org 0603

| | | | |
|---|--|----|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 1,643,528 |
| 2 | Current Expenses13000 | | 650,000 |
| 3 | Repairs and Alterations.....06400 | | 485,652 |
| 4 | Equipment.....07000 | | 300,000 |
| 5 | Buildings25800 | | 770,820 |
| 6 | Other Assets69000 | | 100,000 |
| 7 | Land73000 | | <u>50,000</u> |
| 8 | Total..... | \$ | 4,000,000 |

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

219 - Division of Homeland Security and

Emergency Management –

West Virginia Interoperable Radio Project

(WV Code Chapter 24)

Fund 6295 FY 2018 Org 0606

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 2,000,000 |
|---|-----------------------------|----|-----------|

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 6295, appropriation 09600) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

220 - West Virginia Division of Corrections –

Parolee Supervision Fees

(WV Code Chapter 62)

Fund 6362 FY 2018 Org 0608

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,013,793 |
| 2 | Unclassified.....09900 | 9,804 |
| 3 | Current Expenses13000 | 758,480 |
| 4 | Equipment.....07000 | 30,000 |
| 5 | Other Assets.....69000 | <u>40,129</u> |
| 6 | Total..... | \$ 1,852,206 |

*221 - West Virginia State Police –**Motor Vehicle Inspection Fund*

(WV Code Chapter 17C)

Fund 6501 FY 2018 Org 0612

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,786,923 |
| 2 | Current Expenses13000 | 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 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

*222 - West Virginia State Police –**Drunk Driving Prevention Fund*

(WV Code Chapter 15)

Fund 6513 FY 2018 Org 0612

| | | |
|---|-----------------------------|----------------|
| 1 | Current Expenses13000 | \$ 1,327,000 |
| 2 | Equipment.....07000 | 3,491,895 |
| 3 | BRIM Premium.....91300 | <u>154,452</u> |
| 4 | Total..... | \$ 4,973,347 |

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

223 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2018 Org 0612

| | | | | |
|---|-------------------|-------|----|---------------|
| 1 | Buildings | 25800 | \$ | 443,980 |
| 2 | Land | 73000 | | 1,000 |
| 3 | BRIM Premium..... | 91300 | | <u>77,222</u> |
| 4 | Total..... | | \$ | 522,202 |

224 - West Virginia State Police –

Surplus Transfer Account

(WV Code Chapter 15)

Fund 6519 FY 2018 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 |

225 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2018 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 |

226 - West Virginia State Police –

Bail Bond Enforcer Account

(WV Code Chapter 15)

Fund 6532 FY 2018 Org 0612

| | | | |
|---|------------------------|-------|----------|
| 1 | Current Expenses | 13000 | \$ 8,300 |
|---|------------------------|-------|----------|

227 - West Virginia State Police –

State Police Academy Post Exchange

(WV Code Chapter 15)

Fund 6544 FY 2018 Org 0612

| | | | |
|---|------------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 160,000 |
| 2 | Repairs and Alterations..... | 06400 | <u>40,000</u> |
| 3 | Total..... | | \$ 200,000 |

228 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2018 Org 0615

| | | | |
|---|---|-------|---------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,971,039 |
| 2 | Debt Service..... | 04000 | 9,000,000 |
| 3 | Current Expenses | 13000 | 495,852 |
| 4 | Repairs and Alterations..... | 06400 | 4,000 |
| 5 | Equipment..... | 07000 | <u>1,743</u> |
| 6 | Total..... | | \$ 11,472,634 |

*229 - Fire Commission –**Fire Marshal Fees*

(WV Code Chapter 29)

Fund 6152 FY 2018 Org 0619

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,033,683 |
| 2 | Unclassified.....09900 | | 3,800 |
| 3 | Current Expenses13000 | | 1,249,550 |
| 4 | Repairs and Alterations.....06400 | | 58,500 |
| 5 | Equipment.....07000 | | 140,800 |
| 6 | Other Assets.....69000 | | 12,000 |
| 7 | BRIM Premium.....91300 | | <u>50,000</u> |
| 8 | Total..... | \$ | 4,548,333 |

*230 - Division of Justice and Community Services –**WV Community Corrections Fund*

(WV Code Chapter 62)

Fund 6386 FY 2018 Org 0620

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 152,000 |
| 2 | Unclassified.....09900 | | 750 |
| 3 | Current Expenses13000 | | 1,846,250 |
| 4 | Repairs and Alterations.....06400 | | <u>1,000</u> |
| 5 | Total..... | \$ | 2,000,000 |

*231 - Division of Justice and Community Services –**Court Security Fund*

(WV Code Chapter 51)

Fund 6804 FY 2018 Org 0620

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 21,865 |
| 2 | Current Expenses13000 | | <u>1,478,135</u> |
| 3 | Total..... | \$ | 1,500,000 |

*232 - Division of Justice and Community Services –**Second Chance Driver's License Program Account*

(WV Code Chapter 17B)

Fund 6810 FY 2018 Org 0620

1 Current Expenses13000 \$ 25,000

DEPARTMENT OF REVENUE*233 - Division of Financial Institutions*

(WV Code Chapter 31A)

Fund 3041 FY 2018 Org 0303

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 2,503,751 |
| 2 | Unclassified.....09900 | 1,000 |
| 3 | Current Expenses13000 | 695,225 |
| 4 | Repairs and Alterations.....06400 | 100 |
| 5 | Equipment.....07000 | 14,000 |
| 6 | Other Assets.....69000 | <u>15,000</u> |
| 7 | Total..... | \$ 3,229,076 |

*234 - Office of the Secretary –**State Debt Reduction Fund*

(WV Code Chapter 29)

Fund 7007 FY 2018 Org 0701

1 Directed Transfer70000 \$ 20,000,000

The above appropriation for Directed Transfer shall be transferred to the Consolidated Public Retirement Board – West Virginia Public Employees Retirement System Employers Accumulation Fund (fund 2510).

*235 - Tax Division –**Cemetery Company Account*

(WV Code Chapter 35)

Fund 7071 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 23,459 |
| 2 | Current Expenses | | <u>7,717</u> |
| 3 | Total..... | \$ | 31,176 |

*236 - Tax Division –**Special Audit and Investigative Unit*

(WV Code Chapter 11)

Fund 7073 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 655,203 |
| 2 | Unclassified.....09900 | | 9,500 |
| 3 | Current Expenses | | 273,297 |
| 4 | Repairs and Alterations.....06400 | | 7,000 |
| 5 | Equipment.....07000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 950,000 |

*237 - Tax Division –**Wine Tax Administration Fund*

(WV Code Chapter 60)

Fund 7087 FY 2018 Org 0702

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 254,162 |
| 2 | Current Expenses | | <u>5,406</u> |
| 3 | Total..... | \$ | 259,568 |

*238 - Tax Division –**Reduced Cigarette Ignition Propensity**Standard and Fire Prevention Act Fund*

(WV Code Chapter 47)

Fund 7092 FY 2018 Org 0702

| | | | | |
|---|------------------------|-------|----|---------------|
| 1 | Current Expenses | 13000 | \$ | 35,000 |
| 2 | Equipment | 07000 | | <u>15,000</u> |
| 3 | Total | | \$ | 50,000 |

*239 - Tax Division –**Local Sales Tax and Excise Tax**Administration Fund*

(WV Code Chapter 11)

Fund 7099 FY 2018 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 |

*240 - State Budget Office –**Public Employees Insurance Reserve Fund*

(WV Code Chapter 11B)

Fund 7400 FY 2018 Org 0703

| | | | | |
|---|-------------------------------|-------|----|-----------|
| 1 | Public Employees Insurance | | | |
| 2 | Reserve Fund – Transfer | 90300 | \$ | 6,800,000 |

The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

*241 - State Budget Office –**Public Employees Insurance Agency Financial Stability Fund*

(WV Code Chapter 11B)

Fund 7401 FY 2018 Org 0703

| | | | |
|---|------------------------------|-------|-------------------|
| 1 | Retiree Premium Offset | 80101 | \$ 5,000,000 |
| 2 | PEIA Reserve..... | 80102 | <u>10,000,000</u> |
| 3 | Total..... | | \$ 15,000,000 |

The above appropriation shall be transferred to special revenue funds to be utilized by the West Virginia Public Employees Insurance Agency for the purposes of permitting the PEIA Finance Board to offset \$5 million in retiree premium increases. Additionally, \$10 million will be put into a reserve fund to stabilize and preserve the future solvency of PEIA. Such amount shall not be included in the calculation of the plan year aggregate premium cost-sharing percentages between employers and employees.

*242 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2018 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 |

*243 - Insurance Commissioner –**Consumer Advocate*

(WV Code Chapter 33)

Fund 7151 FY 2018 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 |

244 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2018 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 |

245 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2018 Org 0704

| | | | |
|---|-------------------------|-------|--------------------|
| 1 | Employee Benefits | 01000 | \$ 50,000 |
| 2 | Current Expenses | 13000 | <u>250,500,000</u> |
| 3 | Total..... | | \$ 250,550,000 |

246 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2018 Org 0704

| | | | |
|---|------------------------|-------|---------------|
| 1 | Current Expenses | 13000 | \$ 15,000,000 |
|---|------------------------|-------|---------------|

247 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2018 Org 0704

1 Current Expenses 13000 \$ 9,000,000

248 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(WV Code Chapter 23)

Fund 7165 FY 2018 Org 0704

1 Current Expenses 13000 \$ 14,000,000

249 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2018 Org 0706

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 247,523 |
| 2 | Current Expenses 13000 | | 144,844 |
| 3 | Equipment07000 | | <u>100</u> |
| 4 | Total..... | \$ | 392,467 |

250 - Racing Commission –

Relief Fund

(WV Code Chapter 19)

Fund 7300 FY 2018 Org 0707

1 Medical Expenses – Total.....24500 \$ 57,000

The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care and/or funeral expenses for persons contributing to this fund.

251 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2018 Org 0707

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 256,665 |
| 2 | Current Expenses13000 | | 93,335 |
| 3 | Other Assets69000 | | <u>5,000</u> |
| 4 | Total..... | \$ | 355,000 |

252 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2018 Org 0707

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,271,339 |
| 2 | Current Expenses13000 | | 566,248 |
| 3 | Repairs and Alterations.....06400 | | 7,000 |
| 4 | Other Assets69000 | | <u>50,000</u> |
| 5 | Total..... | \$ | 2,894,587 |

253 - Racing Commission –

Administration, Promotion, Education, Capital Improvement

and Greyhound Adoption Programs

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2018 Org 0707

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 864,474 |
| 2 | Current Expenses | | 214,406 |
| 3 | Other Assets | | <u>200,000</u> |
| 4 | Total | \$ | 1,278,880 |

254 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2018 Org 0708

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 122,339 |
| 2 | Current Expenses | | 69,186 |
| 3 | Repairs and Alterations | | 7,263 |
| 4 | Equipment | | 10,000 |
| 5 | Buildings | | 100,000 |
| 6 | Other Assets | | <u>100</u> |
| 7 | Total | \$ | 308,888 |

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

255 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2018 Org 0708

| | | | |
|----|---|----|-------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,413,237 |
| 2 | Current Expenses | | 2,890,577 |
| 3 | Repairs and Alterations | | 91,000 |
| 4 | Equipment | | 108,000 |
| 5 | Buildings | | 375,100 |
| 6 | Purchase of Supplies for Resale | | 72,500,000 |
| 7 | Transfer Liquor Profits and Taxes | | 20,800,000 |
| 8 | Other Assets | | 125,100 |
| 9 | Land | | <u>100</u> |
| 10 | Total | \$ | 102,303,114 |

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses and equipment of administrative offices, warehouses and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

256 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2018 Org 0933

1 Current Expenses 13000 \$ 30,000

DEPARTMENT OF TRANSPORTATION

257 - Division of Motor Vehicles –

Dealer Recovery Fund

(WV Code Chapter 17)

Fund 8220 FY 2018 Org 0802

1 Current Expenses 13000 \$ 189,000

258 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(WV Code Chapter 17B)

Fund 8223 FY 2018 Org 0802

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 3,362,799 |
| 2 | Current Expenses13000 | | 4,374,083 |
| 3 | Repairs and Alterations.....06400 | | 16,000 |
| 4 | Equipment.....07000 | | 75,000 |
| 5 | Other Assets.....69000 | | 10,000 |
| 6 | BRIM Premium.....91300 | | <u>73,629</u> |
| 7 | Total..... | \$ | 7,911,511 |

259 - Division of Highways –

A. James Manchin Fund

(WV Code Chapter 22)

Fund 8319 FY 2018 Org 0803

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 1,650,000 |
|---|-----------------------------|----|-----------|

DEPARTMENT OF VETERANS' ASSISTANCE

260 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2018 Org 0613

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 94,210 |
| 2 | Current Expenses13000 | | 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 |

261 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2018 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

262 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2018 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 |

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

263 - 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 2018 Org 0442

| | | | | |
|---|---|-------|----|----------------|
| 1 | Debt Service..... | 04000 | \$ | 27,716,974 |
| 2 | General Capital Expenditures | 30600 | | 5,000,000 |
| 3 | Facilities Planning and Administration..... | 38600 | | <u>421,082</u> |
| 4 | Total..... | | \$ | 33,138,056 |

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

264 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been refunded.

265 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

Any unexpended balance remaining in the appropriation for Capital Improvements – Total (fund 4908, appropriation 95800) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

The total amount of this appropriation shall be paid from the sale of the 2009 Series A Community and Technical College Capital Improvement Revenue Bonds and anticipated interest earnings.

266 - West Virginia University –

West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2018 Org 0463

| | | |
|---|--|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 10,274,340 |
| 2 | Current Expenses13000 | 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

267 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2018 Org 0505

| | | |
|---|--|----------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ 504,497 |
| 2 | Current Expenses13000 | <u>239,969</u> |
| 3 | Total..... | \$ 744,466 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

268 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2018 Org 0509

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 85,981 |
| 2 | Unclassified.....09900 | | 1,450 |
| 3 | Current Expenses13000 | | <u>57,740</u> |
| 4 | Total..... | \$ | 145,171 |

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the Code.

269 - *WV State Board of Examiners for Licensed Practical Nurses –**Licensed Practical Nurses*

(WV Code Chapter 30)

Fund 8517 FY 2018 Org 0906

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 430,324 |
| 2 | Current Expenses13000 | | <u>53,133</u> |
| 3 | Total..... | \$ | 483,457 |

270 - *WV Board of Examiners for Registered Professional Nurses –**Registered Professional Nurses*

(WV Code Chapter 30)

Fund 8520 FY 2018 Org 0907

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,081,694 |
| 2 | Current Expenses13000 | | 295,339 |
| 3 | Repairs and Alterations.....06400 | | 3,000 |
| 4 | Equipment.....07000 | | 19,500 |
| 5 | Other Assets.....69000 | | <u>4,500</u> |
| 6 | Total..... | \$ | 1,404,033 |

271 - *Public Service Commission*

(WV Code Chapter 24)

Fund 8623 FY 2018 Org 0926

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 11,807,314 |
| 2 | Unclassified.....09900 | 147,643 |
| 3 | Current Expenses13000 | 2,594,398 |
| 4 | Repairs and Alterations.....06400 | 55,000 |
| 5 | Equipment.....07000 | 160,000 |
| 6 | PSC Weight Enforcement.....34500 | 4,370,453 |
| 7 | Debt Payment/Capital Outlay52000 | 350,000 |
| 8 | BRIM Premium.....91300 | <u>150,040</u> |
| 9 | Total..... | \$ 19,634,848 |

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

*272 - Public Service Commission –**Gas Pipeline Division –**Public Service Commission Pipeline Safety Fund*

(WV Code Chapter 24B)

Fund 8624 FY 2018 Org 0926

| | | |
|---|---|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 284,198 |
| 2 | Unclassified.....09900 | 3,851 |
| 3 | Current Expenses13000 | 93,115 |
| 4 | Repairs and Alterations.....06400 | <u>4,000</u> |
| 5 | Total..... | \$ 385,164 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public

Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

273 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8625 FY 2018 Org 0926

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,243,526 |
| 2 | Unclassified.....09900 | | 29,233 |
| 3 | Current Expenses13000 | | 577,557 |
| 4 | Repairs and Alterations.....06400 | | 23,000 |
| 5 | Equipment.....07000 | | <u>50,000</u> |
| 6 | Total..... | \$ | 2,923,316 |

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

274 - Public Service Commission –

Consumer Advocate Fund

(WV Code Chapter 24)

Fund 8627 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 743,372 |
| 2 | Current Expenses13000 | | 276,472 |
| 3 | Equipment.....07000 | | 9,872 |
| 4 | BRIM Premium.....91300 | | <u>4,660</u> |
| 5 | Total..... | \$ | 1,034,376 |

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

*275 - Real Estate Commission –**Real Estate License Fund*

(WV Code Chapter 30)

Fund 8635 FY 2018 Org 0927

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 582,413 |
| 2 | Current Expenses13000 | | 285,622 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | <u>10,000</u> |
| 5 | Total..... | \$ | 883,035 |

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

*276 - WV Board of Examiners for Speech-Language**Pathology and Audiology –**Speech-Language Pathology and Audiology Operating Fund*

(WV Code Chapter 30)

Fund 8646 FY 2018 Org 0930

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 73,190 |
| 2 | Current Expenses13000 | | <u>65,623</u> |
| 3 | Total..... | \$ | 138,813 |

*277 - WV Board of Respiratory Care –**Board of Respiratory Care Fund*

(WV Code Chapter 30)

Fund 8676 FY 2018 Org 0935

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 79,643 |
| 2 | Current Expenses13000 | | 51,047 |
| 3 | Repairs and Alterations.....06400 | | <u>400</u> |
| 4 | Total..... | \$ | 131,090 |

*278 - WV Board of Licensed Dietitians –**Dietitians Licensure Board Fund*

(WV Code Chapter 30)

Fund 8680 FY 2018 Org 0936

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 15,950 |
| 2 | Current Expenses | 13000 | <u>17,050</u> |
| 3 | Total..... | \$ | 33,000 |

*279 - Massage Therapy Licensure Board –**Massage Therapist Board Fund*

(WV Code Chapter 30)

Fund 8671 FY 2018 Org 0938

| | | | |
|---|--|-------|---------------|
| 1 | Personal Services and Employee Benefits....00100 | \$ | 104,418 |
| 2 | Current Expenses | 13000 | <u>22,648</u> |
| 3 | Total..... | \$ | 127,066 |

*280 - Economic Development Authority –**Cacapon and Beech Fork State Parks –**Lottery Revenue Debt Service*Fund 9067 FY 2018 Org 0944

| | | | |
|---|------------------------|----|-----------|
| 1 | Debt Service.....04000 | \$ | 1,400,000 |
|---|------------------------|----|-----------|

The above appropriation for Debt Service (fund 9067, appropriation 04000) shall be paid from the cash balance remaining in the Cacapon and Beech Fork State Parks Lottery Revenue Debt Service Fund (9067).

*281 - Board of Medicine –**Medical Licensing Board Fund*

(WV Code Chapter 30)

Fund 9070 FY 2018 Org 0945

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,187,752 |
| 2 | Current Expenses13000 | | 988,789 |
| 3 | Repairs and Alterations.....06400 | | <u>20,000</u> |
| 4 | Total..... | \$ | 2,196,541 |

*282 - West Virginia Enterprise Resource Planning Board –**Enterprise Resource Planning System Fund*

(WV Code Chapter 12)

Fund 9080 FY 2018 Org 0947

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 6,713,066 |
| 2 | Unclassified.....09900 | | 232,000 |
| 3 | Current Expenses13000 | | 20,140,134 |
| 4 | Repairs and Alterations.....06400 | | 300 |
| 5 | Equipment.....07000 | | 213,000 |
| 6 | Buildings25800 | | 2,000 |
| 7 | Other Assets.....69000 | | <u>199,500</u> |
| 8 | Total..... | \$ | 27,500,000 |

*283 - Board of Treasury Investments –**Board of Treasury Investments Fee Fund*

(WV Code Chapter 12)

Fund 9152 FY 2018 Org 0950

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 782,889 |
| 2 | Unclassified.....09900 | | 14,850 |
| 3 | Current Expenses13000 | | 650,714 |
| 4 | BRIM Premium.....91300 | | 36,547 |
| 5 | Fees of Custodians, Fund Advisors | | |
| 6 | and Fund Managers.....93800 | | <u>3,500,000</u> |
| 7 | Total..... | \$ | 4,985,000 |

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

Total TITLE II, Section 3 – Other Funds

(Including claims against the state)..... \$ 1,491,985,711

Sec. 4. Appropriations from lottery net profits. — Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.Va. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, and Fund 3514 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

284 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2018 Org 0211

| | Appropriation | Lottery Funds |
|------------------------------|----------------------|----------------------|
| 1 Debt Service – Total | 31000 | \$ 10,000,000 |

285 - West Virginia Development Office –

West Virginia Tourism Office (WV Code Chapter 5B)

Fund 3067 FY 2018 Org 0304

| | | |
|--|-------|------------------|
| 1 Tourism – Telemarketing Center | 46300 | \$ 82,080 |
| 2 Tourism – Advertising (R) | 61800 | 2,422,407 |
| 3 Tourism – Operations (R) | 66200 | <u>3,951,872</u> |
| 4 Total | | \$ 6,456,359 |

From the above appropriation for Tourism – Operations (fund 3067, appropriation 66200) funding shall be provided for the operation of the WV Film Office.

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800), and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

286 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2018 Org 0310

| | | |
|--|-------|----------------|
| 1 Personal Services and Employee Benefits | 00100 | \$ 2,090,941 |
| 2 Current Expenses | 13000 | 23,000 |
| 3 Pricketts Fort State Park | 32400 | 106,560 |
| 4 Non-Game Wildlife (R) | 52700 | 365,540 |
| 5 State Parks and Recreation Advertising (R) | 61900 | <u>494,578</u> |
| 6 Total | | \$ 3,080,619 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3267, appropriation 09900), Capital Outlay –

Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

287 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2018 Org 0402

| | | | | |
|---|--|-------|----|-------------------|
| 1 | FBI Checks..... | 37200 | \$ | 108,860 |
| 2 | Vocational Education | | | |
| 3 | Equipment Replacement..... | 39300 | | 800,000 |
| 4 | Assessment Program (R)..... | 39600 | | 2,946,059 |
| 5 | 21st Century Technology Infrastructure | | | |
| 6 | Network Tools and Support (R) | 93300 | | <u>14,151,287</u> |
| 7 | Total..... | | \$ | 18,006,206 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3951, appropriation 09900), Current Expenses (fund 3951, appropriation 13000), Assessment Program (fund 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

288 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2018 Org 0402

| | | | | |
|---|----------------------------|-------|----|-------------------|
| 1 | Debt Service – Total | 31000 | \$ | 6,414,437 |
| 2 | Directed Transfer | 70000 | | <u>11,585,563</u> |
| 3 | Total..... | | \$ | 18,000,000 |

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.Va. Code §29-22-18.

289 - Department of Education and the Arts –

Office of the Secretary –

Control Account –

Lottery Education Fund

(WV Code Chapter 5F)

Fund 3508 FY 2018 Org 0431

| | | | | |
|---|---|-------|----|----------------|
| 1 | Unclassified (R) | 09900 | \$ | 9,483 |
| 2 | Current Expenses | 13000 | | 110,617 |
| 3 | Commission for National | | | |
| 4 | and Community Service | 19300 | | 348,254 |
| 5 | Statewide STEM 21st Century Academy | 89700 | | 130,000 |
| 6 | Literacy Project (R)..... | 89900 | | <u>350,000</u> |
| 7 | Total..... | | \$ | 948,354 |

Any unexpended balances remaining in the appropriations for Unclassified (fund 3508, appropriation 09900), Governor's Honors Academy (fund 3508, appropriation 47800), Arts Programs (fund 3508, appropriation 50000), and Literacy Project (fund 3508, appropriation 89900) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

290 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2018 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 | | |
| 5 | Improvements (R)..... | 24600 | 30,074 |
| 6 | Historic Preservation Grants (R)..... | 31100 | 294,742 |
| 7 | West Virginia Public Theater..... | 31200 | 120,019 |
| 8 | Greenbrier Valley Theater | 42300 | 99,543 |
| 9 | Theater Arts of West Virginia..... | 46400 | 90,000 |
| 10 | Marshall Artists Series | 51800 | 36,005 |
| 11 | Grants for Competitive Arts Program (R)..... | 62400 | 580,800 |
| 12 | West Virginia State Fair..... | 65700 | 31,241 |
| 13 | Save the Music | 68000 | 24,000 |
| 14 | Contemporary American Theater Festival.... | 81100 | 57,281 |
| 15 | Independence Hall | 81200 | 27,277 |
| 16 | Mountain State Forest Festival | 86400 | 38,187 |
| 17 | WV Symphony..... | 90700 | 59,058 |
| 18 | Wheeling Symphony..... | 90800 | 59,058 |
| 19 | Appalachian Children's Chorus..... | 91600 | <u>54,554</u> |
| 20 | Total..... | | \$ 3,499,632 |

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$2,673, Aracoma Story (Logan) \$29,703, Arts Monongahela (Monongalia) \$11,881, Barbour County Arts and Humanities Council \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical Society (Wayne) \$1,166, Ceredo Kenova Railroad Museum (Wayne) \$1,166, Ceredo Museum (Wayne) \$720, Children's Theatre of Charleston (Kanawha) \$3,127, Chuck Mathena Center (Mercer) \$62,532, Collis P. Huntington Railroad Historical Society (Cabell) \$5,940, Country Music Hall of Fame and Museum (Marion) \$4,158, First Stage Children's Theater Company \$1,166, Flannigan Murrell House (Summers) \$3,780, Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison) \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen Memorial Foundation (Berkeley) \$11,005, Grafton Mother's Day Shrine Committee (Taylor) \$5,049, Hardy County Tour and Crafts Association \$11,881, Heartwood in the Hills (Calhoun) \$5,040, Heritage Farm Museum & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette) \$3,267, Historic

Middleway Conservancy (Jefferson) \$594, Jefferson County Black History Preservation Society \$2,970, Jefferson County Historical Landmark Commission \$4,752, Maddie Carroll House (Cabell) \$4,455, Marshall County Historical Society \$5,049, McCoy Theater (Hardy) \$11,881, Morgantown Theater Company (Monongalia) \$11,881, Mountaineer Boys' State (Lewis) \$5,940, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum (Berkeley) \$5,940, Old Opera House Theater Company (Jefferson) \$8,910, Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic Opera House \$3,564, Raleigh County All Wars Museum \$5,940, Rhododendron Girl's State (Ohio) \$5,940, Roane County 4-H and FFA Youth Livestock Program \$2,970, Scottish Heritage Society/N. Central WV (Harrison) \$2,970, Society for the Preservation of McGrew House (Preston) \$2,079, Southern West Virginia Veterans' Museum \$3,393, Summers County Historic Landmark Commission \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian Center (Summers) \$5,310, Tug Valley Arts Council (Mingo) \$2,970, Tug Valley Chamber of Commerce Coal House (Mingo) \$1,188, Tunnelton Historical Society (Preston) \$1,188, Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia Museum of Glass (Lewis) \$3,713, West Virginia Music Hall of Fame (Kanawha) \$20,792, YMCA Camp Horseshoe (Tucker) \$59,405, Youth Museum of Southern West Virginia (Raleigh) \$7,128, Z.D. Ramsdell House (Wayne) \$720.

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage Festival (Jefferson) \$2,970, Alderson 4th of July Celebration (Greenbrier) \$2,970, Allegheny Echo (Pocahontas) \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Angus Beef and Cattle Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296, Annual Don Redman Heritage Concert & Awards (Jefferson) \$938, Annual Ruddle Park Jamboree (Pendleton) \$4,690, Antique Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program

(Berkeley) \$1,188, Apple Butter Festival (Morgan) \$3,564, Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,079, Armed Forces Day-South Charleston (Kanawha) \$1,782, Arthurdale Heritage New Deal Festival (Preston) \$2,970, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn Harvest Fest (Monroe) \$2,448, Barbour County Fair \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Bass Festival (Pleasants) \$1,099, Battelle District Fair (Monongalia) \$2,970, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee (Mason) \$2,970, Belle Town Fair (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881, Bergoo Down Home Days (Webster) \$1,485, Berkeley County Youth Fair \$10,990, Black Bear 4K Mountain Bike Race (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564, Black Walnut Festival (Roane) \$5,940, Blast from the Past (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone County Fair \$5,940, Boone County Labor Day Celebration \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair \$6,832, Braxton County Monster Fest / West Virginia Autumn Festival \$1,485, Brooke County Fair \$2,079, Bruceton Mills Good Neighbor Days (Preston) \$1,188, Buckwheat Festival (Preston) \$5,050, Buffalo 4th of July Celebration (Putnam) \$400, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest Festival (Mineral) \$17,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burnsville Harvest Festival (Braxton) \$1,407, Cabell County Fair \$5,940, Calhoun County Wood Festival \$1,188, Campbell's Creek Community Fair (Kanawha) \$1,485, Cape Coalwood Festival Association (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$1,188, Capon Springs Ruritan 4th of July (Hampshire) \$684, Cass Homecoming (Pocahontas) \$1,188, Cedarville Town Festival (Gilmer) \$684, Celebration in the Park (Wood) \$2,376, Celebration of America (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700, Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson) \$2,970, Cherry River Festival (Nicholas) \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July Festivities

(Hancock) \$2,970, Chief Logan State Park-Civil War Celebration (Logan) \$4,752, Chilifest West Virginia State Chili Championship (Cabell) \$1,563, Christmas In Our Town (Marion) \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, City of Dunbar Critter Dinner (Kanawha) \$5,940, City of Logan Polar Express (Logan) \$4,456, City of New Martinsville Festival of Memories (Wetzel) \$6,534, Clay County Golden Delicious Apple Festival \$4,158, Clay District Fair (Monongalia) \$1,080, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158, Country Roads Festival (Fayette) \$1,188, Cowen Railroad Festival (Webster) \$2,079, Craigs ville Fall Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer) \$2,160, Culturefest World Music & Arts Festival (Mercer) \$4,690, Delbarton Homecoming (Mingo) \$2,079, Doddridge County Fair \$4,158, Dorcas Ice Cream Social (Grant) \$3,564, Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion Festival (McDowell) \$891, Elkins Randolph County 4th of July Car Show (Randolph) \$1,188, Fairview 4th of July Celebration (Marion) \$684, Farm Safety Day (Preston) \$1,188, Farmer's Day Festival (Monroe) \$2,330, Farmers' Day Parade (Wyoming) \$720, Fenwick Mountain Old Time Community Festival (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881, Flatwoods Days (Braxton) \$700, Flemington Day Fair and Festival (Taylor) \$2,079, Follansbee Community Days (Brooke) \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison) \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$4,456, Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$2,970, Frontier Days (Harrison) \$1,782, Frontier Fest/Canaan Valley (Taylor) \$2,970, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$1,485, Gassaway Days Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast (Mingo) \$2,188, Gilbert Kiwanis Harvest Festival (Mingo) \$2,376, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County Farm Show \$2,376, Grant County Arts Council \$1,188, Grape Stomping Wine Festival (Nicholas) \$1,188, Great Greenbrier River Race (Pocahontas) \$5,940, Greater Quinwood Days (Greenbrier) \$781,

Guyandotte Civil War Days (Cabell) \$5,940, Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire) \$684, Hampshire County 4th of July Celebration \$11,881, Hampshire County Fair \$5,002, Hampshire Heritage Days (Hampshire) \$2,376, Hancock County Oldtime Fair \$2,970, Hardy County Commission - 4th of July \$5,940, Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln) \$2,970, Heritage Craft Festival (Monroe) \$1,044, Heritage Days Festival (Roane) \$891, Hilltop Festival (Cabell) \$684, Hilltop Festival of Lights (McDowell) \$1,188, Hinton Railroad Days (Summers) \$4,347, Holly River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432, Hundred 4th of July (Wetzel) \$4,307, Hundred American Legion Earl Kiger Post Bluegrass Festival (Wetzel) \$1,188, Hurricane 4th of July Celebration (Putnam) \$2,970, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County Fair \$2,970, Jamboree (Pocahontas) \$2,970, Jane Lew Arts and Crafts Fair (Lewis) \$684, Jefferson County Fair Association \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Kanawha Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$2,970, Keeper of the Mountains-Kayford (Kanawha) \$1,485, Kenova Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782, Keystone Reunion Gala (McDowell) \$1,563, King Coal Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,188, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$2,970, Lady of Agriculture (Preston) \$684, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$2,970, Last Blast of Summer (McDowell) \$2,970, Lewis County Fair Association \$2,079, Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival \$4,752, Lincoln County Winterfest \$2,970, Lindside

Veterans' Day Parade \$720, Little Levels Heritage Festival (Pocahontas) \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813, Mannington District Fair (Marion) \$3,564, Maple Syrup Festival (Randolph) \$684, Marion County FFA Farm Fest \$1,485, Marmet Labor Day Celebration (Kanawha) \$3,078, Marshall County Antique Power Show \$1,485, Marshall County Fair \$4,456, Mason County Fair \$2,970, Mason Dixon Festival (Monongalia) \$4,158, Mewan Massacre Reenactment (Mingo) \$5,004, Mewan-Magnolia Fair (Mingo) \$15,932, McARTS-McDowell County \$11,881, McDowell County Fair \$1,485, McGrew House History Day (Preston) \$1,188, McNeill's Rangers (Mineral) \$4,752, Meadow Bridge Hometown Festival (Fayette) \$743, Meadow River Days Festival (Greenbrier) \$1,782, Mercer Bluestone Valley Fair (Mercer) \$1,188, Mercer County Fair \$1,188, Mercer County Heritage Festival \$3,474, Mid Ohio Valley Antique Engine Festival (Wood) \$1,782, Milton Christmas in the Park (Cabell) \$1,485, Milton 4th of July Celebration (Cabell) \$1,485, Mineral County Fair \$1,040, Mineral County Veterans Day Parade \$891, Molasses Festival (Calhoun) \$1,188, Monongahfest (Marion) \$3,752, Moon Over Mountwood Fishing Festival (Wood) \$1,782, Morgan County Fair-History Wagon \$891, Moundsville Bass Festival (Marshall) \$2,376, Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485, Mountain Fest (Monongalia) \$11,881, Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts and Crafts Festival (Jefferson) \$2,970, Mountain Music Festival (McDowell) \$1,485, Mountain State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$26,732, Mountaineer Hot Air Balloon Festival (Monongalia) \$2,376, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$11,881, Music and Barbecue - Banks District VFD (Upshur) \$1,278, New Cumberland Christmas Parade (Hancock) \$1,782, New Cumberland 4th of July (Hancock) \$2,970, New River Bridge Day Festival (Fayette) \$23,762, Newburg Volunteer Fireman's Field Day (Preston) \$684, Nicholas County Fair \$2,970, Nicholas County Potato Festival \$2,079, Oak Leaf Festival (Fayette) \$6,253, Oceana Heritage Festival

(Wyoming) \$3,564, Oglebay City Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair \$5,346, Ohio River Fest (Jackson) \$4,320, Ohio Valley Beef Association (Wood) \$1,485, Ohio Valley Black Heritage Festival (Ohio) \$3,267, Old Central City Fair (Cabell) \$2,970, Old Century City Fair (Barbour) \$1,250, Old Tyme Christmas (Jefferson) \$1,425, Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188, Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend \$1,188, Pendleton County Committee for Arts \$8,910, Pendleton County Fair \$6,253, Pennsboro Country Road Festival (Ritchie) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881, Petersburg HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$891, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564, Pleasants County Agriculture Youth Fair \$2,970, Poca Heritage Days (Putnam) \$1,782, Pocahontas County Pioneer Days \$4,158, Point Pleasant Stern Wheel Regatta (Mason) \$2,970, Pratt Fall Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer) \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County Fair \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival (Kanawha) \$1,485, Randolph County Community Arts Council \$1,782, Randolph County Fair \$4,158, Randolph County Ramp and Rails \$1,188, Ranson Christmas Festival (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier) \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie County Fair and Exposition \$2,970, Ritchie County Pioneer Days \$684, River City Festival (Preston) \$684, Roane County Agriculture Field Day \$1,782, Rock the Park (Kanawha) \$3,240, Rocket Boys Festival (Raleigh) \$1,710, Romney Heritage Days (Hampshire) \$1,876, Ronceverte River Festival (Greenbrier) \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter Festival (Harrison) \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the River (Mingo) \$1,250, Smoke on the Water

(Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$5,940, Southern Wayne County Fall Festival \$684, Spirit of Grafton Celebration (Taylor) \$5,940, Springfield Peach Festival (Hampshire) \$738, St. Albans City of Lights - December (Kanawha) \$2,970, Sternwheel Festival (Wood) \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200, Storytelling Festival (Lewis) \$400, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival \$1,944, Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair \$3,267, Terra Alta VFD 4th of July Celebration (Preston) \$684, The Gathering at Sweet Creek (Wood) \$1,782, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$8,910, Town of Delbarton 4th of July Celebration (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Matoaka Hog Roast (Mercer) \$684, Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County Homecoming \$3,240, St. Albans Train Fest (Kanawha) \$6,120, Treasure Mountain Festival (Pendleton) \$14,851, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and Celebration \$10,692, Tucker County Fair \$2,821, Tucker County Health Fair \$1,188, Tunnelton Depot Days (Preston) \$684, Tunnelton Volunteer Fire Department Festival (Preston) \$684, Turkey Festival (Hardy) \$1,782, Tyler County Fair \$3,088, Tyler County 4th of July \$400, Tyler County OctoberFest \$720, Union Community Irish Festival (Barbour) \$648, Uniquely West Virginia Festival (Morgan) \$1,188, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,485, Upper Ohio Valley Italian Festival (Ohio) \$7,128, Upshur County Youth Livestock Show \$1,440, Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival (Hardy) \$2,970, Wayne County Fair \$2,970, Wayne County Fall Festival \$2,970, Webster County Fair \$3,600, Webster County Wood Chopping Festival \$8,910, Webster Wild Water Weekend \$1,188, Weirton July 4th Celebration (Hancock) \$11,881, Welcome Home Family Day (Wayne) \$1,900,

Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple Festival of Brooke County \$2,970, West Virginia Blackberry Festival (Harrison) \$2,970, West Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940, West Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Fireman's Rodeo (Fayette) \$1,485, West Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach Festival (Hampshire) \$3,240, West Virginia Polled Hereford Association (Braxton) \$891, West Virginia Poultry Festival (Hardy) \$2,970, West Virginia Pumpkin Festival (Cabell) \$5,940, West Virginia State Folk Festival (Gilmer) \$2,970, West Virginia Water Festival - City of Hinton (Summers) \$9,144, Weston VFD 4th of July Firemen Festival (Lewis) \$1,188, Wetzel County Autumnfest \$3,267, Wetzel County Town and Country Days \$10,098, Wheeling Celtic Festival (Ohio) \$1,166, Wheeling City of Lights (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio) \$5,940, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881, Whipple Community Action (Fayette) \$1,485, Wileyville Homecoming (Wetzel) \$2,376, Wine Festival and Mountain Music Event (Harrison) \$2,970, Winter Festival of the Waters (Berkeley) \$2,970, Wirt County Fair \$1,485, Wirt County Pioneer Days \$1,188, Wyoming County Civil War Days \$1,296, Youth Stockman Beef Expo (Lewis) \$1,188.

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

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

291 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2018 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>852,729</u> |
| 6 | Total | | \$ | 11,423,076 |

Any unexpended balance remaining in the appropriation for Libraries – Special Projects (fund 3559, appropriation 62500) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

292 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | | |
|----|---|-------|----|------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 193,505 |
| 2 | Current Expenses | 13000 | | 332,095 |
| 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 | | | |
| 7 | for Health Care and Title XIX | | | |
| 8 | Waiver for Senior Citizens | 53900 | | 12,982,692 |
| 9 | Roger Tompkins Alzheimer's Respite Care | 64300 | | 2,296,601 |
| 10 | WV Alzheimer's Hotline | 72400 | | 45,000 |

| | | | |
|----|--|-------|------------------|
| 11 | Regional Aged and Disabled | | |
| 12 | Resource Center..... | 76700 | 425,000 |
| 13 | Senior Services Medicaid Transfer | 87100 | 14,502,312 |
| 14 | Legislative Initiatives for the Elderly..... | 90400 | 9,671,239 |
| 15 | Long Term Care Ombudsman..... | 90500 | 297,226 |
| 16 | BRIM Premium..... | 91300 | 7,152 |
| 17 | In-Home Services and Nutrition | | |
| 18 | for Senior Citizens | 91700 | <u>4,320,941</u> |
| 19 | Total..... | | \$ 47,528,513 |

Any unexpended balance remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

293 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2018 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 | 87,110 |
| 6 | Minority Doctoral Fellowship (R) | 16600 | 129,604 |

| | | | |
|----|---|-------|----------------|
| 7 | Health Sciences Scholarship (R)..... | 17600 | 220,690 |
| 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..... | | \$ 3,012,104 |

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

294 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2018 Org 0442

| | | | |
|---|----------------------------|-------|--------------|
| 1 | Debt Service – Total | 31000 | \$ 5,000,000 |
|---|----------------------------|-------|--------------|

Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) at the close of fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

295 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(WV Code Chapter 18B)

Fund 4185 FY 2018 Org 0463

| | | | |
|---|--|----|------------------|
| 1 | WVU Health Sciences – | | |
| 2 | RHI Program and Site Support (R).....03500 | \$ | 1,107,466 |
| 3 | MA Public Health Program and | | |
| 4 | Health Science Technology (R).....62300 | | 52,387 |
| 5 | Health Sciences Career | | |
| 6 | Opportunities Program (R)86900 | | 319,587 |
| 7 | HSTA Program (R)87000 | | 1,630,169 |
| 8 | Center for Excellence in Disabilities (R)96700 | | <u>292,554</u> |
| 9 | Total..... | \$ | <u>3,402,163</u> |

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

*296 - Higher Education Policy Commission –**Lottery Education –**Marshall University – School of Medicine*

(WV Code Chapter 18B)

Fund 4896 FY 2018 Org 0471

| | | | |
|---|---|----|----------------|
| 1 | Marshall Medical School – | | |
| 2 | RHI Program and Site Support (R).....03300 | \$ | 396,249 |
| 3 | Vice Chancellor for Health Sciences – | | |
| 4 | Rural Health Residency Program (R)60100 | | <u>163,858</u> |
| 5 | Total..... | \$ | <u>560,107</u> |

Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 4 – Lottery Revenue \$ 130,917,133

Sec. 5. Appropriations from state excess lottery revenue fund. — In accordance with W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

297 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2018 Org 0705

| | Excess Lottery Funds | Appro- priation |
|---------------------------|-------------------------------------|----------------------------|
| 1 Directed Transfer | 70000 | \$ 10,000,000 |

The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of the

required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the commissioner's request.

298 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2018 Org 0705

- 1 General Revenue Fund – Transfer70011 \$ 65,000,000

The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

299 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2018 Org 0441

- 1 PROMISE Scholarship – Transfer80000 \$ 29,000,000

- 2 The above appropriation shall be transferred to the PROMISE
3 Scholarship Fund (fund 4296, org 0441) established by W.Va.
4 Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

300 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2018 Org 0944

- 1 Debt Service – Total31000 \$ 19,000,000

Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund

as reimbursement of amounts transferred to the economic development project fund pursuant to section four of this title and W.Va. Code §29-22-18, subsection (f).

301 - Department of Education –

School Building Authority

Fund 3514 FY 2018 Org 0402

1 Debt Service – Total31000 \$ 19,000,000

302 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2018 Org 0316

1 Directed Transfer70000 \$ 46,000,000

The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-15-9.

303 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2018 Org 0441

1 Directed Transfer70000 \$ 15,000,000

The above appropriation shall be transferred to fund 4903, org 0442 as authorized by Senate Concurrent Resolution No. 41.

304 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2018 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 |

Any unexpended balances remaining in the above appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Unclassified (fund 3277, appropriation 09900), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

305 - Racing Commission –

Fund 7308 FY 2018 Org 0707

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

306 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2018 Org 0705

| | | | |
|----|--|-------|------------|
| 1 | Parking Garage Fund – Transfer | 70001 | \$ 500,000 |
| 2 | 2004 Capitol Complex Parking Garage | | |
| 3 | Fund – Transfer..... | 70002 | 254,147 |
| 4 | Capitol Dome and Improvements | | |
| 5 | Fund – Transfer..... | 70003 | 2,155,201 |
| 6 | Capitol Renovation and Improvement | | |
| 7 | Fund – Transfer..... | 70004 | 2,795,627 |
| 8 | Development Office Promotion | | |
| 9 | Fund – Transfer..... | 70005 | 1,524,887 |
| 10 | Research Challenge Fund – Transfer | 70006 | 2,033,184 |
| 11 | Tourism Promotion Fund – Transfer | 70007 | 5,659,115 |
| 12 | Cultural Facilities and Capitol Resources Matching | | |
| 13 | Grant Program Fund – Transfer..... | 70008 | 1,433,371 |
| 14 | Workers' Compensation Debt Reduction | | |
| 15 | Fund – Transfer..... | 70009 | 2,750,000 |

| | | | |
|----|---|-------|-------------------|
| 16 | State Debt Reduction Fund – Transfer..... | 70010 | 20,000,000 |
| 17 | General Revenue Fund – Transfer | 70011 | 9,763,472 |
| 18 | West Virginia Racing Commission Racetrack | | |
| 19 | Video Lottery Account | 70012 | 4,066,363 |
| 20 | Historic Resort Hotel Fund | 70013 | 34,200 |
| 21 | Licensed Racetrack Regular Purse Fund | 70014 | <u>10,111,678</u> |
| 22 | Total..... | | \$ 63,081,245 |

307 - Governor's Office

(WV Code Chapter 5)

Fund 1046 FY 2018 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

308 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2018 Org 0307

Any unexpended balances remaining in the appropriations for Unclassified – Total (fund 3170, appropriation 09600), Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300), and Connectivity Research and Development – Lottery Surplus (fund 3170, appropriation 92300) at the close of the fiscal year 2017 are hereby reappropriated for expenditure during the fiscal year 2018.

309 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2018 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

310 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

1 Medical Services.....18900 \$ 24,506,170

*311 - Division of Corrections –**Correctional Units*

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

Fund 6283 FY 2018 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2017 is hereby reappropriated for expenditure during the fiscal year 2018.

Total TITLE II, Section 5 – Excess Lottery Funds..... \$ 297,587,415

Sec. 6. Appropriations of federal funds. — In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2018.

LEGISLATIVE*312 - Crime Victims Compensation Fund*

(WV Code Chapter 14)

Fund 8738 FY 2018 Org 2300

| | Appropriation | Federal Funds |
|---|----------------------|----------------------|
| 1 Economic Loss Claim Payment Fund..... | 33400 | \$ 2,360,125 |

JUDICIAL*313 - Supreme Court*Fund 8867 FY 2018 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*314 - Governor's Office*

(WV Code Chapter 5)

Fund 8742 FY 2018 Org 0100

| | | |
|---------------------------------|-------|------------|
| 1 Current Expenses – Total..... | 13000 | \$ 225,000 |
|---------------------------------|-------|------------|

315 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2018 Org 1400

| | | |
|--|-------|---------------|
| 1 Personal Services and Employee Benefits | 00100 | \$ 1,563,760 |
| 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 Other Assets..... | 69000 | <u>50,000</u> |
| 7 Total..... | | \$ 7,053,455 |

*316 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 610,830 |
| 2 | Unclassified.....09900 | | 8,755 |
| 3 | Current Expenses13000 | | 136,012 |
| 4 | Repairs and Alterations.....06400 | | 5,500 |
| 5 | Equipment.....07000 | | <u>114,478</u> |
| 6 | Total..... | \$ | 875,575 |

*317 - Department of Agriculture –**State Conservation Committee*

(WV Code Chapter 19)

Fund 8783 FY 2018 Org 1400

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 97,250 |
| 2 | Current Expenses13000 | | <u>14,099,974</u> |
| 3 | Total..... | \$ | 14,197,224 |

*318 - Department of Agriculture –**Land Protection Authority*Fund 8896 FY 2018 Org 1400

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 46,526 |
| 2 | Unclassified.....09900 | | 5,004 |
| 3 | Current Expenses13000 | | <u>448,920</u> |
| 4 | Total..... | \$ | 500,450 |

*319 - Secretary of State –**State Election Fund*

(WV Code Chapter 3)

Fund 8854 FY 2018 Org 1600

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 210,240 |
|---|---|----|---------|

| | | | |
|---|------------------------------|-------|----------------|
| 2 | Unclassified..... | 09900 | 7,484 |
| 3 | Current Expenses | 13000 | 415,727 |
| 4 | Repairs and Alterations..... | 06400 | 15,000 |
| 5 | Other Assets..... | 69000 | <u>100,000</u> |
| 6 | Total..... | | \$ 748,451 |

DEPARTMENT OF COMMERCE

320 - Division of Forestry

(WV Code Chapter 19)

Fund 8703 FY 2018 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 |

321 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2018 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 |

322 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2018 Org 0307

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 745,981 |
| 2 | Unclassified.....09900 | | 50,000 |
| 3 | Current Expenses13000 | | <u>4,504,019</u> |
| 4 | Total..... | \$ | 5,300,000 |

323 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 497,289 |
| 2 | Repairs and Alterations.....06400 | | 250 |
| 3 | Equipment.....07000 | | 6,000 |
| 4 | Unclassified.....09900 | | 106,795 |
| 5 | Current Expenses13000 | | <u>10,069,166</u> |
| 6 | Total..... | \$ | 10,679,500 |

324 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2018 Org 0308

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 384,072 |
| 2 | Unclassified.....09900 | | 5,572 |
| 3 | Current Expenses13000 | | 167,098 |
| 4 | Repairs and Alterations.....06400 | | <u>500</u> |
| 5 | Total..... | \$ | 557,242 |

325 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2018 Org 0310

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 7,912,218 |
| 2 | Unclassified.....09900 | | 107,693 |
| 3 | Current Expenses13000 | | 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 | 4,951,000 |
| 8 | Land..... | 73000 | <u>6,001,000</u> |
| 9 | Total..... | | \$ 27,584,087 |

326 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2018 Org 0314

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 613,177 |
| 2 | Current Expenses | 13000 | <u>150,000</u> |
| 3 | Total..... | | \$ 763,177 |

327 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2018 Org 0323

| | | | |
|---|---|-------|------------------|
| 1 | Unclassified..... | 09900 | \$ 5,127 |
| 2 | Current Expenses | 13000 | 507,530 |
| 3 | Reed Act 2002 – | | |
| 4 | Unemployment Compensation | 62200 | 2,850,000 |
| 5 | Reed Act 2002 – Employment Services | 63000 | <u>1,650,000</u> |
| 6 | Total..... | | \$ 5,012,657 |

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state's unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

328 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2018 Org 0328

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 411,574 |
| 2 | Unclassified.....09900 | | 7,350 |
| 3 | Current Expenses13000 | | <u>2,816,076</u> |
| 4 | Total..... | \$ | 3,235,000 |

DEPARTMENT OF EDUCATION*329 - State Board of Education –**State Department of Education*

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 5,628,855 |
| 2 | Unclassified.....09900 | | 2,000,000 |
| 3 | Current Expenses13000 | | 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 |

*330 - State Board of Education –**School Lunch Program*

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2018 Org 0402

| | | | |
|---|---|----|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,812,648 |
| 2 | Unclassified.....09900 | | 1,150,500 |
| 3 | Current Expenses13000 | | 143,281,265 |
| 4 | Repairs and Alterations.....06400 | | 20,000 |
| 5 | Equipment.....07000 | | 100,000 |
| 6 | Other Assets.....69000 | | <u>25,000</u> |
| 7 | Total..... | \$ | 146,389,413 |

*331 - State Board of Education –**Vocational Division*

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2018 Org 0402

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,519,972 |
| 2 | Unclassified.....09900 | 155,000 |
| 3 | Current Expenses13000 | 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..... | \$ 16,025,053 |

*332 - State Board of Education –**Aid for Exceptional Children*

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2018 Org 0402

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 3,344,940 |
| 2 | Unclassified.....09900 | 1,000,000 |
| 3 | Current Expenses13000 | 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*333 - Department of Education and the Arts –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 8841 FY 2018 Org 0431

| | | |
|---|---|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 416,675 |
|---|---|------------|

| | | | |
|---|-------------------------------|-------|--------------|
| 2 | Current Expenses | 13000 | 5,587,325 |
| 3 | Repairs and Alterations | 06400 | <u>1,000</u> |
| 4 | Total | | \$ 6,005,000 |

334 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2018 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 |

335 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2018 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 |

336 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2018 Org 0439

| | | | |
|---|-----------------|-------|------------|
| 1 | Equipment | 07000 | \$ 750,000 |
|---|-----------------|-------|------------|

337 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2018 Org 0932

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 11,248,930 |
| 2 | Current Expenses13000 | 54,485,940 |
| 3 | Repairs and Alterations.....06400 | 350,400 |
| 4 | Equipment07000 | <u>1,275,870</u> |
| 5 | Total..... | \$ 67,361,140 |

*338 - State Board of Rehabilitation –**Division of Rehabilitation Services –**Disability Determination Services*

(WV Code Chapter 18)

Fund 8890 FY 2018 Org 0932

| | | |
|---|---|---------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 13,730,634 |
| 2 | Current Expenses13000 | 11,383,206 |
| 3 | Repairs and Alterations.....06400 | 1,100 |
| 4 | Equipment07000 | <u>83,350</u> |
| 5 | Total..... | \$ 25,198,290 |

DEPARTMENT OF ENVIRONMENTAL PROTECTION*339 - Division of Environmental Protection*

(WV Code Chapter 22)

Fund 8708 FY 2018 Org 0313

| | | |
|---|---|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 29,177,068 |
| 2 | Current Expenses13000 | 190,201,007 |
| 3 | Repairs and Alterations.....06400 | 738,283 |
| 4 | Equipment07000 | 1,725,238 |
| 5 | Unclassified.....09900 | 2,201,827 |
| 6 | Other Assets69000 | 2,154,416 |
| 7 | Land73000 | <u>100,000</u> |
| 8 | Total..... | \$ 226,297,839 |

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*340 - Consolidated Medical Service Fund*

(WV Code Chapter 16)

Fund 8723 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 750,876 |
| 2 | Unclassified.....09900 | | 73,307 |
| 3 | Current Expenses13000 | | <u>6,630,103</u> |
| 4 | Total..... | \$ | 7,454,286 |

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

(WV Code Chapter 16)

Fund 8802 FY 2018 Org 0506

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 13,744,404 |
| 2 | Unclassified.....09900 | | 947,948 |
| 3 | Current Expenses13000 | | 79,110,551 |
| 4 | Equipment.....07000 | | 456,972 |
| 5 | Buildings25800 | | 155,000 |
| 6 | Other Assets.....69000 | | <u>380,000</u> |
| 7 | Total..... | \$ | 94,794,875 |

*342 - Division of Health –**West Virginia Safe Drinking Water Treatment*

(WV Code Chapter 16)

Fund 8824 FY 2018 Org 0506

| | | | |
|---|--|----|------------|
| 1 | West Virginia Drinking Water Treatment | | |
| 2 | Revolving Fund – Transfer.....68900 | \$ | 16,000,000 |

343 - West Virginia Health Care Authority

(WV Code Chapter 16)

Fund 8851 FY 2018 Org 0507

| | | | | |
|---|------------------------|-------|----|----------------|
| 1 | Unclassified..... | 09900 | \$ | 9,966 |
| 2 | Current Expenses | 13000 | | <u>986,649</u> |
| 3 | Total..... | | \$ | 996,615 |

344 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2018 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 |

345 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2018 Org 0511

| | | | | |
|---|--|-------|----|-------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ | 68,943,213 |
| 2 | Unclassified..... | 09900 | | 22,855,833 |
| 3 | Current Expenses | 13000 | | 72,070,005 |
| 4 | Medical Services..... | 18900 | | 3,234,265,405 |
| 5 | Medical Services Administrative Costs | 78900 | | 132,045,119 |
| 6 | CHIP Administrative Costs..... | 85601 | | 3,333,752 |
| 7 | CHIP Services..... | 85602 | | 47,422,974 |
| 8 | Federal Economic Stimulus | 89100 | | <u>20,000,000</u> |
| 9 | Total..... | | \$ | 3,600,936,301 |

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY*346 - Office of the Secretary*

(WV Code Chapter 5F)

Fund 8876 FY 2018 Org 0601

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 439,636 |
| 2 | Unclassified.....09900 | | 250,000 |
| 3 | Current Expenses13000 | | 24,307,690 |
| 4 | Repairs and Alterations.....06400 | | 3,000 |
| 5 | Other Assets69000 | | <u>5,000</u> |
| 6 | Total..... | \$ | 25,005,326 |

347 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2018 Org 0603

| | | | |
|---|--|----|-------------------|
| 1 | Unclassified.....09900 | \$ | 982,705 |
| 2 | Mountaineer ChalleNGe Academy70900 | | 4,550,000 |
| 3 | Martinsburg Starbase74200 | | 410,000 |
| 4 | Charleston Starbase.....74300 | | 400,000 |
| 5 | Military Authority74800 | | <u>91,927,900</u> |
| 6 | Total..... | \$ | 98,270,605 |

The Adjutant General shall have the authority to transfer between appropriations.

348 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2018 Org 0603

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,350,000 |
| 2 | Current Expenses13000 | | 300,000 |
| 3 | Equipment.....07000 | | <u>350,000</u> |
| 4 | Total..... | \$ | 2,000,000 |

349 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 8727 FY 2018 Org 0606

| | | | |
|---|---|----|----------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 721,650 |
| 2 | Current Expenses13000 | | 20,429,281 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | <u>100,000</u> |
| 5 | Total..... | \$ | 21,255,931 |

350 - Division of Corrections

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

Fund 8836 FY 2018 Org 0608

| | | | |
|---|-----------------------------|----|----------------|
| 1 | Unclassified.....09900 | \$ | 1,100 |
| 2 | Current Expenses13000 | | <u>108,900</u> |
| 3 | Total..... | \$ | 110,000 |

351 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2018 Org 0612

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,435,539 |
| 2 | Current Expenses13000 | | 2,125,971 |
| 3 | Repairs and Alterations.....06400 | | 42,000 |
| 4 | Equipment.....07000 | | 2,502,285 |
| 5 | Buildings25800 | | 750,500 |
| 6 | Other Assets69000 | | 144,500 |
| 7 | Land73000 | | <u>500</u> |
| 8 | Total..... | \$ | 8,001,295 |

352 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2018 Org 0619

| | | | |
|---|-----------------------------|----|--------|
| 1 | Current Expenses13000 | \$ | 80,000 |
|---|-----------------------------|----|--------|

353 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2018 Org 0620

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 1,056,170 |
| 2 | Unclassified.....09900 | | 25,185 |
| 3 | Current Expenses13000 | | 18,774,373 |
| 4 | Repairs and Alterations.....06400 | | <u>1,750</u> |
| 5 | Total..... | \$ | 19,857,478 |

DEPARTMENT OF REVENUE*354 - Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2018 Org 0704

| | | | |
|---|-----------------------------|----|-----------|
| 1 | Current Expenses13000 | \$ | 3,000,000 |
|---|-----------------------------|----|-----------|

DEPARTMENT OF TRANSPORTATION*355 - Division of Motor Vehicles*

(WV Code Chapter 17B)

Fund 8787 FY 2018 Org 0802

| | | | |
|---|---|----|------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 501,394 |
| 2 | Current Expenses13000 | | 13,671,640 |
| 3 | Repairs and Alterations.....06400 | | <u>500</u> |
| 4 | Total..... | \$ | 14,173,534 |

356 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2018 Org 0805

| | | | |
|---|---|----|-----------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 702,637 |
| 2 | Current Expenses13000 | | 9,161,605 |

| | | | |
|---|------------------------------|-------|----------------|
| 3 | Repairs and Alterations..... | 06400 | 2,500 |
| 4 | Equipment..... | 07000 | 4,726,958 |
| 5 | Buildings..... | 25800 | 750,000 |
| 6 | Other Assets..... | 69000 | <u>250,000</u> |
| 7 | Total..... | | \$ 15,593,700 |

357 - Public Port Authority

(WV Code Chapter 17)

Fund 8830 FY 2018 Org 0806

| | | | |
|---|------------------------|-------|------------|
| 1 | Current Expenses | 13000 | \$ 200,000 |
|---|------------------------|-------|------------|

DEPARTMENT OF VETERANS' ASSISTANCE

358 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 8858 FY 2018 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 |

359 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 8728 FY 2018 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

360 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2018 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

361 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2018 Org 0926

| | | | |
|---|---|-------|----------------|
| 1 | Personal Services and Employee Benefits.... | 00100 | \$ 1,286,913 |
| 2 | Current Expenses..... | 13000 | 368,953 |
| 3 | Repairs and Alterations..... | 06400 | 40,000 |
| 4 | Equipment..... | 07000 | <u>750,000</u> |
| 5 | Total..... | | \$ 2,445,866 |

362 - Public Service Commission –

Gas Pipeline Division

(WV Code Chapter 24B)

Fund 8744 FY 2018 Org 0926

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 596,600 |
| 2 | Current Expenses | | 124,628 |
| 3 | Equipment.....07000 | | 3,000 |
| 4 | Unclassified.....09900 | | <u>4,072</u> |
| 5 | Total..... | \$ | 728,300 |

363 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2018 Org 0941

| | | | |
|---|---|----|----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 159,235 |
| 2 | Current Expenses | | 631,365 |
| 3 | Repairs and Alterations.....06400 | | 5,000 |
| 4 | Equipment.....07000 | | 3,000 |
| 5 | Other Assets.....69000 | | 2,000 |
| 6 | Total..... | \$ | <u>800,600</u> |
| 7 | Total TITLE II, Section 6 - Federal Funds | \$ | <u>4,874,926,288</u> |

Sec. 7. Appropriations from federal block grants. — The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2018.

364 - West Virginia Development Office –

Community Development

Fund 8746 FY 2018 Org 0307

| | | | |
|---|---|----|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 648,117 |
| 2 | Unclassified.....09900 | | 375,000 |
| 3 | Current Expenses | | <u>36,476,883</u> |
| 4 | Total..... | \$ | 37,500,000 |

365 - Department of Commerce

West Virginia Development Office –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2018 Org 0307

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 362,389 |
| 2 | Unclassified.....09900 | | 125,000 |
| 3 | Current Expenses13000 | | 12,002,111 |
| 4 | Repairs and Alterations.....06400 | | 1,500 |
| 5 | Equipment.....07000 | | <u>9,000</u> |
| 6 | Total..... | \$ | 12,500,000 |

*366 - WorkForce West Virginia –**Workforce Investment Act*Fund 8749 FY 2018 Org 0323

| | | | |
|---|---|----|--------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,112,606 |
| 2 | Unclassified.....09900 | | 23,023 |
| 3 | Current Expenses13000 | | 39,263,511 |
| 4 | Repairs and Alterations.....06400 | | 1,600 |
| 5 | Equipment.....07000 | | 500 |
| 6 | Buildings.....25800 | | <u>1,100</u> |
| 7 | Total..... | \$ | 41,402,340 |

*367 - Division of Health –**Maternal and Child Health*Fund 8750 FY 2018 Org 0506

| | | | |
|---|---|----|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 2,124,294 |
| 2 | Unclassified.....09900 | | 110,017 |
| 3 | Current Expenses13000 | | <u>8,767,420</u> |
| 4 | Total..... | \$ | 11,001,731 |

*368 - Division of Health –**Preventive Health*Fund 8753 FY 2018 Org 0506

| | | | |
|---|---|----|---------|
| 1 | Personal Services and Employee Benefits00100 | \$ | 162,320 |
| 2 | Unclassified.....09900 | | 22,457 |

| | | | |
|---|------------------------|-------|----------------|
| 3 | Current Expenses | 13000 | 1,895,366 |
| 4 | Equipment | 07000 | <u>165,642</u> |
| 5 | Total | | \$ 2,245,785 |

369 - Division of Health –

Substance Abuse Prevention and Treatment

Fund 8793 FY 2018 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 |

370 - Division of Health –

Community Mental Health Services

Fund 8794 FY 2018 Org 0506

| | | | |
|---|--|-------|------------------|
| 1 | Personal Services and Employee Benefits | 00100 | \$ 936,557 |
| 2 | Unclassified..... | 09900 | 33,533 |
| 3 | Current Expenses | 13000 | <u>2,383,307</u> |
| 4 | Total | | \$ 3,353,397 |

371 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2018 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 |

372 - Division of Human Services –

Social Services

Fund 8757 FY 2018 Org 0511

| | | |
|---|---|------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 14,231,684 |
| 2 | Unclassified.....09900 | 171,982 |
| 3 | Current Expenses 13000 | <u>2,870,508</u> |
| 4 | Total..... | \$ 17,274,174 |

373 - Division of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2018 Org 0511

| | | |
|---|---|--------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 18,297,327 |
| 2 | Unclassified.....09900 | 1,250,000 |
| 3 | Current Expenses 13000 | <u>105,847,136</u> |
| 4 | Total..... | \$ 125,394,463 |

374 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2018 Org 0511

| | | |
|---|---|-------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 4,676,841 |
| 2 | Unclassified.....09900 | 350,000 |
| 3 | Current Expenses 13000 | <u>31,999,456</u> |
| 4 | Total..... | \$ 37,026,297 |

375 - Division of Justice and Community Services –

Juvenile Accountability Incentive

Fund 8829 FY 2018 Org 0620

| | | |
|---|--|-----------------------|
| 1 | Personal Services and Employee Benefits00100 | \$ 1,648 |
| 2 | Current Expenses 13000 | 48,351 |
| 3 | Repairs and Alterations.....06400 | <u>1</u> |
| 4 | Total..... | \$ <u>50,000</u> |
| 5 | Total TITLE II, Section 7 – Federal Block Grants | \$ <u>334,386,229</u> |

Sec. 8. Awards for claims against the state. — There are hereby appropriated for fiscal year 2018, from the fund as designated, in the amounts as specified, general revenue funds in

the amount of \$930,144, special revenue funds in the amount of \$458,734, and state road funds in the amount of \$563,249 for payment of claims against the state.

Sec. 9. Appropriations from general revenue surplus accrued. — The following item is hereby appropriated from the state fund, general revenue, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus as of July 31, 2017 from the fiscal year ending June 30, 2017, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriation in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

376 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2018 Org 0211

- 1 Capital Outlay, Repairs and
- 2 Equipment – Surplus.....67700 \$ 8,000,000

377 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2018 Org 0511

- 1 Medical Services – Surplus.....63300 \$ 30,159,358

*378 - State Auditor –**General Administration*

(WV Code Chapter 12)

Fund 0116 FY 2018 Org 1200

| | | |
|---|---|--------------------|
| 1 | Volunteer Fire Department Workers' Compensation | |
| 2 | Subsidy – Surplus | ##### \$ 2,000,000 |

379 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2018 Org 0702

| | | |
|---|--|-------------------------|
| 1 | Enhanced Enforcement and Auditing | - |
| 2 | Surplus | ##### \$ <u>750,000</u> |
| 1 | Total TITLE II, Section 9 – Surplus Accrued..... | \$ <u>40,909,358</u> |

Sec. 10. Appropriations from lottery net profits surplus accrued. — The following item is hereby appropriated from the lottery net profits, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

*380 - Bureau of Senior Services –**Lottery Senior Citizens Fund*

(WV Code Chapter 29)

Fund 5405 FY 2018 Org 0508

| | | | |
|---|---|-------|----------------------|
| 1 | Senior Services Medicaid Transfer – | | |
| 2 | Lottery Surplus..... | 68199 | \$ <u>15,500,000</u> |
| 3 | Total TITLE II, Section 10 – Surplus Accrued..... | | \$ <u>15,500,000</u> |

Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following item is hereby appropriated from the state excess lottery revenue fund, and is to be available for expenditure during the fiscal year 2018 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2017, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2017.

In the event that surplus revenues available from the fiscal year ending June 30, 2017, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

381 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2018 Org 0511

| | | | |
|---|---|-------|----------------------|
| 1 | Medical Services – Lottery Surplus..... | 68100 | \$ <u>26,900,000</u> |
| 2 | Total TITLE II, Section 11 – Surplus Accrued..... | | \$ <u>26,900,000</u> |

Sec. 12. Special revenue appropriations. — There are hereby appropriated for expenditure during the fiscal year 2018 appropriations made by general law from special revenues which are not paid into the state fund as general revenue under the provisions of W.Va. Code §12-2-2: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.Va. Code §12-2 and 3, and W.Va. Code §11B-2, unless the spending

unit has filed with the director of the budget and the legislative auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended.

During Fiscal Year 2018, the following funds are hereby available and are to be transferred to the Department of Health and Human Resources, Division of Human Services – Medical Services Trust Fund (fund 5185) from available balances per the following:

382 - Treasurer’s Office –

Banking Services Fund

(WV Code Chapter 12)

Fund 1322 FY 2018 Org 1300

1 Directed Transfer 70000 \$1,209,197.40

383 - Department of Administration -

Office of the Secretary -

State Employee Sick Leave Fund

(WV Code Chapter 5)

Fund 2045 FY 2018 Org 0201

1 Directed Transfer 70000 \$ 454,906.67

384 - Department of Administration -

Office of the Secretary -

Gifts, Grants and Donations

(WV Code Chapter 5A)

Fund 2046 FY 2018 Org 0201

1 Directed Transfer70000 \$ 80,000

385 - Department of Administration -

Division of Personnel -

Civil Service Emergency Employment Fund

(WV Code Chapter 29)

Fund 2444 FY 2018 Org 0222

1 Directed Transfer70000 \$ 264.96

386 - Department of Health and Human Resources -

Division of Health -

Breast and Cervical Diagnostic and Treatment Fund

(WV Code Chapter 16)

Fund 5197 FY 2018 Org 0506

1 Directed Transfer70000 \$1,393,767.75

2 Total TITLE II, Section 12 – Directed Transfer \$3,138,136.78

Sec. 13. State improvement fund appropriations. —

Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2018, for the purpose of making studies and recommendations relative to improvements of the administration and management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2018 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any

problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts. — A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment. — Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies. — There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance fund of the West Virginia housing development fund which is under the supervision and control of the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the municipal bond commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the municipal bond commission as may be necessary for these purposes.

The municipal bond commission shall reimburse the state of West Virginia through the Governor from the first remittance collected from the West Virginia housing development fund or

from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments. — There are hereby appropriated for payment to counties, districts and municipal corporations such amounts as will be necessary to pay taxes due counties, districts and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations. — Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund. — The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional. — The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the

succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality. — If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

Following extended discussion,

The question being on the adoption of Senator Hall's amendment to the House of Delegates amendment to the bill, the same was put and prevailed.

Senator Hall then moved that the Senate concur in the House of Delegates amendment, as amended.

Following discussion,

The question being on the adoption of Senator Hall's aforesaid motion, the same was put and prevailed.

Engrossed Senate Bill 1013, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Karnes, Mann, Maynard, Mullins, Plymale, Smith, Swope, Sypolt, Trump and Carmichael (Mr. President)—19.

The nays were: Facemire, Jeffries, Miller, Ojeda, Palumbo, Romano, Rucker and Stollings—8.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—27.

The nays were: None.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1013) takes effect from passage.

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

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

Eng. Com. Sub. for House Bill 113—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients; allowing the Secretary to determine need for a new facility; setting forth requirements for new facility; providing for continuation of licenses of existing beds; exempting certain laws; creating a fund; implementing a benefits package for employees; defining terms; and providing for statutory construction.

At the request of Senator Ferns, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Romano, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—25.

The nays were: Rucker and Smith—2.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

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

Having been engrossed, the bill (Eng. Com. Sub. for H. B. 113) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for House Bill 113 pass?”

On the passage of the bill, the yeas were: Blair, Boley, Boso, Clements, Ferns, Gaunch, Hall, Mann, Palumbo, Rucker, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—15.

The nays were: Azinger, Cline, Facemire, Jeffries, Karnes, Maynard, Miller, Mullins, Ojeda, Plymale, Romano and Smith—12.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 113) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Blair, Boley, Boso, Clements, Cline, Ferns, Gaunch, Hall, Mann, Maynard, Miller, Mullins, Palumbo, Plymale, Rucker, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—21.

The nays were: Facemire, Jeffries, Karnes, Ojeda, Romano and Smith—6.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, two thirds of all the members elected to the Senate not having voted in the affirmative, the President declared Senator Ferns' motion had not prevailed.

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

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

Eng. Com. Sub. for Senate Bill 1011, Selling Hopemont Hospital.

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

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

On page one, by striking out the section caption and inserting in lieu thereof a new section caption, to read as follows:

§9-5-25. Selling Hopemont Hospital.;

On page one, section twenty-five, line one, by striking out the word "shall" and inserting in lieu thereof the word "may";

On page one, section twenty-five, line eleven, by striking out the word "If" and inserting in lieu thereof the word "When";

By striking out the enacting section and inserting in lieu thereof a new enacting section, to read as follows:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §9-5-25, to read as follows;

And,

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

Eng. Com. Sub. for Senate Bill 1011—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of a certain state-owned health care facility and appurtenances by the Secretary of the Department of Health and Human Resources; ensuring the transfer of existing patients; allowing the Secretary to determine need for a new facility; setting forth requirements for new facility; providing for continuation of licenses of existing beds; exempting certain laws; creating a fund; implementing a benefits package for employees; defining terms; and providing for statutory construction.

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

Following discussion,

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

Engrossed Committee Substitute for Senate Bill 1011, as amended by the House of Delegates, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 1011 pass?"

On this question, the yeas were: Azinger, Blair, Clements, Ferns, Gaunch, Rucker, Stollings, Swope, Sypolt and Carmichael (Mr. President)—10.

The nays were: Boley, Boso, Cline, Facemire, Hall, Jeffries, Karnes, Mann, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Romano, Smith and Trump—17.

Absent: Beach, Maroney, Prezioso, Takubo, Unger, Weld and Woelfel—7.

So, a majority of all the members present and voting not having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 1011) rejected.

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

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

Senate Concurrent Resolution 104, Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 106.

On motion of Senator Ferns, the Senate recessed until 8:30 p.m. tonight.

Night Session

Upon expiration of the recess, the Senate reconvened and proceeded to the sixth order of business.

At the request of Senator Trump, and by unanimous consent, Senator Trump offered the following resolution from the floor:

Senate Concurrent Resolution 105—Suspending the provisions of Joint Rule 3, relating to committees of conference and reports relative thereto.

Resolved by the Legislature of West Virginia, two thirds of the members present and voting in each house agreeing thereto:

That pursuant to Rule 25 of the Joint Rules of the Senate and House of Delegates, the provisions of Joint Rule 3, paragraph (b) are suspended as follows: the committee of conference on the disagreeing votes of the two houses, as to Engrossed Committee Substitute for House Bill 106 (*Relating generally to the furlough of public employees during a declared fiscal emergency*), is hereby extended until Tuesday, June 27, 2017.

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

The question being on the adoption of the resolution, the same was put.

On this question, the yeas were: Azinger, Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Plymale, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—23.

The nays were: None.

Absent: Beach, Boley, Hall, Maroney, Miller, Palumbo, Prezioso, Takubo, Unger, Weld and Woelfel—11.

So, two thirds of all the members present and voting having voted in the affirmative, the President declared the resolution (S. C. R. 105) adopted.

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

On motion of Senator Ferns, the Senate recessed until 10:30 p.m. tonight.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

A message from The Clerk of the House of Delegates announced the amendment by that body, passage as amended with

its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 1003, Relating generally to WV Parkways Authority.

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

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

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

That §17-16A-18a and §17-16A-23 of the Code of West Virginia, 1931, as amended, be repealed; that §17-16A-5, §17-16A-6, §17-16A-10, §17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22, §17-16A-29 and §17-16A-30 of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §17-16A-11a; that §17-16D-3 of said code be amended and reenacted; that said code be amended by adding thereto a new section, designated §17A-2-25; that §17A-3-7 of said code be amended and reenacted; and that said code be amended by adding thereto a new section, designated §17A-10-17, all to read as follows:

CHAPTER 17. ROADS AND HIGHWAYS.

ARTICLE 16A. WEST VIRGINIA PARKWAYS AUTHORITY.

§17-16A-5. Definitions.

As used in this article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) “Cost” means the cost of construction, reconstruction, maintenance, improvement, repair and operation of the project, the

cost of the acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the Parkways Authority or the Department of Transportation for such construction, reconstruction, maintenance, improvement and repair, the cost of all machinery, equipment, material and labor which are deemed essential thereto, the cost of improvements, the cost of financing charges, interest prior to and during construction and for one year after completion of construction, the cost of traffic estimates and of engineering, consultant, accounting, architects', trustees' and legal fees and expenses, plans, specifications, surveys, estimates of cost and of revenues, other costs and expenses necessary or incident to determining the feasibility or practicability of constructing any such project, administrative expenses and such other costs and expenses as may be necessary or incident to the construction of the project, the financing of such construction and the placing of the project in operation or to the operation of the project. Any obligation or expense hereafter incurred by the Department of Transportation with the approval of the Parkways Authority, regardless of whether the approval was authorized before or after the obligation or expense was incurred, for traffic surveys, borings, preparation of plans and specifications, and other engineering and consulting services in connection with the construction of a parkway project shall be regarded as a part of the cost of such project and may be reimbursed to the state out of the proceeds of parkway revenue bonds or revenue refunding bonds hereinafter authorized.

(b) "Department of Transportation" means the West Virginia Department of Transportation and each of its respective divisions and subordinate agencies, including, without limitation, the Division of Highways.

(c) "Economic development project" means any land or water site, structure, facility or equipment which the Parkways Authority may acquire, create, develop, construct, reconstruct, improve or repair, or previously may have acquired, created, developed, constructed, reconstructed, improved or repaired under the provisions of this article to promote the agricultural, economic or industrial development of the state, together with all property

rights, easements and interests which may be acquired by the Parkways Authority for the development, construction or operation of such project.

(d) “Expressway” means any road serving major intrastate and interstate travel, including federal interstate routes.

(e) “Feeder roads” means any road serving community to community travel or collects and feeds traffic to an expressway or turnpike.

(f) “Local service road” means any local arterIALIZED and spur roads which provide land access and socioeconomic benefits to abutting properties.

(g) “Owner” means all individuals, co-partnerships, associations or corporations having any title or interest in any property, rights, easements and interests authorized to be acquired by this article.

(h) “Park and forest roads” means any road serving travel within state parks, state forests and public hunting and fishing areas.

(i) “Parkways Authority” or “authority” means the West Virginia Parkways Authority, or if the Parkways Authority is abolished, the board, body, commission or authority succeeding to the principal functions thereof or to whom the powers given by this article to the Parkways Authority shall be given by law.

(j) “Parkway project” means any expressway, turnpike, bridge, tunnel, trunk line, feeder road, state local service road or park and forest road, or any portion or portions of any expressway, turnpike, trunk line, feeder road, state local service road or park and forest road, whether contiguous or noncontiguous to the West Virginia Turnpike or to any such portion or portions thereof, which the Parkways Authority or the Department of Transportation may acquire, construct, reconstruct, maintain, operate, improve, ~~or~~ repair or finance under the provisions of this article, which shall include for all purposes of this article, any acquisition, construction, reconstruction, maintenance, operation,

improvement, ~~or~~ repair or financing that the authority may undertake by agreement with the Department of Transportation, or any expressway, turnpike or other road constructed by the West Virginia Turnpike Commission pursuant to the authority granted to it under the laws of this state prior to June 1, 1989, and shall embrace all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, toll houses, service stations and administration, storage and other buildings, which the Parkways Authority or the Department of Transportation may deem necessary for the operation of ~~the~~ a parkway project, or which is used in the operation of a parkway project, ~~constructed prior to June 1, 1989~~ together with all property, rights, easements and interests which may be acquired by the Parkways Authority or the Department of Transportation for the construction or the operation of ~~the~~ a parkway project or which were acquired in connection with or are used in the operation of a the turnpike or any other existing parkway project. ~~constructed prior to June 1, 1989~~ A parkway project shall also include any enhancements or improvements to the turnpike or any parkway project, including, without limitation, projects involving lane widening, resurfacing, surface replacement, bridge replacement, bridge improvements and enhancements, other bridge work, drainage system improvements and enhancements, drainage system replacements, safety improvements and enhancements, and traffic flow improvements and enhancements, which have been recommended by the authority's or the Department of Transportation's consulting engineers or traffic engineers, or both.

(k) "Project" or "projects" means a parkway project, economic development project or tourism project, or any combination thereof.

(l) "Public meeting" means a meeting designed to solicit input and provide information sufficient to allow the public to understand the scope and the costs of a particular project.

(m) "State Road Fund" means the State Road Fund created in article three, chapter seventeen of this code.

~~(t)~~ (n) “Transportation secretary” means the Secretary of the Department of Transportation.

(o) “Toll revenues” means any amount received by the Parkways Authority from any source as a fee for the right of transit over the West Virginia Turnpike or any other parkway project and any fees paid by owners of registered motor vehicles in the state or any other state collected pursuant to section seventeen, article ten, chapter seventeen-a of this code.

~~(m)~~ (p) “Tourism project” means:

(1) Any park or tourist facility and attraction which the Parkways Authority may create, develop, construct, reconstruct, improve, maintain or repair or may have previously created, developed, constructed, reconstructed, improved, maintained or repaired under the provisions of this article, and shall include all roads, interchanges, entrance plazas, approaches, service stations, administration, storage and any other buildings or service stations, structures which the Parkways Authority may deem necessary for the operation of the tourism project, together with all property rights, easements and interests which may be acquired by the Parkways Authority for the construction or operation of the tourism project; and

(2) The construction, reconstruction, improvement, maintenance and repair of any park or tourist facility and attraction owned by the state as of June 1, 1989.

~~(n)~~ (q) “Tourist facility and attraction” mean cabins, lodges, recreational facilities, restaurants and other revenue producing facilities, any land or water site, and any information center, visitors’ center or rest stop which the Parkways Authority determines may improve, enhance or contribute to the development of the tourism industry in the state.

~~(o)~~ (r) “Trunk line” means any road serving major city-to-city travel.

~~(p)~~ (s) “Turnpike” means the West Virginia Turnpike or any other toll road in the state.

~~(e)~~ (t) “West Virginia Turnpike Commission” means the State Turnpike Commission existing as of June 1, 1989.

~~(f)~~ (u) “West Virginia Turnpike” means the turnpike from Charleston to a point approximately one mile south of the intersection of Interstate 77 and U. S. Route 460 near Princeton in Mercer County, West Virginia, which road is presently a part of the Federal Interstate Highway System.

§17-16A-6. Parkways Authority’s powers.

(a) The Parkways Authority is hereby authorized and empowered:

(1) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) To adopt an official seal and alter the same at pleasure;

(3) To maintain an office at such place or places within the state as it may designate;

(4) To sue and be sued in its own name, plead and be impleaded. Any and all actions against the Parkways Authority shall be brought only in the county in which the principal office of the Parkways Authority is located;

(5) To construct, reconstruct, improve, maintain, repair, ~~and~~ operate or finance projects, at such locations within the state or adjacent to the state pursuant to a reciprocal toll enforcement agreement as may be determined by the Parkways Authority: ~~subject to the provisions of section thirty of this article~~ *Provided*, That after July 1, 2010, the Parkways Authority is prohibited from constructing new tourism projects or new economic development projects, but this prohibition shall not prevent the authority from entering into lease agreements, development agreements or other agreements with private businesses or companies allowing and providing for such private businesses or companies to acquire, develop, construct and operate motels, lodging facilities or other businesses and business facilities on land owned by the authority

and located adjacent to the Tamarack project and facilities at Exit 45 of the West Virginia Turnpike;

(6) To issue parkway revenue bonds of the State of West Virginia, payable solely from toll revenues, for the purpose of paying all or any part of the cost of any one or more parkway projects; ~~which costs may include, with respect to the West Virginia Turnpike, such funds as are necessary to repay to the State of West Virginia all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards~~

(7) To issue parkway revenue refunding bonds of the State of West Virginia, payable solely from toll revenues, for any one or more of the following purposes:

(A) Refunding any bonds which shall have been issued under the provisions of this article or any predecessor thereof; and

(B) Repaying to the state all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards;

(8) To charge, fix and revise, from time to time, tolls or fees for transit over each parkway project constructed or improved or financed by it, by the Department of Transportation or by the West Virginia Turnpike Commission; *Provided, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: *Provided, however, That an existing road does not include the West Virginia Turnpike, new lanes or sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities;**

(9) To fix and revise, rents, fees or other charges, of whatever kind or character, for the use of each tourism project or economic development project constructed by it or for the use of any building, structure or facility constructed by it or financed in connection with a parkway project;

(10) To acquire, hold, lease and dispose of real and personal property in the exercise of its powers and the performance of its duties under this article;

(11) To acquire in the name of the state by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the right of condemnation in the manner hereinafter provided, such public or private lands, including public parks, playgrounds or reservations, or parts thereof or rights therein, rights-of-way, property, rights, easements and interests, as it may deem necessary for carrying out the provisions of this article. No compensation shall be paid for public lands, playgrounds, parks, parkways or reservations so taken, and all public property damaged in carrying out the powers granted by this article shall be restored or repaired and placed in its original condition as nearly as practicable;

(12) To designate the locations of, and establish, limit and control such points of ingress to and egress from, each project as may be necessary or desirable in the judgment of the Parkways Authority to ensure the proper operation and maintenance of such project and to prohibit entrance to such project from any point or points not so designated;

(13) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article, and to employ consulting engineers, attorneys, accountants, architects, construction and financial experts, trustees, superintendents, managers and such other employees and agents as may be necessary in its judgment, and to fix their compensation. All such expenses shall be payable solely from the proceeds of parkway revenue bonds or parkway revenue refunding bonds issued under the provisions of this article; or from tolls or from toll revenues;

(14) To make and enter into all contracts, agreements or other arrangements with any agency, department, division, board, bureau, commission, authority or other governmental unit of the state to operate, maintain or repair any project;

(15) To receive and accept from any federal agency grants for or in aid of the construction of any project, and to receive and accept aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(16) To study, investigate, evaluate and, if feasible, develop and implement a “single fee” program the purpose of which is to charge a flat fee to owners of motor vehicles registered in this state who opt into any such program or any other state which opts into any such program: which would produce on an annual basis a sum of money equal to the total toll revenue received from all West Virginia drivers on West Virginia toll roads during the Authority’s preceding fiscal year, divided into at least three classes based upon usage, size and number of axles *Provided, That any single fee program shall apply only to passenger motor vehicles, divided into classes based on size and usage, and shall not apply to commercial motor vehicles. The flat fee shall be set by the authority at a rate or amount so that the aggregate of all toll revenues estimated to be received by the authority at the time of fixing any such rate or amount, or any increase thereof, provides sufficient toll revenues consistent with the purposes set forth in section thirteen of this article and to cover the administrative costs of any such single fee program. Said sum, plus an amount necessary to cover the expected costs of such program* The separate fee shall be collected produced by adding it to either the annual cost of vehicle registration or of vehicle inspection a single fee equal to the proportionate share of that vehicle owner of the total toll revenue needed to be produced from all vehicles within that class as an additional fee payable solely to the authority pursuant to section seventeen, article ten, chapter seventeen-a of this code. A registered motor vehicle for which such single program fee has been paid shall be entitled to traverse all toll roads within the state without stopping to pay individual tolls during the effective period of said vehicle registration. or said inspection: Provided, however, That if the single fee proposed to be charged under said program exceeds the standard round trip toll for that vehicle over the entire length of the West Virginia Turnpike, the Authority shall not implement such

~~program without the prior approval of both Houses of the Legislature: *Provided further,* That any such~~ The single fee program may shall also include comparable provisions which would allow vehicles registered in other states to traverse West Virginia toll roads in like fashion to West Virginia vehicles as set forth in this section upon the payment of a single fee for each and every vehicle registered in such state, in accordance with the same classification system adopted for West Virginia vehicles. The Parkways Authority, in consultation with the Division of Motor Vehicles, shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code to implement any single fee program under this subdivision (16);

(17) To enter into reciprocal toll enforcement agreements with other toll agencies in this state or in any other state or foreign country;

~~(17)~~ (18) To do all acts and things necessary or convenient to carry out the powers expressly granted in this article; and

~~(18)~~ (19) To file the necessary petition or petitions pursuant to federal bankruptcy laws, Title 11, United States Code, Sec. 401 ~~(being section 81 of the Act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended) and to prosecute to completion all proceedings permitted by Title 11, United States Code, Secs. 401-403 (being sections 81 to 83, inclusive, of said Act of Congress).~~ The State of West Virginia hereby consents to the application of ~~said~~ said Title 11; ~~of the~~ of the United States Code, ~~Secs. 401-403,~~ to the Parkways Authority.

(b) Nothing in this article shall be construed to prohibit the issuance of parkway revenue refunding bonds in a common plan of financing with the issuance of parkway revenue bonds.

§17-16A-10. Parkway revenue bonds, generally.

(a) The Parkways Authority is authorized to provide by resolution for the issuance of parkway revenue bonds of the state

for the purpose of paying all or any part of the cost of one or more parkway projects. ~~Provided, That this section shall not be construed as authorizing the issuance of parkway revenue bonds for the purpose of paying the cost of the West Virginia Turnpike, which parkway revenue bonds may be issued only as authorized under section eleven of this article~~ The principal of and the interest on bonds shall be payable solely from the funds provided for payment, except that:

(1) None of the proceeds of the issuance of parkway revenue bonds under this section shall be used to pay all or any part of the cost of any economic development project or tourism project;

(2) Nothing in this section shall be construed as prohibiting the Parkways Authority from issuing additional parkway revenue bonds to the extent permitted by applicable federal law for the purpose of constructing, maintaining and operating any highway constructed, in whole or in part, with money obtained from the Appalachian Regional Commission; and

(3) The authorization to issue bonds under this section is in addition to the authorization and power to issue bonds under any other section of this code.

(b) The bonds of each issue shall be dated, shall bear interest at a rate as may be determined by the Parkways Authority in its sole discretion, shall mature at a time not exceeding forty years from their date ~~of~~ issue as may be determined by the Parkways Authority, and may be made redeemable before maturity, at the option of the Parkways Authority at a price and under the terms and conditions as may be fixed by the Parkways Authority prior to the issuance of the bonds.

(c) The Parkways Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination of the bonds and the place of payment of principal and interest, which may be at any bank or trust company or securities depository within or without the state.

(d) The bonds shall be executed by manual or facsimile signature by the chair of the Parkways Authority, and the official seal of the Parkways Authority shall be affixed to or printed on each bond, and attested, manually or by facsimile signature, by the Secretary and Treasurer of the Parkways Authority. Any coupons attached to any bond shall bear the manual or facsimile signature of the chair of the Parkways Authority.

(e) In case any officer whose signature or a facsimile of whose signature appears on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery. In case the seal of the Parkways Authority has been changed after a facsimile has been imprinted on the bonds, then the facsimile seal will continue to be sufficient for all purposes.

(f) All bonds issued under the provisions of this article shall have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state. The bonds may be issued in coupon or in registered form, or both, as the Parkways Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the recorders into coupon bonds of any bonds registered as to both principal and interest.

(g) The Parkways Authority may sell the bonds at a public or private sale at a price it determines to be in the best interests of the state.

(h) The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the parkway project or parkway projects and by the Division of Highways for any acquisition, construction, reconstruction, maintenance, improvement or repair of public highways and bridges as provided for in this article sixteen-a for which the bonds were issued, and shall be disbursed in a manner consistent with the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds.

(i) If the proceeds of the bonds of any issue, by error of estimates or otherwise, shall be less than the cost, then additional bonds may in like manner be issued to provide the amount of the deficit. Unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds, the additional bonds shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued.

(j) If the proceeds of the bonds of any issue exceed the cost of the parkway project or parkway projects for which the bonds were issued, then the surplus shall be deposited to the credit of the sinking fund for the bonds.

(k) Prior to the preparation of definitive bonds, the Parkways Authority may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when the bonds have been executed and are available for delivery. The Parkways Authority may also provide for the replacement of any bonds that become mutilated or are destroyed or lost.

(l) All or any portion of the proceeds of any parkway revenue bonds issued pursuant to this section may be credited to the special revenue account within the State Road Fund created in section eleven of this article. Moneys in such fund shall be used by the Division of Highways for any acquisition, construction, reconstruction, maintenance, improvement or repair of public highways and bridges in this state.

(4) (m) Bonds may be issued under the provisions of this article without obtaining the consent of any department, division, commission, board, bureau or agency of the state in accordance with this article: *Provided*, That the Parkways Authority shall comply with the provisions of section twenty-eight, article one, chapter five of this code.

~~§17-16A-11. Parkway revenue bonds -- West Virginia Turnpike; related projects~~ State Road Construction Account.

~~(a) The Parkways Authority is authorized to provide by resolution, at one time or from time to time, for the issuance of parkway revenue bonds of the state in an aggregate outstanding principal amount not to exceed, from time to time, \$200 million for the purpose of paying:~~

~~(1) All or any part of the cost of the West Virginia Turnpike, which may include, but not be limited to, an amount equal to the state funds used to upgrade the West Virginia Turnpike to federal interstate standards;~~

~~(2) All or any part of the cost of any one or more parkway projects that involve improvements to or enhancements of the West Virginia Turnpike, including, without limitation, lane widening on the West Virginia Turnpike and that are or have been recommended by the Parkways Authority's traffic engineers or consulting engineers or by both of them prior to the issuance of parkway revenue bonds for the project or projects; and~~

~~(3) To the extent permitted by federal law, all or any part of the cost of any related parkway project.~~

~~(b) For purposes of this section only, a "related parkway project" means any information center, visitors' center or rest stop, or any combination thereof, and any expressway, turnpike, trunkline, feeder road, state local service road or park and forest road which connects to or intersects with the West Virginia Turnpike and is located within seventy five miles of the turnpike as it existed on June 1, 1989, or any subsequent expressway, trunkline, feeder road, state local service road or park and forest road constructed pursuant to this article: Provided, That nothing in this section shall be construed as prohibiting the Parkways Authority from issuing parkway revenue bonds pursuant to section ten of this article for the purpose of paying all or any part of the cost of any related parkway project: Provided, however, That none of the proceeds of the issuance of parkway revenue bonds under this section shall be used to pay all or any part of the cost of any economic development project, except as provided in section twenty three of this article: Provided further, That nothing in this section shall be construed as prohibiting the Parkways Authority~~

~~from issuing additional parkway revenue bonds to the extent permitted by applicable federal law for the purpose of constructing, maintaining and operating any highway constructed, in whole or in part, with money obtained from the Appalachian Regional Commission as long as the highway connects to the West Virginia Turnpike as it existed on June 1, 1989: And provided further, That, for purposes of this section, in determining the amount of bonds outstanding, from time to time, within the meaning of this section: Original par amount or original stated principal amount at the time of issuance of bonds shall be used to determine the principal amount of bonds outstanding, except that the amount of parkway revenue bonds outstanding under this section may not include any bonds that have been retired through payment, defeased through the deposit of funds irrevocably set aside for payment or otherwise refunded so that they are no longer secured by toll revenues of the West Virginia Turnpike: And provided further, That the authorization to issue bonds under this section is in addition to the authorization and power to issue bonds under any other section of this code: And provided further, That, without limitation of the authorized purposes for which parkway revenue bonds are otherwise permitted to be issued under this section, and without increasing the maximum principal par amount of parkway revenue bonds permitted to be outstanding, from time to time, under this section, the Authority is specifically authorized by this section to issue, at one time or from time to time, by resolution or resolutions under this section, parkway revenue bonds under this section for the purpose of paying all or any part of the cost of one or more parkway projects that:~~

~~(1) Consist of enhancements or improvements to the West Virginia Turnpike, including, without limitation, projects involving lane widening, resurfacing, surface replacement, bridge replacement, bridge improvements and enhancements, other bridge work, drainage system improvements and enhancements, drainage system replacements, safety improvements and enhancements, and traffic flow improvements and enhancements; and~~

~~(2) Have been recommended by the Authority's consulting engineers or traffic engineers, or both, prior to the issuance of the bonds.~~

~~(c) Except as otherwise specifically provided in this section, the issuance of parkway revenue bonds pursuant to this section, the maturities and other details of the bonds, the rights of the holders of the bonds, and the rights, duties and obligations of the Parkways Authority in respect of the bonds shall be governed by the provisions of this article insofar as the provisions are applicable.~~

~~(d) Notwithstanding any other provision of this code to the contrary, the Authority may not issue parkway revenue bonds under this section for projects on the West Virginia Turnpike after June 30, 2010: Provided, That the authority may issue revenue refunding bonds pursuant to sections twenty one and twenty two of this article.~~

(a) There is hereby created within the State Road Fund a special revenue account to be known as the State Road Construction Account held in the State Treasury to be expended by the Division of Highways for construction, maintenance and repair of public highways and bridges in this state. The State Road Construction Account created in this section is a special revenue account in the State Treasury and is not part of the state General Revenue Fund.

(b) The State Road Construction Account shall consist of:

(1) All or any portion of the proceeds of any parkway revenue bonds issued pursuant to section ten of this article that the Parkways Authority, in its discretion, may credit to the State Road Construction Account, notwithstanding any provision of section ten of this article to the contrary;

(2) Any appropriations, grants, gifts, contributions or other revenues received by the State Road Construction Account from any source; and

(3) All interest earned on moneys held in the account.

(c) The funds in the special revenue account created by this section will be expended by the Division of Highways for the costs of acquisition, construction, reconstruction, maintenance, improvement or repair of public highways and bridges, as contained in the Division of Highways' Statewide Transportation Improvement Plan as it existed on June 1, 2017, or the West Virginia Division of Highways SOS Transportation Investment Program Candidate Project List dated May 3, 2017, in the following counties:

(1) Raleigh County;

(2) Fayette County;

(3) Wyoming County;

(4) Mercer County;

(5) Kanawha County;

(6) Greenbrier County;

(7) Monroe County;

(8) Summers County;

(9) McDowell County; and

(10) Nicholas County.

§17-16A-11a. West Virginia Parkways Authority Single Fee Program Fund.

There is hereby created within the State Treasury a special account within the state road fund, designated the West Virginia Parkways Authority Single Fee Program Fund. The account shall consist of any fees received from owners of registered motor vehicles in the state or any other state that have opted in under any single fee program that may be created and implemented by the authority pursuant to section six of this article. The account shall be administered by the Parkways Authority and expenditures from the fund shall be used exclusively by the Authority for the purposes

authorized in section thirteen of this article and for administrative costs related to any single fee program implemented by the Parkways Authority under subdivision (16), subsection (a), section six of this article.

§17-16A-13. Tolls, rents, fees, charges and revenues; competitive bidding on contracts.

(a)(1) The Parkways Authority is hereby authorized to fix, revise, charge and collect tolls and fees for the use of each parkway project and the different parts or sections thereof and to fix, revise, charge and collect rents, fees, charges and other revenues, of whatever kind or character, for the use of each economic development project or tourism project, or any part or section thereof, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, ~~telegraph~~ fiber optic or other data transmission lines or devices, electric light, power or other utility lines, gas stations, garages, stores, hotels, restaurants and advertising signs, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use: Provided, That the Parkways Authority may not charge tolls or fees for transit over an existing road without express legislative authorization for the charging of such tolls or fees: Provided, however, That an existing road does not include the West Virginia Turnpike, new lanes or new sections of an existing road, the replacement or construction of any bridge or tunnel, or related facilities. Such tolls, rents, fees and charges shall be so fixed and adjusted in respect of the aggregate of tolls, or in respect of the aggregate rents, fees and charges, from the project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any: ~~to pay: (A) The (1) To pay the cost of acquiring, constructing, reconstructing, maintaining, repairing, improving and operating such project or projects and to create reserves therefor; and (B) (2) to pay the principal of and the interest on such bonds and related costs and expenses as the same shall become due and payable, and to create reserves for such purposes; and (3) to comply with any covenants under any trust~~

agreement securing any bonds issued by the Parkways Authority, or any predecessor thereof, or to maintain bond credit ratings. Such tolls, rents, fees and other charges shall not be subject to supervision or regulation by any other commission, board, bureau, department or agency of the state. The tolls, rents, fees, charges and all other revenues derived from the project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay the cost of ~~maintenance, repair and operation~~ acquiring, constructing, reconstructing, maintaining, improving, repairing and operating such project or projects and to provide such reserves therefor as may be provided in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be set aside at regular intervals as may be provided in the resolution or the trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of: (i) The interest upon the bonds as such interest shall fall due; (ii) the principal of the bonds as the same shall fall due; (iii) the necessary charges of paying agents and trustees for paying principal and interest; and (iv) the redemption price or the purchase price of bonds retired by call or purchase as therein provided. The use and disposition of moneys to the credit of such sinking fund shall be subject to the provisions of the resolution authorizing the issuance of the bonds or of the trust agreement. Except as may otherwise be provided in the resolution or the trust agreement, such sinking fund shall be a fund for all bonds without distinction or priority of one over another. The moneys in the sinking fund, less such reserve as may be provided in the resolution or trust agreement, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds at the redemption price then applicable.

~~(2)(A) In fiscal year one thousand nine hundred ninety eight, after the parkways authority has met or provided for the satisfaction of each requirement imposed by the provisions of subdivision (1) of this subsection, the parkways authority shall pay two hundred fifty thousand dollars to the Hatfield McCoy regional recreation authority from any remaining balance of revenues received from economic development projects and tourism projects.~~

~~(B) Upon the effective date of this act, the parkways authority shall seek authorization from the federal highway administration, the state Department of Transportation and the trustee under any trust indenture or agreement existing as the result of the issuance of any revenue bonds under the provisions of this article to issue additional revenue bonds in a total amount not to exceed six million dollars for the purpose of funding projects of the Hatfield McCoy regional recreation authority. Upon the agreement of all of such entities that the parkways authority be authorized to do so, as certified to the parkways authority, the Governor and the Joint Committee on Government and Finance, the parkways authority is authorized to issue additional revenue bonds in a total amount not to exceed six million dollars. The proceeds of the revenue bonds shall be used to fund projects of the Hatfield McCoy regional recreation authority. Each issuance of such revenue bonds and the application of the proceeds thereof shall be subject to each condition, restriction or other provision of this article applicable to the issuance of parkway revenue bonds. In the event the agreement is not certified as required by this subsection, and until the same is certified, the parkways authority shall pay two hundred fifty thousand dollars to the Hatfield McCoy regional recreation authority in the fiscal year ending the thirtieth day of June, two thousand, and in each fiscal year thereafter, for a total of nine consecutive years, for the purpose of funding projects of the Hatfield McCoy regional recreation authority. These amounts shall be paid in quarterly installments from remaining balances in each fiscal year of revenues received from economic development projects and tourism projects as determined in the manner provided in paragraph (A) of this subdivision.~~

(b) The Parkways Authority shall cause, as soon as it is legally able to do so, all contracts to which it is a party and which relate to the operation, maintenance or use of any restaurant, motel or other lodging facility, truck and automobile service facility, food vending facility or any other service facility located along the West Virginia Turnpike, to be renewed on a competitive bid basis. All contracts relating to any facility or services entered into by the Parkways Authority with a private party with respect to any project constructed after the effective date of this legislation shall be let on

a competitive bid basis only. If the Parkways Authority receives a proposal for the development of a project, except for a parkway project, such proposal shall be made available to the public in a convenient location in the county wherein the proposed facility may be located. The Parkways Authority shall publish a notice of the proposal by a Class I legal advertisement in accordance with the provisions of article three, chapter fifty-nine of this code. The publication area shall be the county in which the proposed facility would be located. Any citizen may communicate by writing to the Parkways Authority his or her opposition to or approval to such proposal within a period of time not less than forty-five days from the publication of the notice. No contract for the development of an economic development project or a tourism project may be entered into by the Parkways Authority until a public hearing is held in the vicinity of the location of the proposed economic development project or tourism project with at least twenty days' notice of such hearing by a Class I publication pursuant to section two of said article. The Parkways Authority shall make written findings of fact prior to rendering a decision on any such proposed project. All studies, records, documents and other materials which are considered by the Parkways Authority in making such findings shall be made available for public inspection at the time of the publication of the notice of public hearing and at a convenient location in the county where the proposed economic development project or tourism project may be located. The Parkways Authority shall promulgate rules in accordance with chapter twenty-nine-a of this code for the conduct of any hearing required by this section. Persons attending any such hearing shall be afforded a reasonable opportunity to speak and be heard on the proposed economic development project or tourism project.

§17-16A-13a. Public notice and hearing meeting requirements.

(a) Notwithstanding any provision of the law to the contrary, on and after July 1, 2010 the effective date of the amendment and reenactment of this section in 2017, the Parkways Authority is authorized after prior public notice and hearing meeting, as set forth in this section, to:

(1) Fix initial rates, tolls or charges along any portion of a parkway project and fix fees for any single fee program implemented in accordance with section six of this article including, without limitation, fixing initial rates, tolls or charges that may be subject to adjustment or escalation from time to time, or approve any proposal or contract that would require the Parkways Authority to fix any initial rates, tolls or charges along any portion of a parkway project or any fees under any single fee program;

(2) Increase any rates, tolls or charges along any portion of the parkway project, increase fees for any single fee program implemented in accordance with section six of this article, or approve any proposal or contract that would result in or require an increase in any rates or tolls along any portion of the parkway project or any fees under any single fee program: *Provided, That the Parkways Authority may not increase any passenger vehicle rates, tolls or charges without establishing either a single fee program pursuant to subdivision (16), subsection (a), section six of this article or a passenger motor vehicle unlimited use single fee EZ Pass transponder discount program pursuant to section twenty-nine of this article: *Provided, however,* That the program shall extend at least through the period that any rates, tolls or charges are imposed: *Provided further,* That the single annual fee proposed to be charged under either such program may not exceed:*

(A) An amount of \$25 per year: *And provided further,* That the Parkways Authority may adjust this amount every three years: *And provided further,* That an increase in such amount may not exceed five percent of the amount at each adjustment; and

(B) A usage fee for the EZ Pass transponder, radio frequency identifying tag or other device issued by the Parkways Authority to participate in such program, which fee shall not exceed the actual cost of issuing such device;

(3) Issue any parkway revenue bond pursuant to section ten of this article or any parkway revenue refunding bond pursuant to sections twenty-one and twenty-two of this article which would require the Parkways Authority to increase or adjust rates, tolls,

fees under any single fee program, or charges whether at the time of issuance of the bonds or at any time during the term of any bonds;

(4) Approve any contract or project which would require or result in an increase in the rates, tolls or charges along any portion of the parkway project or fees under any single fee program implemented in accordance with section six of this article; or

(5) Take any other action which would require or result in an increase in the rates, tolls or charges along any portion of the parkway project or fees under any single fee program implemented in accordance with section six of this article.

(b) The Parkways Authority shall publish notice of any proposed contract, project or bond which would require the Parkways Authority to fix any initial toll rates or charges or fees or result in an increase of any toll rates or charges or fees, ~~or extend any bond repayment obligation~~ along with the associated initial rate or fee and rate or fee increase, ~~or revised bond repayment period~~ by a Class II legal advertisement in accordance with the provisions of article three, chapter fifty-nine of this code, published and of general circulation in each county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond.

(c) Once notice has been provided in accordance with the provisions of this section, the Parkways Authority shall conduct a ~~public hearing in each county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond, and any~~ at least one public meeting at a reasonable time and location in any county which borders the parkway project or proposed parkway project affected by the proposed contract, project or bond, to allow interested members of the public an opportunity to ask questions and give written comments during the meeting respecting the proposed contract, project or bond which would require the Parkways Authority to fix any initial toll rates or charges or fees or result in an increase of any toll rates or charges or fees. Any citizen may also communicate by writing to the Parkways Authority his or her opposition to or approval of such

proposal, initial rate or toll or fee, rate or toll or fee increase or amended bond terms. The public notice and written public comment period shall be conducted not less than forty-five days from the publication of the notice and the affected public must be provided with at least twenty days' notice of ~~each~~ any scheduled public ~~hearing~~ meeting.

(d) All studies, records, documents and other materials which were considered by the Parkways Authority before recommending the approval of any such project or recommending the adoption of any such initial rate or increase shall be made available for public inspection for a period of at least twenty days prior to the scheduled ~~hearing~~ meeting at a convenient location in each county where a public ~~hearing~~ meeting is held or online.

~~(e) At the conclusion of all required public hearings, the Parkways Authority shall render a final decision which shall include written findings of fact supporting its final decision on any proposed project which would result in or require initial rates, a rate increase, or prior to finally approving any proposed initial rate or toll or rate or toll increase, and such required findings and conclusions must reference and give due consideration to the public comments and additional evidence offered during the public hearings.~~

~~(f) (e) On and after July 1, 2010, any Any final action taken by the Parkways Authority to approve or implement any proposed initial rate or fee, rate or fee increase, contract or project which would require or result in a proposed initial rate or toll or fee or a proposed increase of any rate or tolls along any portion of ~~the~~ a parkway project or fee for any single fee program without first satisfying the public notice and ~~hearing~~ meeting requirements of this section, shall be null and void.~~

(f) Nothing in this section shall be construed to permit or authorize the Parkways Authority to charge tolls or fees on any existing road without express legislative authorization for the charging of such tolls or fees: *Provided*, That an existing road does not include the West Virginia Turnpike, new lanes or new sections

of an existing road, the replacement or construction of any bridge or tunnel, or related facilities.

§17-16A-18. Cessation of tolls Corridor L toll fees authorized; commuter pass.

~~(a) Except as provided herein, when all bonds issued under the provisions of this article in connection with any parkway project or projects and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project or projects, if then in good condition and repair to the satisfaction of the Commissioner of the state Division of Highways, shall be transferred to the state Division of Highways and shall thereafter be maintained by the state Division of Highways free of tolls.~~

~~(b) No later than February 1, 1990, the parkways authority shall discontinue, remove and not relocate all toll collection facilities on the West Virginia Turnpike as the same existed on June 1, 1989, except for the three main toll barriers and collection facilities and, provided solely that the provisions of section eighteen a are complied with, the toll collection facilities at the intersection of U.S. Route 19 (Corridor "L") and said turnpike.~~

(a) The Parkways Authority is hereby authorized to operate the currently existing toll collection facility located at the interchange of U. S. Route 19 (Corridor L) and to fix, revise, charge and collect tolls for the use of such toll collection facility in accordance with the provisions of section thirteen of this article. Any proposed increase of any rate or toll for use of the toll collection facility located at Corridor L shall be subject to the public notice and meeting requirements of section thirteen-a of this article.

(1) The Parkways Authority shall maintain, advertise, implement and otherwise make generally available to all qualified members of the public, resident or nonresident, a system of commuter passes, in a form to be determined by the authority. Applications for these commuter passes are to be made available

by the Parkways Authority to Division of Motor Vehicles offices in the state;

(2) The system of commuter passes implemented in accordance with the provisions of subdivision (1), subsection (a) of this section, shall be available only for use when operating or traveling in a Class A motor vehicle as herein defined. Any person who knowingly or intentionally utilizes any commuter pass issued in accordance with this section while operating a vehicle other than a Class A motor vehicle, as herein defined, at the U. S. Route 19 (Corridor L) turnpike toll facility, or any other toll facility at or upon which such pass may later be usable, is guilty of a misdemeanor and, for every such offense, upon conviction thereof, shall be punished in accordance with the provisions of section seventeen, article sixteen-a of this chapter; and the Parkways Authority shall hereafter be authorized and empowered to cancel any such commuter pass or passes improperly used in accordance with this section;

(3) For the purpose of this section, a “Class A vehicle” shall be defined as a motor vehicle of passenger type and truck with a gross weight of ten thousand pounds or less and registered or eligible for registration as a Class A vehicle in accordance with section one, article ten, chapter seventeen-a of this code as the same is currently constituted; and

(4) Notwithstanding any other provisions of this code to the contrary, the Parkways Authority may not promulgate emergency rules in accordance with section fifteen, article three, chapter twenty-nine-a of this code to increase or decrease tolls, “single program” fees or the commuter pass fee established herein.

(b) Nothing in this section is to be construed to apply to, regulate or in any manner affect the operation of the three main line toll barriers and toll collection facilities currently located on the West Virginia Turnpike and operated by the Parkways Authority as Barrier A, Barrier B and Barrier C (I-64, I-77).

§17-16A-21. Parkway revenue refunding bonds, generally.

The Parkways Authority is hereby authorized to provide by resolution for the issuance of parkway revenue refunding bonds of the state for the purpose of refunding any bonds then outstanding which shall have been issued or may be issued under the provisions of this article in connection with the construction of any parkway project, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds; and, if deemed advisable by the Parkways Authority, for the additional purpose of constructing improvements, extensions or enlargements of the project or projects in connection with which the bonds to be refunded shall have been issued: *Provided*, That this section shall not be construed as authorizing the issuance of parkway revenue refunding bonds for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this article, or any predecessor thereof, in connection with the construction of the West Virginia Turnpike, which revenue refunding bonds may be issued only as authorized under section twenty-two of this article. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof and the rights, duties and obligations of the Parkways Authority in respect of the same shall be governed by the provisions of this article insofar as the same may be applicable. ~~After the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six,~~ ~~no~~ No issuance of a refunding bond may extend the maturity date of such bond being refunded and may not exceed the outstanding principal of such bond being refunded. Any refunding bond ~~issued~~ ~~after the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six~~ shall be structured to provide for approximately level annual debt service savings each fiscal year through the final maturity or structured to approximate the level of debt service that would have been paid prior to the refunding, with a preponderance of the savings being deferred toward eliminating or reducing the most distant maturities. For purposes of this section, the outstanding principal is to be determined as of the date on which the revenue bond is refinanced.

§17-16A-22. Parkway revenue refunding bonds—West Virginia Turnpike.

The Parkways Authority is hereby authorized to provide by resolution for the issuance of parkway revenue refunding bonds of the state ~~in an aggregate principal amount not to exceed \$60,000,000~~ for the purpose of refunding any bonds which shall have been issued under this article, or any predecessor thereof, in connection with the construction of the West Virginia Turnpike, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, to the extent permissible under federal law and if deemed advisable by the ~~parkways authority~~ Parkways Authority, for repaying to the state all or any part of the state funds used to upgrade the West Virginia Turnpike to federal interstate standards: ~~Provided, That any proceeds derived from the issuance of such bonds which are used on any parkway project other than the West Virginia Turnpike must be used solely on parkway projects: (i) Which are either connected to or intersect with the West Virginia Turnpike and are within seventy five air miles of said turnpike as it exists on the first day of June, one thousand nine hundred eighty-nine, or any subsequent expressway, trunkline, turnpike, feeder road, state local service road or park and forest road constructed pursuant to this article; and (ii) which involve the upgrading or addition of interchanges, the construction of expressways or feeder roads, or the upgrading or construction of information centers, visitors' centers, rest stops or any combination thereof: Provided, however~~ That none of the proceeds of the issuance of parkway revenue refunding bonds issued under this section shall be used to pay all or any part of the cost of any economic development project or tourism project. Except as otherwise specifically provided in this section, the issuance of parkway revenue refunding bonds pursuant to this section, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the parkways authority in respect of the same, shall be governed by the provisions of this article insofar as the same may be applicable.

The authority to issue parkway revenue refunding bonds under the provisions of this section and section twenty-one of this article

does not extend to the refunding of any parkway revenue refunding bonds outstanding on the effective date of the amendment and reenactment of such sections in 2017.

~~After the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six, no~~ No issuance of a refunding bond may extend the maturity date of such bond being refunded and may not exceed the outstanding principal of such bond being refunded. Any refunding bond ~~issued after the effective date of the amendments to this article enacted by the Legislature during the regular session in two thousand six~~ shall be structured to provide for approximately level annual debt service savings each fiscal year through the final maturity or structured to approximate the level of debt service that would have been paid prior to the refunding, with a preponderance of the savings being deferred toward eliminating or reducing the most distant maturities. For purposes of this section, the outstanding principal is to be determined as of the date on which the revenue bond is refinanced.

§17-16A-29. Discount program for purchasers of West Virginia EZ Pass transponders.

(a) The Parkways Authority is hereby authorized to create a discount program for purchasers of West Virginia EZ Pass transponders: *Provided*, That prior to the fixation of any initial rates, tolls or charges or any increase in any rates, tolls or charges along any portion of the parkway project, the Parkways Authority ~~shall~~ may create a discount program for purchasers of West Virginia EZ Pass transponders. Any discount program created pursuant to this section shall provide discounts for each class of motor vehicles: *Provided, however*, That any single fee program implemented by the authority pursuant to subdivision (16), subsection (a), section six of this article shall apply only to passenger motor vehicles.

(b) The Authority shall provide public notice and hold a public hearings meeting on any proposed discount program as required in section thirteen-a of this article prior to implementation of such program.

~~(e) Annually, the Parkways Authority shall hold at least one public informational session in each of the following counties: Kanawha, Fayette, Raleigh and Mercer counties. The Authority is to distribute educational materials and other information concerning the discount program for purchasers of West Virginia EZ Pass transponders described in this section.~~

~~(d) Upon the effective date of the amendments to this section enacted during the regular session of the Legislature in the year 2010, the Authority shall make available West Virginia EZ Pass transponders to the public without the payment of any monetary security deposit. The Authority shall credit any individual that has paid a security deposit for a West Virginia EZ Pass transponder prior to July 1, 2010, on the individual's next billing statement~~

(e) (c) For purposes of this section, a “West Virginia EZ Pass transponder” means a device issued ~~sold~~ by the Parkways Authority which allows the purchaser to attach the device to his or her motor vehicle and travel through a Parkways Authority toll facility and be billed for such travel by the authority.

§17-16A-30. Coordination with county commission in counties where a parkway project may be located.

Once a parkway project for a new toll road is identified by the Authority, the Governor shall appoint, with the advice and consent of the Senate, two persons from each county where the parkway project for the new toll road is located to serve on a local committee to provide recommendations and suggestions to the Authority on all matters regarding the local identified project. The local committee shall also report any of its findings to the county commission or county commissions of the counties in which the parkway project for the new toll road is located. Prior to any final approval of ~~the a~~ parkway project for a new toll road, the county commissions of the counties in which a the parkway project road is located shall by resolution approve the parkway project: Provided, That a resolution approving the parkway project for a new toll road is only required from a simple majority of the county commissions of the counties in which the parkway project for a new toll road is located.

ARTICLE 16D. ELECTRONIC TOLL COLLECTION.**§17-16D-3. Electronic toll collection authorized.**

Notwithstanding the provisions of article sixteen-a and section five-b, article seventeen-a of this chapter and section seven-a, article six, chapter seventeen-c of this code to the contrary, the collection and enforcement of tolls for the use of roads, highways and bridges may be accomplished by electronic toll collection as provided in this article and in rules promulgated by authority of this article. ~~Provided, That the application of this article should not apply to~~

~~(1) Future highway construction provided for in the Division of Highways' Statewide Transportation Improvement Plan at the time of the enactment of this article; and~~

~~(2) Existing toll roads: Provided, That this section may not be construed to prohibit the collection and enforcement of tolls pursuant to article sixteen a, chapter seventeen of this code~~

**CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION,
REGISTRATION, CERTIFICATE OF TITLE AND
ANTITHEFT PROVISIONS.****ARTICLE 2. DIVISION OF MOTOR VEHICLES.****§17A-2-25. Agreements with West Virginia Parkways
Authority.**

The Division is hereby authorized, directed and empowered to enter into all necessary agreements with the West Virginia Parkways Authority to collect road user fees imposed by the Authority under subdivision (16), subsection (a), section six, article sixteen-a, chapter seventeen of this code, or any other applicable section of its enabling legislation, and to deposit the fees collected by the Division into the West Virginia Parkways Authority Single Fee Program Fund established under section eleven-a, article sixteen-a, chapter seventeen of this code.

ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF CERTIFICATES OF TITLE.

§17A-3-7. Grounds for refusing registration or certificate of title.

The division shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:

(1) That the application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the division or that the applicant is not entitled to the issuance of a certificate of title or registration of the vehicle under this chapter;

(2) That the applicant fails to present a statement of insurance or proof of other security as required pursuant to the provisions of section three of this article;

(3) That the vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;

(4) That the division has reasonable grounds to believe that the vehicle is a stolen or embezzled vehicle or that the granting of registration or the issuance of certificate of title would constitute a fraud against the rightful owner or other person having a valid lien upon such vehicle;

(5) That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this state;

(6) That the required fee has not been paid; ~~or~~

(7) That the vehicle is operated by a commercial motor carrier who has failed to provide a federal motor carrier identification number (USDOT number) or whose authority to operate in interstate commerce has been denied or suspended by the federal Motor Carrier Safety Administration; or

(8) That any road user fee due under a single fee program imposed by the West Virginia Parkways Authority has not been paid.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-17. Fee for West Virginia Parkways Authority Single Fee Program.

In addition to each fee provided in this article, an additional fee for any single fee program that may be implemented by the West Virginia Parkways Authority pursuant to section six, article sixteen-a, chapter seventeen of this code shall be payable upon the issuance of each certificate of registration and renewal thereof issued pursuant to article three of this chapter. The Division shall collect and deposit all the additional fees into the West Virginia Parkways Authority Single Fee Program Fund created in section eleven-a, article sixteen-a, chapter seventeen of this code. The additional fee provided herein may be imposed for each application for such certificate and renewal thereof made on or after July 1, 2017.;

And,

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

Eng. Senate Bill 1003—A Bill to repeal §17-16A-18a and §17-16A-23 of the Code of West Virginia, 1931, as amended; to amend and reenact §17-16A-5, §17-16A-6, §17-16A-10, § 17-16A-11, §17-16A-13, §17-16A-13a, §17-16A-18, §17-16A-21, §17-16A-22, §17-16A-29 and §17-16A-30 of said code; to amend said code by adding thereto a new section, designated §17-16A-11a; to amend and reenact §17-16D-3 of said code; to amend said code by adding thereto a new section, designated §17A-2-25; to amend and reenact §17A-3-7 of said code; and to amend said code by adding thereto a new section, designated §17A-10-17, all relating generally to the West Virginia Parkways Authority; defining terms; enlarging, restricting and otherwise modifying the

powers of the Parkways Authority relating to the issuance of parkways bonds and the authority to charge tolls or fees; permitting the authority to study and evaluate, and, if feasible, develop and implement a single fee program; authorizing the authority to promulgate rules; permitting the authority to impose in connection with any single fee program a flat fee in connection with any or all certificates of passenger motor vehicle registration and renewal thereof by the Division of Motor Vehicles; clarifying that Parkways Authority may not charge tolls on certain existing roads absent express legislative authorization; providing for the use of proceeds of fee collections; adding the power of the authority to enter into reciprocal toll enforcement agreements; creating and designating a special revenue account within the State Road Fund known as the State Road Construction Account; authorizing the deposit of proceeds of parkway revenue bonds to the State Road Construction Account; requiring the expenditure of the account's funds for construction, maintenance and repair of public highways and bridges in certain counties within the state; creating and designating a special revenue account within the State Treasury known as the West Virginia Parkways Authority Single Fee Program Fund; clarifying notice and public meeting requirements and procedures; requiring either a single fee program or unlimited use single fee EZ Pass transponder discount program before any increase in vehicle rates, tolls or charges may be instituted; establishing limitations on the amounts of the single annual fee that may be charged; clarifying the power of the Parkways Authority to fix rates or tolls for Corridor L toll collection facility; expanding the authority of the Parkways Authority to issue revenue bonds or refunding revenue bonds for parkways' projects and for the West Virginia Turnpike; modifying approval required of certain county commissions prior to approval of any parkway project; authorizing electronic toll collection and enforcement of tolls on roads, highways and bridges; authorizing implementation and collection of a fee for the single fee program; modifying requirements for reports of local committees and resolutions of approval by county commissions; authorizing the Division of Motor Vehicles to enter into agreements with the authority to collect and remit certain fees; expanding the grounds for refusing to register a motor vehicle; and

creating a misdemeanor offense and providing for criminal penalties.

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

Engrossed Senate Bill 1003, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Mann, Mullins, Ojeda, Palumbo, Plymale, Romano, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—21.

The nays were: Azinger, Karnes, Maynard and Rucker—4.

Absent: Beach, Boley, Maroney, Miller, Prezioso, Takubo, Unger, Weld and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) passed with its House of Delegates amended title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—25.

The nays were: None.

Absent: Beach, Boley, Maroney, Miller, Prezioso, Takubo, Unger, Weld and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 1003) takes effect from passage.

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

A message from The Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 2—Providing for an adjournment of the Legislature until June 26, 2017.

Resolved by the Legislature of West Virginia:

That when adjournment is taken by each house of the Legislature at the close of their respective sessions in which they adopt this resolution, such adjournment shall be until 11 a.m. on June 26, 2017, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia, unless called prior to that time by the Speaker of the House of Delegates and the President of the Senate.

At the request of Senator Ferns, and by unanimous consent, the resolution was taken up for immediate consideration and reference to a committee dispensed with.

The question being on the adoption of the resolution, the same was put and prevailed.

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

The Senate again proceeded to the sixth order of business.

On motions for leave, severally made, the following bill was introduced, read by its title and referred to the appropriate committee:

By Senators Jeffries, Ojeda, Unger, Beach, Facemire, Prezioso, Miller and Romano:

Senate Bill 1019—A Bill to amend and reenact §11-21-8a and §11-21-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating to tax credits for rehabilitated building investment; increasing amount of credit allowed against personal and corporation net income taxes for qualified building rehabilitation

expenditures made after specified date; establishing limitations on carryback, carryforward and allowable amount of credit for qualified building rehabilitation expenditures; providing that tax credit for qualified building rehabilitation expenditures will not be available to taxpayers in arrears of payment of certain taxes; and providing the Tax Commissioner with rule-making authority related to changes in credit for qualified building rehabilitation expenditures.

Referred to the Committee on Finance.

Senators Blair, Trump, Carmichael (Mr. President), Azinger, Beach, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Unger, Weld and Woelfel offered the following resolution:

Senate Resolution 104—Memorializing the life of the Honorable John C. Yoder, former member of the West Virginia Senate, former District Judge of the Twenty-Third Judicial Circuit and dedicated public servant.

Whereas, The Honorable John C. Yoder was born January 9, 1951, in Newton, Kansas, the son of Gideon and Stella Yoder; and

Whereas, The Honorable John C. Yoder received his bachelor's degree from Chapman University in 1972, where he double-majored in government and economics; his law degree from the University of Kansas School of Law in 1975; and his master's degree in business administration from the University of Chicago in 1976, where he studied economics under Nobel-prize winning economist Milton Friedman. He was also a graduate of several programs at the National Judicial College and the National College of Juvenile Justice; and

Whereas, The Honorable John C. Yoder was an assistant professor of business at Goshen College in Goshen, Indiana, from 1975 to 1976 and taught U. S. Government at Bethel College, in Newton, Kansas, from 1976 to 1978; and

Whereas, The Honorable John C. Yoder served as a District Court Judge in Newton, Kansas, from 1977 to 1980; and

Whereas, The Honorable John C. Yoder served at the United States Supreme Court from 1980 to 1983 as Supreme Court Fellow and Special Assistant to the Chief Justice; and

Whereas, The Honorable John C. Yoder served as a director for the United States Department of Justice from 1983 to 1985, where he set up the then-new Asset Forfeiture Office; and

Whereas, The Honorable John C. Yoder practiced law in Harpers Ferry, West Virginia, for twenty-three years and was counsel to Burch & Cronauer, P.C., in Washington, D. C., from 1991 to 2000. In his law practice he concentrated on complex civil litigation, constitutional law, civil RICO, appellate law, land use and employment discrimination; and

Whereas, The Honorable John C. Yoder was elected to two terms in the West Virginia Senate, in 1992 and 2004, where he served on the Committees on the Judiciary, Government Organization, Banking and Insurance, Confirmations, Labor, Finance, Small Business, Energy, Industry and Mining, Interstate Cooperation, Natural Resources and Enrolled Bills; and

Whereas, The Honorable John C. Yoder was elected to the bench as a District Judge in 2008 in the Twenty-Third Judicial Circuit (Berkeley, Jefferson and Morgan Counties); and

Whereas, With a legal career spanning more than four decades, the Honorable John C. Yoder was licensed to practice law in the Supreme Court of the United States, United States Court of Appeals' Fourth Circuit, District of Columbia Circuit and Sixth Circuit; Federal District Courts in Kansas, Indiana, the District of Columbia, West Virginia and the Northern District of Ohio; United States Tax Court; and in the states of West Virginia, Kansas, Indiana and the District of Columbia; and

Whereas, From Kansas to California, Indiana to Washington D. C. and, more especially, in our beloved State of West Virginia, the Honorable John C. Yoder's distinguished public service

touched the lives of many generations and we will be forever grateful for his service; and

Whereas, Sadly, the Honorable John C. Yoder passed away on June 9, 2017, bringing an end to an extraordinary life of public service and leaving behind a host of family and friends, all of whom will miss him dearly; and

Whereas, It is fitting, that on this day, the Senate pay tribute to the life and legacy of the Honorable John C. Yoder; therefore, be it

Resolved by the Senate:

That the Senate hereby memorializes the life of the Honorable John C. Yoder, former member of the West Virginia Senate, former District Judge of the Twenty-Third Judicial Circuit and dedicated public servant; and, be it

Further Resolved, That the Senate extends its most sincere and heart-felt condolences to the family of the Honorable John C. Yoder; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the family of the Honorable John C. Yoder.

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

The question being on the adoption of the resolution, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Blair, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Trump and Carmichael (Mr. President)—25.

The nays were: None.

Absent: Beach, Boley, Maroney, Miller, Prezioso, Takubo, Unger, Weld and Woelfel—9.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 104) adopted.

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senators Blair, Hall, Plymale, Trump, Maynard, Palumbo and Stollings regarding the adoption of Senate Resolution 104 were ordered printed in the Appendix to the Journal.

Without objection, the Senate returned to the third order of business.

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

Eng. Senate Bill 1006, Increasing funding for State Road Fund.

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

Eng. Senate Bill 1013, Budget Bill.

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

Senate Concurrent Resolution 105, Suspending provisions of Joint Rule 3 relating to conference committee on House Bill 106.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Rucker.

Thereafter, at the request of Senator Maynard, and by unanimous consent, the remarks by Senator Rucker were ordered printed in the Appendix to the Journal.

Under authority of House Concurrent Resolution 2, hereinbefore adopted,

On motion of Senator Ferns, the Senate adjourned until Monday, June 26, 2017, at 11 a.m.

MONDAY, JUNE 26, 2017

Pursuant to the adjournment of June 16, 2017, under authority of

House Concurrent Resolution 2, Providing for an adjournment of the Legislature until June 26, 2017.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at eleven o'clock a.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable C. Edward Gaunch, a senator from the eighth district.

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

Pending the reading of the Journal of Friday, June 16, 2017,

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

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

The Senate then proceeded to the fourth order of business.

Senator Gaunch, from 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 19th day of June, 2017, 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:

(S. B. 1003), Relating generally to WV Parkways Authority.

(S. B. 1006), Increasing funding for State Road Fund.

(S. B. 1013), Budget Bill.

And,

(Com. Sub. for H. B. 113), Relating to the sale of Jackie Withrow Hospital by the DHHR.

Respectfully submitted,

C. Edward Gaunch,
Member, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

Senator Maynard, from 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 19th day of June, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(Com. Sub. for H. B. 117), Relating to West Virginia Health Care Authority.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented communications from His Excellency, the Governor, advising that on June 19, 2017, he had approved **Enr. Senate Bill 1014**, **Enr. House Bill 111** and **Enr. Committee Substitute for House Bill 117**; and on June 22, 2017, he had approved **Enr. Senate Bill 1003** and **Enr. Senate Bill 1006**.

The following communication from His Excellency, the Governor, was reported by the Clerk:

Jim Justice
Governor of West Virginia
June 23, 2017

VIA HAND DELIVERY

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

Re: Enrolled Senate Bill 1013

Dear President Carmichael:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, “[a]ny bill which shall not be returned by the Governor within five days, Sundays excepted, after it shall have been presented to him shall be a law . . .” There are many bills to celebrate the passage of from the 2017 Regular Session and the 2017 First Extraordinary Session. Enrolled Senate Bill 1013 (the “Budget Bill”), from a substantive perspective, however, is certainly not one of them. In fact, I can only think of one word to describe the next fiscal year’s budget bill: travesty. The Budget Bill simply has too many cuts that will hurt too many people.

I regret the many missed opportunities along the way that ultimately resulted in the passage of next year's Budget Bill. It did not have to be this way. The Budget Bill does not reflect a comprehensive plan for the future. All it does is kick the can further down the road with large budget deficits in the future that will need to be addressed. I hope we can work together on a spending plan that more closely aligns with our shared priorities.

For these and other reasons, I cannot put my name on this Bill. Given the proximity to the end of the current fiscal year, however, I will reluctantly let it become law without my signature.

Sincerely,

Jim Justice
Governor

cc: The Honorable Tim Armstead
Speaker of the House of Delegates
The Honorable Mac Warner
Secretary of State

Senator Carmichael (Mr. President) then laid before the Senate the following communication from His Excellency, the Governor, which was read by the Clerk:

Jim Justice
Governor of West Virginia
June 23, 2017

VIA HAND DELIVERY

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

Re: Enrolled House Bill 113

Dear Speaker Armstead:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 113. This bill authorizes the Secretary of the Department of Health and Human Resources (DHHR) to divest ownership of the long-term care facility known as Jackie Withrow Hospital in Raleigh County. While I support the intent of this legislation, I believe that the potential transition of any of our state hospitals to private ownership needs to be part of an overall strategy and comprehensive plan that includes all of the facilities, rather than through a piecemeal approach. With the failure of the companion legislation affecting Hopemont Hospital in Preston County, I am reluctant to single out one hospital at a time.

I have directed the Secretary of DHHR to develop a revised strategic plan over the next six months that evaluates our needs across the entire State. I will ask the Legislature to reconsider certain elements of this plan during the 2018 Regular Session. I want the residents and the staff at these facilities to rest assured that I am dedicated to providing the best care possible and to do so in a manner that is the most efficient and effective for the communities and patients throughout the State that rely on these services.

For the foregoing reasons, I disapprove and return Enrolled Committee Substitute for House Bill 113.

Sincerely,

Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate
The Honorable Mac Warner
Secretary of State

The Senate proceeded to the thirteenth order of business.

At the respective requests of Senators Beach and Woelfel, unanimous consent being granted, it was ordered that the Journal show had Senators Beach and Woelfel been present in the chamber on Friday, June 16, 2017, they would have voted “nay” on the passage of Engrossed Senate Bill 1013.

At the request of Senator Trump, and by unanimous consent, the Senate returned to the sixth order of business.

At the request of Senator Trump, unanimous consent being granted, Senator Trump offered the following pre-adjourning resolution from the floor:

Senate Resolution 105—Raising a committee to notify the House of Delegates the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify the House of Delegates that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Senator Carmichael (Mr. President), under the provisions of the foregoing resolution, appointed the following committee to notify the House of Delegates of impending Senate adjournment:

Senators Maynard, Hall and Ojeda.

Subsequently, Senator Maynard reported that the duties assigned by Senate Resolution 105 had been performed.

Thereafter, a three-member delegation from the House of Delegates, namely

Delegates Hamrick, Dean and Hartman, announced that that body also had completed its labors and was ready to adjourn *sine die*.

At the request of Senator Trump, and by unanimous consent, Senator Trump offered the following resolution from the floor:

Senate Resolution 106—Raising a committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to join with a similar committee of the House of Delegates to notify His Excellency, the Governor, that the Legislature has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Sypolt, Cline and Miller.

Delegates Wagner, Sypolt and Thompson, then announced that they had been appointed by that body to join with the similar committee named by the Senate to wait upon His Excellency and were ready to proceed with this assignment.

Senators Sypolt, Cline and Miller, comprising the Senate committee, then joined the House committee and proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of this extraordinary session of the Legislature.

Subsequently, Senator Sypolt, from the joint select committee to notify His Excellency, the Governor, that the Legislature had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by

the President. Senator Sypolt then reported this mission accomplished.

Senator Trump then moved that the first extraordinary session of the Senate in the year two thousand seventeen adjourn *sine die*.

The question being on the adoption of Senator Trump's aforestated motion, and on this question, Senator Trump demanded the yeas and nays.

The roll being taken, the yeas were: Beach, Blair, Boley, Boso, Clements, Cline, Gaunch, Hall, Mann, Maynard, Miller, Ojeda, Stollings, Swope, Sypolt, Trump, Woelfel and Carmichael (Mr. President)—18.

The nays were: None.

Absent: Azinger, Facemire, Ferns, Jeffries, Karnes, Maroney, Mullins, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Takubo, Unger and Weld—16.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Trump's motion had prevailed.

In accordance with the foregoing motion, the first extraordinary session of the Senate in the year two thousand seventeen adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the First Extraordinary Session of the Eighty-Third Legislature, 2017, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix – Remarks

Relating generally to taxation

(Passage of Eng. Senate Bill 1004)

**REMARKS OF
HONORABLE
MITCH CARMICHAEL**

Friday, May 5, 2017

MR. PRESIDENT: Thank you, Mr. President. Thank you, ladies and gentlemen and fellow senators.

This is a momentous moment, really, in the history of West Virginia. This is a time . . . when you think about this, 60 days ago—or more than 60 now with the State of the State address—we came to this chamber confronting a \$450 million deficit. The Governor had proposed in the State of the State address \$450 million in new taxes to backfill the revenue needs of this state. And with your work, your hard work and determination, your influence, everyone in here, what we are voting upon now is a \$100 million tax cut for the citizens of West Virginia, working families and wage earners in West Virginia.

It incentivizes and revitalizes and gives accommodation to our vital coal interests in our state to create more jobs and opportunity there. It embraces, perhaps, the most optimistic vision for the State of West Virginia that has been voted upon in our state for many years. It counts on growth, jobs and opportunity. This . . . economists, perhaps the world over, recognize that putting money in working families' homes by reducing and incentivizing work, earning wages, putting people back to work

. . . that's the problem in West Virginia, we have less than 50 percent workforce participation. This incentivizes work. It's a tax cut for the citizens of West Virginia. It brings money to allow the vital programs to be funded this year and counts on growth, jobs and opportunity.

And I want to take just a brief minute to come down and express my sincere appreciation to each one of you whether you 100 percent agree with everything that's in this bill, certainly, it's not perfect, nothing's perfect, it's a legislative process. But your influence has put this in this position where we have an opportunity to cast a vote for tax cuts for working families in West Virginia. And I just thank you so much for this hard work, for your influence whether . . . for the amendments, for your influence to put it in this position. It's not what any of us would exactly want but it's what this body has come up with to provide the jobs, growth and opportunity for the citizens of West Virginia and I just want to thank you for this opportunity and take this moment to pause and recognize what we're about to do. We've taken a crisis and turned it into an opportunity with jobs, growth and money in working families' pockets of West Virginia citizens.

So, thank you very much.

**Recognizing Huntington as grand
prize winner in America's Best
Communities competition**

(Adoption of Senate Resolution 103)

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Monday, May 15, 2017

SENATOR PLYMALE: Thank you.

On behalf of the Senator from Cabell and myself, we are very pleased to have here many officials from the city of Huntington but what I would like to do is I'm going to introduce the community members that . . . the ones that made this happen: Phoebe Patton Randolph with Ed Tucker Architects; Brandon Dennison with Coalfield Development Corporation; Joe Murphy with Trifecta Production; Margaret Mary Layne with Layne Consulting; Mary Witten Wiseman with the Foundation for Tri-State Community Incorporated; Hoyt Burdick from Cabell Huntington Hospital; Sandra Clements with Fairfield Alliance but Sandra was also a former city council member, great friend; Joanna Sexton with the West End River to Rail Committee; former person that used to live in Ceredo and we were both Ceredo citizens at that time but she's with the Neighborhood Institute of Huntington in West Huntington, Donna Rumbaugh; also, some person that I've worked a lot with related to brownfields and a number of things, Dr. Tony Szwilski who's the Director of the Center for Environmental and Geotechnical, Applied Science at Marshall University, it's called CEGAS for short.

**Recognizing Huntington as grand
prize winner in America's Best
Communities competition**

(Adoption of Senate Resolution 103)

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Monday, May 15, 2017

SENATOR WOELFEL: Thank you, Mr. President.

To borrow a line from Darren McGavin, the movie *A Christmas Story*, this is a major award. This is not your student of the week award. This is a major award and . . . my Senator from Harrison just leaned over to me and he said, "Well, Huntington has all these problems, how could this be true?" And I can explain it to you very simply. When Huntington—and my family settled there in 1910—when Huntington has a problem it owns the problem and it solves the problem. And Huntington has problems that are the same as they are around our state and around our country but Huntington owns the problem . . . don't sweep it under the rug.

So . . . and I want to thank my Senior Senator for having the foresight to bring us all together here today. This was his idea and I thank him for his leadership on that.

Our mayor, Steve Williams, is with us. City Council members: Carol Polan, Tonia Page, Jennifer Wheeler, Tina Brooks, Mike Shockley. Bryan Chambers is with us who's our city's Communication Director. Three members of Frontier organization that, without their help, this would not have come to pass . . . their help and guidance: Kathy Cosco, Elena Kilpatrick, Andy Malinoski. I do want to mention two of my former schoolmates, Margaret Mary Layne who was already introduced, Joanna Sexton who was already introduced, couple of St. Joe girls that have done alright for themselves. And, of course, I've got to mention Dr. Jerry Gilbert, the leader of Marshall University.

So, with that, I encourage the resolution's adoption.

Thank you.

Recognizing Huntington as grand prize winner in America's Best Communities competition

(Adoption of Senate Resolution 103)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Monday, May 15, 2017

SENATOR PLYMALE: Thank you, Mr. President.

It's really a privilege and if you look at the document the great thing of Huntington is it doesn't hide from its issues. They embrace their issues. They addressed it in the plan. And I appreciate the community members but, particularly, the leadership from the mayor and the city council. That is important as we move forward that everybody be on board. This is a bold plan. The mayor would make many speeches and if you ever heard one you knew he said "make no little plans". And he made no little plan. This is no little plan.

But, also, would like to just as a point of reference if you've never been to the Keith Albee Theater—and I am the co-president of the Keith Albee Theater, whether I like to say that or not, for 11 years—it is on here in the middle, you can see a beautiful picture of the Keith Albee. They recognize that as an economic development hub and they recognize the fact that in the west end you have a project; in Fairfield, which is near Cabell Huntington Hospital, the

Fairfield Alliance, you have a project; in the Highlawn district, you have a project; and you have a project in a number of different areas as it relates to Huntington.

Huntington is a best community; it is a best-kept secret; but this would not happen unless you have the town and gown with Marshall University. And I'm so glad that Dr. Gilbert is here today—a person that I have a great amount of respect for in Dr. Gilbert and I think his leadership in Huntington along with the mayor's leadership in the city will lead us to great things.

It is an honor for me for 25 years to represent the city of Huntington, Cabell County and Wayne County. And if you don't know this, Huntington is in both Cabell and Wayne. There's about 6,000 residents of Huntington that reside in West Huntington or Westmoreland they call it.

This is a great honor. I was glad to follow this and I would like to thank Frontier for making this competition and making it so West Virginia and Huntington, West Virginia, can shine.

Thank you.

Recognizing Huntington as grand prize winner in America's Best Communities competition

(Adoption of Senate Resolution 103)

REMARKS OF
**HONORABLE
MIKE HALL**

Monday, May 15, 2017

SENATOR HALL: Just like to add my congratulations to the city of Huntington

as I'm reading the Highlawn Brownfields section it says it will be from Twenty-Seventh Street to Marshall University. I grew up Twenty-Seventh Street and First Avenue, Huntington. So, I actually was a resident of Twenty-Sixth Street until I was in seventh grade; Twenty-Seventh Street all the way through college.

So, congratulations to the city, my hometown actually. Looking forward to the revitalization of a part of town, quite frankly, you and I both know has kind of gone down since I left there but Not really, not because of me being gone But, you know, some of the problems But I'm glad to see this happen. Look forward to the renovations. I kind of know what's going on there and it's very exciting for me having actually lived there for 21 years of my life.

REMARKS OF
HONORABLE
CHARLES S. TRUMP IV

Thursday, June 8, 2017

SENATOR TRUMP: Thank you, Mr. President. I will be brief. But I do want to call members' attention to something I just witnessed which was, in my opinion, extraordinary.

I've kicked around this Legislature, different houses, off and on for over the course of the last three decades. And, the longer you're here, the, you know, the more unlikely it is that you see something that you've never seen before. But I did today. And, maybe, there are precedents where we've previously seen a Governor of the state address a conference committee, but I can't recall one. I can't recall having seen that before in my service and what I want to recommend to the members of this body

for anybody who didn't have a chance to see it or hear it, I hope it's archived. I hope it was archived by our technical staff, the machines operating in the Senate Finance committee, because it was extraordinary. It really was. And I say that as a member of the Legislature who has served under Governors Caperton, Underwood, Wise, Manchin, Tomblin and now Governor Justice. And what we just heard over the last hour, hour and a half was as clear an articulation of West Virginia's immediate problems and predicament as I've heard from anyone. And a call to us, to all of us, to work together in bipartisan fashion, across both houses of this building to put in place a solution that will move West Virginia forward on a new path, a new trajectory. And, I, quite frankly, Mr. President, I was inspired by the Governor's remarks and really glad I got to witness them and I hope that anybody who didn't get to hear him or see him will see if—I saw some nods at the desk, so apparently, there is an archived record of it for members of this who might not have been able to hear him.

But, Mr. President, you've put together, appointed a conference committee composed of some of our wisest and most dedicated members from this body and I have every hope that they are going to, in bipartisan fashion, answer that call from the Governor and think outside the box. The most inspiring part of what he said is don't be afraid. Our situation now is such that, you know, we must not fear. We have the courage to do something different. Put us on a different track. Whether it's tiering severance taxes, reducing personal income taxes, granting that relief to the families of this state who pay income taxes. But . . . and that's sort of where this Senate has been, you know, throughout the last 90 days now. But I am reinvigorated with what we've been working on. I want to compliment the members of this body who've seen that and have, along with the Governor's call today,

led the charge in that direction to set West Virginia on a new course—a course toward prosperity. And . . . I, along with what I’m sure would be the rest of the members of this body, offer the conference committee that you’ve appointed, Mr. President, our best wishes and hopes for being able to bring this thing to fruition. To push it across the finish line and bring to both chambers of this Legislature a bill for which we can vote that will bring fundamental change to West Virginia.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
ROBERT KARNES**

Thursday, June 8, 2017

SENATOR KARNES: Thank you, Mr. President.

I want to just talk about that a little bit too. Not so much necessarily the historic nature of the Governor being up there which I think from everything I’ve heard is a first time . . . but instead, you know, as we’ve gone through the session and the special session and so on working on this tax reform process a lot of times it seems like it’s up, it’s down, sometimes there’s a wall thrown in the way that might seem a little bit insurmountable. So, what I would say is I was encouraged as I was up there observing the Governor answering questions was the questions coming from the members of this body on both sides of the aisle as well as members on both sides of the aisle down the hallway over there was, I think, a growing recognition that this is a real plan that has real legs and . . . so instead of simply trying to throw up roadblocks and say no, it seemed to me like the questions that were being asked were

questions about how can we make this work or how can we make this work better? And, instead of saying no, I think we have a much broader sense now that this is going somewhere and we’re going to try to make it the best thing we can possibly make it. And so, I was very encouraged by what I saw up there.

REMARKS OF
**HONORABLE
MICHAEL J. ROMANO**

Thursday, June 8, 2017

SENATOR ROMANO: Thank you, Mr. President.

I certainly appreciate my colleague’s remarks. But, you know, no matter what degree of respect or how impressed you are or how much bullying goes on, we have the right to question this revenue bill. We have the right to stand up and say, “Look what’s going to happen next year? Why are we giving a severance tax refund to a company that is destroying our creation of jobs in the gas industry in Harrison and the Northern Panhandle? Why are we giving a tax refund to the top one percent when we’re in a budget crisis?” We have that right and whether some of you believe it’s the right thing like my friend from Upshur does or like me who believes it’s the wrong thing, we have to vote our conscience. We have to vote what we believe is the right answer for West Virginia. And bipartisan compromise, it’s been the Senate Republicans against the Senate Democrats, the House Republicans and the House Democrats. It’s not real bipartisan. We can make some changes and make this revenue bill acceptable but we haven’t done that. We continue to call it bipartisan but what we’re doing is we’re getting down to the witching hour. We’re getting down to the time we better decide

whether our state's going to shut down or continue on. And that's what's making people come to the table. That's what's making people compromise their principles and their beliefs. And I hope it works on both sides because we need to come to a good compromise. I applaud efforts to get rid of the income tax. But we got to do that in a comprehensive fashion not on something that just sat outside our regular session for weeks and weeks and weeks and then suddenly became an actual part of what our plan was. We can sit down with our Natural Resources and create a comprehensive plan that can rid this state of income tax like you want and we want; that can reduce the burden on individuals and businesses. But, if we do this—and you know what I'm going to say—if we do this and there's no growth, you are going to put us on the brink of disaster. I ask everybody to continue to think about it.

Thank you for everybody's comments. I think they're very worthwhile. I appreciate my friend from Morgan so much because, you know, I know he wants to do the right thing. I know everybody in here believes they're doing the right thing. But you really got to search yourself, ask if we know enough to do what we're about to do.

Thank you, Mr. President.

REMARKS OF
HONORABLE
RICHARD N. OJEDA II

Thursday, June 8, 2017

SENATOR OJEDA: Mr. President, once again, as always, I'd like to stand up and speak on the fact that I'm still pretty new here but when I hear about the path to prosperity, you know, I hope we are. I really do. But, you know, when we start

talking about the path to prosperity, I start to think is this going to be prosperity for the teachers that've already had their two percent cut down to one percent? How is that prosperity for them? Is it going to be prosperity to the correctional officers that we bring on this floor every single year and speak about how amazing they are when we have done nothing—not even in the budget—to do anything for them and their families?

You know, we sit right here all the time . . . and I'm going to say it, you know, lobbyists play a big role in what we do around here. And it drives me crazy that we start talking about coal severance—something that could probably help our state because we're desperate and we're in need. But the first thing that happens is is we get told don't mess with it because if you do—and they dangle coal miners in front of our face—if you do, we'll lay off coal miners and we'll shut down coal mines. So, rather than them accept the fact, you make \$2 billion last year, how about you make \$1.8 billion and you give something back to the state that has made you filthy rich? And the first thing they get told is, "No, we don't agree with that. If you so much as even act like you're going to do anything with the coal severance, we will shut down coal mines and lay off coal miners." And what that does is it gets coal miners contacting everybody here saying, "You better not go after my job."

And I think, honestly, when we start talking about prosperity—and nothing against you, I think you're probably the most intelligent man I've ever met in my life, and I hope you're right because I know you're smarter than I am—but I don't see where this is going to help the people of West Virginia. We can gather and we can spend all this time. I don't want to hear about people need to learn to live within their means when I parked, not too long ago, next to a Bentley. The majority

of people in this room—nothing against you—have wealth. It’s easy for someone who has wealth to say, “Live within your means.” That has nothing to do with the mother that’s a single parent that doesn’t know how she’s going to put food on her children’s table. That does nothing.

So, the path to prosperity . . . I hope we do, and I hope we are, and I hope people remember come next session, next year, when we stand up and say, “Guys, we’re facing a bigger budget now. Now, we’re exactly where we were last year except add \$55 million to it.” If that’s prosperity, goodness gracious, send me back to Iraq or Afghanistan.

Thank you, Mr. President.

REMARKS OF
HONORABLE
CHARLES H. CLEMENTS

Thursday, June 8, 2017

SENATOR CLEMENTS: Thank you, Mr. President.

Being new in the Senate, I don’t know whether my remarks may necessarily be normal or appropriate but I’m going to make them anyway. Last week we lost one of the fine citizens of this State of West Virginia in Jan Vineyard. Jan Vineyard has been almost an institution in this capitol for years. She has brought very much . . . advice to our governors, and I thought it would be inappropriate if I did not at least make a remark to acknowledge the wonderful work that Jan did for years and years for the State of West Virginia as well as for her people in her organization. I met Jan over 30 years ago when she was a road representative for Ashland Oil and I’ve known her for years and she’s always been

one who put the State of West Virginia at the forefront of everything she did. And I just wanted to take a moment to make those remarks. She will be sorely missed around this capitol.

REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.

Friday, June 9, 2017

SENATOR PREZIOSO: Thank you, Mr. President, ladies and gentlemen of the Senate.

The conferees have been meeting as you well know and we were trying to work diligently to get this thing passed but I think there’s a general misconception out there right now and the Senator from the Sixteenth has very well pointed that out. You know, it seems to be that we’re concentrating on putting together triggers that lead us into next year’s budget with some safeguards. And we’re playing Russian roulette. We’re just hoping that the triggers that we come up with whether it be jobs, whether it be revenue, you know . . . How can we see into the future to put these things together? We’re trying to come up with a trigger that safeguards us from not going over the fiscal cliff. And I just hope before we pull that trigger that there’s not a bullet in that chamber that sends us over that cliff. And that’s what we’re scared of death of. So, the misconception is that we’re working on triggers to safeguard, you know, to alleviate that from happening. Why are we working on those triggers? Because everybody’s afraid of eliminating the personal income tax. That’s the crux of the problem that we’re dealing with.

You know, in my conversations with House Democrats, House Republicans,

with our caucus, we want to ensure that no trigger is pulled before actually something is right. And this thing isn't right. It's not right. You know, we're going to continue to debate, we're going to cancel meetings, we're going to waste time, we're going to go back to our respective caucuses—I've got so many trigger options right now that I'm getting gun shy. I don't know what to do. You know, nothing's for certain—and the only thing is for certain that the personal income tax is the problem. That's the basis for what we're dealing with and when you go back to the triggers, you know, we can get as many triggers as we think is going to be possible. Right now is not the right time.

I think the Governor very clearly pointed out in his State of the State he'd like to reduce the personal income tax but the time is not right. Let's get beyond this thing. We have worked this morning with several different groups. We have options that'll work. Let's get out of this crisis. Let's sit back, take a step back, take a deep breath, come back in, maybe, have a special session on income tax reform. But now is not the right time. We're going to continue to extend and extend and we're not going to get anything done. The people out there are afraid of what's going to happen. We don't know whether we're going to have a budget or not. The crisis that looms in front of us is on the nineteenth day of this month when it's the drop-dead date that we can no longer process payrolls that the folks out there are really going to suffer and, as the Governor mentioned, the patient's going to die on the table. Let's get beyond this hysteria. Let's get it done simply. We can get it done today. We can pass something, do the budget and get out of town and go home and everybody would be happy . . . come back in another day and do the tax reform.

REMARKS OF
HONORABLE
MICHAEL A. WOELFEL

Friday, June 9, 2017

SENATOR WOELFEL: Thank you, Mr. President.

I hadn't intended to speak but it's been weeks since I've said anything—and even longer since I've said anything that really mattered. So, give me just a couple of minutes here . . .

When I was in the ninth grade, Sister Ethelreda was my algebra teacher. Her claim to fame is her brother, Chuck Howley, was the MVP of the Super Bowl. She was tougher than Chuck Howley. But anyway, I would be at the chalkboard and her job would really be to sort of embarrass me because I was a mathlete—excelled at math. So, she had this one exercise—and I'll never forget it . . . “So, Woelfel, you're going to learn about what is incongruent. What are non sequiturs?” And here's what we did. See if you can figure this out. I know you can follow me. She'd say which of these do not belong: A, B, C, D and E? Alright, here we go. A: Huge budget crisis, \$350 million hole in the budget. B: Opioid crisis which is eviscerating our state. C: With the Trump budget, Medicaid cuts for 31 percent of our people who are on Medicaid—that's 722,000 West Virginians—that's going to be block granted and so what's going to happen there is these folks are going to go to the local ERs and they're going to go their local docs and they've got no money and they've got no insurance and they've got no Medicaid and we're going to bankrupt health care. D: Our government is getting ready to shut down in a couple of weeks. D, you're with me, we're going to figure out which one is incongruent, what the non sequitur is, what doesn't fit? E: Tax cuts for

people like me that have been blessed to have a good income. I just wrote my June fifteenth estimated payment—and a lot of you guys and ladies have too, or will in the next week—so you're going to cut my taxes and the taxes of many people in this room. Which doesn't fit? And I think you can figure that out.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
RYAN J. FERNS**

Friday, June 9, 2017

SENATOR FERNS: Thank you, Mr. President.

I want to start by saying I appreciate comments of my good friend the Minority Leader and the colorful comments of my friend from Cabell. I just want to be real clear about a couple of things. You know, it was mentioned that there's concern about going off a fiscal cliff. And, certainly, this tax reform proposal is something that has been initiated by the Senate Republicans. No question about it. And for that reason, there is nobody in this building that is more concerned about making a mistake as it pertains to tax reform as we are because we're going to take ownership of the changes that are made. And, certainly, attempting tax reform in a difficult financial situation maybe appears like it doesn't fit. But what we feel is that what we are doing is clearly not working and if we don't take West Virginia in a new direction, then we're going to continue to go down this road year after year after year. And we've been very clear from the very beginning of this session, while there's been a lot of jumping around, jumping all over the place, different proposals, different plans—trust

me, I'm frustrated too—but I think the leadership, the Senate President, and the leadership in the Senate, have been very clear from the very beginning, we are not willing to just raise taxes on the people of West Virginia yet again.

We have given two options. One: To reduce the size of government as our state reduces its size of population. Or two: Attempt tax reform to make substantive change in the direction of the future of West Virginia in order to not only change the direction but also to avoid all those cuts that everyone said would be so terrible for our state. We've been very clear about those two options from day one. And that's still where we are today. We haven't changed from that. So, while we've attempted to compromise and there's been a lot of changes in the plan, those have been in an effort to gain support from those who don't see things the same way that we do. So, I just want to make that clear.

You know, there is nobody more concerned than we are about not meeting our budgetary needs. And for that reason, that is the reason that we continue to work tirelessly day after day, hour after hour, to make this plan as perfect as it can be.

Thank you, Mr. President.

REMARKS OF
**HONORABLE
MICHAEL J. ROMANO**

Friday, June 9, 2017

SENATOR ROMANO: Thank you, Mr. President.

You know, I try hard not to get up and say anything but when you hear something like that from my friend from Ohio County

I just have to get up. I mean, I think we're kind of living in a fantasy world. I mean, when my Republican friends—and you are my friends—I believe every one of you believe you're doing the right thing but, when you got in charge, this body had reduced taxes in this state by \$500 million a year. After you got in charge, we had the energy glut—not your fault. I don't think we stepped up and did what we should have done in '15—2015 we could have stopped this crisis. But the downturn in the revenues was not your fault. But the Governor cut almost another \$500 million. So, Senator, we've cut the budget. We've cut taxes. And what do we have? A net loss of private unemployment.

If I believed that you had a 50 percent chance of creating \$240 million in revenues by cutting income taxes by seven percent, I'd stand on this desk and promote it. I don't believe that. I'm a CPA, I'm an attorney. I've been in on billion-dollar deals and I'm telling you, this is a bad idea. This is a gamble we don't want to take. But those cuts have been done. And you all have been in charge for three years with the mandate that you were going to cut further. Where are those cuts? Where are they? This is your third session I hate to tell you. In '15 when I went to our then president and said, "Look, we've got a budget crisis. We need to fix it permanently and either do cuts or raise taxes." I was told we were going to cut the budget. Last year—and believe me, I know you're trying—we're going to cut the budget. We got to \$36 million and \$20 million of them were one-time cuts, where we took money from accounts, swept accounts. I mean we shake our head but that's why we're where we're at. And I'm giving you approximate numbers and maybe I'm off a little bit but that's what the reality is.

And I'm getting nervous. Is anybody else getting nervous? I mean, here we are, in the second week of June. We've

been down here—the Judiciary committee accomplished some good things today and I thank the chairman for getting them on the agenda—but, what have we accomplished except sitting in these seats and push this button a couple times and walking out of here? They do not want to address this income tax reduction now. Your colleagues from your party in the House do not want to address this income tax reduction. We ought to do it in a special session as the Minority Leader suggested so we can look at it comprehensively. Not do it in a crisis. There's an old saying: A crisis is the toolbox or is the engine of a tyrant—I can't remember the quote exactly. But what it really means is you can do stupid things in a crisis. And if we're forced to make a decision of shutting down this government or taking these income tax reductions, you may get your way. But that's not how it should be done. We ought to realize in a democracy the majority of both these houses do not agree with those reductions. We don't think they're going to take a new direction, we don't think they're going to create economic activity sufficient to give us a budget next year. We think we're going to be \$240 million in the hole next year.

I ask you, please, we've gone far enough. You've risked enough. It's time to drop it. It's time to get a budget. It's time to go home before we ruin this state.

Thank you.

REMARKS OF
HONORABLE
C. EDWARD GAUNCH

Friday, June 9, 2017

SENATOR GAUNCH: Thank you, Mr. President.

A lot has been said. And I believe everybody who speaks believes what they say; but the truth is, sometimes you can believe things which aren't true. I'll tell you who's being duped, those people who say this is a tax break for the rich—I heard it twice over there—it's just not true. It's a farce. You can say it all day long but that doesn't make it true. Look at the numbers. The numbers are weighted towards middle and lower class incomes. That's where they're weighted. And you talk about the coal industry. Well, let me ask you this: Would you rather those mines close and put those miners out of work? Because that's the option. When the price of coal is what it is . . . when the price of coal is lower than the cost to mine it, you have two options: You can close those mines, send people home or you can keep them working if we can give them a fifty-cent break on that tax. The Governor's right and when times are good and the price of coal goes up, they ought to pay more. That's what the schedule says. I don't know, honestly, how you can say this is a tax cut for the wealthy. It's just not true. It's just not true. Sure, the wealthy will get a break but, proportionately, the lower brackets get more of a break. Nearly 40 percent. And, like, 15 percent at the higher brackets. Now, you can find a study to say anything you want it to say. I've looked and done these numbers myself, that's what they are.

Well, let me tell you what the people of West Virginia are watching and what they're sick and tired of. They are sick and tired of the same old, same old. And what I get is you all are fine as long as we can just raise another tax, cover the deficit. Raise another tax. Well, which one are you going to raise next year? Which one are you going to raise this year? I tell you what the people of West Virginia want. They want us to live within our means. Now, obviously, there's some services that we have to continue to provide. It's up to us to decide

what's essential and what isn't. I contend we're doing lots of things in this state that aren't essential. And that's what the people are sick and tired of. Let's do something differently. We've tried to put in safety nets. The Senator from Marion is right. That's what we've tried to do.

Well, you know, the real contention is, do we continue to do what we've done before? I've said it before, stick our thumb in the dike until the water starts penetrating the area where we've stuck our thumb and the hole gets bigger and the flow gets bigger and, yes, that's also part of the problem. We didn't have the guts to cut budget. And, by the way, the Senator from Harrison says we've cut this government. How come our budget is greater this year than it was last year if we've cut it? We haven't cut it. The budget 20 years ago was \$1.9 billion I think, give or take. And the population was substantially greater than it is today. Today, it's four point whatever, three, billion dollars with a lower population. I can't figure that out. Anybody have a good answer for that? Things cost more, inflation. You put inflation in there and you'll still find we're more spending more real dollars today than we were then. That's what people are sick and tired of. They're sick and tired of us just keeping people on the payroll to fill a seat. But we can't fix that in 60 days here. Until we have a governor who . . . yesterday, I thought, spoke eloquently to our conferees. I thought he spoke eloquently and one of the things he said was we're afraid of the boogeyman. And that's what I'm hearing over here this morning. The boogeyman's after us. Well, we have to do something different folks. Maybe this isn't the right thing. And I would tell you this, you're saying we ought to have a special session to talk about tax reform. And my opinion is we could do such a special session. We've been working on this for 18 months by the way. We could have a special session. And you know what

I believe would happen unless we keep spending just what we're spending or raise some more taxes, we couldn't get people on board with that either.

Mr. President, people are fed up. But they're fed up with the status quo. It's time for us to do something different.

Thanks.

REMARKS OF
HONORABLE
ROMAN W. PREZIOSO, JR.

Friday, June 9, 2017

SENATOR PREZIOSO: Thank you, Mr. President.

I reluctantly want to continue this bantering back and forth. It wasn't my intention when I stood up, I just want some resolve with this thing. And, everybody's worked extremely hard, there's no question about it.

You know, a lot of the initiatives that we've done in the past have been initiated by the Republican party. You know, we looked at the business taxes, our B & O taxes, our corporate net . . . you know, you held our feet to the fire and we reduced them. We reduced all those, we eliminated some, and we reduced the corporate net. And we put our state in the situation where we're 16, 17 and 18 in business taxes. And at that time, we held a high prospect that if we had a state that was business friendly that they would come. And so, we bought into that theory. We reduced those taxes and it was much from your effort that we bought on and reduced them. We've reduced the food tax. Well, maybe we shouldn't have. Maybe that's debatable. We've done . . . we've been so many times on both sides of

that issue that I can't even comprehend it anymore. But we do our job. And, when we're telling the folks out there that we're going to give them a break, that we're going to reduce the income tax and have a higher a consumer sales tax, you know, it is a flush. I mean you're down \$500 million at the beginning of session, the Governor sends a new revenue estimates, you know, now we're \$300 million. Well, you know, I've seen so many figures that we're just swimming in numbers. But when you do the numbers, and we've asked the Governor's office, just crunch the numbers and give us something that we can go back and tell our constituents we are saving you money. You know, we are going in the right direction. But we continue to get an estimate on the reduction of the personal income tax of 20 percent and the savings are minimal to folks that are on the lower income, in the middle income and the folks at the higher income bracket get three, four thousand dollars. You know, you're looking so far into the future that we can't comprehend that. But if you . . . we've agreed and you all have conceded, you started out with 20 percent in the first year, you've gone down to 15 percent, you're now at seven percent, and so, we've taken the seven percent figures and we've crunched them and when we look at the seven percent figures and taken all the taxes into consideration, the cell phone tax, gasoline tax and things of that sort . . . you know, the person out there the Governor talks about the grass cutter that makes \$42,000, well, they may make that at the Greenbrier but I don't think they're making that out there in the State of West Virginia, they're making \$42,000. They're making minimum wage. So, let's look at that minimum wage guy out there. He may make eighteen, twenty thousand dollars a year, depending. And when we flush it all out and you take the seven percent, not the 20, when you take the seven percent, I'm going back and tell my grass cutters in Marion County, buddy, I've saved you \$5.22. That

won't get you a meal at McDonald's. I don't know how I can hang my hat on that. And then we've crunched it down to a guy that makes even more and proportionally the numbers get a little bigger, you know, you go from \$5 to \$10 and then when you go up around \$25,000, you know, this guy making \$25,000, we're saving him \$5, or he's making \$5.75. But when you look at that guy that makes \$50,000 out there, you know, those are the folks, those are the hard working middle class people. He's going to lose \$162 the first year. Exponentially, works that way. You know, the people that we're trying to help, we think the people, the lower income, the middle income, are the folks, if you can put \$500 or \$600 in their pocket, they're going out there and they're going to spend it. You put \$2,000 in the guy that makes \$300,000, he's going to invest it. He, you know, he's maxed out with things he can buy. But the guy out there . . . we were in the Governor's office the other day, and I happened to look out the window and saw a guy in a boat out there—several people in the boat. And those are the folks that have means, decent jobs, to buy the toys that they need, the ATVs, the boats, the things of that sort. Those are the folks that are going to put money back into your economy. They're going to spend the money. But that guy down there in that boat, we're going to eliminate his income tax and we're going to raise his consumer sales tax . . . when he goes out and buys new life jackets for his boat he's going to say, "Man, what's this extra cost?" And, Lord, help him if he decides that, you know, his Johnson 50 horsepower motor isn't powerful enough. He's going to buy a Mercury 300 horsepower. He's going out there and buy a new boat and what's he going to do? Man, he's going to see that bill to the State of West Virginia on his income tax and he's going to say, "Man, how's these guys helping me?"

So, I just think that the timing is not right. We've reduced taxes, mostly because the Republican party has emphasized we make a business-friendly state—and we've done that. I mean, you can't argue with the statistics. You know, you can't argue with numbers. And that's why we put a lot of emphasis on numbers. We've crunched every number there is. We were looking at the out years. You know, what happens next year, you come in here with a \$250 million hole in your budget? In an election year, it's going to be worse than it is now. You know, all we're saying is delay this implementation of the personal income tax for one year. Let's try to stabilize this economy.

You know, when Kansas got into this mode everybody bought in—it was a great idea. They had an excess of general revenue; they had money that, you know, they could spend. And they thought, "Man, we're going to give the people of Kansas a tax break." Well, they did that. You know what they did? They just passed the highest rate of taxes in the state of Kansas this year to get well. It doesn't work. It just doesn't work. And we're playing this Russian roulette game and we're hoping that things happen. If it does, if the Governor's road program goes into place and we get all those jobs, the economy booms, we build highways, we've got the business tax structure to attract businesses from out of state . . . You know, they'll come in. Then as this economy grows and we can measure it as it grows, we can eliminate the income tax. We can give something back to the people of West Virginia. But it's all about timing; and now is not the right time to play Russian roulette.

REMARKS OF
HONORABLE
MIKE HALL

Friday, June 9, 2017

SENATOR HALL: Thank you, Mr. President.

I certainly did not come in here to make any comments today but I just wanted to say a couple of things. Obviously, I'm somewhat in the middle of this.

But I'd like to look back for a minute because as I hear comments like, you know, we're the worst and all that, I just want to take you back to 1994 when I was elected, the Senator from Morgan was already here, you weren't here yet. And let me tell you what the reality was back then. We had a workers' compensation system that was on its way to fiscal disaster. We had a Teachers Retirement System that was funded at about nine percent—there was a \$4 billion unfunded obligation. And we knew we had something else that actuarially was problematic but nobody was looking at it closely. And that was what you call the OPEB liability. The expense of our after you retire benefits. Those problems existed. Now, a couple of years before I got there, in the Caperton era, taxes were increased. I remember that well. Arch Moore was defeated, Gaston came in, hauled people into a special session, maybe some of you were hauled into it. And you voted to increase the food tax and different taxes, I don't remember all That is the last time that those taxes were increased. I've voted in my 23 years here for three tax increases: Tobacco tax three times. I remember in the Underwood years it was smokeless tobacco tax.

But I just want to make this point that over time and gentlemen mentioned it, we had a—by the way, those of you who weren't here, this building was full of opposition when in 1995 I think it was, we voted to fix workers' comp. I couldn't get to my office. It was a nine-hour floor session in the House. There was a lot of animosity and there was a lot of problems going forward. And that first fix was basically set aside by

the courts. The second fix was done—a lot of you were here, you were here and we fixed that. So, one of the things that we did was we privatized workers' compensation. And we did it following, making sure that the mistakes made by Nevada were not made by us. I think we were successful. BrickStreet was launched. I don't know how many millionaires we created that were former state employees that went to work for BrickStreet. The private sector now sells that product. People make a lot of money. What a success that was. We went from monolithic system to privatization and were successful at it.

There was put in place a plan to pay down that pension obligation. When the Attorney General won the tobacco settlement case almost all that money was securitized and \$800 million was dumped into the Teachers Retirement System. Our Teachers Retirement System that we made a commitment to it, it's now funded. Look at Kentucky. Their retirement system's 35 percent funded. They have an exploding problem over there. We don't. We took on the OPEB liability problem and solved it.

And so, even though there are negative comments about our state, I would say this: The bond rating agencies in New York took notice of the fiscal responsibility of this state and raised our bond rating. Now, recently, they don't like what they see. Now, I think where some of my Republican friends think where I'm going to go or maybe (inaudible) . . . all I'm going to say about this current debate is . . . and I have reached the point of Here is what I'd like to see come out, however it happens: That somebody outside of this state would look at us and say that whatever you did was a tax code that created a structurally sound budget for the foreseeable future. However you do it. Because in that way, now think of it, we in West Virginia have solved three significant fiscal problems.

Something else I would mention to anybody that would listen is it was not reported on but we did significant retirement plan reform. Senator from the Eighth introduced the bill two or three years ago. Saved \$55 million in actuarial costs. We've been recognized by the Pew Foundation in Washington—we heard this in a committee meeting—as one of the best states in terms of how we manage our pension money.

So, though we may be fiftieth in a bunch of things, I would like to say that we are, you know . . . we've done some responsible things. And what has troubled me—and this is how I've got in a little trouble with some of my friends—is that I want a tax plan that simply provides for a structurally sound budget. And here's the reason: Our bond rating will come back and the business community will respond positively to that. Now, they may respond positively to these other things and I'm going to be here, I voted for this tax reform. I mean . . . but that's where I'm coming from. So, when you get down in the details of all of it, it may work. The Governor's the one that's actually proposing this and he sees a positive outcome. I just hope that however it comes out that we can walk away and say we've done something for our citizens, those who want to stimulate the economy a little more, it works for them, or whatever.

But, I just think . . . I find it personally sad that people can't see what I'm going to say. We have solved three fiscal problems in the last 20 years. Huge problems. You took them on. It was bipartisan. I mean . . . one thing I failed to mention was back in the nineties we were forced to invest in the bond market only. Remember that? We had to have a constitutional amendment that we fought for and got through in the good times. Think of the disaster that would have been if that hadn't happened. So, I'm just simply saying that in my tenure here, and the tenure of my fellow senator, and you,

Mr. President, let's not lose perspective, but some responsible actions have been taken and we've dealt with basically the four problems that most states face right now, positively. We've just got one last little problem that's irritating us when the extractive industry revenues went down.

And that's where I'm coming from and I've decided that I'll be happy but I do think you don't want a "maybe" in this plan or at least minimize the "maybe". There's always a "maybe", you want some solid reason why you're doing it and that going forward you have a structurally sound budget. And I have my ideas about how you would do that and others have their ideas about how they would do that. But that's kind of what I'm looking for in this process going forward, Mr. President. And I think that's fair. I think I represent what the public's telling me and the citizens of my district have been telling me they want to see happen. So, I didn't want to let the moment go by before I just made . . . that's where I'm coming from. We've done some great things. This one last problem of the four that, if we can solve it, our bond rating will go up again and when we sell those road bonds we'll get a little more money for them.

So, that's my view, Mr. President.

**Relating generally to
Tax Reform Act of 2017**
*(Passage of Engrossed
Senate Bill 1017)*

REMARKS OF
**HONORABLE
CHARLES S. TRUMP IV**

Thursday, June 15, 2017

SENATOR TRUMP: Thank you, Mr. President.

I rise in support of this legislation. And I'll start with a confession: Twenty-four hours ago, I was ready to throw in the towel—and I think I may have said so to some people. And I was wrong. Mr. President, I was wrong. And I'll credit you and other members of this body and our Governor and others for saying, "No, Charlie, you know, it has been a long contentious session but it's not necessarily over. It's not too late for this to happen." And so, I was wrong.

And I stand here now, glad that you and the other members of this body who thought it was worth one further pitch and the Governor who thought it was worth one further pitch to make this effort again. And I'll tell you why. Let me start by crediting, Mr. President, the Tax Reform committee that you appointed six months ago to work on tax reform. They worked long and hard on this. But I will say to you, the bill before us now is the best version of it we've seen—and we've seen many over this long, sometimes torturous process—we've seen many. But this is the best version of it we've seen. And that is attributable to a number of things, but, first, I would recognize the work of the members of this body including the members of the minority. This bill is better now than any earlier version of it because of the input of the members of the Senate minority who stood up on this floor and said make sure this bill is fair and does something meaningful for the people in West Virginia who work hard and earn the least. And I'm looking at the other side of the room and I think we heard it from every member of the minority. And you were right. And there are provisions in this bill that address that, seek to. The Governor had enormous input into this bill over the course of all the time that we all worked on it. And in truth, there are provisions in this version of the bill that have never been in any

other that were suggested by members of the House of Delegates. There's a rollback in this bill of the consumer sales tax after a period of time which in my memory of our long protractive discussions was the suggestion of the Speaker of the House. The triggers on the income tax reductions, I think, were crafted largely by the House Finance Chairman.

And so, as contentious as this process has been sometimes, it is a true collaboration. Albeit, it has been contentious at times, but what we have before us, Mr. President, was worth fighting to revive, fighting to get across the finish line. And I'm not going to repeat everything our distinguished Finance Chairman said about what's in this bill but there is meaningful tax reform in this bill for every West Virginian. Every West Virginian. Reductions in personal income tax. Reductions on Social Security recipients. Guaranteed reductions in personal income tax. In a way, because of the timing and chronology, it doesn't destabilize our budget—in fact, enhances the stability of our budget. I was wrong. The idea of giving up yesterday which is where I was, was wrong.

And so, I think, my appeal, my remarks under our rules are addressed to you, Mr. President, but I'm making an appeal to two important groups of people: First, the people of West Virginia, please look at this legislation. I think you'll find in it things that could be transformative for our state. And the second appeal I would make is to our colleagues in the House of Delegates. And what I would say is this: We value your judgement. We value your judgement. Every member of this body has seen on many prior occasions the House of Delegates focus on legislation, employ its considerable talent there in that body and improve it. And my invitation and plea to them is do so with this. Do so with this. This, that we will send to you tonight, is worthy of your consideration. We believe

and, if we send it out of here—I believe we will—we do so in the belief that this is good for the citizens of West Virginia. And, if the House of Delegates can find a way to improve it or make it better, we will be receptive to that. Judge this legislation not by mistakes we may have made, judge it on its merits. Use your considerable talent and skill to make it as good as it can possibly be and let's do something together now that could be truly transformational for the State of West Virginia.

Thank you, Mr. President.

**REMARKS OF
HONORABLE
RON STOLLINGS**

Thursday, June 15, 2017

SENATOR STOLLINGS: Mr. President, I'd like the Senate to join me in a moment of silence for the death of our coal miner down in . . . actually, from Raleigh County. Big coal area. If you'd stand please. Rodney Osborne's a 32-year-old continuous miner operator, lost his life yesterday as we all heard about. Just like to recognize that and exercise a moment of silence, please.

Thank you.

**Memorializing life of
Honorable John C. Yoder**

(Adoption of Senate Resolution 104)

**REMARKS OF
HONORABLE
CRAIG BLAIR**

Friday, June 16, 2017

SENATOR BLAIR: Thank you, Mr. President.

I know the hour is late and I spend a lot of time around here running my mouth and speaking in caps—so I understand—but I need to have a few minutes here to be able to talk about this man. And many of you knew John, served with John. And I'm going to try not to be too long but I want to give a little bit of a background on it. I didn't know John except for seeing his name on the ballot and he got confused with another John from up there quite often. In fact, I'd introduced him before and used the wrong last name when I was introducing Senator Yoder—and got quite a few laughs out of that from time to time. John learned to live with that.

We became friends on the back of a bus going to New York City for the national convention in 2004. Mr. President, you were on that bus and a couple of us was. We had some good times. But I didn't know it at the time but I was making what would be a friendship that was not only unique but I was blessed because at that point in time—and I still am—less than capable of being worthy of this institution. And I was in the House of Delegates at that point in time. But John had the ability to take and see the best in people and to be able to tell them and encourage them to live up to their potential. I don't know whether I've ever done that but he's helped me along to make me better than what I was.

We've had a lot of time today but on your desk is a paper that wasn't written by me—I could never, ever in a million years put together something like this . . . John showed up for Thanksgiving dinner every year at my house . . . and he's going to be sorely missed. And I could tell story after story about things that went on but when I was talking about John's influence, not only

did he mentor me but he had an impact on people's lives. And the one sitting next to me, the Delegate here, I got a prediction that she would not be the youngest person ever elected in the United States to a legislature if she wouldn't have come in contact with John Yoder. That was the type of individual he was. He was able to bring out the best in people and then . . . back in December 12, 2014, she did a paper on him. And when John passed, she reminded me of this and I sat down and read it and there was so many things in this that I didn't know, or only knew a small part of it. And . . . it was rather incredible to read about this man's life. And he's not from West Virginia—from Iowa to Kansas to Washington, D. C., to here. But make no mistake about it, he was West Virginian through and through. He loved this state. He loved the people of this state and he loved this institution especially. He was down here earlier this year I remember and I believe it was, Senator Jeffries, your seat that John sat in. When I was in the House of Delegates, I'd come over and I'd be able to—it'd be just like this—and come over and sit down and talk to him on what was going on. And I'm telling you, it was a tremendous honor. Not just to be in the Senate chamber but to be standing or sitting next to him and learning what was going on in this body. And I envied it so much because I also knew that there was this thing called Junior Rules back there that was super special—and we all know how special that is to us.

My point that I'm trying to make is that he's left a hell of an impact on my life and my family's life and I know the people in West Virginia's life. You heard some of that resolution there and then you read this paper . . . it says it all.

One last thing—and this is how creative this guy was—running for judge—and he served two terms up there, was elected twice to it—and I helped with both of those proudly . . . He couldn't campaign.

You know, judges can't say what they'd do and what they wouldn't do but John had a sneaky way of making sure people knew who he was. He'd go out here on Facebook and do movie reviews and he had this following of people that would . . . on movie reviews . . . to keep his name out there in a positive way . . . and I bet you that I went to 20 movies, John and I, in going and seeing them, and one of the things I told him . . . and Mike and I was just talking about this a few minutes ago was *Anne with an E* on Netflix. I told him, I said, "John, you've got to watch this." And he called me up a day later and he goes, "I've binged watched the whole thing." So, he was quite the movie critic.

With that, I'm going to stop. I'd like to thank the Senate at this late hour for giving me the opportunity to honor a friend, a mentor and somebody that I'm going to sorely miss the rest of my life. But I do know, and we talked about this, we'll see each other again.

Thank you, Mr. President.

**Memorializing life of
Honorable John C. Yoder**

(Adoption of Senate Resolution 104)

REMARKS OF
**HONORABLE
MIKE HALL**

Friday, June 16, 2017

SENATOR HALL: Just briefly. Actually, he sat where Senator from Braxton sat because I sat next to him where Senator from Putnam sat.

And John and I had a lot of interesting

conversations. As a matter of fact, he said to me one time—and I didn't think it would happen—but he said if anything ever happens to me, I want you to do my funeral. And that's what I'll be doing with our Clerk on July the seventh up there in Harpers Ferry.

I can say that . . . just a couple of things. One, John was very bright. It was a lot of fun to talk to him and, when I ran for Treasurer, I actually stayed in his home in the Eastern Panhandle. So, it's quite an adventure to stay with John Yoder in his house. I won't tell you all about it but . . . it's an old white frame house and you go past . . . What battlefield is that you go past to get to it up there? Which one? Okay, so they knew that . . . I hope you heard what they said. But . . .

I just couldn't, you know, let the moment pass. I know it's late so I'm going to sit down in just a second but see how much I enjoyed of my Senate experience, my time with John Yoder, and the time I spent with him when we were up . . . he took me to where the Battle of John Brown or . . . the whole thing started over in Maryland. He gave me a big tour up there and so forth. But he was a great guy. Many of you never met him. When I heard he was going to have heart surgery, of course I had heart surgery two years ago, about the same time he did and I wasn't as worried. I thought they would handle it and it troubled me, I guess, that he never really came back. So, anyway, we'll always remember him as a wonderful person, very unique, you've already heard what our good senator said about him and I just can't add much to that other than the fact that I wanted to publicly acknowledge a dear friendship of his. Always looked forward to seeing him. He invited me back up, you know, to come back up sometime this summer. Obviously, that won't happen but except to go and memorialize him on July the seventh.

**Memorializing life of
Honorable John C. Yoder**

(Adoption of Senate Resolution 104)

REMARKS OF
**HONORABLE
ROBERT H. PLYMALE**

Friday, June 16, 2017

SENATOR PLYMALE: Thank you, Mr. President.

I'm going to give you a little bit different side of John. He was brilliant and the guy was so well read and so knowledgeable. But, we came in the Senate together. He sat right here—while we're trying to figure out—and at that time, he and Donna Boley—I can say that now, I'm not really worried about it, she's not here—and he decided and announced in the paper that he was going to be Minority Leader. And, you know Donna very well, she, "Well, no you're not." And that was the end of it.

But when he got here, we served on a number of things together. We served on Judiciary together. And if you remember the story of when we were detained from adjourning in the Senate—some people called it "held hostage" and all this—but we actually were, people blocked the door and John had a pretty quick temper when he got . . . or not, got excited quickly, let's say it that way. Well, he got so excited, he jumped onto where the window was, a window that had not been opened for 20 years, he opened it up and went out on a ledge and started to yell at people, "Call the State Police. We're being held hostage in here." And this is a true story. I mean, they went on and wrote about this later.

But, it was either the first or second session, and I don't remember, it was either

in '93 or '94 and, I don't know what was going on in the Senate then, I was new too and you know how you get when you're new here. You sometimes are not really sure what all is going on. And we were at the end of the session and he wanted to make a point on something. And he gets up in this chair and at that time we had President Burdette—and that's how long ago this went—and he, you know, when John got excited sometimes his veins would start going up there and he started shaking and he was a little loud. And he said, "Mr. President, I demand to be recognized." And he kept going on. So, then he got on his chair and did that. Before it end up he was on the table yelling and this is at 11:55 to 12:00. He taught me a very quick lesson here. And, Senator from Braxton, you and I've talked about all the lessons but you can be heard but if you're not recognized, they don't ever hear you.

He was a brilliant guy. He was a lot funny. But, you know, the dog stories, I mean, you know, everybody has a dog story of John. You know, when he would come here, he would always want to bring the dogs with him. And John was a great person. He will be sorely missed by a lot of people. But he brought an intelligence to this body like I had never seen. You wouldn't know it when you first started talking to him until you started, you know, diving down into subject matters. And every subject matter you could bring up, he knew a little bit about. He was a brilliant guy. He was one that I served with twice—both the times that he was elected. And just a person that you would say you were glad to know him as a friend.

**Memorializing life of
Honorable John C. Yoder**

(Adoption of Senate Resolution 104)

REMARKS OF
**HONORABLE
CHARLES S. TRUMP IV**

Friday, June 16, 2017

SENATOR TRUMP: Thank you, Mr. President.

With a heavy heart but lots of fond memories. You know, I'm looking at John's picture there on the board and it reminds me of so many memories. It was 1992 that I was first elected to the House of Delegates, it was the year that Senator Yoder, John, was elected to this body, to the Senate. We came from the Eastern Panhandle to Charleston together. Newbies. And, as has been mentioned, when John came to the Senate, he doubled the number of Republicans serving in the Senate. Donna, for two years before that, was here alone as the lone Republican and had to make choices between Judiciary and Finance to figure out what the other members were doing because she couldn't be in both at the same time. So, when John got here, John went to Judiciary and Donna went to Finance.

As has been mentioned by the Senator from Wayne, he was brilliant. And so, I had the pleasure of serving with him in the House—while he was in the Senate—during both of his terms. John was a scholar, a constitutional scholar, that will rival any that has served in either body of this Legislature. And cared deeply about it. The Senator from Wayne is right, on the last night of his first session, he was standing on top of his desk demanding to be recognized and the reason was he believed that the measure under consideration—I don't remember what it was at the moment—but he believed that it violated a constitutional principle. And that's how deeply he felt about that.

I also had the pleasure of practicing before him when he ascended the bench and was circuit judge for our judicial circuit. So, he was my senator, you know, for four years when Morgan County was part of that sixteenth senatorial district and he was my circuit judge, you know, in the twenty-third judicial circuit and exhibited, always, his constitutional scholarship as he presided from the bench.

He encouraged me to consider running for the Senate in 2014. And he loved the Senate. He loved his adopted home of West Virginia. And he loved the Senate and his service in the Senate. And he said, "Charlie, you will love it. You will love the Senate. It's totally different from the House." I'm still trying to figure out what he meant by that but He was right. He was right.

John had this great sense of humor, you know, just He could find the humor in anything which, to me, is, you know, a great character trait . . . people that have that who can find the humor in themselves, in everything about them . . . and that was John.

As has been mentioned, he loved his dogs. And so for those . . . it will not surprise anybody in this body who served with him that as judge, his dogs were in the chambers. And the clerk would be like, "Can he bring his dog to court, you know?" He's the judge, he can do what he wants to do. But, he never wanted to be apart from his dogs.

He loved my Senior Senator from the Fifteenth. And, you know, I knew John probably longer than maybe anybody else here but he loved My Senior Senator from the Fifteenth I believe was best friend that John had on this whole planet. And we are all going to miss John. I'm sorry for the members of this body who didn't get to know him or serve with him but he was unique. And Craig said it best: My life has been enriched in ways I don't have words to articulate by John Yoder.

Thank you, Mr. President.

**Memorializing life of
Honorable John C. Yoder**

(Adoption of Senate Resolution 104)

REMARKS OF
**HONORABLE
MARK R. MAYNARD**

Friday, June 16, 2017

SENATOR MAYNARD: Thank you, Mr. President.

My memories of John isn't nearly as storied as many of you but in 2010, when Judge Yoder was making his bid for the Supreme Court, he came through Wayne County and I was chairman of the party at that time and welcomed him into my headquarters and got to know him. And I didn't even realize the storied career in politics and the judicial system that he's had. And, you know, it's a pleasant surprise to come up here and see him in Junior Rules and hanging out just this past session in the conference room there at Judiciary. And, he'll be missed.

And this has been an honor just to hear these memories from both sides of the aisle about John and I just want to let you all know that I knew him in 2010. So

But thank you all.

**Memorializing life of
Honorable John C. Yoder**
(Adoption of Senate Resolution 104)

REMARKS OF
HONORABLE
COREY PALUMBO

Friday, June 16, 2017

SENATOR PALUMBO: Thank you, Mr. President.

I just want to real briefly say that I got to know Judge Yoder a little bit here when I was in the House and he was in the Senate but I had one case in my life up in the Eastern Panhandle . . . and that was before Judge Yoder. And I'll say that of all the times I had cases in this state—and I've been practicing 19 years—he wrote the most thorough, well-reasoned, well-researched order that I've had from any circuit court judge in the state. And I don't just say that because he ruled for my client. It was really a phenomenally written order that I've probably still not seen surpassed. And, I've never had another case with him but just my experience with him in that one case made me really hold him in a high esteem as a judge.

Memorializing life of
Honorable John C. Yoder

(Adoption of Senate Resolution 104)

REMARKS OF
HONORABLE
RON STOLLINGS

Friday, June 16, 2017

SENATOR STOLLINGS: Thank you, Mr. President.

He and I were suitemates when I first came here in 2006 out in the West Wing and, again, I was so green as grass and so

excited to be here and to have him in there with his wonderful accent. You know, he had a little bit of a different accent. Maybe not even a Midwest accent. But, I loved his accent and he was so hospitable.

And he did tell me about his dogs. And so, when we were suitemates, we were suitemates with the dogs, too. And they were not dogs. They were dogs. Okay.

And . . . but, really, my life's been enhanced by knowing him and sharing a few times together. And I have a wonderful picture of him in the Culture Center from December 2014. I'll share it with you.

So, he's had a huge impact and I just didn't want to not say anything because he was . . . He was a sweet man, too. I mean that in a very positive way. He was sweet in that he cared about things and he was sensitive. And it's great that we're doing this.

I urge adoption of the resolution.

REMARKS OF
HONORABLE
PATRICIA PUERTAS RUCKER

Friday, June 16, 2017

SENATOR RUCKER: Thank you, Mr. President.

When we voted for the tax reform bill, 1017, we thought we were voting for tax relief for every West Virginian. Reducing personal income tax, eliminating income tax on military pensions and Social Security recipients up to \$75,000. We were told it was revenue negative in the second year in terms of taxes. But those projections were only accurate if we met certain triggers. We have found that the administration indicates that those triggers were not going to be met.

I think it is to our benefit that the legislation did not pass the House. I can support tax reform that is revenue neutral and has the potential to turn things around in our great state. But, unfortunately, Senate Bill 1017 was not it. We should focus our efforts in reducing taxes and rightsizing our state government. This is what the voters have asked us to do. With that goal in mind, we can turn our attention to tax reform that paves the way for economic growth in West Virginia. And I look forward to doing that the next session.

Thank you.

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

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SENATE BILLS PASSED LEGISLATURE

1003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to WV Parkways Authority** (original similar to HB103) - Passed 6/16/2017; Effective from passage - To Governor 6/19/17 - Approved by Governor 6/22/17 - Chapter 5, Acts, 1st Extraordinary Session, 2017
1006. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Increasing funding for State Road Fund** (original similar to HB108) - Passed 6/16/2017; Effective from passage - To Governor 6/19/17 - Approved by Governor 6/22/17 - Chapter 6, Acts, 1st Extraordinary Session, 2017
1010. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund** (original similar to HB112) - Passed 5/24/2017; Effective from passage - To Governor 6/6/17 - Approved by Governor 6/9/17 - Chapter 7, Acts, 1st Extraordinary Session, 2017
1013. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Budget Bill** (original similar to HB115) - Passed 6/16/2017; Effective from passage - To Governor 6/19/17 - Became law without Governor's signature - Chapter 1, Acts, 1st Extraordinary Session, 2017
1014. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to physician assistants** (original similar to HB116) - Passed 6/9/2017 - To Governor 6/13/17 - Approved by Governor 6/19/17 - Chapter 3, Acts, 1st Extraordinary Session, 2017

SENATE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

101. By Sen. Carmichael (Mr. President) - **Providing for adjournment of Legislature until May 15, 2017** - Adopted 5/5/2017
102. By Sen. Ferns - **Providing for adjournment of Legislature until June 5, 2017** - Adopted 5/24/2017
103. By Sen. Ferns - **Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 107** - Adopted 6/9/2017
104. By Sen. Trump - **Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 106** - Adopted 6/16/2017

105. By Sen. Trump - **Suspending provisions of Joint Rule 3 relating to conference committee on House Bill 106** - Adopted 6/16/2017

HOUSE BILLS PASSED LEGISLATURE

111. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating generally to tax procedures and administration** (original similar to SB1009) - Passed 6/9/2017 - To Governor 6/13/17 - Approved by Governor 6/19/17 - Chapter 2, Acts, 1st Extraordinary Session, 2017
- *113. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the sale of Jackie Withrow Hospital by the DHHR** (original similar to SB1012) - Passed 6/16/2017 - Effective ninety days from passage - To Governor 6/19/17 - Vetoed by Governor 6/23/17
- *117. By Del. Miley [By Request of the Executive] - **Relating to West Virginia Health Care Authority** (original similar to SB1015) - Passed 6/13/2017; Effective from passage - To Governor 6/19/17 - Approved by Governor 6/19/17 - Chapter 4, Acts, 1st Extraordinary Session, 2017

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

2. By Mr. Speaker (Mr. Armstead) - **Providing for an adjournment of the Legislature until June 26, 2017** - Adopted 6/16/2017

HOUSE BILLS VETOED BY GOVERNOR

- *113. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the sale of Jackie Withrow Hospital by the DHHR** (original similar to SB1012) - Passed 6/16/2017 - Effective ninety days from passage - To Governor 6/19/17 - Vetoed by Governor 6/23/17

HOUSE BILLS DIED IN CONFERENCE

- *106. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating generally to the furlough of public employees during declared fiscal emergency** (original similar to SB1005) - To conference 6/13/2017. House conferees: Shott, Hanshaw, Lovejoy; Senate conferees: Trump, Swope, Romano

ALL SENATE BILLS INTRODUCED

1001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Raising salary for classroom teachers.** (original similar to HB101) -

- Introduced 5/4/2017 - Committee reference dispensed - On second reading to Rules 10/31/2017
1002. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Increasing DMV fees and motor fuel excise tax** (original similar to HB102) - Introduced 5/4/2017 - Committee reference dispensed - On second reading to Rules 10/31/2017
1003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to WV Parkways Authority** (original similar to HB103) - Introduced 5/4/2017 - Committee reference dispensed - Referred to Rules on 2nd reading 5/5/2017 - Amended - Passed Senate with amended title 5/24/2017 - Effective from passage - To House 5/24/2017 - To Finance - Motion to take bill up for immediate consideration and read a first time adopted - Amended - Passed House 6/16/2017 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 6/16/2017 - Effective from passage - To Governor 6/19/17 - Approved by Governor 6/22/17 - Chapter 5, Acts, 1st Extraordinary Session, 2017
1004. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to taxation** (original similar to HB104) - Introduced 5/5/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 5/5/2017 - Effective from passage - To House 5/5/2017 - Reference dispensed - Motion to commit bill to Finance rejected - Motion to reject bill pursuant to House Rule 103 adopted
1005. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to furlough of public employees** (original similar to HB106) - Introduced 5/16/2017 - To Judiciary
1006. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Increasing funding for State Road Fund** (original similar to HB108) - Introduced 5/16/2017 - Committee reference dispensed - Amended - Passed Senate with amended title 5/24/2017 - Effective from passage - To House 5/24/2017 - To Finance - Amended - Amended - Passed House 6/16/2017 - Title amended - Effective from passage - Senate amended House amendment and passed 6/16/2017 - Effective from passage - House concurred in Senate amendment 6/16/2017 - Passed House 6/16/2017 - Effective from passage - To Governor 6/19/17 - Approved by Governor 6/22/17 - Chapter 6, Acts, 1st Extraordinary Session, 2017
1007. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Tax Reform Act of 2017** (original similar to HB107) - Introduced 5/16/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 5/16/2017 - Effective July 1, 2017 - To House 5/17/2017 - To Finance
1008. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to public school support and county levy rates** - Introduced 5/24/2017 - To Finance
1009. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to tax procedures and administration** (original similar

to HB111) - Introduced 5/24/2017 - Committee reference dispensed - Referred to Rules on 2nd reading 6/9/2017

1010. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating to Volunteer Fire Department Workers' Compensation Premium Subsidy Fund** (original similar to HB112) - Introduced 5/24/2017 - To Finance - Constitutional rule suspended - Passed Senate with amended title 5/24/2017 - Effective from passage - To House 5/24/2017 - Passed House 5/24/2017 - Effective from passage - To Governor 6/6/17 - Approved by Governor 6/9/17 - Chapter 7, Acts, 1st Extraordinary Session, 2017
- *1011. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Selling Hopemont Hospital** (original similar to HB114) - Introduced 5/24/2017 - To Health and Human Resources - Com. sub. reported 5/24/2017 - Constitutional rule suspended - Passed Senate 5/24/2017 - Effective from passage - To House 5/24/2017 - To Finance - Amended - Passed House 6/16/2017 - Title amended - Effective from passage - Senate concurred in House amendment and rejected bill 6/16/2017
1012. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Selling Jackie Withrow Hospital** (original similar to HB113) - Introduced 5/24/2017 - To Health and Human Resources
1013. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Budget Bill** (original similar to HB115) - Introduced 5/24/2017 - Committee reference dispensed - Amended - Passed Senate 6/13/2017 - Effective from passage - To House 6/13/2017 - Reference dispensed - Amended - Passed House 6/14/2017 - Effective from passage - Senate amended House amendment and passed 6/16/2017 - Effective from passage - House concurred in Senate amendment 6/16/2017 - Passed House 6/16/2017 - Effective from passage - To Governor 6/19/17 - Became law without Governor's signature - Chapter 1, Acts, 1st Extraordinary Session, 2017
1014. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to physician assistants** (original similar to HB116) - Introduced 5/24/2017 - To Health and Human Resources - Constitutional rule suspended - Passed Senate 5/24/2017 - To House 5/24/2017 - To Health and Human Resources - Amended - Passed House 6/8/2017 - Senate concurred in House amendments and passed bill 6/9/2017 - To Governor 6/13/17 - Approved by Governor 6/19/17 - Chapter 3, Acts, 1st Extraordinary Session, 2017
1015. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to Health Care Authority** (original similar to HB117) - Introduced 5/24/2017 - To Health and Human Resources
1016. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to license tax on successful bidders for road construction contracts** - Introduced 6/14/2017 - To Finance
1017. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to Tax Reform Act of 2017** - Introduced 6/15/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 6/15/2017 - Effective from passage - To

House 6/16/2017 - Reference dispensed - Motion to reject bill pursuant to House Rule 103 rejected - Amended - Passed House 6/16/2017 - Title amended - Effective from passage

1018. By Sen. Carmichael (Mr. President) - **Budget Bill** - Introduced 6/15/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 6/15/2017 - Effective from passage
1019. By Sen. Jeffries, Ojeda, Unger, Beach, Facemire, Prezioso, Miller and Romano - **Increasing tax credit for rehabilitated building investment** - Introduced 6/16/2017 - To Finance

ALL SENATE CONCURRENT RESOLUTIONS OFFERED

101. By Sen. Carmichael (Mr. President) - **Providing for adjournment of Legislature until May 15, 2017** - Introduced 5/5/2017 - Committee reference dispensed - Adopted by Senate 5/5/2017 - To House 5/5/2017 - Reference dispensed - Adopted by House 5/5/2017
102. By Sen. Ferns - **Providing for adjournment of Legislature until June 5, 2017** - Introduced 5/24/2017 - Committee reference dispensed - Adopted by Senate 5/24/2017 - To House 5/24/2017 - Adopted by House 5/24/2017
103. By Sen. Ferns - **Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 107** - Introduced 6/9/2017 - Adopted by Senate 6/9/2017 - To House 6/9/2017 - Reference dispensed - Amended - Adopted by House 6/9/2017 - Title amended - Adopted by Senate 6/9/2017
104. By Sen. Trump - **Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 106** - Introduced 6/15/2017 - Committee reference dispensed - Adopted by Senate 6/15/2017 - To House 6/16/2017 - Reference dispensed - Adopted by House 6/16/2017
105. By Sen. Trump - **Suspending provisions of Joint Rule 3 relating to conference committee on House Bill 106** - Introduced 6/16/2017 - Committee reference dispensed - Adopted by Senate 6/16/2017 - To House 6/16/2017 - Reference dispensed - Adopted by House 6/16/2017

ALL SENATE RESOLUTIONS OFFERED

101. By Sen. Ferns - **Notifying House Senate has assembled in extraordinary session** - Introduced 5/4/2017 - Committee reference dispensed - Adopted 5/4/2017
102. By Sen. Ferns - **Notifying Governor Legislature has assembled in extraordinary session** - Introduced 5/4/2017 - Committee reference dispensed - Adopted 5/4/2017

103. By Sen. Plymale and Woelfel - **Recognizing Huntington as grand prize winner in America's Best Communities competition** - Introduced 5/15/2017 - Committee reference dispensed - Adopted 5/15/2017
104. By Sen. Blair, Trump, Carmichael (Mr. President), Azinger, Beach, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Unger, Weld and Woelfel - **Memorializing life of Honorable John C. Yoder** - Introduced 6/16/2017 - Committee reference dispensed - Adopted 6/17/2017
105. By Sen. Trump - **Notifying House of Delegates Senate is ready to adjourn sine die** - Introduced 6/26/2017 - Committee reference dispensed - Adopted 6/27/2017
106. By Sen. Trump - **Notifying Governor Legislature is ready to adjourn sine die** - Introduced 6/26/2017 - Committee reference dispensed - Adopted 6/27/2017

SENATE BILLS COMMUNICATED TO HOUSE

1004. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to taxation** (original similar to HB104) - Introduced 5/5/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 5/5/2017 - Effective from passage - To House 5/5/2017 - Reference dispensed - Motion to commit bill to Finance rejected - Motion to reject bill pursuant to House Rule 103 adopted
1007. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Tax Reform Act of 2017** (original similar to HB107) - Introduced 5/16/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 5/16/2017 - Effective July 1, 2017 - To House 5/17/2017 - To Finance
1017. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive] - **Relating generally to Tax Reform Act of 2017** - Introduced 6/15/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 6/15/2017 - Effective from passage - To House 6/16/2017 - Reference dispensed - Motion to reject bill pursuant to House Rule 103 rejected - Amended - Passed House 6/16/2017 - Title amended - Effective from passage
1018. By Sen. Carmichael (Mr. President) - **Budget Bill** - Introduced 6/15/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate 6/15/2017 - Effective from passage

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- *106. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating generally to the furlough of public employees during declared**

fiscal emergency (original similar to SB1005) - Introduced 5/15/2017 - To Government Organization then Judiciary - To House Judiciary 5/16/2017 - Passed House 5/18/2017 - Effective from passage - To Senate 5/22/2017 - To Judiciary - Amended - Constitutional rule suspended - Passed Senate 6/13/2017 - Title amended - Effective from passage - House refused to concur and requested Senate to recede 6/13/2017 - Senate refused to recede and requested conference 6/13/2017 - To conference 6/13/2017

*107. By Del. Miley [By Request of the Executive] - **Relating generally to the Tax Reform Act of 2017** (original similar to SB1007) - Introduced 5/16/2017 - To Finance - Amended - Amended - Passed House 5/19/2017 - Title amended - Effective from passage - To Senate 5/22/2017 - To Tax Reform then Finance - To Tax Reform 5/22/2017 - To Finance 5/23/2017 - Constitutional rule suspended - Amended - Passed Senate 5/24/2017 - Title amended - Effective from passage - House refused to concur and requested Senate to recede 5/24/2017 - Senate refused to recede and requested conference 6/7/2017 - To conference 6/7/2017

111. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating generally to tax procedures and administration** (original similar to SB1009) - Introduced 5/23/2017 - To Finance - Passed House 5/24/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/9/2017 - To Governor 6/13/17 - Approved by Governor 6/19/17 - Chapter 2, Acts, 1st Extraordinary Session, 2017

*113. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the sale of Jackie Withrow Hospital by the DHHR** (original similar to SB1012) - Introduced 5/23/2017 - To Finance - Passed House 6/16/2017 - Effective from passage - To Senate 6/16/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/16/2017 - Effective ninety days from passage - To Governor 6/19/17 - Vetoed by Governor 6/23/17

*117. By Del. Miley [By Request of the Executive] - **Relating to West Virginia Health Care Authority** (original similar to SB1015) - Introduced 5/24/2017 - To Health and Human Resources then Judiciary - To House Judiciary 6/6/2017 - Passed House 6/9/2017 - Effective from passage - To Senate 6/12/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 6/13/2017 - Effective from passage - To Governor 6/19/17 - Approved by Governor 6/19/17 - Chapter 4, Acts, 1st Extraordinary Session, 2017

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| Number | TITLE OF SENATE CONCURRENT RESOLUTIONS | Introduced | Reported from Committee | Amended | Adopted by Senate | Adopted by House | OTHER PROCEEDINGS |
|--------|--|------------|----------------------------|---------|-------------------|------------------|----------------------|
| 101 - | By Senator Carmichael (Mr. President): Providing for adjournment of Legislature until May 15, 2017 | 60 | | | 60 | 61 | 60 |
| 102 - | By Senator Ferns: Providing for adjournment of Legislature until June 5, 2017 | 297 | | | 298 | 298 | 298 |
| 103 - | By Senator Ferns: Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 107 | 314 | | 318-319 | 315, 319 | 318 | 315, 318-319 |
| 104 - | By Senator Trump: Suspending provisions of Joint Rule 3 relating to committee of conference on House Bill 106 | 722 | | | 723 | 1106 | 723 |
| 105 - | By Senator Trump: Suspending provisions of Joint Rule 3 relating to conference committee on House Bill 106 | 1106 | | | 1107 | 1147 | 1107 |

| Number | TITLE OF SENATE RESOLUTIONS | Introduced | Reported from Committee | Amended | Adopted by Senate | OTHER PROCEEDINGS |
|--------|--|------------|----------------------------|---------|-------------------|----------------------|
| 101 - | By Senator Ferns: Notifying House Senate has assembled in extraordinary session | 3 | | | 4 | 4 |
| 102 - | By Senator Ferns: Notifying Governor Legislature has assembled in extraordinary session | 4 | | | 5 | 5 |
| 103 - | By Senators Plymale and Woelfel: Recognizing Huntington as grand prize winner in America's Best Communities competition | 64 | | | 66 | 66 |

| Number | TITLE OF SENATE RESOLUTIONS | Introduced | Reported from Committee | Amended | Adopted by Senate | OTHER PROCEEDINGS |
|--------|---|------------|-------------------------|---------|-------------------|-------------------|
| 104 - | By Senators Blair, Trump, Carmichael (Mr. President), Azinger, Beach, Boley, Boso, Clements, Cline, Facemire, Ferns, Gaunch, Hall, Jeffries, Karnes, Mann, Maroney, Maynard, Miller, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Unger, Weld and Woelfel: Memorializing life of Honorable John C. Yoder | 1144 | | | 1146 | 1147 |
| 105 - | By Senator Trump: Notifying House of Delegates Senate is ready to adjourn <i>sine die</i> | 1153 | | | 1153 | 1153 |
| 106 - | By Senator Trump: Notifying Governor Legislature is ready to adjourn <i>sine die</i> | 1154 | | | 1154 | 1154 |

| Number | TITLE OF HOUSE BILLS | Communicated to Senate | Reported from Committee | Amended | Passed Senate | Repassed by House | OTHER PROCEEDINGS |
|--------|---|------------------------|-------------------------|------------------|---------------|-------------------|----------------------------------|
| *106 - | By Delegates Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]: Relating generally to the furlough of public employees during declared fiscal emergency | 141 | 314 | 324-333, 334-336 | 334 | | 142, 321, 336, 338, 528, 722-723 |
| *107 - | By Delegate Miley [By Request of the Executive]: Relating generally to the Tax Reform Act of 2017 | 142 | 147, 149 | 222-291, 292 | 291 | | 143, 147, 221-293, 300-301, 309 |
| 111 - | By Delegates Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]: Relating generally to tax procedures and administration | 301 | | | 316 | | 301, 310, 316-317, 340, 1150 |

| Number | TITLE OF HOUSE BILLS | Communicated to Senate | Reported from Committee | Amended | Passed Senate | Repassed by House | OTHER PROCEEDINGS |
|--------|---|------------------------|-------------------------|---------|---------------|-------------------|----------------------------|
| *113 - | By Delegates Mr. Speaker (Mr. Armstead) and Miley [By Request of the Executive]: Relating to the sale of Jackie Withrow Hospital by the DHHR | 1102 | | | 1103 | | 1102-1104, 1149, 1151-1152 |
| *117 - | By Delegate Miley [By Request of the Executive]: Relating to West Virginia Health Care Authority | 320 | | | 337 | | 320, 336-338, 1149, 1150 |

| Number | TITLE OF HOUSE CONCURRENT RESOLUTIONS | Communicated to Senate | Reported from Committee | Amended | Adopted by Senate | Readopted by House | OTHER PROCEEDINGS |
|--------|--|------------------------|-------------------------|---------|-------------------|--------------------|-------------------|
| 2 - | By Delegate Mr. Speaker (Mr. Armstead): Providing for an adjournment of the Legislature until June 26, 2017 | 1143 | | | 1143 | | 1143, 1148 |

JOURNAL of THE SENATE State of West Virginia

EIGHTY-THIRD LEGISLATURE

Second Extraordinary Session, 2017

October 16, 2017 - January 8, 2018



NOTE: The proceedings of the Second Extraordinary Session of the West Virginia Legislature in the year 2017 (convened by the Governor on October 16, 2017, and adjourned *sine die* on January 8, 2018) are shown hereinafter.

WEST VIRGINIA LEGISLATURE
SENATE JOURNAL
EIGHTY-THIRD LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2017

MONDAY, OCTOBER 16, 2017

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the twelfth day of October, two thousand seventeen, convening the eighty-third Legislature of West Virginia in extraordinary session today (Monday, October 16, 2017), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 12 Noon, and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan J. Ferns, a senator from the first district.

The following communication was reported by the Clerk:

THE SENATE OF WEST VIRGINIA

COMMITTEE ON FINANCE

CHARLESTON 25305

August 20, 2017

The Honorable Mitch B. Carmichael
President of the West Virginia Senate

State Capitol
Charleston, West Virginia 25305-0800

Dear President Carmichael:

Please accept this letter as official notice of my resignation as a member of the West Virginia Senate, effective at midnight on August 20, 2017.

It has been a great honor and privilege to serve in the Legislature for the past 23 years and represent the citizens of Putnam County and the 4th Senatorial District. I look forward to continuing my public service as Chief of Staff for Governor Justice.

We have great challenges facing our state and it is my hope that I can work in harmony with the Legislature to address these challenges in a thoughtful and expedient manner, so that we may bring prosperity to the citizens of West Virginia.

Sincerely,

Mike Hall

c: Clark S. Barnes, Clerk of the Senate

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:

Jim Justice

Governor of West Virginia

September 5, 2017

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Mark A. Drennan, 297 Glen Oaks Court, Hurricane, Putnam County, West Virginia 25526, as a Senator representing the Fourth Senatorial District, to fill the vacancy created by the resignation of the Honorable Mike Hall from this day through the remainder of the unexpired term of said office.

Sincerely,

Jim Justice
Governor

cc: President of the Senate
Speaker of the House
Clerk of the Senate
Clerk of the House of Delegates
West Virginia Ethics Commission

The several oaths of office prescribed by the Constitution were administered by the Honorable Mitch Carmichael, President of the Senate, to Mark A. Drennan, of the County of Putnam, on September 11, 2017.

The following communication was next reported by the Clerk:

The Senate of West Virginia

Charleston

TO: THE OFFICE OF THE PRESIDENT OF THE WEST VIRGINIA SENATE

RE: Resignation from the Senate

I have often contemplated the use of the word “bittersweet”, and it is today that I truly understand the significance of such a word. I have such a feeling today as I submit to you my resignation from the State Senate of West Virginia effective by September 30, 2017.

When I was elected to this great body I was so very proud to be given such an opportunity to serve the people of West Virginia. One of the most thrilling moments in my life was the cold January day when I was sworn into office. I was humbled and felt so honored to be able to work to make differences for this State.

I will continue to be able to proceed with that task of trying to make differences for this State as I join the Governor's office in working toward a future of our State through the promotion and development of Agriculture and the economic benefit it can provide for our people.

The future is always challenging, and I look forward to the new challenges. The past service and relationships with my colleagues in the Senate will always remain so very much of who I am. My love of the Senate and its rich traditions will always be ingrained into my being. In closing this letter, I would like to quote one of my favorite leaders, Joe Biden. In his farewell address to the US Senate he closed with these words: *"I say for the last time, and with confidence in all of you, optimism in our future, and a heart with more gratitude than I can express: I yield the floor."* Mr. President that is exactly how I feel today. Mr. President I yield my place on the floor with this resignation to the next Senator from my district.

With Warm regards,

Ronald. F. [Ron] Miller
10th District State Senator
West Virginia Legislature

Executive Communications

The following communication from His Excellency, the Governor, was reported by the Clerk:

Jim Justice

Governor of West Virginia

October 16, 2017

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Stephen Baldwin, 237 Locust Street, Ronceverte, Greenbrier County, West Virginia 24970, as a Senator representing the Tenth Senatorial District, to fill the vacancy created by the resignation of the Honorable Ron Miller from this day through the remainder of the unexpired term of said office.

Sincerely,

Jim Justice
Governor

cc: President of the Senate
Speaker of the House
Clerk of the Senate
Clerk of the House of Delegates
West Virginia Ethics Commission

The several oaths of office prescribed by the Constitution were administered by the Honorable Mitch Carmichael, President of the Senate, to Stephen Baldwin, of the County of Greenbrier, on October 16, 2017.

On the call of the roll, the following answered to their names:

Senators Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President).

Thirty-three members having answered to their names, the President declared the presence of a quorum.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

STATE OF WEST VIRGINIA**EXECUTIVE DEPARTMENT****Charleston****A P R O C L A M A T I O N****By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at Noon on the sixteenth day of October, Two Thousand Seventeen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill exempting military retirement from state personal income tax after specified date.

SECOND: A bill increasing amount of credit allowed against personal and corporation net income taxes for qualified historic rehabilitation expenditures.

THIRD: Legislation authorizing and appropriating the expenditure of public funds to pay the expenses for the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this twelfth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

**JIM JUSTICE
GOVERNOR**

By the Governor

**MAC WARNER
SECRETARY OF STATE**

Senator Carmichael (Mr. President) then laid before the Senate the following supplements to the proclamation dated October 12, 2017, from His Excellency, the Governor, which were read by the Clerk:

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the twelfth day of October, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at Noon on the sixteenth day of October, Two Thousand Seventeen, by adding items four, five and six:

FOURTH: A bill allowing certain tax information to be shared with designated employees of Commissioner of Highways.

FIFTH: A bill implementing special hiring procedures for personnel positions in the Division of Highways and the Tax Commissioner.

SIXTH: A bill amending the West Virginia Jobs Act.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this thirteenth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

**JIM JUSTICE
GOVERNOR**

By the Governor

**MAC WARNER
SECRETARY OF STATE**

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the Proclamation dated the twelfth day of October, Two Thousand Seventeen, calling the Legislature of West Virginia to convene in Extraordinary Session at Noon on the sixteenth day of October, Two Thousand Seventeen, and amended by subsequent Proclamation dated the thirteenth day of

October, Two Thousand Seventeen by adding items seven, as follows:

SEVENTH: A bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this sixteenth day of October, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

JIM JUSTICE
GOVERNOR

By the Governor

MAC WARNER
SECRETARY OF STATE

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Resolution 201—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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

Whereupon, the President appointed as members of such committee the following:

Senators Weld, Azinger and Baldwin.

Subsequently, Senator Weld, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Harshbarger, Sypolt and Hartman, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Resolution 202—Raising a committee to wait upon the Governor.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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

Whereupon, the President appointed as members of such committee the following:

Senators Smith, Drennan and Plymale.

A message from the House of Delegates, by

Delegates Blair, Frich and Lynch, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the Governor, under the provisions of Senate Resolution 202. Senate and House members of this select committee then proceeded to the executive offices.

Subsequently, Senator Smith reported that the joint Senate and House committee had performed the duty assigned to it.

On motion of Senator Ferns, the Senate recessed until 2 p.m. today.

Upon expiration of the recess, the Senate reconvened and proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2001—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting military retirement income from personal income tax after specified date.

Referred to the Committee on Finance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2002—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated

§11-10-5cc, relating generally to allowing certain tax information to be shared with designated employees of Commissioner of Highways pursuant to written agreement.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Drennan, Ferns, Gaunch, Karnes, Mann, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—30.

The nays were: None.

Absent: Clements, Facemire, Jeffries and Maroney—4.

The bill (S. B. 2002) was then read a second time.

On motion of Senator Trump, the following amendment to the bill was reported by the Clerk:

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-10-5cc; and that §11-10-11 of said code be amended and reenacted, all to read as follows:

**ARTICLE 10. TAX PROCEDURE AND ADMINISTRATION
ACT.**

**§11-10-5cc. Disclosure of certain tax information to
Commissioner of Highways.**

(a) Notwithstanding any provision of this article to the contrary, the Tax Commissioner may enter into a written agreement with the Commissioner of Highways of this state to disclose to designated employees of the Division of Highways:

(1) Whether a bidder for a contract with the Division of Highways has a current business registration certificate under article twelve of this chapter;

(2) Whether a contractor with the Division of Highways, or any subcontractor of that contractor, has had its current business registration certificate revoked or suspended under article twelve of this chapter;

(3) Whether a cease and desist order has been issued under article twelve of this chapter to a contractor working on a project for the Division of Highways or a subcontractor of that contractor working on a road construction or repair project;

(4) Whether a contractor bidding on a contract for a road construction project or repair project appears to be in compliance with the employer withholding tax requirements of this state as set forth in article twenty-one of this chapter based on information in Tax Division databases;

(5) Whether a contractor who has a contract with the Division of Highways for a road construction project or repair project appears to be in compliance with the employer withholding tax requirements of this state as set forth in article twenty-one of this chapter based on information in Tax Division databases;

(6) Whether a subcontractor of any contractor who has a contract with the Division of Highways for a road construction project or repair project appears to be in compliance with the employer withholding tax requirements of this state as set forth in article twenty-one of this chapter based on information in Tax Division databases;

(7) Whether a bidder for a highway construction contract is in good standing with the Tax Commissioner;

(8) Whether a contractor or subcontractor working on a project for the Division of Highways is in good standing with the Tax Commissioner and, if not in good standing, an explanation of why the contractor or subcontractor is not in good standing; and

(9) Whether a bidder, contractor or subcontractor currently has pending before the Office of Tax Appeals a contest concerning any assessment for additional tax or denial of a claim for refund or credit.

(b) For purposes of this section, the term “good standing” means that the bidder, contractor or subcontractor has: (1) Filed all required tax returns due for taxes administered under this article; (2) paid all taxes shown to be due in the filed returns, including any interest and additions to tax; and (3) paid all withholding taxes for employees of the bidder, contractor or subcontractor required to be paid under this code.

(c) An agreement executed under subsection (a) of this section may be amended, from time to time, by the Tax Commissioner and the Commissioner of Highways.

(d) Information in the hands of the Commissioner of Highways or his or her designees pursuant to an agreement under this section shall enjoy the same level of confidentiality and protection as the information would enjoy in the hands of the Tax Commissioner.

§11-10-11. Collection of tax.

(a) *General.* — The Tax Commissioner shall collect the taxes, additions to tax, penalties and interest imposed by this article or any of the other articles of this chapter to which this article is applicable. In addition to all other remedies available for the collection of debts due this state, the Tax Commissioner may proceed by foreclosure of the lien provided in section twelve, or by levy and distraint under section thirteen.

(b) *Prerequisite to final settlement of contracts with nonresident contractor; user personally liable.* —

(1) Any person contracting with a nonresident contractor subject to the taxes imposed by articles thirteen, twenty-one and twenty-four of this chapter shall withhold payment, in the final settlement of the contract, of a sufficient amount, not exceeding six percent of the contract price, as will in the person's opinion be sufficient to cover the taxes, until the receipt of a certificate from the Tax Commissioner to the effect that the above-referenced taxes imposed against the nonresident contractor have been paid or provided for.

(2) If any person shall fail to withhold as provided in subdivision (1) of this subsection, that person is personally liable for the payment of all taxes attributable to the contract, not to exceed six percent of the contract price. The taxes attributable shall be recoverable by the Tax Commissioner by appropriate legal proceedings, which may include issuance of an assessment under this article.

(c) *Prerequisite for issuance of certificate of dissolution or withdrawal of corporation.* — The Secretary of State shall withhold the issuance of any certificate of dissolution or withdrawal in the case of any corporation organized under the laws of this state, or organized under the laws of another state and admitted to do business in this state, until the receipt of a certificate from the Tax Commissioner to the effect that every tax administered under this article imposed against any corporation has been paid or provided for, or that the applicant is not liable for any tax administered under this article.

(d) *Prerequisite to final settlement of contract with this state or political subdivision; penalty.* — All state, county, district and municipal officers and agents making contracts on behalf of this state or any political subdivision thereof shall withhold payment, in the final settlement of any contract, until the receipt of a certificate from the Tax Commissioner to the effect that the taxes imposed by articles thirteen, twenty-one and twenty-four of this chapter against the contractor, or required to be withheld by the contractor, have been paid or provided for. If the transaction embodied in the contract or the subject matter of the contract is subject to county or municipal business and occupation tax, then

the payment shall also be withheld until receipt of a release from the county or municipality to the effect that all county or municipal business and occupation taxes levied or accrued against the contractor have been paid. Any official violating this section is subject to a civil penalty of \$1,000, recoverable as a debt in a civil action brought by the Tax Commissioner.

(e) *Limited effect of Tax Commissioner's certificates.* — The certificates of the Tax Commissioner provided in subsections (b), (c) and (d) of this section shall not bar subsequent investigations, assessments, refunds and credits with respect to the taxpayer.

(f) *Payment when person sells out or quits business; liability of successor; lien.* —

(1) If any person subject to any tax administered under this article sells out his, her or its business or stock of goods, or ceases doing business, any tax, additions to tax, penalties and interest imposed by this article or any of the other articles of this chapter to which this article is applicable shall become due and payable immediately and that person shall, within thirty days after selling out his, her or its business or stock of goods or ceasing to do business, make a final return or returns and pay any tax or taxes which are due. The unpaid amount of any tax is a lien upon the property of that person.

(2) The successor in business of any person who sells out his, her or its business or stock of goods, or ceases doing business, is personally liable for the payments of tax, additions to tax, penalties and interest unpaid after expiration of the thirty-day period allowed for payment: *Provided*, That if the business is purchased in an arms-length transaction, and if the purchaser withholds so much of the consideration for the purchase as will satisfy any tax, additions to tax, penalties and interest which may be due until the seller produces a receipt from the Tax Commissioner evidencing the payment thereof, the purchaser is not personally liable for any taxes attributable to the former owner of the business unless the contract of sale provides for the purchaser to be liable for some or all of the taxes. The amount of tax, additions to tax, penalties and interest for which the successor is liable is a lien on the property of the

successor, which shall be enforced by the Tax Commissioner as provided in this article.

(g) *Priority in distribution of estate or property in receivership; personal liability of fiduciary.* — All taxes due and unpaid under this article shall be paid from the first money available for distribution, voluntary or compulsory, in receivership, bankruptcy or otherwise, of the estate of any person, firm or corporation, in priority to all claims, except taxes and debts due the United States which under federal law are given priority over the debts and liens created by this article. Any trustee, receiver, administrator, executor or person charged with the administration of an estate who violates the provisions of this section is personally liable for any taxes accrued and unpaid under this article, which are chargeable against the person, firm or corporation whose estate is in administration.

(h) *Injunction.* — If the taxpayer fails for a period of more than sixty days to fully comply with any of the provisions of this article or of any other article of this chapter to which this article is applicable, the Tax Commissioner may institute a proceeding to secure an injunction to restrain the taxpayer from doing business in this state until the taxpayer fully complies with the provisions of this article or any other articles. No bond is required of the Tax Commissioner in any action instituted under this subsection.

(i) *Costs.* — In any proceeding under this section, upon judgment or decree for the Tax Commissioner, he or she shall be awarded his or her costs.

(j) *Refunds; credits; right to offset.* —

(1) Whenever a taxpayer has a refund or credit due it for an overpayment of any tax administered under this article, the Tax Commissioner may reduce the amount of the refund or credit by the amount of any tax administered under this article, whether it be the same tax or any other tax, which is owed by the same taxpayer and collectible as provided in subsection (a) of this section.

(2) The Tax Commissioner may enter into agreements with the Internal Revenue Service that provide for offsetting state tax refunds against federal tax liabilities; offsetting federal tax refunds against state tax liabilities; and establishing the amount of the offset fee per transaction which both agencies may charge each other: *Provided*, That offsets under subdivision (1) of this subsection shall occur prior to offset under this subdivision. At the times moneys are received as a result of an offset of a taxpayer's federal tax refund under the provisions of section 6402(e) of the Internal Revenue Code, the taxpayer is given credit against state tax liability for the amount of the offset less a deduction for the offset fee imposed by the Internal Revenue Service: *Provided however*, That the amount of the offset fee imposed by the Internal Revenue Service shall be added to the taxes, interest and penalties owed by the taxpayer to this state: *Provided further*, That the amount of the offset fee imposed by the Tax Commissioner shall be deducted from the moneys retained from the taxpayer's state tax refund and then deposited in the special revolving fund which is hereby created and established in the state Treasury and designated as the Tax Offset Fee Administration Fund: *And provided further*, That the fees deposited in the Tax Offset Fee Administration Fund may be expended by the Tax Commissioner for the general administration of the taxes administered under the authority of this article.

(k) *Spouse relieved of liability in certain cases.* —

(1) *In general.* — Under regulations prescribed by the Tax Commissioner, if:

(A) A joint personal income tax return has been made for a taxable year;

(B) On the return there is a substantial understatement of tax attributable to grossly erroneous items of one spouse;

(C) The other spouse establishes that in signing the return he or she did not know, and had no reason to know, that there was a substantial understatement; and

(D) Taking into account all the facts and circumstances, it is inequitable to hold the other spouse liable for the deficiency in tax for the taxable year attributable to the substantial understatement, then the other spouse is relieved of any liability for tax, including interest, additions to tax, and other amounts for the taxable year to the extent the liability is attributable to the substantial understatement.

(2) *Grossly erroneous items.* — For purposes of this subsection, the term “grossly erroneous items” means, with respect to any spouse:

(A) Any item of gross income attributable to a spouse which is omitted from gross income; and

(B) Any claim of a deduction, credit or basis by a spouse in an amount for which there is no basis in fact or law.

(3) *Substantial understatement.* — For purposes of this subsection, the term “substantial understatement” means any understatement, as defined in regulations prescribed by the Tax Commissioner which exceed \$500.

(4) Understatement must exceed specified percentage of spouse’s income.

(A) *Adjusted gross income of \$20,000 or less.* — If the spouse’s adjusted gross income for the readjustment year is \$20,000 or less, this subsection applies only if the liability described in subdivision (1) of this subsection is greater than ten percent of the adjusted gross income.

(B) *Adjusted gross income of more than \$20,000.* — If the spouse’s adjusted gross income for the readjustment year is more than \$20,000, paragraph (A) of this subdivision is applied by substituting “twenty-five percent” for “ten percent”.

(C) *Readjustment year.* — For purposes of this paragraph, the term “readjustment year” means the most recent taxable year of the spouse ending before the date the deficiency notice is mailed.

(D) *Computation of spouse' adjusted gross income.* — If the spouse is married to another spouse at the close of the readjustment year, the spouse's adjusted gross income shall include the income of the new spouse whether or not they file a joint return.

(E) *Exception for omissions from gross income.* — This paragraph shall not apply to any liability attributable to the omission of an item from gross income.

(5) *Adjusted gross income.* — For purposes of this subsection, the term “adjusted gross income” means the West Virginia adjusted gross income of the taxpayer, determined under article twenty-one of this chapter.

Following discussion,

The question being on the adoption of Senator Trump's amendment to the bill (S. B. 2002), the same was put and prevailed.

The bill, as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 2002 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Clements, Facemire and Jeffries—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) passed.

On motion of Senator Trump, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 2002—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-10-5cc; and to amend and reenact §11-10-11 of said code, all relating generally to allowing certain tax information to be shared with designated employees of Commissioner of Highways pursuant to written agreement; specifying information that may be disclosed; defining “good standing”; permitting agreement to be amended from time to time; clarifying scope of confidentiality and protection of information in hands of Commissioner of Highways; and clarifying that failure to remit personal income taxes required to be withheld by a contractor is grounds for withholding payment in final settlement of a contract.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Drennan, Ferns, Gaunch, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Clements, Facemire and Jeffries—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2003—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §29-6-4a and §29-6-4b, all relating generally to requiring the Commissioner of Highways and Tax Commissioner to implement special hiring procedure for personnel positions in their respective divisions; establishing requirements for this special hiring

procedure; exempting Division of Highways and Tax Division from certain hiring procedures; instituting new procedures; authorizing new schedules of compensation; exempting Division of Personnel from certain grievance claims; providing for retention of due process, anti-favoritism and anti-discrimination requirements; requiring the Commissioner of Highways to propose legislative rules; and authorizing the Tax Commissioner to propose emergency rules.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

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

The Senate then proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced changes to the standing and select committees of the Senate for the eighty-third Legislature and, at the request of Senator Ferns, and by unanimous consent, the complete list was ordered printed in the Journal as follows:

STANDING AND SELECT COMMITTEES OF THE SENATE

2017

AGRICULTURE AND RURAL DEVELOPMENT

Senators Sypolt (*Chair*), Rucker (*Vice Chair*), Clements, Cline, Mann, Maynard, Smith, Baldwin, Beach, Ojeda and Woelfel.

BANKING AND INSURANCE

Senators Mullins (*Chair*), Azinger (*Vice Chair*), Clements, Drennan, Mann, Maroney, Swope, Sypolt, Facemire, Palumbo, Prezioso, Romano and Woelfel.

CONFIRMATIONS

Senators Boley (*Chair*), Ferns (*Vice Chair*), Azinger, Blair, Boso, Gaunch, Palumbo, Plymale and Prezioso.

ECONOMIC DEVELOPMENT

Senators Maroney (*Chair*), Maynard (*Vice Chair*), Boso, Cline, Drennan, Mann, Smith, Swope, Takubo, Baldwin, Jeffries, Romano, Stollings and Woelfel.

EDUCATION

Senators Mann (*Chair*), Karnes (*Vice Chair*), Azinger, Boley, Cline, Drennan, Rucker, Swope, Trump, Beach, Plymale, Romano, Stollings and Unger.

ENERGY, INDUSTRY AND MINING

Senators Smith (*Chair*), Sypolt (*Vice Chair*), Boley, Cline, Drennan, Ferns, Mann, Mullins, Swope, Facemire, Jeffries, Ojeda and Woelfel.

ENROLLED BILLS

Senators Maynard (*Chair*), Azinger, Gaunch, Palumbo and Prezioso.

FINANCE

Senators Blair (*Chair*), Mullins (*Vice Chair*), Boley, Boso, Drennan, Ferns, Gaunch, Mann, Maroney, Sypolt, Takubo, Facemire, Palumbo, Plymale, Prezioso, Stollings and Unger.

GOVERNMENT ORGANIZATION

Senators Gaunch (*Chair*), Maynard (*Vice Chair*), Boso, Clements, Maroney, Smith, Sypolt, Takubo, Weld, Baldwin, Facemire, Jeffries, Palumbo and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Takubo (*Chair*), Maroney (*Vice Chair*), Azinger, Clements, Karnes, Rucker, Trump, Weld, Palumbo, Plymale, Prezioso, Stollings and Unger.

INTERSTATE COOPERATION

Senators Cline (*Chair*), Azinger (*Vice Chair*), Maroney, Maynard, Sypolt, Palumbo and Unger.

JUDICIARY

Senators Trump (*Chair*), Weld (*Vice Chair*), Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Baldwin, Beach, Jeffries, Ojeda, Romano and Woelfel.

MILITARY

Senators Weld (*Chair*), Boley (*Vice Chair*), Azinger, Clements, Cline, Sypolt, Facemire, Ojeda and Palumbo.

NATURAL RESOURCES

Senators Maynard (*Chair*), Mann (*Vice Chair*), Cline, Karnes, Rucker, Smith, Sypolt, Takubo, Beach, Facemire, Prezioso, Stollings and Woelfel.

PENSIONS

Senators Karnes (*Chair*), Gaunch (*Vice Chair*), Maroney, Mullins, Weld, Plymale and Romano.

RULES

Senators Carmichael (*Chair*), Blair, Boley, Ferns, Gaunch, Sypolt, Trump, Palumbo, Plymale, Prezioso and Stollings.

SELECT COMMITTEE ON TAX REFORM

Senators Karnes (*Chair*), Blair (*Vice Chair*), Boso, Ferns, Gaunch, Jeffries and Plymale.

TRANSPORTATION AND INFRASTRUCTURE

Senators Boso (*Chair*), Swope (*Vice Chair*), Gaunch, Maroney, Maynard, Rucker, Beach, Jeffries and Plymale.

WORKFORCE

Senators Swope (*Chair*), Weld (*Vice Chair*), Boso, Karnes, Mullins, Rucker, Smith, Beach, Jeffries, Ojeda and Stollings.

The President then announced the appointment of Senator Weld, of the County of Brooke, as the majority whip of the Senate.

On motion of Senator Ferns, the Senate adjourned until tomorrow, Tuesday, October 17, 2017, at 12 Noon.

TUESDAY, OCTOBER 17, 2017

The Senate met at 12 Noon.

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

Prayer was offered by the Honorable C. Edward Gaunch, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ron Stollings, a senator from the seventh district.

Pending the reading of the Journal of Monday, October 16, 2017,

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

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Economic Development Authority (§31-15-29)

Environmental Protection, Department of

Oil and Gas Operating Permit and Processing Fund (§22-6-29)

Oil and Gas Reclamation Fund (§22-6-29)

Special Reclamation Fund Advisory Council (§22-1-17)

Occupational Therapy, Board of (§30-1-12)

The Senate proceeded to the third order of business.

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

Eng. Senate Bill 2002, Allowing certain tax information be shared with designated DOH employees.

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

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

On page one, section five-cc, line four, by striking out the word “may” and inserting in lieu thereof the word “shall”;

On page two, section five-cc, line fifteen, by striking out the words “appears to be” and inserting in lieu thereof the word “is”;

And,

On page two, section five-cc, line twenty-two, by striking out the words “appears to be” and inserting in lieu thereof the word “is”.

On motion of Senator Ferns, the following amendments to the House of Delegates amendments to the bill (Eng. S. B. 2002) were reported by the Clerk, considered simultaneously, and adopted:

On page two, section five-cc, subsection (a), subdivision (4), by striking out the word “is” and inserting in lieu thereof the words “appears to be”;

And,

On page two, section five-cc, subsection (a), subdivision (6), by striking out the word “is” and inserting in lieu thereof the words “appears to be”.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 2002, as amended, was then put upon its passage.

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings,

Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) takes effect from passage.

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

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced and read by their titles:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2004—A Bill to amend and reenact §11-21-8a and §11-21-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to tax credits for rehabilitation of historic buildings and structures; increasing the amount of tax credit against personal and corporate net income taxes from ten percent to twenty-five percent for expenditures made on or after December 31, 2017; providing for the use of tax credit on or after January 1, 2020; prohibiting eligibility for credit if the taxpayer is in arrears on certain tax payments; providing rule-making authority to the Tax Commissioner; amending carry back and carry forward provisions for tax credit; limiting the maximum amount available for tax credit per project and in the aggregate per West Virginia state fiscal year; requiring the state Historic Preservation Officer to reserve a certain amount of available tax credits for projects where proposed tax credits will not exceed \$500,000 per project; authorizing the state Historic Preservation Officer to reallocate unused credits reserved for certain projects; providing procedures for the issuance of tax credit reservations and certificates by the state Historic Preservation Officer; requiring the state Historic

Preservation Officer to prescribe and publish a form and instructions for applications for credits; providing for an application fee payable to the state Historic Preservation Officer; requiring the state Historic Preservation Officer to review and act upon applications within thirty days of receipt; and providing a sunset provision.

Referred to the Committee on Finance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2005—A Bill finding and declaring a claim against the state and its agency to be a moral obligation of the state; and directing the Auditor to issue warrants for the payment thereof.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Clements—1.

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

Engrossed Senate Bill 2005 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2005) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2005) takes effect from passage.

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

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 2006—A Bill to amend and reenact §21-1C-2, §21-1C-4 and §21-1C-6 of the Code of West Virginia, 1931, as amended, all relating generally to the West Virginia Jobs Act; defining terms; requiring Workforce West Virginia to provide a

waiver to an employer if unable to refer certain amount of qualified job applicants to the employer within three business days; increasing and adding civil penalties for violations; providing for written notice of violation to employer for violations; creating a special revenue account; and other technical corrections.

Referred to the Committee on the Judiciary.

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Concurrent Resolution 201—Authorizing adjournments of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia:

That during this Second Extraordinary Session of the Eighty-Third Legislature, the House of Delegates is hereby authorized to adjourn *sine die* in advance of the Senate, and while remaining in session to consider executive nominations, the Senate is hereby authorized to adjourn, as needed, for more than three days, pursuant to Section 23, Article VI of the Constitution of the State of West Virginia.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

The Senate proceeded to the ninth order of business.

Senate Bill 2003, Implementing special hiring procedures for DOH and Tax Division.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Ferns, and by unanimous consent, the Senate proceeded to the thirteenth order of business.

Senator Ferns called attention to today being the birthday of the senior senator from the fifteenth and on behalf of the Senate extended felicitations and good wishes to Senator Blair, with Senator Ferns leading the members in singing “Happy Birthday”.

On motion of Senator Ferns, the Senate recessed until 3 p.m. today.

Upon expiration of the recess, the Senate reconvened and, at the request of Senator Ferns, unanimous consent being granted, returned to the ninth order of business.

Senate Bill 2003, Implementing special hiring procedures for DOH and Tax Division.

Having been read a second time in earlier proceedings today, and now coming up in regular order, was again reported by the Clerk.

On motions of Senators Trump and Gaunch, the following amendment to the bill was reported by the Clerk and adopted:

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11B-1-8; and that said code be amended by adding thereto a new section, designated §17-2A-24, all to read as follows:

CHAPTER 11. DEPARTMENT OF REVENUE.

ARTICLE 1. DEPARTMENT OF REVENUE.

§11B-1-8. Special employment procedures for Tax Division Personnel.

(a) Legislative findings and intent. —

(1) The Tax Division of the Department of Revenue has approximately one hundred vacancies. The Legislature finds that the division has long had difficulty filling positions which are essential to efficiently and effectively administering, collecting and enforcing the tax laws of this state. The Legislature finds that, to address this problem, the hiring and retention processes of the division must be streamlined to effectively and efficiently meet personnel needs while still affording applicants and employees the due process protections of classified service.

(2) The ratification of the Roads to Prosperity Amendment of 2017 to the Constitution of West Virginia will result in substantially increased funding for roads and highways in the state and the opportunity for in-state and out-of-state contractors to bid on road projects. The need to ensure that all businesses are in compliance with the tax laws of this state will exacerbate the division's staffing shortage.

(3) The purpose of this section is to allow the division to employ qualified applicants in vacant and new personnel positions within the division in a timely manner and to ensure that the division maintains an adequate workforce to effectively and fairly administer, collect and enforce the tax laws of this state.

(b) *Definitions.* — As used in this section:

(1) "Commissioner" means the Commissioner of the Tax Division of the Department of Revenue or his or her designee; and

(2) "Division" means the Tax Division of the Department of Revenue.

(c) *Special employment procedure; requirements.* — The commissioner shall implement the special merit based application and appointment procedure authorized by the provisions of this section for all the employees of the division to ensure and provide for the selection and retention of competent and qualified personnel. The special application and employment procedure established pursuant to this section shall be effective on and after

December 1, 2017, and shall be subject to the following requirements:

(1) The Division of Personnel shall provide competitive registers of eligible applicants when requested by the division to do so within five business days of receipt of the request;

(2) Any position to be filled internally shall be posted for seven calendar days before the division may select an applicant. For positions to be filled with applicants from outside of the division, the public service announcement shall be posted for not less than fourteen calendar days;

(3) Postings shall be active for up to one year;

(4) Notwithstanding any provision of law or rule promulgated under the provisions of this code, the division may employ any person listed on the register for employment as a Tax and Revenue Auditor 1, Tax and Revenue Auditor 2, Tax and Revenue Auditor 3, Revenue Agent 1, Revenue Agent 2, Investigator 2 or Investigator 3 without regard to the person's position on the applicable register;

(5) The division shall have full authority to evaluate applicants for employment or promotion within the division to positions within the classified service and classified-exempt service. The division shall have sole authority to determine whether applicants for positions with the division meet minimum position requirements;

(6) The division shall have full authority to make classification determinations for positions within the division by using the classification system approved by the State Personnel Board. The division may independently submit to the State Personnel Board recommendations for the approval of new division classifications or the amendment of current division classifications;

(7) The division shall have full authority to exercise its discretion regarding the application of the Division of Personnel's system of compensation for positions within the classified and classified-exempt service: *Provided*, That application of this

subdivision shall be uniform. The division may independently submit to the State Personnel Board recommendations for the approval of a special pay scale for the division's personnel;

(8) Notwithstanding any provision of the code or of any rule to the contrary, the Division of Personnel shall not be a mandatory party to any public employee grievance filed against the division. The Division of Personnel shall not be a signatory to, and may not override or otherwise challenge, the division's decisions regarding settlement terms and conditions in employee grievances or other legal proceedings;

(9) The Division of Personnel shall facilitate or perform any lawful action necessary to initiate or complete the division's employment transactions, including, but not limited to, posting positions on applicable systems, initiating public service announcements when requested by the division, and processing necessary forms;

(10) The division shall comply with all applicable record retention requirements provided by law;

(11) The division is authorized to declare any positions effectively vacant due to employee separations, which were not processed prior to the division being placed under the wvOASIS system, vacant and subject to being filled pursuant to the provisions of this section;

(12) The division shall have the flexibility to utilize all vacant position numbers when posting to fill a vacancy and to post vacant positions utilizing multiple classifications with corresponding job descriptions when the commissioner determines it to be necessary and in the best interest of the division; and

(13) For purposes of this section, a vacancy created when an employee of the division separates or goes on terminal leave may be posted upon receipt of the notice that the employee separated or commenced such leave.

(d) *Exemption from regular application and appointment requirements.* — When seeking applications or making

appointments pursuant to the special procedure authorized by subsection (c) of this section, the division is not required to comply with Division of Personnel procedures for seeking applications and making appointments to classified service positions as provided by the provisions of articles six and six-a, chapter twenty-nine of this code or in any other provision of this code, including those procedures promulgated in procedural or legislative rules promulgated by the commissioner pursuant to article three, chapter twenty-nine-a of this code, except that this section does not exempt the division from provisions of this code, prohibiting nepotism, favoritism, discrimination or unethical practices related to appointment, or the public employee grievance system.

(e) The commissioner may promulgate emergency rules and shall propose legislative rules pursuant to the provisions of article three, chapter twenty-nine-a of this code as may be necessary to implement and comply with the provisions of this section.

(f) The provisions of this section shall apply notwithstanding the provisions of article six or article six-a, chapter twenty-nine of this code to the contrary.

(g) Classified employees of the division shall continue to be covered by the civil service system and may utilize any applicable public employee grievance process.

CHAPTER 17. ROADS AND HIGHWAYS.

ARTICLE 2A. THE WEST VIRGINIA COMMISSIONER OF HIGHWAYS.

§17-2A-24. Special employment procedures for Division of Highways Personnel.

(a) *Legislative findings and intent.* —

(1) The Legislature previously commissioned a performance audit to assess and improve the effectiveness and efficiency of the core operations of the Division of Highways. The Division of Highways has long had difficulty filling positions which are essential to constructing and maintaining the state's highways and

bridges. The Legislature finds that the hiring and retention processes of the division must be streamlined to effectively and efficiently meet personnel needs while still affording applicants and employees the due process protections of classified service.

(2) The Legislature has recently approved increased funding for the division which will exacerbate its staffing shortage of hundreds of positions.

(3) The purpose of this section is to allow the Division of Highways to employ qualified applicants to vacant and new personnel positions in the division in a timely manner and to ensure that the Division of Highways has an adequate workforce sufficient to maintain safe roadways for the citizens of West Virginia.

(b) *Definitions.* — As used in this section:

(1) “Commissioner” means the Commissioner of the Division of Highways or his or her designee; and

(2) “Division” means the Division of Highways.

(c) *Special employment procedure; requirements.* — The commissioner shall implement the special merit-based application and appointment procedure authorized by the provisions of this section for all the employees of the division to ensure and provide for the selection and retention of competent and qualified personnel. The special application and employment procedure established pursuant to this section shall be effective on and after December 1, 2017, and shall be subject to the following requirements:

(1) The Division of Personnel shall provide competitive registers of eligible applicants when requested by the division to do so within five business days of receipt of the request;

(2) Any position to be filled internally shall be posted for seven calendar days before the division may select an applicant. For positions to be filled with an applicant from outside of the division, the public service announcement shall be posted for not less than fourteen calendar days;

(3) Postings shall be active for up to one year;

(4) Notwithstanding any provision of law or of any rule promulgated under the provisions of this code, the division may employ any person listed on the Transportation Worker I register for employment as a Transportation Worker I without regard to the person's position on said register;

(5) The division shall have full authority to evaluate applicants for employment or promotion within the division to positions within the classified service and classified-exempt service. The division shall have sole authority to determine whether applicants for positions with the division meet minimum position requirements;

(6) The division shall have full authority to make classification determinations for positions within the division by using the classification system approved by the State Personnel Board. The division may independently submit to the State Personnel Board recommendations for the approval of new division classifications or the amendment of current division classifications;

(7) The division shall have full authority to exercise its discretion regarding the application of the Division of Personnel's system of compensation for positions in the division within the classified and classified-exempt service: *Provided*, That application of the provisions of this subdivision shall be uniform. The division may independently submit to the State Personnel Board recommendations for the approval of a special pay scale for the division's personnel;

(8) Notwithstanding any provision of the code or of any rule to the contrary, the Division of Personnel shall not be a mandatory party to any public employee grievance filed against the division. The Division of Personnel shall not be a signatory to, and may not override or otherwise challenge, the division's decisions regarding settlement terms and conditions in employee grievances or other legal proceedings;

(9) The Division of Personnel shall facilitate or perform any lawful action necessary to initiate or complete the division's employment transactions, including, but not limited to, posting positions on applicable systems, initiating public service announcements when requested by the division, and processing necessary forms;

(10) The division shall comply with all applicable record retention requirements provided by law;

(11) The division is authorized to declare any positions effectively vacant due to employee separations, which were not processed prior to the division being placed under the wvOASIS system, vacant and subject to being filled pursuant to the provisions of this section;

(12) The division shall have the flexibility to utilize all vacant position numbers when posting to fill a vacancy and to post vacant positions utilizing multiple classifications with corresponding job descriptions when the commissioner determines it to be necessary and in the best interest of the agency; and

(13) For purposes of this section, a vacancy created when an employee of the division separates or goes on terminal leave may be posted upon receipt of the notice that the employee has separated or commenced such leave.

(d) *Exemption from regular application and appointment requirements.* — When seeking applications or making appointments pursuant to the special procedure authorized by subsection (c) of this section, the division is not required to comply with Division of Personnel procedures for seeking applications and making appointments to classified service positions as provided by the provisions of articles six and six-a, chapter twenty-nine of this code or any other provision of this code, including those procedures promulgated by legislative rules, subject however to the following exceptions:

(1) This section does not exempt the division from provisions of this code, prohibiting nepotism, favoritism, discrimination or

unethical practices related to employment and promotion, or the public employee grievance system; and

(2) The provisions of this section may not be applied to hiring procedures applicable to any division classified service position or employee in any manner that disqualifies the division for eligibility for any federal highway funds or assistance.

(e) Rules. — The commissioner may promulgate emergency rules and shall propose legislative rules pursuant to the provisions of article three, chapter twenty-nine-a of this code as may be necessary to implement and comply with the provisions of this section.

(f) The provisions of this section shall apply notwithstanding any provisions of article six or six-a, chapter twenty-nine of this code to the contrary.

(g) Classified employees of the division shall continue to be covered by the civil service system and may utilize any applicable public employee grievance process.

The bill (S. B. 2003), as amended, was then ordered to engrossment and third reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Clements—1.

Engrossed Senate Bill 2003 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) passed.

On motions of Senators Trump and Gaunch, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Senate Bill 2003—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11B-1-8; and to amend said code by adding thereto a new section, designated §17-2A-24, all relating generally to employment procedures of the Division of Highways and the Tax Division of the Department of Revenue; authorizing the Tax Commissioner and the Commissioner of Highways to implement special employment procedures for personnel positions in their respective divisions; making legislative findings; defining terms; establishing requirements for the special employment procedures; exempting Tax Division of the Department of Revenue and Division of Highways from certain other employment procedures; permitting recommendations for new schedules of compensation; exempting Division of Personnel from involvement in certain grievance claims or settlements; directing Division of Personnel to facilitate special employment procedures; requiring Division of Personnel to perform any lawful action necessary to initiate or complete employment transactions of the Division of Highways or

the Tax Division under newly established employment procedures; providing for continued application of due process; maintaining efficacy of code provisions prohibiting nepotism, favoritism and discrimination under the special employment procedures; authorizing the Commissioner of Highways and the Tax Commissioner to promulgate emergency rules; and requiring the Commissioner of Highways and the Tax Commissioner to propose legislative rules for the implementation of the special employment procedures authorized for their respective agencies.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) takes effect from passage.

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

Without objection, the Senate returned to the third order of business.

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

Eng. House Bill 201—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting military retirement income from personal income tax after specified date.

At the request of Senator Ferns, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Clements—1.

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

Having been engrossed, the bill (Eng. H. B. 201) was then read a third time and put upon its passage.

Senator Ojeda requested a ruling from the Chair as to whether he should be excused from voting under Senate Rule 43, as he is a military member.

The Chair replied that any impact on Senator Ojeda would be as a member of a class of persons and that he would be required to vote.

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 201) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 201) takes effect from passage.

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

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

Eng. House Bill 203—A Bill to amend and reenact §11-21-8a and §11-21-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a and §11-24-23e of said code, all relating generally to tax credits for rehabilitation of historic buildings and structures; increasing the amount of tax credit against personal and corporate net income taxes from ten percent to twenty-five percent for expenditures made on or after December 31, 2017; providing for the use of tax credit on or after January 1, 2020; prohibiting eligibility for credit if the taxpayer is in arrears or delinquent on certain tax payments; directing rule-making by the Tax Commissioner; eliminating allowance of tax credits after

December 31, 2022; allowing prior authorized tax credits to be claimed; limiting the maximum amount available for tax credit per project and in the aggregate per West Virginia state fiscal year; requiring the state historic preservation officer to reserve a certain amount of available tax credits for projects where proposed tax credits will not exceed \$500,000 per project; authorizing the state historic preservation officer to reallocate unused credits reserved for certain projects; modifying carry-back and carry-forward provisions for tax credits; providing requirements and procedures for the allocation and issuance of tax credit reservations and certificates by the state historic preservation officer; establishing requirements to claim tax credits; requiring the state historic preservation officer to prescribe and publish a form and instructions for applications for credits; providing for an application fee payable to the state historic preservation officer; establishing and providing for the administration of and expenditures from a special revenue account; and providing time limits for certain actions of the state historic preservation officer.

At the request of Senator Ferns, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Clements—1.

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

Having been engrossed, the bill (Eng. H. B. 203) was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed House Bill 203 pass?”

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 203) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 203) takes effect from passage.

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

Thereafter, at the request of Senator Weld, and by unanimous consent, the remarks by Senators Ferns and Jeffries regarding the passage of Engrossed House Bill 203 were ordered printed in the Appendix to the Journal.

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

Eng. House Bill 205—A Bill to amend and reenact §21-1C-2, §21-1C-4, and §21-1C-6 of the Code of West Virginia, 1931, as amended, all relating generally to the West Virginia Jobs Act; defining terms; requiring Workforce West Virginia to provide a waiver to an employer if unable to refer certain amount of qualified job applicants to the employer within three business days; increasing and adding civil penalties for violations; providing for written notice of violation to employer for violations; creating a special revenue account; and other technical corrections.

At the request of Senator Ferns, and by unanimous consent, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

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

The nays were: None.

Absent: Clements—1.

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

Having been engrossed, the bill (Eng. H. B. 205) was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 205) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 205) takes effect from passage.

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

On motion of Senator Ferns, the Senate recessed until 6 p.m. today.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

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

Eng. Senate Bill 2002, Allowing certain tax information be shared with designated DOH employees.

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

Eng. Senate Bill 2003, Implementing special hiring procedures for DOH and Tax Division.

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

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

On page six, section eight, line seventy-seven, by striking out the words “articles six and six-a” and inserting in lieu thereof the words “article six”;

On page six, section eight, lines eighty-six and eighty-seven, by striking out the words “or article six-a”;

On page nine, section twenty-four, line seventy-three, by striking out the words “articles six and six-a” and inserting in lieu thereof the words “article six”;

And,

On page nine, section twenty-four, line eighty-six, by striking out the words “or article six-a”.

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

Engrossed Senate Bill 2003, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Baldwin, Blair, Boley, Boso, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Mann, Maynard, Plymale, Prezioso, Romano, Swope, Sypolt, Trump, Unger, Weld and Carmichael (Mr. President)—21.

The nays were: None.

Absent: Azinger, Beach, Clements, Karnes, Maroney, Mullins, Ojeda, Palumbo, Rucker, Smith, Stollings, Takubo and Woelfel—13.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) passed with its title.

Senator Ferns moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Blair, Boley, Boso, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Mann, Maynard, Plymale, Prezioso, Romano, Smith, Swope, Sypolt, Trump, Unger, Weld and Carmichael (Mr. President)—23.

The nays were: None.

Absent: Beach, Clements, Karnes, Maroney, Mullins, Ojeda, Palumbo, Rucker, Stollings, Takubo and Woelfel—11.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) takes effect from passage.

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

A message from The Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 2005, Finding and declaring claim against state.

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

Senate Concurrent Resolution 201, Authorizing adjournments of Senate and House of Delegates.

Under authority of Senate Concurrent Resolution 201, hereinbefore adopted,

On motion of Senator Ferns, the Senate adjourned until Monday, November 13, 2017, at 12 Noon.

MONDAY, NOVEMBER 13, 2017

Pursuant to the adjournment of October 17, 2017, under authority of

Senate Concurrent Resolution 201, Authorizing adjournments of Senate and House of Delegates.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 12 Noon, and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Gregory L. Boso, a senator from the eleventh district.

Jennifer Greenlief, Counsel to the Senate Judiciary Committee, proceeded in the singing of “The Star-Spangled Banner”.

Pending the reading of the Journal of Tuesday, October 17, 2017,

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

The Senate proceeded to the fourth order of business.

Senator Maynard, from 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 20th day of October, 2017, 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:

(S. B. 2002), Allowing certain tax information be shared with designated DOH employees.

(S. B. 2003), Implementing special hiring procedures for DOH and Tax Division.

(S. B. 2005), Finding and declaring claim against state.

(H. B. 201), Exempting military retirement income from personal income tax.

(H. B. 203), Relating generally to tax credits for rehabilitation of historic buildings and structures.

And,

(H. B. 205), Relating to the West Virginia Jobs Act.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented a communication from His Excellency, the Governor, advising that on October 24, 2017, he had approved **Enr. Senate Bill 2002, Enr. Senate Bill 2003, Enr. Senate Bill 2005, Enr. House Bill 201, Enr. House Bill 203 and Enr. House Bill 205.**

At the request of Senator Stollings, and by unanimous consent, Senator Stollings addressed the Senate regarding the withdrawal of a proposed rule by the Advisory Board for West Virginia University's School of Public Health that would use harm reduction programs in the effort to fight the opioid crisis.

At the request of Senator Plymale, unanimous consent being granted, Senator Plymale addressed the Senate regarding Cabell County's successful use of harm reduction programs in the effort to fight the opioid crisis.

Thereafter, at the request of Senator Prezioso, and by unanimous consent, the remarks by Senators Stollings and Plymale were ordered printed in the Appendix to the Journal.

At the request of Senator Jeffries, and by unanimous consent, Senator Jeffries addressed the Senate regarding the historical rehabilitation tax credits.

Thereafter, at the request of Senator Prezioso, unanimous consent being granted, the remarks by Senator Jeffries were ordered printed in the Appendix to the Journal.

Senator Gaunch then moved that the Senate adjourn until Monday, December 4, 2017, at 12 Noon.

The question being on the adoption of Senator Gaunch's aforestated motion, and on this question, Senator Gaunch demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Cline, Drennan, Facemire, Gaunch, Jeffries, Karnes, Mann, Maynard, Ojeda, Plymale, Prezioso, Romano,

Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Woelfel and Carmichael (Mr. President)—27.

The nays were: None.

Absent: Clements, Ferns, Maroney, Mullins, Palumbo, Unger and Weld—7.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Gaunch's motion had prevailed.

In accordance with the foregoing motion, the Senate adjourned until Monday, December 4, 2017, at 12 Noon.

MONDAY, DECEMBER 4, 2017

Pursuant to the adjournment of November 13, 2017, under authority of

Senate Concurrent Resolution 201, Authorizing adjournments of Senate and House of Delegates.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 12 Noon, and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Michael T. Azinger, a senator from the third district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Sue Cline, a senator from the ninth district.

Pending the reading of the Journal of Monday, November 13, 2017,

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

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Dentistry, Board of (§30-1-12)

Osteopathic Medicine, Board of (§30-1-12)

Professional Engineers, Board of Registration for (§30-1-12)

Speech-Language Pathology and Audiology, Board of Examiners for (§30-1-12)

On motions of Senator Ferns, leaves of absence for the day were granted Senators Plymale and Unger.

Under authority of Senate Concurrent Resolution 201, adopted October 17, 2017,

On motion of Senator Ferns, the Senate adjourned until Monday, January 8, 2018, at 12 Noon.

MONDAY, JANUARY 8, 2018

Pursuant to the adjournment of December 4, 2017, under authority of

Senate Concurrent Resolution 201, Authorizing adjournments of Senate and House of Delegates.

The Senate reassembled in extraordinary session in its chamber in the state capitol in the City of Charleston, at 12 Noon, and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable C. Edward Gaunch, a senator from the eighth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mark R. Maynard, a senator from the sixth district.

Pending the reading of the Journal of Monday, December 4, 2017,

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

At the request of Senator Ferns, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant the family of the Honorable Lee Cassis, privileges of the floor for the day.

The following communications were reported by the Clerk:

THE SENATE OF WEST VIRGINIA
Charleston

December 27, 2017

The Honorable Mitch Carmichael
President of the West Virginia Senate
The Capitol Complex
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear President Carmichael,

I hereby submit my resignation as Clerk of the Senate effective January 5, 2018. It has been a pleasure working with you, the staff and the members of the Senate.

I want to say thanks for all the support and assistance I have received over the past three years upon being selected for this honored position.

May God richly bless you and your fellow Senators as you pursue greater opportunities for the people of this Great State.

Sincerely,

Clark S. Barnes
Clerk of the Senate

STATE CAPITOL, ROOM M-227
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305-0800

MEMORANDUM

TO: Members of the Senate
FROM: The Honorable Mitch B. Carmichael
President of the Senate
DATE: December 29, 2017
RE: appointment of Lee Cassis as Clerk of the Senate

Pursuant to the authority invested in me by Chapter 4, Article 1, Section 11 of the Code of West Virginia, I hereby appoint Lee Cassis as the Clerk of the Senate, effective January 6, 2018.

The Chair then announced that the next order of business was the election of a Clerk of the Senate, to fill the vacancy created by the resignation of the Honorable Clark S. Barnes.

For that office, Senator Palumbo nominated the Honorable Lee Cassis, of the County of Kanawha; seconded by Senator Weld.

On motions of Senator Prezioso, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Cassis.

The President then announced the vote and declared that Mr. Cassis, having received all the votes cast, had been unanimously elected Clerk of the Senate.

Whereupon, Mr. Cassis qualified as Clerk, by taking the several oaths of office prescribed by law and administered by the Honorable Mitch Carmichael, Senate President.

On motion of Senator Ferns, the Senate recessed for one minute.

Upon expiration of the recess, the Senate reconvened and proceeded to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:

Jim Justice
Governor of West Virginia

January 8, 2018

Senate Executive Message No. 1
Second Extraordinary Session 2017

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, Board of Funeral Service Examiners, Ronald A. McVey, Scott Depot, Putnam County, for the term ending June 30, 2019.
2. For Member, Board of Funeral Service Examiners, A. Craig Rotruck, Kingwood, Preston County, for the term ending June 30, 2021.
3. For Member, Board of Funeral Service Examiners, Sally Scott Attili, Beaver, Raleigh County, for the term ending June 30, 2021.
4. For Member, West Virginia Parole Board, Crystal L. Love, Fayetteville, Fayette County, for the term ending June 30, 2023.
5. For Member, West Virginia Parole Board, Steve Svokas, Weirton, Hancock County, for the term ending June 30, 2023.

6. For Member, West Virginia Outdoor Heritage Conservation Fund, Lavonne Paden, Martinsburg, Berkeley County, for the term ending June 30, 2019.
7. For Member, West Virginia Outdoor Heritage Conservation Fund, James Anderson, Morgantown, Monongalia County, for the term ending June 30, 2019.
8. For Member, West Virginia Outdoor Heritage Conservation Fund, Amy Cimarolli, Davis, Tucker County, for the term ending June 30, 2020.
9. For Member, West Virginia Outdoor Heritage Conservation Fund, Joe Hankins, Shepherdstown, Jefferson County, for the term ending June 30, 2020.
10. For Member, West Virginia Outdoor Heritage Conservation Fund, Edward Armbrrecht, Charleston, Kanawha County, for the term ending June 30, 2020.
11. For Member, West Virginia Outdoor Heritage Conservation Fund, Elizabeth Wheatley, Charleston, Kanawha County, for the term ending June 30, 2019.
12. For Member, Glenville State College Board of Governors, Michael T. Rust, Louisville, Kentucky, for the term ending June 30, 2021.
13. For Member, Marshall University Board of Governors, Ruben Woodrow Duba, Daniels, Raleigh County, for the term ending June 30, 2021.
14. For Member, Marshall University Board of Governors, James L. Farley, Cincinnati, Ohio, for the term ending June 30, 2021.
15. For Member, Marshall University Board of Governors, Patrick J. Farrell, Huntington, Cabell County, for the term ending June 30, 2021.

16. For Member, West Virginia University Board of Governors, Kim Weaver, Silver Spring, Maryland, for the term ending June 30, 2021.
17. For Member, West Virginia University Board of Governors, William D. Wilmoth, Wheeling, Ohio County, for the term ending June 30, 2021.
18. For Member, West Virginia University Board of Governors, Timothy C. Bailey, Hurricane, Putnam County, for the term ending June 30, 2021.
19. For Member, West Virginia School of Osteopathic Medicine Board of Governors, David L. Ramsey, Charleston, Kanawha County, for the term ending June 30, 2021.
20. For Member, West Virginia School of Osteopathic Medicine Board of Governors, J. Fred Earley II, Vienna, Wood County, for the term ending June 30, 2021.
21. For Member, West Virginia School of Osteopathic Medicine Board of Governors, Steven C. Sarver, Bluefield, Mercer County, for the term ending June 30, 2018.
22. For Member, Board of Accountancy, Horace W. Emery, Charleston, Kanawha County, for the term ending June 30, 2020.
23. For Member, Board of Accountancy, Theodore A. Lopez, Bridgeport, Harrison County, for the term ending June 30, 2020.
24. For Member, Board of Examiners for Registered Professional Nurses, Tara F. Hulsey, Morgantown, Monongalia County, for the term ending June 30, 2022.
25. For Member, Board of Examiners for Registered Professional Nurses, John Martin, Hurricane, Putnam County, for the term ending June 30, 2019.

26. For Member, Natural Resources Commission, Kenneth R. Wilson, Chapmanville, Logan County, for the term ending June 30, 2024.
27. For Member, West Virginia State Board of Registration for Professional Engineers, Larry C. Nottingham, Duck, Clay County, for the term ending June 30, 2022.
28. For Member, West Virginia Real Estate Appraiser Licensing and Certification Board, Anthony Julian, Fairmont, Marion County, for the term ending June 30, 2020.
29. For Member, West Virginia Real Estate Appraiser Licensing and Certification Board, Joseph A. Chico III, Morgantown, Monongalia County, for the term ending June 30, 2020.
30. For Member, West Virginia Emergency Medical Services Advisory Council, Jim Kranz, Charleston, Kanawha County, for the term ending June 30, 2019.
31. For Member, West Virginia Emergency Medical Services Advisory Council, Donna Steward, Springfield, Hampshire County, for the term ending June 30, 2019.
32. For Member, West Virginia Emergency Medical Services Advisory Council, Glen Satterfield, Fairmont, Marion County, for the term ending June 30, 2020.
33. For Member, West Virginia Emergency Medical Services Advisory Council, Nancy Cartmill, Huntington, Cabell County, for the term ending June 30, 2019.
34. For Member, West Virginia Emergency Medical Services Advisory Council, Edward Hicks, Charleston, Kanawha County, for the term ending June 30, 2020.
35. For Member, West Virginia Emergency Medical Services Advisory Council, Connie J. Hall, Coal City, Raleigh County, for the term ending June 30, 2018.

36. For Member, West Virginia Emergency Medical Services Advisory Council, Paul Seamann, Beckley, Raleigh County, for the term ending June 30, 2019.
37. For Member, West Virginia Emergency Medical Services Advisory Council, David J. Weller, Hedgesville, Berkeley County, for the term ending June 30, 2020.
38. For Member, West Virginia Emergency Medical Services Advisory Council, Brenden Brown, Davin, Logan County, for the term ending June 30, 2018.
39. For Member, West Virginia Emergency Medical Services Advisory Council, Trish Watson, Hamlin, Lincoln County, for the term ending June 30, 2020.
40. For Member, Statewide Independent Living Council, Beverley Jones, Hurricane, Putnam County, for the term ending June 30, 2020.
41. For Member, Statewide Independent Living Council, Aaron Morris, Charleston, Kanawha County, for the term ending June 30, 2020.
42. For Member, Statewide Independent Living Council, Michelle Norweck, Barboursville, Cabell County, for the term ending June 30, 2020.
43. For Member, Statewide Independent Living Council, Emily Robinson, Poca, Putnam County, for the term ending June 30, 2020.
44. For Member, Statewide Independent Living Council, Aaron Jones, Charleston, Kanawha County, for the term ending June 30, 2020.
45. For Member, Statewide Independent Living Council, Jadea Edwards, Alum Creek, Lincoln County, for the term ending June 30, 2019.

46. For Member, Statewide Independent Living Council, Molly Spence, Scott Depot, Putnam County, for the term ending June 30, 2018.
47. For Member, Statewide Independent Living Council, William Blosser, Fort Ashby, Mineral County, for the term ending June 30, 2020.
48. For Member, Statewide Independent Living Council, Manuel Campos, Spencer, Roane County, for the term ending June 30, 2020.
49. For Member, Statewide Independent Living Council, Ariel Depp, South Charleston, Kanawha County, for the term ending June 30, 2020.
50. For Member, Statewide Independent Living Council, Brenda Lamkin, Buckhannon, Upshur County, for the term ending June 30, 2020.
51. For Member, Statewide Independent Living Council, Cara Price, Philippi, Barbour County, for the term ending June 30, 2020.
52. For Member, Statewide Independent Living Council, Robert Roswall, Charleston, Kanawha County, for the term ending June 30, 2020.
53. For Member, West Virginia Municipal Bond Commission, Linda K. Epling, Beckley, Raleigh County, for the term ending July 30, 2021.
54. For Member, West Virginia Board of Acupuncture, Kathryn Hastings, Elkview, Kanawha County, for the term ending June 30, 2019.
55. For Member, West Virginia Board of Acupuncture, Tara Welty, Parkersburg, Wood County, for the term ending June 30, 2019.

56. For Member, West Virginia Board of Acupuncture, Deborah Schmidt, Lewisburg, Greenbrier County, for the term ending June 30, 2018.
57. For Member, Jobs Investment Trust Board, Gale L. Gray, Charleston, Kanawha County, for the term ending June 30, 2021.
58. For Member, Jobs Investment Trust Board, Christian Asam, Shepherdstown, Jefferson County, for the term ending June 30, 2021.
59. For Member, Jobs Investment Trust Board, William Goode, Hurricane, Putnam County, for the term ending June 30, 2020.
60. For Member, Jobs Investment Trust Board, Robert Welty, Charleston, Kanawha County, for the term ending June 30, 2020.
61. For Member, Jobs Investment Trust Board, Robert W. Pepper, South Charleston, Kanawha County, for the term ending June 30, 2021.
62. For Member, West Virginia Parkways Authority, Douglas M. Epling, Beckley, Raleigh County, for the term ending June 30, 2022.
63. For Member, West Virginia Parkways Authority, Alisha G. Maddox, Charleston, Kanawha County, for the term ending June 30, 2021.
64. For Member, West Virginia Board of Architects, Adam Krason, Charleston, Kanawha County, for the term ending June 30, 2022.
65. For Member, West Virginia Board of Architects, Edsel Smith, Jane Lew, Lewis County, for the term ending June 30, 2022.

66. For Member, West Virginia Board of Architects, Jan L. Fox, Charleston, Kanawha County, for the term ending June 30, 2022.
67. For Member, West Virginia Massage Therapy Licensure Board, Roland Meffert, Nitro, Kanawha County, for the term ending June 30, 2019.
68. For Member, West Virginia Massage Therapy Licensure Board, Joan F. Wysong, Nitro, Kanawha County, for the term ending June 30, 2019.
69. For Member, West Virginia Massage Therapy Licensure Board, Laurie Lively, Lewisburg, Greenbrier County, for the term ending June 30, 2019.
70. For Member, West Liberty University Board of Governors, Kristina Williams, Gibsonia, Pennsylvania, for the term ending June 30, 2021.
71. For Member, West Liberty University Board of Governors, Patrick B. Ford, Weirton, Hancock County, for the term ending June 30, 2021.
72. For Member, West Liberty University Board of Governors, Joe Carey, New York, New York, for the term ending June 30, 2021.
73. For Member, Lottery Commission, Dan A. Marshall, Vienna, Wood County, for the term ending June 30, 2022.
74. For Member, Lottery Commission, Andrew B. Kniceley, Fairmont, Marion County, for the term ending June 30, 2022.
75. For Member, West Virginia Health Care Authority, Darrell W. Cummings, Wheeling, Ohio County, for the term ending June 30, 2023.

76. For Member, Public Service Commission, Renee A. Larrick, Daniels, Raleigh County, for the term ending June 30, 2023.
77. For Member Workforce Development Board, Brian Ulery, South Charleston, Kanawha County, for the term ending June 30, 2020.
78. For Member, Workforce Development Board, Tim McLean, Belle, Kanawha County, for the term ending June 30, 2020.
79. For Member, Workforce Development Board, Randall C. Rapp, Vienna, Wood County, for the term ending June 30, 2020.
80. For Member, Workforce Development Board, Ray Woods, Jr., Charleston, Kanawha County, for the term ending June 30, 2020.
81. For Member, Workforce Development Board, Russell L. Fry, Charleston, Kanawha County, for the term ending June 30, 2020.
82. For Member, Workforce Development Board, Daniel J. Poling, Charleston, Kanawha County, for the term ending June 30, 2020.
83. For Member, Workforce Development Board, Kathy D'Antoni, Charleston, Kanawha County, for the term ending June 30, 2020.
84. For Member, Workforce Development Board, Michelle Foster, Charleston, Kanawha County, for the term ending June 30, 2020.
85. For Member, Workforce Development Board, Todd Shell, Huntington, Cabell County, for the term ending June 30, 2020.

86. For Member, Workforce Development Board, Homer Sweeney, St. Albans, Kanawha County, for the term ending June 30, 2020.
87. For Member, Workforce Development Board, MariJane Waldron, Charleston, Kanawha County, for the term ending June 30, 2020.
88. For Member, Workforce Development Board, Bill Crouch, Charleston, Kanawha County, for the term ending June 30, 2020.
89. For Member, Workforce Development Board, Joshua Arthur, Huntington, Cabell County, for the term ending June 30, 2018.
90. For Member, Workforce Development Board, Joshua Sword, Charleston, Kanawha County, for the term ending June 30, 2018.
91. For Member, Workforce Development Board, Steve Cox, Buffalo, Putnam County, for the term ending June 30, 2020.
92. For Member, West Virginia Board of Veterinary Medicine, Jo Allen Sibold Long, Frankford, Greenbrier County, for the term ending June 30, 2022.
93. For Member, Affordable Housing Trust Fund Board of Directors, Karen Jacobson, Elkins, Randolph County, for the term ending June 30, 2020.
94. For Member, Affordable Housing Trust Fund Board of Directors, Dave Clark, Elkins, Randolph County, for the term ending June 30, 2020.
95. For Member, Affordable Housing Trust Fund Board of Directors, Ted Ranson, Dunbar, Kanawha County, for the term ending June 30, 2020.

96. For Member, Affordable Housing Trust Fund Board of Directors, David Darby, Nitro, Putnam County, for the term ending June 30, 2020.
97. For Member, Affordable Housing Trust Fund Board of Directors, Karen Bailey, Pineville, Wyoming County, for the term ending June 30, 2020.
98. For Member, Affordable Housing Trust Fund Board of Directors, Dale Oxley, Hurricane, Putnam County, for the term ending June 30, 2020.
99. For Member, Affordable Housing Trust Fund Board of Directors, Brandon Dennison, Wayne, Wayne County, for the term ending June 30, 2020.
100. For Member, Affordable Housing Trust Fund Board of Directors, Glen F. Elliott, Jr., Wheeling, Ohio County, for the term ending June 30, 2020.
101. For Member, Concord University Board of Governors, William H. McKee, Jr., Charleston, Kanawha County, for the term ending June 30, 2021.
102. For Member, Concord University Board of Governors, Doug Maddy, Scarbro, Fayette County, for the term ending June 30, 2021.
103. For Member, Industrial Council, Kim Shin, Charleston, Kanawha County, for the term ending June 30, 2021.
104. For Member, Industrial Council, Paul J. Gilmer, Jr., Charleston, Kanawha County, for the term ending June 30, 2021.
105. For Member, Jobs Investment Trust Board, Tim Millne, Huntington, Cabell County, for the term ending June 30, 2020.

106. For Member, Environmental Quality Board, Charles C. Somerville, Huntington, Cabell County, for the term ending June 30, 2019.
107. For Member, Environmental Quality Board, Edward M. Snyder, Shenandoah Junction, Jefferson County, for the term ending June 30, 2021.
108. For Member, Environmental Quality Board, William H. Gillespie, Charleston, Kanawha County, for the term ending June 30, 2020.
109. For Member, Air Quality Board, Robert C. Orndorff, Jr., Bridgeport, Harrison County, for the term ending June 30, 2022.
110. For Member, West Virginia Health Care Authority, Robert J. Gray, South Charleston, Kanawha County, for the term ending June 30, 2023.
111. For Member, West Virginia Health Care Authority, Charlene M. Farrell, Huntington, Cabell County, for the term ending June 30, 2023.
112. For Member, Shallow Gas Well Review Board, Danny Cox, Scott Depot, Putnam County, to serve at the will and pleasure of the Governor.
113. For Member, Higher Education Policy Commission, Michael J. Farrell, Huntington, Cabell County, for the term ending June 30, 2021.
114. For Member, Higher Education Policy Commission, Dale Lowther, Parkersburg, Wood County, for the term ending June 30, 2021.
115. For Member, Higher Education Policy Commission, Diane Lewis, Morgantown, Monongalia County, for the term ending June 30, 2021.

116. For Member, Higher Education Policy Commission, James W. Dailey II, Martinsburg, Berkeley County, for the term ending June 30, 2019.
117. For Member, Board of Pharmacy, David G. Bowyer, Ripley, Jackson County, for the term ending June 30, 2022.
118. For Member, State Personnel Board, Richard M. Wallace, Charleston, Kanawha County, for the term ending June 30, 2021.
119. For Member, State Personnel Board, Webster J. Arceneaux III, Charleston, Kanawha County, for the term ending June 30, 2021.
120. For Member, Bluefield State College Board of Governors, Cathy Deeb, Bluefield, Mercer County, for the term ending June 30, 2020.
121. For Member, West Virginia Archives and History Commission, Robert S. Conte, Union, Monroe County, for the term ending June 30, 2020.
122. For Member, West Virginia Archives and History Commission, Joan Walker, Hedgesville, Berkeley County, for the term ending June 30, 2020.
123. For Member, West Virginia Archives and History Commission, Rebecca G. Frye, Martinsburg, Berkeley County, for the term ending June 30, 2020.
124. For Member, West Virginia Archives and History Commission, Nathan Randolph, Huntington, Cabell County, for the term ending June 30, 2020.
125. For Member, West Virginia Archives and History Commission, Tommy Bailey, St. Albans, Kanawha County, for the term ending June 30, 2019.

126. For Member, West Virginia Archives and History Commission, Harold M. Forbes, Morgantown, Monongalia County, for the term ending June 30, 2019.
127. For Member, West Virginia Archives and History Commission, Darlene Hassler, Harpers Ferry, Jefferson County, for the term ending June 30, 2019.
128. For Member, West Virginia Archives and History Commission, Audy Perry, Huntington, Cabell County, for the term ending June 30, 2020.
129. For Member, West Virginia Archives and History Commission, David Trowbridge, Huntington, Cabell County, for the term ending June 30, 2020.
130. For Member, West Virginia Board of Chiropractic, Barry A. Stowers, Oak Hill, Fayette County, for the term ending June 30, 2020.
131. For Member, Solid Waste Management Board, Steve Pilato, Fayetteville, Fayette County, for the term ending June 30, 2022.
132. For Member, Solid Waste Management Board, Howard Coffield, Moundsville, Marshall County, for the term ending June 30, 2021.
133. For Member, Surface Mine Board, The Honorable Jon Blair Hunter, Morgantown, Monongalia County, for the term ending June 30, 2021.
134. For Member, Surface Mine Board, Mark G. Schuerger, Marion, Illinois, for the term ending June 30, 2021.
135. For Member, Surface Mine Board, James Smith, South Charleston, Kanawha County, for the term ending June 30, 2021.
136. For Member, Surface Mine Board, Ed Grafton, Heaters, Braxton County, for the term ending June 30, 2021.

137. For Member, West Virginia State University Board of Governors, Mark W. Kelley, Charleston, Kanawha County, for the term ending June 30, 2021.
138. For Member, West Virginia State University Board of Governors, Ann Brothers Smith, Detroit, Michigan, for the term ending June 30, 2021.
139. For Member, West Virginia State University Board of Governors, Paul Konstanty, Hurricane, Putnam County, for the term ending June 30, 2021.
140. For Member, Special Reclamation Fund Advisory Council, William B. Raney, Charleston, Kanawha County, for the term ending June 30, 2022.
141. For Member, Special Reclamation Fund Advisory Council, Christine Risch, Huntington, Cabell County, for the term ending June 30, 2018.
142. For Member, Special Reclamation Fund Advisory Council, Ronald Pauley, Sumerco, Lincoln County, for the term ending June 30, 2018.
143. For Member, Special Reclamation Fund Advisory Council, Christopher D. Pence, South Charleston, Kanawha County, for the term ending June 30, 2020.
144. For Member, Workforce Development Board, Natalie Oliverio, Clarksburg, Harrison County, for the term ending June 30, 2020.
145. For Member, Human Rights Commission, Tim Hairston, Westover, Monongalia County, for the term ending June 30, 2020.
146. For Member, Human Rights Commission, Darrell W. Cummings, Wheeling, Ohio County, for the term ending June 30, 2020.

147. For Member, Human Rights Commission, Joan Browning, Lewisburg, Greenbrier County, for the term ending June 30, 2020.
148. For Member, Forest Management Review Commission, Mark Haddix, Elkins, Randolph County, for the term ending March 14, 2023.
149. For Member, Forest Management Review Commission, Tom Plaucher, Petersburg, Grant County, for the term ending March 14, 2019.
150. For Member, Forest Management Review Commission, Harry L. Vance, Ronceverte, Greenbrier County, for the term ending March 14, 2019.
151. For Member, Forest Management Review Commission, Stephen D. Harp, Summersville, Nicholas County, for the term ending March 14, 2023.
152. For Member, Fire Commission, Ted A. Shriver, Elkview, Kanawha County, for the term ending June 30, 2022.
153. For Member, Fire Commission, Virgil C. White, St. Albans, Kanawha County, for the term ending June 30, 2022.
154. For Member, Fire Commission, Douglas W. Estep, Morrisvale, Boone County, for the term ending June 30, 2022.
155. For Member, Fire Commission, Edward J. George, Charleston, Kanawha County, for the term ending June 30, 2022.
156. For Executive Director, Water Development Authority, Marie L. Prezioso, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.

157. For Member, Water Development Board, Gary R. Sutphin, Beckley, Raleigh County, for the term ending June 30, 2018.
158. For Member, Board of Registration for Foresters, Chad Westfall, Horner, Lewis County, for the term ending June 30, 2021.
159. For Member, Board of Registration for Foresters, Gregory W. Cook, Charleston, Kanawha County, for the term ending June 30, 2018.
160. For Member, Board of Registration for Foresters, Dave McGill, Morgantown, Monongalia County, for the term ending June 30, 2022.
161. For Member, Board of Registration for Foresters, Dan Hackett, Buckhannon, Upshur County, for the term ending June 30, 2019.
162. For Member, Board of Registration for Foresters, Todd Lotter, Buckhannon, Upshur County, for the term ending June 30, 2020.
163. For Member, Bridge Valley Community and Technical College Board of Governors, Daniel E. Wright, Oak Hill, Fayette County, for the term ending June 30, 2021.
164. For Member, Bridge Valley Community and Technical College Board of Governors, Barry Crist, Anstead, Fayette County, for the term ending June 30, 2021.
165. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Sheryl L. Snead, Princeton, Mercer County, for the term ending June 30, 2020.
166. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Paul Henry Blom, Barboursville, Cabell County, for the term ending June 30, 2020.

167. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Tuanya Layton, Charleston, Kanawha County, for the term ending June 30, 2019.
168. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Kristi Justice, St. Albans, Kanawha County, for the term ending June 30, 2020.
169. For Member, Board of Examiners in Counseling, Jeffrey T. Jones, Charleston, Kanawha County, for the term ending June 30, 2022.
170. For Member, Ethics Commission, The Honorable Robert D. Harman, Keyser, Mineral County, for the term ending June 30, 2019.
171. For Member, Ethics Commission, Lynn Davis, Wellsburg, Brooke County, for the term ending June 30, 2020.
172. For Member, Concord University Board of Governors, Bradley M. Lane, Princeton, Mercer County, for the term ending June 30, 2021.
173. For Member, Nursing Home Administrators Licensing Board, The Honorable Denise L. Campbell, Elkins, Randolph County, for the term ending June 30, 2022.
174. For Member, Pierpont Community and Technical College Board of Governors, Sharon Jones Shaffer, Barrackville, Marion County, for the term ending June 30, 2020.
175. For Member, Pierpont Community and Technical College Board of Governors, Warren VanAlsbury, Bridgeport, Harrison County, for the term ending June 30, 2018.
176. For Member, Pierpont Community and Technical College Board of Governors, Rick Pruitte, Fairmont, Marion County, for the term ending June 30, 2018.

177. For Member, Pierpont Community and Technical College Board of Governors, Holly S. Kauffman, Morgantown, Monongalia County, for the term ending June 30, 2020.
178. For Member, Pierpont Community and Technical College Board of Governors, Larry J. Puccio, Jr., Fairmont, Marion County, for the term ending June 30, 2020.
179. For Member, Pierpont Community and Technical College Board of Governors, Natalie Stone, Morgantown, Monongalia County, for the term ending June 30, 2020.
180. For Member, Pierpont Community and Technical College Board of Governors, Brian S. Bozarth, Bridgeport, Harrison County, for the term ending June 30, 2018.
181. For Member, Pierpont Community and Technical College Board of Governors, Thomas J. Barlow, Kingwood, Preston County, for the term ending June 30, 2018.
182. For Member, West Virginia Library Commission, Connie L. Shumate, Bluefield, Mercer County, for the term ending June 30, 2021.
183. For Member, West Virginia Library Commission, David Nalker, Lewisburg, Greenbrier County, for the term ending June 30, 2021.
184. For Member, West Virginia Board of Treasury Investments, Glenda Probst, Hamlin, Lincoln County, for the term ending June 30, 2021.
185. For Member, West Virginia Northern Community and Technical College Board of Governors, Eran T. Molz, Martins Ferry, Ohio, for the term ending June 30, 2021.
186. For Member, West Virginia Northern Community and Technical College Board of Governors, Vincent Tad Greene, New Martinsville, Wetzel County, for the term ending June 30, 2020.

187. For Member, Commission on the Arts, Sam Winans, Parkersburg, Wood County, for the term ending June 30, 2020.
188. For Member, Commission on the Arts, DeEtta King Hunter, Lewisburg, Greenbrier County, for the term ending June 30, 2020.
189. For Member, Commission on the Arts, Bernie Schultz, Morgantown, Monongalia County, for the term ending June 30, 2020.
190. For Member, Commission on the Arts, Jack Thompson, Morgantown, Monongalia County, for the term ending June 30, 2019.
191. For Member, Commission on the Arts, Charles Mathena, Princeton, Mercer County, for the term ending June 30, 2019.
192. For Member, Commission on the Arts, Amy Panzarella, Charles Town, Jefferson County, for the term ending June 30, 2020.
193. For Member, Commission on the Arts, Jerry Rose, Beckley, Raleigh County, for the term ending June 30, 2019.
194. For Member, Commission on the Arts, Jeanie Wyatt, Lewisburg, Greenbrier County, for the term ending June 30, 2019.
195. For Member, Commission on the Arts, Margaret Mary Layne, Huntington, Cabell County, for the term ending June 30, 2020.
196. For Member, Commission on the Arts, Shir Wooton, Beckley, Raleigh County, for the term ending June 30, 2018.

197. For Member, Fairmont State College Board of Governors, Jay R. Puccio, Fairmont, Marion County, for the term ending June 30, 2019.
198. For Member, Public Employees Insurance Agency Finance Board, Raymond S. Whiting, St. Albans, Kanawha County, for the term ending June 30, 2018.
199. For Member, Public Employees Insurance Agency Finance Board, William G. Milam, Charleston, Kanawha County, for the term ending June 30, 2020.
200. For Member, Public Employees Insurance Agency Finance Board, Jason Myers, Parsons, Tucker County, for the term ending June 30, 2019.
201. For Member, Public Employees Insurance Agency Finance Board, Michael T. Smith, Milton, Cabell County, for the term ending June 30, 2019.
202. For Member, Public Employees Insurance Agency Finance Board, Geoff S. Christian, Charleston, Kanawha County, for the term ending June 30, 2021.
203. For Member, Public Employees Insurance Agency Finance Board, Amanda D. Meadows, Scott Depot, Putnam County, for the term ending June 30, 2021.
204. For Member, Public Employees Insurance Agency Finance Board, Jared Robertson, Grassy Meadows, Greenbrier County, for the term ending June 30, 2018.
205. For Member, Public Employees Insurance Agency Finance Board, Lee R. Diznoff, Charleston, Kanawha County, for the term ending June 30, 2020.
206. For Member, West Virginia Commission for the Deaf and Hard of Hearing, David Blaine, Daniels, Raleigh County, for the term ending June 30, 2020.

207. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Gloria Hollen, Hedgesville, Berkeley County, for the term ending June 30, 2020.
208. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Roy Forman, Williamstown, Wood County, for the term ending June 30, 2020.
209. For Member, West Virginia Commission for the Deaf and Hard of Hearing, John W. Burdette, Ronceverte, Greenbrier County, for the term ending June 30, 2020.
210. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Paul See, Moorefield, Hardy County, for the term ending June 30, 2020.
211. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Barbara Calhoun, Charleston, Kanawha County, for the term ending June 30, 2019.
212. For Member, West Virginia Library Commission, Sean P. Duffy, Wheeling, Ohio County, for the term ending June 30, 2021.
213. For Member, West Virginia Board of Dentistry, Charles L. Smith, Charleston, Kanawha County, for the term ending June 30, 2022.
214. For Member, West Virginia Board of Dentistry, Mary Beth Shea, Parkersburg, Wood County, for the term ending June 30, 2022.
215. For Member, West Virginia Board of Dentistry, William E. Ford III, Clarksburg, Harrison County, for the term ending June 30, 2022.
216. For Director, Division of Juvenile Services, William K. Marshall III, Mineral Wells, Wood County, to serve at the will and pleasure of the Governor.

217. For Member, West Virginia Board of Physical Therapy, Stephen M. Young, Summersville, Nicholas County, for the term ending June 30, 2022.
218. For Member, West Virginia Board of Professional Surveyors, Tom Rayburn, Chapmanville, Logan County, for the term ending June 30, 2021.
219. For Member, West Virginia Board of Professional Surveyors, Sefton Stewart, Pineville, Wyoming County, for the term ending June 30, 2021.
220. For Member, West Virginia Board of Professional Surveyors, Douglas C. McElwee, Charleston, Kanawha County, for the term ending June 30, 2020.
221. For Member, Tourism Commission, Kara D. Dense, Lewisburg, Greenbrier County, for the term ending May 1, 2021.
222. For Member, Tourism Commission, Jeffrey T. Lusk, Man, Logan County, for the term ending May 1, 2021.
223. For Member, Tourism Commission, Joseph Manchin IV, Fairmont, Marion County, for the term ending May 1, 2021.
224. For Member, Tourism Commission, Frank DeBerry, Snowshoe, Pocahontas County, for the term ending May 1, 2021.
225. For Member, Tourism Commission, Steve Hilliard, Wheeling, Ohio County, for the term ending May 1, 2020.
226. For Member, Tourism Commission, Ronald E. Marcus, Charles Town, Jefferson County, for the term ending May 1, 2020.
227. For Member, Tourism Commission, Tim Bucklew, Morgantown, Monongalia County, for the term ending May 1, 2020.

228. For Member, Tourism Commission, David Arnold, Lansing, Fayette County, for the term ending May 1, 2020.
229. For Member, Tourism Commission, William T. Bright, Summersville, Nicholas County, for the term ending May 1, 2019.
230. For Member, Tourism Commission, John Klemish, White Sulphur Springs, Greenbrier County, for the term ending May 1, 2019.
231. For Member, Tourism Commission, Matt Knott, Harpers Ferry, Jefferson County, for the term ending May 1, 2019.
232. For Member, Tourism Commission, Chris Richards, Weston, Lewis County, for the term ending May 1, 2019.
233. For Member, West Virginia Board of Medicine, Kishore Kumar Challa, Charleston, Kanawha County, for the term ending September 30, 2022.
234. For Member, West Virginia Board of Medicine, Victoria L. Mullins, Charleston, Kanawha County, for the term ending September 30, 2022.
235. For Member, West Virginia Board of Medicine, Timothy J. Donatelli, Beckley, Raleigh County, for the term ending September 30, 2022.
236. For Member, West Virginia Board of Medicine, Janet M. Harman, Charleston, Kanawha County, for the term ending September 30, 2022.
237. For Member, West Virginia Board of Medicine, Rusty Wooton, Beckley, Raleigh County, for the term ending September 30, 2022.
238. For Commissioner, Division of Labor, Mitchell E. Woodrum, Ashford, Boone County, to serve at the will and pleasure of the Governor.

239. For Member, West Virginia State University Board of Governors, Katherine Dooley, Charleston, Kanawha County, for the term ending June 30, 2020.
240. For Member, West Virginia Board of Education, Scott Rotruck, Morgantown, Monongalia County, for the term ending November 4, 2026.
241. For Member, Workers' Compensation Board of Review, G. Nicholas Casey, Jr., Charleston, Kanawha County, for the term ending December 31, 2022.
242. For Member, West Virginia Parole Board, Ralph D. Miller, Cross Lanes, Kanawha County, for the term ending June 30, 2019.
243. For Chief Administrative Law Judge, Office of Tax Appeals, A. M. Pollack, Elkview, Kanawha County, for the term ending June 30, 2020.
244. For Director, Geological and Economic Survey, Bascombe Mitchell Blake, Morgantown, Monongalia County, to serve at the will and pleasure of the Governor.
245. For Member, Regional Jail and Correctional Facility Authority, Matthew P. Arvon, Beckley, Raleigh County, for the term ending June 30, 2021.
246. For Member, Regional Jail and Correctional Facility Authority, George J. Cosenza, Parkersburg, Wood County, for the term ending June 30, 2021.
247. For Member, Shepherd University Board of Governors, David A. Avella, McLean, Virginia, for the term ending June 30, 2021.
248. For Member, Shepherd University Board of Governors, Robert Marggraf, Berkeley Springs, Morgan County, for the term ending June 30, 2021.

249. For Member, West Virginia Public Employees Grievance Board, Holly S. Planinsic, Wheeling, Ohio County, for the term ending June 30, 2020.
250. For Member, Design-Build Board, Richard Forren, Fairmont, Marion County, for the term ending July 7, 2020.
251. For Member, Design-Build Board, Jim Matheney, Charleston, Kanawha County, for the term ending July 7, 2020.
252. For Member, Design-Build Board, Chad Riley, Bridgeport, Harrison County, for the term ending July 7, 2020.
253. For Member, Design-Build Board, David G. Hammond, Charleston, Kanawha County, for the term ending July 7, 2020.
254. For Commissioner, Division of Corrections, Betsy Steinfeld Jividen, Wheeling, Ohio County, to serve at the will and pleasure of the Governor.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,

Jim Justice
Governor

JCJ: mrp

cc: Clerk of the Senate
Assistant Clerk of the Senate
Senate Confirmations Chair

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

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for 5 p.m. today.

Pending announcement of a meeting of a standing committee of the Senate,

Senator Ferns moved that the Senate recess until 5 p.m. today.

The question being on the adoption of Senator Ferns' aforesaid motion, and on this question, Senator Ferns demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Drennan, Ferns, Gaunch, Jeffries, Karnes, Maynard, Palumbo, Prezioso, Rucker, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld, Woelfel and Carmichael (Mr. President)—25.

The nays were: None.

Absent: Boso, Facemire, Mann, Maroney, Mullins, Ojeda, Plymale, Romano and Takubo—9.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Ferns' motion had prevailed.

In accordance with the foregoing motion, the Senate recessed until 5 p.m. today.

Upon expiration of the recess, the Senate reconvened and proceeded to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

Senate Executive Message 1, dated January 8, 2018, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 1 is submitted:

4. For Member, West Virginia Parole Board, Crystal L. Love, Fayetteville, Fayette County, for the term ending June 30, 2023.
6. For Member, West Virginia Outdoor Heritage Conservation Fund, Lavonne Paden, Martinsburg, Berkeley County, for the term ending June 30, 2019.
7. For Member, West Virginia Outdoor Heritage Conservation Fund, James Anderson, Morgantown, Monongalia County, for the term ending June 30, 2019.
8. For Member, West Virginia Outdoor Heritage Conservation Fund, Amy Cimarolli, Davis, Tucker County, for the term ending June 30, 2020.
9. For Member, West Virginia Outdoor Heritage Conservation Fund, Joe Hankins, Shepherdstown, Jefferson County, for the term ending June 30, 2020.
10. For Member, West Virginia Outdoor Heritage Conservation Fund, Edward Armbrrecht, Charleston, Kanawha County, for the term ending June 30, 2020.
11. For Member, West Virginia Outdoor Heritage Conservation Fund, Elizabeth Wheatley, Charleston, Kanawha County, for the term ending June 30, 2019.
12. For Member, Glenville State College Board of Governors, Michael T. Rust, Louisville, Kentucky, for the term ending June 30, 2021.
14. For Member, Marshall University Board of Governors, James L. Farley, Cincinnati, Ohio, for the term ending June 30, 2021.
15. For Member, Marshall University Board of Governors, Patrick J. Farrell, Huntington, Cabell County, for the term ending June 30, 2021.

16. For Member, West Virginia University Board of Governors, Kim Weaver, Silver Spring, Maryland, for the term ending June 30, 2021.
17. For Member, West Virginia University Board of Governors, William D. Wilmoth, Wheeling, Ohio County, for the term ending June 30, 2021.
19. For Member, West Virginia School of Osteopathic Medicine Board of Governors, David L. Ramsey, Charleston, Kanawha County, for the term ending June 30, 2021.
20. For Member, West Virginia School of Osteopathic Medicine Board of Governors, J. Fred Earley II, Vienna, Wood County, for the term ending June 30, 2021.
21. For Member, West Virginia School of Osteopathic Medicine Board of Governors, Steven C. Sarver, Bluefield, Mercer County, for the term ending June 30, 2018.
22. For Member, Board of Accountancy, Horace W. Emery, Charleston, Kanawha County, for the term ending June 30, 2020.
23. For Member, Board of Accountancy, Theodore A. Lopez, Bridgeport, Harrison County, for the term ending June 30, 2020.
24. For Member, Board of Examiners for Registered Professional Nurses, Tara F. Hulsey, Morgantown, Monongalia County, for the term ending June 30, 2022.
26. For Member, Natural Resources Commission, Kenneth R. Wilson, Chapmanville, Logan County, for the term ending June 30, 2024.
27. For Member, West Virginia State Board of Registration for Professional Engineers, Larry C. Nottingham, Duck, Clay County, for the term ending June 30, 2022.

28. For Member, West Virginia Real Estate Appraiser Licensing and Certification Board, Anthony Julian, Fairmont, Marion County, for the term ending June 30, 2020.
29. For Member, West Virginia Real Estate Appraiser Licensing and Certification Board, Joseph A. Chico III, Morgantown, Monongalia County, for the term ending June 30, 2020.
30. For Member, West Virginia Emergency Medical Services Advisory Council, Jim Kranz, Charleston, Kanawha County, for the term ending June 30, 2019.
31. For Member, West Virginia Emergency Medical Services Advisory Council, Donna Steward, Springfield, Hampshire County, for the term ending June 30, 2019.
32. For Member, West Virginia Emergency Medical Services Advisory Council, Glen Satterfield, Fairmont, Marion County, for the term ending June 30, 2020.
33. For Member, West Virginia Emergency Medical Services Advisory Council, Nancy Cartmill, Huntington, Cabell County, for the term ending June 30, 2019.
34. For Member, West Virginia Emergency Medical Services Advisory Council, Edward Hicks, Charleston, Kanawha County, for the term ending June 30, 2020.
35. For Member, West Virginia Emergency Medical Services Advisory Council, Connie J. Hall, Coal City, Raleigh County, for the term ending June 30, 2018.
36. For Member, West Virginia Emergency Medical Services Advisory Council, Paul Seamann, Beckley, Raleigh County, for the term ending June 30, 2019.
37. For Member, West Virginia Emergency Medical Services Advisory Council, David J. Weller, Hedgesville, Berkeley County, for the term ending June 30, 2020.

38. For Member, West Virginia Emergency Medical Services Advisory Council, Brenden Brown, Davin, Logan County, for the term ending June 30, 2018.
39. For Member, West Virginia Emergency Medical Services Advisory Council, Trish Watson, Hamlin, Lincoln County, for the term ending June 30, 2020.
40. For Member, Statewide Independent Living Council, Beverley Jones, Hurricane, Putnam County, for the term ending June 30, 2020.
41. For Member, Statewide Independent Living Council, Aaron Morris, Charleston, Kanawha County, for the term ending June 30, 2020.
42. For Member, Statewide Independent Living Council, Michelle Norweck, Barboursville, Cabell County, for the term ending June 30, 2020.
43. For Member, Statewide Independent Living Council, Emily Robinson, Poca, Putnam County, for the term ending June 30, 2020.
44. For Member, Statewide Independent Living Council, Aaron Jones, Charleston, Kanawha County, for the term ending June 30, 2020.
45. For Member, Statewide Independent Living Council, Jadea Edwards, Alum Creek, Lincoln County, for the term ending June 30, 2019.
46. For Member, Statewide Independent Living Council, Molly Spence, Scott Depot, Putnam County, for the term ending June 30, 2018.
47. For Member, Statewide Independent Living Council, William Blosser, Fort Ashby, Mineral County, for the term ending June 30, 2020.

48. For Member, Statewide Independent Living Council, Manuel Campos, Spencer, Roane County, for the term ending June 30, 2020.
49. For Member, Statewide Independent Living Council, Ariel Depp, South Charleston, Kanawha County, for the term ending June 30, 2020.
50. For Member, Statewide Independent Living Council, Brenda Lamkin, Buckhannon, Upshur County, for the term ending June 30, 2020.
51. For Member, Statewide Independent Living Council, Cara Price, Philippi, Barbour County, for the term ending June 30, 2020.
52. For Member, Statewide Independent Living Council, Robert Roswall, Charleston, Kanawha County, for the term ending June 30, 2020.
53. For Member, West Virginia Municipal Bond Commission, Linda K. Epling, Beckley, Raleigh County, for the term ending July 30, 2021.
54. For Member, West Virginia Board of Acupuncture, Kathryn Hastings, Elkview, Kanawha County, for the term ending June 30, 2019.
55. For Member, West Virginia Board of Acupuncture, Tara Welty, Parkersburg, Wood County, for the term ending June 30, 2019.
56. For Member, West Virginia Board of Acupuncture, Deborah Schmidt, Lewisburg, Greenbrier County, for the term ending June 30, 2018.
57. For Member, Jobs Investment Trust Board, Gale L. Gray, Charleston, Kanawha County, for the term ending June 30, 2021.

58. For Member, Jobs Investment Trust Board, Christian Asam, Shepherdstown, Jefferson County, for the term ending June 30, 2021.
59. For Member, Jobs Investment Trust Board, William Goode, Hurricane, Putnam County, for the term ending June 30, 2020.
60. For Member, Jobs Investment Trust Board, Robert Welty, Charleston, Kanawha County, for the term ending June 30, 2020.
61. For Member, Jobs Investment Trust Board, Robert W. Pepper, South Charleston, Kanawha County, for the term ending June 30, 2021.
62. For Member, West Virginia Parkways Authority, Douglas M. Epling, Beckley, Raleigh County, for the term ending June 30, 2022.
63. For Member, West Virginia Parkways Authority, Alisha G. Maddox, Charleston, Kanawha County, for the term ending June 30, 2021.
64. For Member, West Virginia Board of Architects, Adam Krason, Charleston, Kanawha County, for the term ending June 30, 2022.
65. For Member, West Virginia Board of Architects, Edsel Smith, Jane Lew, Lewis County, for the term ending June 30, 2022.
66. For Member, West Virginia Board of Architects, Jan L. Fox, Charleston, Kanawha County, for the term ending June 30, 2022.
67. For Member, West Virginia Massage Therapy Licensure Board, Roland Meffert, Nitro, Kanawha County, for the term ending June 30, 2019.

68. For Member, West Virginia Massage Therapy Licensure Board, Joan F. Wysong, Nitro, Kanawha County, for the term ending June 30, 2019.
69. For Member, West Virginia Massage Therapy Licensure Board, Laurie Lively, Lewisburg, Greenbrier County, for the term ending June 30, 2019.
70. For Member, West Liberty University Board of Governors, Kristina Williams, Gibsonia, Pennsylvania, for the term ending June 30, 2021.
71. For Member, West Liberty University Board of Governors, Patrick B. Ford, Weirton, Hancock County, for the term ending June 30, 2021.
72. For Member, West Liberty University Board of Governors, Joe Carey, New York, New York, for the term ending June 30, 2021.
73. For Member, Lottery Commission, Dan A. Marshall, Vienna, Wood County, for the term ending June 30, 2022.
74. For Member, Lottery Commission, Andrew B. Kniceley, Fairmont, Marion County, for the term ending June 30, 2022.
75. For Member, West Virginia Health Care Authority, Darrell W. Cummings, Wheeling, Ohio County, for the term ending June 30, 2023.
76. For Member, Public Service Commission, Renee A. Larrick, Daniels, Raleigh County, for the term ending June 30, 2023.
77. For Member Workforce Development Board, Brian Ulery, South Charleston, Kanawha County, for the term ending June 30, 2020.

78. For Member, Workforce Development Board, Tim McLean, Belle, Kanawha County, for the term ending June 30, 2020.
79. For Member, Workforce Development Board, Randall C. Rapp, Vienna, Wood County, for the term ending June 30, 2020.
80. For Member, Workforce Development Board, Ray Woods, Jr., Charleston, Kanawha County, for the term ending June 30, 2020.
81. For Member, Workforce Development Board, Russell L. Fry, Charleston, Kanawha County, for the term ending June 30, 2020.
82. For Member, Workforce Development Board, Daniel J. Poling, Charleston, Kanawha County, for the term ending June 30, 2020.
83. For Member, Workforce Development Board, Kathy D'Antoni, Charleston, Kanawha County, for the term ending June 30, 2020.
84. For Member, Workforce Development Board, Michelle Foster, Charleston, Kanawha County, for the term ending June 30, 2020.
85. For Member, Workforce Development Board, Todd Shell, Huntington, Cabell County, for the term ending June 30, 2020.
86. For Member, Workforce Development Board, Homer Sweeney, St. Albans, Kanawha County, for the term ending June 30, 2020.
87. For Member, Workforce Development Board, MariJane Waldron, Charleston, Kanawha County, for the term ending June 30, 2020.

88. For Member, Workforce Development Board, Bill Crouch, Charleston, Kanawha County, for the term ending June 30, 2020.
89. For Member, Workforce Development Board, Joshua Arthur, Huntington, Cabell County, for the term ending June 30, 2018.
90. For Member, Workforce Development Board, Joshua Sword, Charleston, Kanawha County, for the term ending June 30, 2018.
91. For Member, Workforce Development Board, Steve Cox, Buffalo, Putnam County, for the term ending June 30, 2020.
92. For Member, West Virginia Board of Veterinary Medicine, Jo Allen Sibold Long, Frankford, Greenbrier County, for the term ending June 30, 2022.
93. For Member, Affordable Housing Trust Fund Board of Directors, Karen Jacobson, Elkins, Randolph County, for the term ending June 30, 2020.
94. For Member, Affordable Housing Trust Fund Board of Directors, Dave Clark, Elkins, Randolph County, for the term ending June 30, 2020.
95. For Member, Affordable Housing Trust Fund Board of Directors, Ted Ranson, Dunbar, Kanawha County, for the term ending June 30, 2020.
96. For Member, Affordable Housing Trust Fund Board of Directors, David Darby, Nitro, Putnam County, for the term ending June 30, 2020.
97. For Member, Affordable Housing Trust Fund Board of Directors, Karen Bailey, Pineville, Wyoming County, for the term ending June 30, 2020.

98. For Member, Affordable Housing Trust Fund Board of Directors, Dale Oxley, Hurricane, Putnam County, for the term ending June 30, 2020.
99. For Member, Affordable Housing Trust Fund Board of Directors, Brandon Dennison, Wayne, Wayne County, for the term ending June 30, 2020.
100. For Member, Affordable Housing Trust Fund Board of Directors, Glen F. Elliott, Jr., Wheeling, Ohio County, for the term ending June 30, 2020.
101. For Member, Concord University Board of Governors, William H. McKee, Jr., Charleston, Kanawha County, for the term ending June 30, 2021.
102. For Member, Concord University Board of Governors, Doug Maddy, Scarbro, Fayette County, for the term ending June 30, 2021.
103. For Member, Industrial Council, Kim Shin, Charleston, Kanawha County, for the term ending June 30, 2021.
104. For Member, Industrial Council, Paul J. Gilmer, Jr., Charleston, Kanawha County, for the term ending June 30, 2021.
105. For Member, Jobs Investment Trust Board, Tim Millne, Huntington, Cabell County, for the term ending June 30, 2020.
106. For Member, Environmental Quality Board, Charles C. Somerville, Huntington, Cabell County, for the term ending June 30, 2019.
107. For Member, Environmental Quality Board, Edward M. Snyder, Shenandoah Junction, Jefferson County, for the term ending June 30, 2021.

108. For Member, Environmental Quality Board, William H. Gillespie, Charleston, Kanawha County, for the term ending June 30, 2020.
109. For Member, Air Quality Board, Robert C. Orndorff, Jr., Bridgeport, Harrison County, for the term ending June 30, 2022.
111. For Member, West Virginia Health Care Authority, Charlene M. Farrell, Huntington, Cabell County, for the term ending June 30, 2023.
112. For Member, Shallow Gas Well Review Board, Danny Cox, Scott Depot, Putnam County, to serve at the will and pleasure of the Governor.
113. For Member, Higher Education Policy Commission, Michael J. Farrell, Huntington, Cabell County, for the term ending June 30, 2021.
114. For Member, Higher Education Policy Commission, Dale Lowther, Parkersburg, Wood County, for the term ending June 30, 2021.
115. For Member, Higher Education Policy Commission, Diane Lewis, Morgantown, Monongalia County, for the term ending June 30, 2021.
116. For Member, Higher Education Policy Commission, James W. Dailey II, Martinsburg, Berkeley County, for the term ending June 30, 2019.
117. For Member, Board of Pharmacy, David G. Bowyer, Ripley, Jackson County, for the term ending June 30, 2022.
118. For Member, State Personnel Board, Richard M. Wallace, Charleston, Kanawha County, for the term ending June 30, 2021.

119. For Member, State Personnel Board, Webster J. Arceneaux III, Charleston, Kanawha County, for the term ending June 30, 2021.
120. For Member, Bluefield State College Board of Governors, Cathy Deeb, Bluefield, Mercer County, for the term ending June 30, 2020.
121. For Member, West Virginia Archives and History Commission, Robert S. Conte, Union, Monroe County, for the term ending June 30, 2020.
122. For Member, West Virginia Archives and History Commission, Joan Walker, Hedgesville, Berkeley County, for the term ending June 30, 2020.
123. For Member, West Virginia Archives and History Commission, Rebecca G. Frye, Martinsburg, Berkeley County, for the term ending June 30, 2020.
124. For Member, West Virginia Archives and History Commission, Nathan Randolph, Huntington, Cabell County, for the term ending June 30, 2020.
125. For Member, West Virginia Archives and History Commission, Tommy Bailey, St. Albans, Kanawha County, for the term ending June 30, 2019.
126. For Member, West Virginia Archives and History Commission, Harold M. Forbes, Morgantown, Monongalia County, for the term ending June 30, 2019.
127. For Member, West Virginia Archives and History Commission, Darlene Hassler, Harpers Ferry, Jefferson County, for the term ending June 30, 2019.
128. For Member, West Virginia Archives and History Commission, Audy Perry, Huntington, Cabell County, for the term ending June 30, 2020.

129. For Member, West Virginia Archives and History Commission, David Trowbridge, Huntington, Cabell County, for the term ending June 30, 2020.
130. For Member, West Virginia Board of Chiropractic, Barry A. Stowers, Oak Hill, Fayette County, for the term ending June 30, 2020.
131. For Member, Solid Waste Management Board, Steve Pilato, Fayetteville, Fayette County, for the term ending June 30, 2022.
132. For Member, Solid Waste Management Board, Howard Coffield, Moundsville, Marshall County, for the term ending June 30, 2021.
133. For Member, Surface Mine Board, The Honorable Jon Blair Hunter, Morgantown, Monongalia County, for the term ending June 30, 2021.
134. For Member, Surface Mine Board, Mark G. Schuerger, Marion, Illinois, for the term ending June 30, 2021.
135. For Member, Surface Mine Board, James Smith, South Charleston, Kanawha County, for the term ending June 30, 2021.
136. For Member, Surface Mine Board, Ed Grafton, Heaters, Braxton County, for the term ending June 30, 2021.
137. For Member, West Virginia State University Board of Governors, Mark W. Kelley, Charleston, Kanawha County, for the term ending June 30, 2021.
138. For Member, West Virginia State University Board of Governors, Ann Brothers Smith, Detroit, Michigan, for the term ending June 30, 2021.
139. For Member, West Virginia State University Board of Governors, Paul Konstanty, Hurricane, Putnam County, for the term ending June 30, 2021.

140. For Member, Special Reclamation Fund Advisory Council, William B. Raney, Charleston, Kanawha County, for the term ending June 30, 2022.
141. For Member, Special Reclamation Fund Advisory Council, Christine Risch, Huntington, Cabell County, for the term ending June 30, 2018.
142. For Member, Special Reclamation Fund Advisory Council, Ronald Pauley, Sumerco, Lincoln County, for the term ending June 30, 2018.
143. For Member, Special Reclamation Fund Advisory Council, Christopher D. Pence, South Charleston, Kanawha County, for the term ending June 30, 2020.
144. For Member, Workforce Development Board, Natalie Oliverio, Clarksburg, Harrison County, for the term ending June 30, 2020.
145. For Member, Human Rights Commission, Tim Hairston, Westover, Monongalia County, for the term ending June 30, 2020.
146. For Member, Human Rights Commission, Darrell W. Cummings, Wheeling, Ohio County, for the term ending June 30, 2020.
148. For Member, Forest Management Review Commission, Mark Haddix, Elkins, Randolph County, for the term ending March 14, 2023.
149. For Member, Forest Management Review Commission, Tom Plaugher, Petersburg, Grant County, for the term ending March 14, 2019.
150. For Member, Forest Management Review Commission, Harry L. Vance, Ronceverte, Greenbrier County, for the term ending March 14, 2019.

151. For Member, Forest Management Review Commission, Stephen D. Harp, Summersville, Nicholas County, for the term ending March 14, 2023.
152. For Member, Fire Commission, Ted A. Shriver, Elkview, Kanawha County, for the term ending June 30, 2022.
153. For Member, Fire Commission, Virgil C. White, St. Albans, Kanawha County, for the term ending June 30, 2022.
154. For Member, Fire Commission, Douglas W. Estep, Morrisvale, Boone County, for the term ending June 30, 2022.
156. For Executive Director, Water Development Authority, Marie L. Prezioso, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
157. For Member, Water Development Board, Gary R. Sutphin, Beckley, Raleigh County, for the term ending June 30, 2018.
158. For Member, Board of Registration for Foresters, Chad Westfall, Horner, Lewis County, for the term ending June 30, 2021.
159. For Member, Board of Registration for Foresters, Gregory W. Cook, Charleston, Kanawha County, for the term ending June 30, 2018.
160. For Member, Board of Registration for Foresters, Dave McGill, Morgantown, Monongalia County, for the term ending June 30, 2022.
161. For Member, Board of Registration for Foresters, Dan Hackett, Buckhannon, Upshur County, for the term ending June 30, 2019.

162. For Member, Board of Registration for Foresters, Todd Lotter, Buckhannon, Upshur County, for the term ending June 30, 2020.
163. For Member, Bridge Valley Community and Technical College Board of Governors, Daniel E. Wright, Oak Hill, Fayette County, for the term ending June 30, 2021.
164. For Member, Bridge Valley Community and Technical College Board of Governors, Barry Crist, Anstead, Fayette County, for the term ending June 30, 2021.
165. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Sheryl L. Snead, Princeton, Mercer County, for the term ending June 30, 2020.
166. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Paul Henry Blom, Barboursville, Cabell County, for the term ending June 30, 2020.
167. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Tuanya Layton, Charleston, Kanawha County, for the term ending June 30, 2019.
168. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Kristi Justice, St. Albans, Kanawha County, for the term ending June 30, 2020.
169. For Member, Board of Examiners in Counseling, Jeffrey T. Jones, Charleston, Kanawha County, for the term ending June 30, 2022.
170. For Member, Ethics Commission, The Honorable Robert D. Harman, Keyser, Mineral County, for the term ending June 30, 2019.

171. For Member, Ethics Commission, Lynn Davis, Wellsburg, Brooke County, for the term ending June 30, 2020.
172. For Member, Concord University Board of Governors, Bradley M. Lane, Princeton, Mercer County, for the term ending June 30, 2021.
173. For Member, Nursing Home Administrators Licensing Board, The Honorable Denise L. Campbell, Elkins, Randolph County, for the term ending June 30, 2022.
174. For Member, Pierpont Community and Technical College Board of Governors, Sharon Jones Shaffer, Barrackville, Marion County, for the term ending June 30, 2020.
175. For Member, Pierpont Community and Technical College Board of Governors, Warren VanAlsbury, Bridgeport, Harrison County, for the term ending June 30, 2018.
176. For Member, Pierpont Community and Technical College Board of Governors, Rick Pruitte, Fairmont, Marion County, for the term ending June 30, 2018.
177. For Member, Pierpont Community and Technical College Board of Governors, Holly S. Kauffman, Morgantown, Monongalia County, for the term ending June 30, 2020.
178. For Member, Pierpont Community and Technical College Board of Governors, Larry J. Puccio, Jr., Fairmont, Marion County, for the term ending June 30, 2020.
179. For Member, Pierpont Community and Technical College Board of Governors, Natalie Stone, Morgantown, Monongalia County, for the term ending June 30, 2020.
180. For Member, Pierpont Community and Technical College Board of Governors, Brian S. Bozarth, Bridgeport, Harrison County, for the term ending June 30, 2018.

181. For Member, Pierpont Community and Technical College Board of Governors, Thomas J. Barlow, Kingwood, Preston County, for the term ending June 30, 2018.
182. For Member, West Virginia Library Commission, Connie L. Shumate, Bluefield, Mercer County, for the term ending June 30, 2021.
183. For Member, West Virginia Library Commission, David Nalker, Lewisburg, Greenbrier County, for the term ending June 30, 2021.
184. For Member, West Virginia Board of Treasury Investments, Glenda Probst, Hamlin, Lincoln County, for the term ending June 30, 2021.
186. For Member, West Virginia Northern Community and Technical College Board of Governors, Vincent Tad Greene, New Martinsville, Wetzel County, for the term ending June 30, 2020.
187. For Member, Commission on the Arts, Sam Winans, Parkersburg, Wood County, for the term ending June 30, 2020.
188. For Member, Commission on the Arts, DeEtta King Hunter, Lewisburg, Greenbrier County, for the term ending June 30, 2020.
189. For Member, Commission on the Arts, Bernie Schultz, Morgantown, Monongalia County, for the term ending June 30, 2020.
190. For Member, Commission on the Arts, Jack Thompson, Morgantown, Monongalia County, for the term ending June 30, 2019.
191. For Member, Commission on the Arts, Charles Mathena, Princeton, Mercer County, for the term ending June 30, 2019.

192. For Member, Commission on the Arts, Amy Panzarella, Charles Town, Jefferson County, for the term ending June 30, 2020.
193. For Member, Commission on the Arts, Jerry Rose, Beckley, Raleigh County, for the term ending June 30, 2019.
194. For Member, Commission on the Arts, Jeanie Wyatt, Lewisburg, Greenbrier County, for the term ending June 30, 2019.
195. For Member, Commission on the Arts, Margaret Mary Layne, Huntington, Cabell County, for the term ending June 30, 2020.
196. For Member, Commission on the Arts, Shir Wooton, Beckley, Raleigh County, for the term ending June 30, 2018.
197. For Member, Fairmont State College Board of Governors, Jay R. Puccio, Fairmont, Marion County, for the term ending June 30, 2019.
198. For Member, Public Employees Insurance Agency Finance Board, Raymond S. Whiting, St. Albans, Kanawha County, for the term ending June 30, 2018.
199. For Member, Public Employees Insurance Agency Finance Board, William G. Milam, Charleston, Kanawha County, for the term ending June 30, 2020.
200. For Member, Public Employees Insurance Agency Finance Board, Jason Myers, Parsons, Tucker County, for the term ending June 30, 2019.
201. For Member, Public Employees Insurance Agency Finance Board, Michael T. Smith, Milton, Cabell County, for the term ending June 30, 2019.

202. For Member, Public Employees Insurance Agency Finance Board, Geoff S. Christian, Charleston, Kanawha County, for the term ending June 30, 2021.
203. For Member, Public Employees Insurance Agency Finance Board, Amanda D. Meadows, Scott Depot, Putnam County, for the term ending June 30, 2021.
204. For Member, Public Employees Insurance Agency Finance Board, Jared Robertson, Grassy Meadows, Greenbrier County, for the term ending June 30, 2018.
205. For Member, Public Employees Insurance Agency Finance Board, Lee R. Diznoff, Charleston, Kanawha County, for the term ending June 30, 2020.
206. For Member, West Virginia Commission for the Deaf and Hard of Hearing, David Blaine, Daniels, Raleigh County, for the term ending June 30, 2020.
207. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Gloria Hollen, Hedgesville, Berkeley County, for the term ending June 30, 2020.
208. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Roy Forman, Williamstown, Wood County, for the term ending June 30, 2020.
209. For Member, West Virginia Commission for the Deaf and Hard of Hearing, John W. Burdette, Ronceverte, Greenbrier County, for the term ending June 30, 2020.
210. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Paul See, Moorefield, Hardy County, for the term ending June 30, 2020.
211. For Member, West Virginia Commission for the Deaf and Hard of Hearing, Barbara Calhoun, Charleston, Kanawha County, for the term ending June 30, 2019.

212. For Member, West Virginia Library Commission, Sean P. Duffy, Wheeling, Ohio County, for the term ending June 30, 2021.
213. For Member, West Virginia Board of Dentistry, Charles L. Smith, Charleston, Kanawha County, for the term ending June 30, 2022.
214. For Member, West Virginia Board of Dentistry, Mary Beth Shea, Parkersburg, Wood County, for the term ending June 30, 2022.
215. For Member, West Virginia Board of Dentistry, William E. Ford III, Clarksburg, Harrison County, for the term ending June 30, 2022.
216. For Director, Division of Juvenile Services, William K. Marshall III, Mineral Wells, Wood County, to serve at the will and pleasure of the Governor.
217. For Member, West Virginia Board of Physical Therapy, Stephen M. Young, Summersville, Nicholas County, for the term ending June 30, 2022.
218. For Member, West Virginia Board of Professional Surveyors, Tom Rayburn, Chapmanville, Logan County, for the term ending June 30, 2021.
219. For Member, West Virginia Board of Professional Surveyors, Sefton Stewart, Pineville, Wyoming County, for the term ending June 30, 2021.
220. For Member, West Virginia Board of Professional Surveyors, Douglas C. McElwee, Charleston, Kanawha County, for the term ending June 30, 2020.
221. For Member, Tourism Commission, Kara D. Dense, Lewisburg, Greenbrier County, for the term ending May 1, 2021.

222. For Member, Tourism Commission, Jeffrey T. Lusk, Man, Logan County, for the term ending May 1, 2021.
224. For Member, Tourism Commission, Frank DeBerry, Snowshoe, Pocahontas County, for the term ending May 1, 2021.
225. For Member, Tourism Commission, Steve Hilliard, Wheeling, Ohio County, for the term ending May 1, 2020.
226. For Member, Tourism Commission, Ronald E. Marcus, Charles Town, Jefferson County, for the term ending May 1, 2020.
227. For Member, Tourism Commission, Tim Bucklew, Morgantown, Monongalia County, for the term ending May 1, 2020.
228. For Member, Tourism Commission, David Arnold, Lansing, Fayette County, for the term ending May 1, 2020.
229. For Member, Tourism Commission, William T. Bright, Summersville, Nicholas County, for the term ending May 1, 2019.
230. For Member, Tourism Commission, John Klemish, White Sulphur Springs, Greenbrier County, for the term ending May 1, 2019.
231. For Member, Tourism Commission, Matt Knott, Harpers Ferry, Jefferson County, for the term ending May 1, 2019.
232. For Member, Tourism Commission, Chris Richards, Weston, Lewis County, for the term ending May 1, 2019.
233. For Member, West Virginia Board of Medicine, Kishore Kumar Challa, Charleston, Kanawha County, for the term ending September 30, 2022.
234. For Member, West Virginia Board of Medicine, Victoria L. Mullins, Charleston, Kanawha County, for the term ending September 30, 2022.

235. For Member, West Virginia Board of Medicine, Timothy J. Donatelli, Beckley, Raleigh County, for the term ending September 30, 2022.
236. For Member, West Virginia Board of Medicine, Janet M. Harman, Charleston, Kanawha County, for the term ending September 30, 2022.
237. For Member, West Virginia Board of Medicine, Rusty Wooton, Beckley, Raleigh County, for the term ending September 30, 2022.
238. For Commissioner, Division of Labor, Mitchell E. Woodrum, Ashford, Boone County, to serve at the will and pleasure of the Governor.
239. For Member, West Virginia State University Board of Governors, Katherine Dooley, Charleston, Kanawha County, for the term ending June 30, 2020.
240. For Member, West Virginia Board of Education, Scott Rotruck, Morgantown, Monongalia County, for the term ending November 4, 2026.
241. For Member, Workers' Compensation Board of Review, G. Nicholas Casey, Jr., Charleston, Kanawha County, for the term ending December 31, 2022.
242. For Member, West Virginia Parole Board, Ralph D. Miller, Cross Lanes, Kanawha County, for the term ending June 30, 2019.
243. For Chief Administrative Law Judge, Office of Tax Appeals, A. M. Pollack, Elkview, Kanawha County, for the term ending June 30, 2020.
244. For Director, Geological and Economic Survey, Bascombe Mitchell Blake, Morgantown, Monongalia County, to serve at the will and pleasure of the Governor.
245. For Member, Regional Jail and Correctional Facility Authority, Matthew P. Arvon, Beckley, Raleigh County, for the term ending June 30, 2021.

246. For Member, Regional Jail and Correctional Facility Authority, George J. Cosenza, Parkersburg, Wood County, for the term ending June 30, 2021.
247. For Member, Shepherd University Board of Governors, David A. Avella, McLean, Virginia, for the term ending June 30, 2021.
248. For Member, Shepherd University Board of Governors, Robert Marggraf, Berkeley Springs, Morgan County, for the term ending June 30, 2021.
249. For Member, West Virginia Public Employees Grievance Board, Holly S. Planinsic, Wheeling, Ohio County, for the term ending June 30, 2020.
250. For Member, Design-Build Board, Richard Forren, Fairmont, Marion County, for the term ending July 7, 2020.
251. For Member, Design-Build Board, Jim Matheney, Charleston, Kanawha County, for the term ending July 7, 2020.
252. For Member, Design-Build Board, Chad Riley, Bridgeport, Harrison County, for the term ending July 7, 2020.
253. For Member, Design-Build Board, David G. Hammond, Charleston, Kanawha County, for the term ending July 7, 2020.
254. For Commissioner, Division of Corrections, Betsy Steinfeld Jividen, Wheeling, Ohio County, to serve at the will and pleasure of the Governor.

And reports the same back with the recommendation that the Senate do advise and consent to all of the nominations listed above.

Respectfully submitted,

Donna J. Boley,
Chair.

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Carmichael (Mr. President) laid before the Senate the following executive message:

Senate Executive Message 1, dated January 8, 2018 (*shown in the Senate Journal of today, pages 58 to 83, inclusive*).

Senator Ferns then moved that the Senate advise and consent to all of the executive nominations referred to in the foregoing report from the Committee on Confirmations, except the nomination of Marie L. Prezioso, as the Executive Director of the Water Development Authority (being nomination number 156 in Executive Message 1).

The question being on the adoption of Senator Ferns' aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Palumbo, Plymale, Prezioso, Rucker, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld and Carmichael (Mr. President)—27.

The nays were: None.

Absent: Facemire, Mann, Mullins, Ojeda, Romano, Takubo and Woelfel—7.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Ferns' motion had prevailed and that all the executive nominations referred to in the foregoing report from the Committee on

Confirmations, except the nomination of Marie L. Prezioso, as the Executive Director of the Water Development Authority (being nomination number 156 in Executive Message 1) had been confirmed.

Senator Ferns then moved that the Senate advise and consent to the nomination of Marie L. Prezioso, as the Executive Director of the Water Development Authority (being nomination number 156 in Executive Message 1).

Prior to the call of the roll, Senator Prezioso moved to be excused from voting under rule number forty-three of the Rules of the Senate, which motion prevailed.

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Palumbo, Plymale, Rucker, Smith, Stollings, Swope, Sypolt, Trump, Unger, Weld and Carmichael (Mr. President)—26.

The nays were: None.

Absent: Facemire, Mann, Mullins, Ojeda, Romano, Takubo and Woelfel—7.

Excused from voting: Prezioso—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Ferns' motion had prevailed and the nomination of Marie L. Prezioso, as Executive Director of the Water Development Authority, had been confirmed.

Consideration of executive nominations having been concluded,

The Senate proceeded to the sixth order of business

Senator Ferns offered the following resolution:

Senate Resolution 203—Raising a committee to notify His Excellency, the Governor, that the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify His Excellency, the Governor, that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Maynard, Sypolt and Stollings.

Senators Maynard, Sypolt and Stollings proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of this extraordinary session of the Legislature.

Subsequently, Senator Maynard, from the select committee to notify His Excellency, the Governor, that the Legislature had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Maynard then reported this mission accomplished.

On motion of Senator Ferns, the second extraordinary session of the Senate in the year two thousand seventeen adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the Second Extraordinary Session of the Eighty-Third Legislature, 2017, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

Appendix – Remarks

**Relating generally to tax credits for
rehabilitation of historic buildings
and structures**

(Passage of Eng. House Bill 203)

REMARKS OF
**HONORABLE
RYAN J. FERNS**

Tuesday, October 17, 2017

SENATOR FERNS: Thank you, Mr. President.

House Bill 203 increases the tax credit for rehabilitation of historic buildings and structures. The bill increases the credit to 25 percent of qualified expenditures made after December 31, 2017. Part of those credits may not be used to offset liabilities prior to the tax year beginning January 1, 2020. Taxpayer may not be entitled to the credit if the taxpayer is delinquent in the payment of any tax administered by the Tax Division, any local or municipal tax or property taxes on the property containing certified historic structure. Sunset provisions eliminate the personal and corporate net income taxes. Tax credits authorized by the bill after December 31, 2022—any tax credit authorized by the state historic preservation officer and eligible to be claimed prior to January 1, 2023, shall continue to be claimed subject to provisions of law governing those tax credits that were in effect prior to January 1, 2023. The bill establishes a \$10 million per project cap on the credits that may be allocated, reserved or issued for any single certified rehabilitation. It establishes a \$30 million overall cap on

the cumulative credits that may be issued by the state historic preservation officer in any fiscal year. Five million dollars of the total credits is reserved for certified rehabilitation products with proposed tax credits of \$500,000 or less. The bill provides requirements and procedures for the application, reservation and issuance of the tax credits. The credits will be reserved by the State Historical Preservation Office on a first come, first serve basis. And any claim for the credits must be accompanied by a certificate issued by the historic preservation officer. The application process for the tax credits works in conjunction with a three-part application to the federal government. Each application for tax credits must include a fee payable to the State Historic Preservation Office in an amount equal to the lesser of either .5 percent of the amount of the tax credits requested in such application or \$10,000.

I urge passage.

**Relating generally to tax credits for
rehabilitation of historic buildings
and structures**

(Passage of Eng. House Bill 203)

REMARKS OF
**HONORABLE
GLENN D. JEFFRIES**

Tuesday, October 17, 2017

SENATOR JEFFRIES: Thank you, Mr. President.

One thing that I really enjoy to do especially in the fall time is for me and my wife to be able to travel throughout West Virginia and go through these old towns and cities and be able to see the history that is there. And a lot of these towns and cities have historical buildings in them and, many of you may not know, but I believe, if I did my research right, there's like 96 historical districts in West Virginia. And this piece of legislation will give them the ability . . . it gives them the ability now if they want to try to apply for historical tax credits. But this piece of legislation moves that up and puts us in line with our bordering states.

It has so much potential for places like Huntington, here in Charleston, Wheeling, Martinsburg, Clarksburg. And I think that it is a piece of legislation that is very vital for our communities because if someone's going to invest money into that community, that means that they're going to put people to work there. And they're going to put someone there probably permanent there to work.

So, I think it's very important that this piece of legislation is passed, moving the tax credit up from 10 to 25 percent. But also, I'm asking this Legislature that when we come back in January, I think that there's some other things that we need to look at. I believe that the caps is one thing that we need to address because right now, the way it's written, we've got a \$30 million cap. Five million dollars of it is set aside for small projects, \$500,000 or less. So really, you only got \$25 million of tax credits that can be utilized. And sitting in a couple of meetings last week, January 1, those things are going to be ate up. So, we got potential investors that want to invest in West Virginia for economic growth that will help our communities—that will help your communities. Most of you in here probably represent a community that has historical sites in it. So, I think when we come back here in January we need to look

at this and, hopefully, we'll address it . . . that either raises those caps or removes those caps because for me as an investor, if I was going to do it, if one of you were to obtain those credits before I did, am I going to wait another year before I try to apply? You can go ahead and apply but you're going to wait another year before you can be given whether they're going to accept you for those credits. So, I'm probably going to take my money and invest it somewhere else.

So, please keep that in mind and I'm going to vote "yea" on this because I think it's very important but I also believe when we come back in this next session, in January, that we should address this and look at it. Thank you.

Thank you, Mr. President.

**Relating generally to tax credits for
rehabilitation of historic buildings
and structures**

(Passage of Eng. House Bill 203)

REMARKS OF
**HONORABLE
RYAN J. FERNS**

Tuesday, October 17, 2017

SENATOR FERNS: Thank you, Mr. President.

Just in closing, just want to echo the comments by my friend, the Junior Senator from the Eighth. He and I have both been advocates for this legislation. I agree with his sentiments that this is a step in the right direction. I would also agree with the notion that this is something that we should all be keeping our eye on and as we approach

the next upcoming legislative session, it would be worthwhile for us to revisit this topic in looking at some of the suggestions the Junior Senator from the Eighth made. Again, I think this is a great step in the right direction but I think there's more potential out there. So, I urge passage of the bill.

Thank you, Mr. President.

REMARKS OF
HONORABLE
RON STOLLINGS

Monday, November 13, 2017

SENATOR STOLLINGS: Thank you, Mr. President, members of the body

I serve on the Advisory Board for the WVU School of Public Health, so does Dr. Rahul Gupta and . . . I'm also good friends and classmates with the Cabell-Huntington Health Department Director, Dr. Michael Kilkenny. One of the things that is going to be integral to our fixing, or helping to fix, our substance use disorder problem and IV drug overdoses and all the things that come with that is harm reduction. In Huntington, West Virginia, there is about a 30 percent recovery rate for people that are coming in to these places, getting clean needles that are not infected with Hepatitis C or AIDS and, then, while they're there, being exposed to counseling and so And these are folks that you've seen a lot about . . . you've seen the Heroin(e) show on Netflix and things like that.

We have had to withdraw a rule that would have really helped place West Virginia in a key place as far as harm reduction goes. It was considered to have too far broad-reaching effects but, frankly, I just think that some folks think that we're

empowering these people that are shooting up. I think that's not the case. I think that we, in fact, are trying to be fiscally responsible because if you have any Hepatitis C or HIV outbreak via needles that are dirty and being used . . . in Indiana it was a \$200 million bill to try to get that under control. So, I think it's important that this body understand, first of all, harm reduction is harm reduction. And that's going to be an important part of our approach to dealing with this IV drug use and substance use disorder. Right now, SAMHSA is sending us six hundred to seven hundred thousand dollars a year to try to get these health departments and free clinics funded so that they can do the counseling that's required in having the clean needle exchange program. Right now, we don't have a statewide program. It's not developed—this rule would have made a statewide harm reduction program, standardized protocols, and would lead to liability protection for these health departments across the State of West Virginia. So, right now, we have a couple places that are really doing well. We need to expand this. I think that we can come up with a bipartisan approach—I've talked to the Chairman of the Health committee about this. He's certainly aware of it and I think you would agree with me that we really need to do something. If we can't get that rule through, then we need to come up with a statute that allows us to get this statewide harm reduction for all the citizens in West Virginia. And I appreciate And again, I'll get you a white paper for people to look at this that really shows cost savings and life savings.

Thank you, Mr. President.

REMARKS OF
HONORABLE
ROBERT H. PLYMALE

Monday, November 13, 2017

SENATOR PLYMALE: Having been involved in this—I was just in a meeting this past week with Bob Hansen who used to be a head of the Prestera Center, now a head of Marshall University—in the opioid issue that’s going against . . . trying to battle . . . and with Dr. Yingling who is my personal doctor but . . . to take what, you know, the Senator from Boone is taking a little further, they’ve had a 42 percent decrease in Hepatitis C since they’ve done that. They’ve had over 30 of the people that have been going through that go in to treatment and go through recovery. It is working in a lot of respects. And it is something that the Cabell County, you know, Public Health Board took on and really went out on a limb to do this but it’s actually having the effects that they were hoping they were doing.

What is important is what Cabell County’s doing beyond that. And to strengthen what the Senator from Boone is talking about, Cabell County has started a wraparound group with the Healthy Solutions and they’ve got a lot of partners statewide and they’re actually going beyond what the needle program has done. They’re actually finding . . . I mean, we’ve had such a bad epidemic, they’re doing all the wraparound services including counseling, including intervention, including getting these people into recovery. So, it’s a big . . . you know, the Senator from Cabell and I have been privy to a lot of information that tells you more about what they’re doing and it’s important. It’s not only important for where we represent, it’s important to anybody in the Eastern Panhandle when you see what’s happening in Martinsburg, it’s important in Charleston, it’s important anywhere throughout the whole state we’re having this issue. And let me tell you, I’ve attended a national conference just recently and it’s in every state, in every portion, and, particularly, the rural areas.

So, I stand with the Senator from Boone that we have to have a solution to this. If we’re not going to do it by rule, we do have to do it by statute. And I really think that that’s very important.

Thank you.

REMARKS OF
HONORABLE
GLENN D. JEFFRIES

Monday, November 13, 2017

SENATOR JEFFRIES: Thank you, Mr. President.

In our last session here, I addressed the Senate about the historical rehabilitation tax credits and I kind of gave some misinformation. I’d like to correct that. I apologize for giving you that information. I said that there was 96 districts across the state; there’s actually 208. Which even makes it more intriguing for the passage of the bill that we did.

But, one of the things that kind of disturbs me now is that I got some information the other day, that I was contacted with, that, possibly, with some of the new federal legislation that they’re going to remove the federal historical tax credits, which is 25 percent. I believe that that’s going to have a negative effect upon our state. Simply because, currently there was a 25 percent plus a 10 percent. If they remove that 25 percent, then why would you want to . . . you’re going to lose 10 percent; so why would you want to invest in West Virginia again? Maybe not; it may not happen.

But I’m asking that our legislators here to contact our Congressional members and let them know that we need to keep that

historical tax, the federal historical tax credit in place.

I got some information this week that people were so excited about us raising that to 25 percent. Just in one district, just in one district, they have, right now, in the pipeline \$40 million worth of rehabilitation work done on historical buildings. Forty million in phase one, \$20 million is in phase two. Like we were talking about, on January 1 we're going to eat those credits up real quick.

So, I hope that there's not legislation out there that's going to deter this because, currently, the organization that tracks this, is saying that for the next five years, the potential here in West Virginia is \$100 million of renovation work on our historical buildings here in West Virginia. That's exciting news for West Virginia. Now, the revenue that could come in, the taxes that could come in, it's an economic growth for our state. It will provide jobs; it will provide employment; it will provide permanent jobs here in West Virginia—and that's what we're looking for.

So, I'm urging you as a legislator to consider writing your delegation and letting them know how you—maybe you want to see it happen, maybe you don't, I hope you don't—but I hope that you'll write them and let them know to keep that federal historical tax credit in place.

Thank you, Mr. President.

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HISTORY OF BILLS AND RESOLUTIONS CONSIDERED BY SENATE

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SENATE BILLS PASSED LEGISLATURE

2002. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Allowing certain tax information be shared with designated DOH employees** (original similar to HB202) - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 6, Acts, 2nd Extraordinary Session, 2017
2003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Implementing special hiring procedures for DOH and Tax Division** - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 2, Acts, 2nd Extraordinary Session, 2017
2005. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Finding and declaring claim against state** (original similar to HB204) - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 1, Acts, 2nd Extraordinary Session, 2017

SENATE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

201. By Sen. Ferns - **Authorizing adjournments of Senate and House of Delegates**
- Adopted 10/17/2017

HOUSE BILLS PASSED LEGISLATURE

201. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive]
- **Exempting military retirement income from personal income tax** (original similar to SB2001) - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 4, Acts, 2nd Extraordinary Session, 2017
203. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive]
- **Relating generally to tax credits for rehabilitation of historic buildings and structures** - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 5, Acts, 2nd Extraordinary Session, 2017
205. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive]
- **Relating to the West Virginia Jobs Act** (original similar to SB2006) - Passed 10/17/2017; Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 3, Acts, 2nd Extraordinary Session, 2017

ALL SENATE BILLS INTRODUCED

2001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Exempting military retirement income from state income tax** (original similar to HB201) - Introduced 10/16/2017 - To Finance
2002. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Allowing certain tax information be shared with designated DOH employees** (original similar to HB202) - Introduced 10/16/2017 - Committee reference dispensed - Constitutional rule suspended - Amended - Passed Senate with amended title 10/16/2017 - Effective from passage - To House 10/16/2017 - Reference dispensed - Amended - Passed House 10/16/2017 - Effective from passage - Senate amended House amendment and passed 10/17/2017 - Effective from passage - House concurred in Senate amendment and passed 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 6, Acts, 2nd Extraordinary Session, 2017
2003. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Implementing special hiring procedures for DOH and Tax Division** - Introduced 10/16/2017 - Committee reference dispensed - Amended - Constitutional rule suspended - Passed Senate with amended title 10/17/2017 - Effective from passage - To House 10/17/2017 - Reference dispensed - Amended - Passed House 10/17/2017 - Effective from passage - Senate concurred in House amendments and passed bill 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 2, Acts, 2nd Extraordinary Session, 2017
2004. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Relating to tax credits for rehabilitation of historic buildings and structures** (original similar to HB203) - Introduced 10/17/2017 - To Finance
2005. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Finding and declaring claim against state** (original similar to HB204) - Introduced 10/17/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 10/17/2017 - Effective from passage - To House 10/17/2017 - Reference dispensed - Passed House 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 1, Acts, 2nd Extraordinary Session, 2017
2006. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Relating to WV Jobs Act** - Introduced 10/17/2017 - To Judiciary

ALL SENATE CONCURRENT RESOLUTIONS OFFERED

201. By Sen. Ferns - **Authorizing adjournments of Senate and House of Delegates** - Introduced 10/17/2017 - Committee reference dispensed - Adopted by Senate 10/17/2017 - To House 10/17/2017 - Reference dispensed - Adopted by House 10/17/2017

ALL SENATE RESOLUTIONS OFFERED

201. By Sen. Ferns - **Notifying House of Delegates Senate has assembled in extraordinary session** - Introduced 10/16/2017 - Committee reference dispensed - Adopted 10/16/2017
202. By Sen. Ferns - **Notifying Governor Legislature has assembled in extraordinary session** - Introduced 10/16/2017 - Committee reference dispensed - Adopted 10/16/2017
203. By Sen. Ferns - **Notifying Governor Senate has adjourned sine die** - Introduced 1/8/2018 - Committee reference dispensed - Adopted 1/8/2018

HOUSE BILLS COMMUNICATED TO SENATE

201. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Exempting military retirement income from personal income tax** (original similar to SB2001) - Introduced 10/16/2017 - Reference dispensed - Ruling sustained - Passed House 10/17/2017 - Effective from passage - To Senate 10/17/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 4, Acts, 2nd Extraordinary Session, 2017
203. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating generally to tax credits for rehabilitation of historic buildings and structures** - Introduced 10/16/2017 - Reference dispensed - Amended - Passed House 10/17/2017 - Title amended - Effective from passage - To Senate 10/17/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 5, Acts, 2nd Extraordinary Session, 2017
205. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the West Virginia Jobs Act** (original similar to SB2006) - Introduced 10/17/2017 - Reference dispensed - Passed House 10/17/2017 - Effective from passage - To Senate 10/17/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 10/17/2017 - Effective from passage - To Governor 10/20/17 - Approved by Governor 10/24/17 - Chapter 3, Acts, 2nd Extraordinary Session, 2017

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JOURNAL
of
THE SENATE
State of West Virginia

EIGHTY-THIRD LEGISLATURE

Third Extraordinary Session, 2017

December 4, 2017



NOTE: The proceedings of the Third Extraordinary Session of the West Virginia Legislature in the year 2017 (convened by the Governor on December 4, 2017, and adjourned *sine die* on December 4, 2017) are shown hereinafter.

LEGISLATURE OF WEST VIRGINIA
MEMBERS, OFFICERS AND STANDING COMMITTEES

SENATE

THIRD EXTRAORDINARY SESSION, 2017

OFFICERS

President: Mitch Carmichael, (R), Ripley
President pro Tempore: Donna J. Boley, (R), St. Marys
Clerk: Clark S. Barnes, (R), French Creek
Sergeant-at-Arms: Andrew Palmer, Charleston
Doorkeeper: Jeffrey L. Branham, Cross Lanes

| District | Name | Address |
|-------------|---------------------------------------|------------------|
| First | Ryan J. Ferns, (R) | Wheeling |
| | *Ryan W. Weld, (R) | Wellsburg |
| Second | ¹ Charles H. Clements, (R) | New Martinsville |
| | *Michael J. Maroney, (R) | Glen Dale |
| Third | ² Michael T. Azinger, (R) | Vienna |
| | *Donna J. Boley, (R) | St. Marys |
| Fourth | *Mitch Carmichael, (R) | Ripley |
| | ³ Mark A. Drennan, (R) | Hurricane |
| Fifth | *Robert H. Plymale, (D) | Huntington |
| | Michael A. Woelfel, (D) | Huntington |
| Sixth | Mark R. Maynard, (R) | Genoa |
| | *Chandler Swope, (R) | Bluefield |
| Seventh | *Richard N. Ojeda II, (D) | Holden |
| | Ron D. Stollings, (D) | Madison |
| Eighth | C. Edward Gaunch, (R) | Charleston |
| | *Glenn D. Jeffries, (D) | Red House |
| Ninth | *Sue Cline, (R) | Brenton |
| | Jeff Mullins, (R) | Shady Spring |
| Tenth | *Kenny Mann, (R) | Greenville |
| | ⁴ Stephen Baldwin, (D) | Ronceverte |
| Eleventh | *Gregory L. Boso, (R) | Summersville |
| | *Robert Karnes, (R) | Tallmansville |
| Twelfth | *Douglas E. Facemire, (D) | Sutton |
| | Michael J. Romano, (D) | Clarksburg |
| Thirteenth | Robert D. Beach, (D) | Morgantown |
| | *Roman W. Prezioso, Jr., (D) | Fairmont |
| Fourteenth | *Randy E. Smith, (R) | Davis |
| | Dave Sypolt, (R) | Kingwood |
| Fifteenth | *Craig Blair, (R) | Martinsburg |
| | Charles S. Trump IV, (R) | Berkeley Springs |
| Sixteenth | *Patricia Puertas Rucker, (R) | Harpers Ferry |
| | John R. Unger II, (D) | Martinsburg |
| Seventeenth | *Corey Palumbo, (D) | Charleston |
| | Tom Takubo, (R) | Charleston |

* Elected in 2016 to full four-year term.

¹ Appointed January 28, 2017, to unexpired term of Kent Leonhardt, who resigned January 15, 2017.

² Elected in 2016 to unexpired two-year term of David C. Nohe, who resigned August 30, 2015.

³ Appointed September 5, 2017, to unexpired term of Mike Hall, who resigned August 20, 2017.

⁴ Appointed October 16, 2017, to unexpired term of Ron Miller, who resigned September 30, 2017.

| | |
|-------------|-----------|
| Democrats | 12 |
| Republicans | <u>22</u> |
| Total | 34 |

SENATE COMMITTEES

STANDING AND SELECT COMMITTEES OF THE SENATE

THIRD EXTRAORDINARY SESSION

2017

AGRICULTURE AND RURAL DEVELOPMENT

Senators Sypolt (*Chair*), Rucker (*Vice Chair*), Clements, Cline, Mann, Maynard, Smith, Baldwin, Beach, Ojeda and Woelfel.

BANKING AND INSURANCE

Senators Mullins (*Chair*), Azinger (*Vice Chair*), Clements, Drennan, Mann, Maroney, Swope, Sypolt, Facemire, Palumbo, Prezioso, Romano and Woelfel.

CONFIRMATIONS

Senators Boley (*Chair*), Ferns (*Vice Chair*), Azinger, Blair, Boso, Gaunch, Palumbo, Plymale and Prezioso.

ECONOMIC DEVELOPMENT

Senators Maroney (*Chair*), Maynard (*Vice Chair*), Boso, Cline, Drennan, Mann, Smith, Swope, Takubo, Baldwin, Jeffries, Romano, Stollings and Woelfel.

EDUCATION

Senators Mann (*Chair*), Karnes (*Vice Chair*), Azinger, Boley, Cline, Drennan, Rucker, Swope, Trump, Beach, Plymale, Romano, Stollings and Unger.

ENERGY, INDUSTRY AND MINING

Senators Smith (*Chair*), Sypolt (*Vice Chair*), Boley, Cline, Drennan, Ferns, Mann, Mullins, Swope, Facemire, Jeffries, Ojeda and Woelfel.

ENROLLED BILLS

Senators Maynard (*Chair*), Azinger, Gaunch, Palumbo and Prezioso.

SENATE COMMITTEES

FINANCE

Senators Blair (*Chair*), Mullins (*Vice Chair*), Boley, Boso, Drennan, Ferns, Gaunch, Mann, Maroney, Sypolt, Takubo, Facemire, Palumbo, Plymale, Prezioso, Stollings and Unger.

GOVERNMENT ORGANIZATION

Senators Gaunch (*Chair*), Maynard (*Vice Chair*), Boso, Clements, Maroney, Smith, Sypolt, Takubo, Weld, Baldwin, Facemire, Jeffries, Palumbo and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Takubo (*Chair*), Maroney (*Vice Chair*), Azinger, Clements, Karnes, Rucker, Trump, Weld, Palumbo, Plymale, Prezioso, Stollings and Unger.

INTERSTATE COOPERATION

Senators Cline (*Chair*), Azinger (*Vice Chair*), Maroney, Maynard, Sypolt, Palumbo and Unger.

JUDICIARY

Senators Trump (*Chair*), Weld (*Vice Chair*), Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Baldwin, Beach, Jeffries, Ojeda, Romano and Woelfel.

MILITARY

Senators Weld (*Chair*), Boley (*Vice Chair*), Azinger, Clements, Cline, Sypolt, Facemire, Ojeda and Palumbo.

NATURAL RESOURCES

Senators Maynard (*Chair*), Mann (*Vice Chair*), Cline, Karnes, Rucker, Smith, Sypolt, Takubo, Beach, Facemire, Prezioso, Stollings and Woelfel.

PENSIONS

Senators Karnes (*Chair*), Gaunch (*Vice Chair*), Maroney, Mullins, Weld, Plymale and Romano.

SENATE COMMITTEES

RULES

Senators Carmichael (*Chair*), Blair, Boley, Ferns, Gaunch, Sypolt, Trump, Palumbo, Plymale, Prezioso and Stollings.

SELECT COMMITTEE ON TAX REFORM

Senators Karnes (*Chair*), Blair (*Vice Chair*), Boso, Ferns, Gaunch, Jeffries and Plymale.

TRANSPORTATION AND INFRASTRUCTURE

Senators Boso (*Chair*), Swope (*Vice Chair*), Gaunch, Maroney, Maynard, Rucker, Beach, Jeffries and Plymale.

WORKFORCE

Senators Swope (*Chair*), Weld (*Vice Chair*), Boso, Karnes, Mullins, Rucker, Smith, Beach, Jeffries, Ojeda and Stollings.

JOINT COMMITTEES

GOVERNMENT AND FINANCE

Senators Carmichael (*Cochair*), Blair, Ferns, Karnes, Trump, Plymale and Prezioso.

GOVERNMENT OPERATIONS

Senators Gaunch (*Cochair*), Maynard (*Vice Cochair*), Weld, Jeffries and Palumbo.

LEGISLATIVE RULE-MAKING REVIEW

Senators Maynard (*Cochair*), Weld (*Vice Cochair*), Karnes, Sypolt, Baldwin, Jeffries and Carmichael (*ex officio*).

PENSIONS AND RETIREMENT

Senators Karnes (*Cochair*), Gaunch (*Vice Cochair*), Boso, Mullins, Weld, Plymale and Unger.

SENATE COMMITTEES

RULES

Senators Carmichael (*Cochair*), Ferns and Prezioso.

STATUTORY LEGISLATIVE COMMISSIONS

COMMISSION ON ECONOMIC DEVELOPMENT

Senators Maroney (*Cochair*), Maynard (*Vice Cochair*), Blair, Boso, Mann, Swope, Takubo, Trump, Jeffries, Romano, Stollings and Woelfel.

COMMISSION ON INTERSTATE COOPERATION

Senators Cline, (*Cochair*), Azinger (*Vice Cochair*), Maroney, Maynard, Sypolt, Palumbo and Unger.

COMMISSION ON SPECIAL INVESTIGATIONS

Senators Carmichael (*Cochair*), Ferns, Trump, Palumbo and Woelfel.

FOREST MANAGEMENT REVIEW COMMISSION

Senators Sypolt (*Cochair*), Karnes, Maynard, Baldwin and Ojeda.

LEGISLATIVE OVERSIGHT COMMISSION ON EDUCATION ACCOUNTABILITY

Senators Mann (*Cochair*), Karnes (*Vice Cochair*), Boley Cline, Rucker, Plymale and Carmichael (*ex officio*).

LEGISLATIVE OVERSIGHT COMMISSION ON HEALTH AND HUMAN RESOURCES ACCOUNTABILITY

Senators Takubo (*Cochair*), Maroney, Rucker, Trump, Prezioso, Stollings and Carmichael (*ex officio*).

LEGISLATIVE OVERSIGHT COMMISSION ON STATE WATER RESOURCES

Senators Smith (*Cochair*), Clements, Mullins, Baldwin and Palumbo.

SENATE COMMITTEES

**LEGISLATIVE OVERSIGHT COMMISSION ON
WORKFORCE INVESTMENT FOR ECONOMIC
DEVELOPMENT**

Senators Maroney (*Cochair*), Swope, Takubo and Jeffries.

**LEGISLATIVE OVERSIGHT COMMITTEE ON THE
REGIONAL JAIL AND CORRECTIONAL FACILITY
AUTHORITY**

Senators Clements (*Cochair*), Boso (*Vice Cochair*), Azinger,
Ojeda and Romano.

HOUSE OF DELEGATES

THIRD EXTRAORDINARY SESSION, 2017

OFFICERS

Speaker: Tim Armstead, (R), Elkview
Clerk: Stephen J. Harrison, (R), Cross Lanes
Speaker pro Tempore: John Overington, (R), Martinsburg
Sergeant-at-Arms: Marshall Clay, (R), Fayetteville
Doorkeeper: Frank Larese, (R), Belle

| District | Name | Address |
|----------------|--------------------------------|---------------|
| First | Pat McGeehan, (R) | Chester |
| | Mark Zatezalo, (R) | Weirton |
| Second | Phillip Diserio, (D) | Follansbee |
| Third | Shawn Fluharty, (D) | Wheeling |
| | Erikka Storch, (R) | Wheeling |
| Fourth | Joe Canestraro, (D) | Benwood |
| | Michael T. Ferro, (D) | McMechen |
| Fifth | Dave Pethel, (D) | Hundred |
| Sixth | Roger Romine, (R) | West Union |
| Seventh | Jason Harshbarger, (R) | Pullman |
| Eighth | Everette W. Anderson, Jr., (R) | Williamstown |
| Ninth | Ray Hollen, (R) | Elizabeth |
| Tenth | Vernon Criss, (R) | Parkersburg |
| | Frank Deem, (R) | Vienna |
| | John R. Kelly, (R) | Parkersburg |
| Eleventh | Martin Atkinson III, (R) | Reedy |
| Twelfth | Steve Westfall, (R) | Ripley |
| Thirteenth | Scott Brewer, (D) | New Haven |
| | Joshua Higginbotham, (R) | Poca |
| Fourteenth | Jim Butler, (R) | Henderson |
| Fifteenth | Geoff Foster, (R) | Winfield |
| Sixteenth | Sean Hornbuckle, (D) | Huntington |
| | Carol Miller, (R) | Huntington |
| | Chuck Romine, (R) | Huntington |
| Seventeenth | Chad Lovejoy, (D) | Huntington |
| | Matthew Rohrbach, (R) | Huntington |
| Eighteenth | Kelli Sobonya, (R) | Barboursville |
| Nineteenth | Kenneth Paul Hicks, (D) | Kenova |
| | Robert Thompson, (D) | Wayne |
| Twentieth | Justin J. Marcum, (D) | Williamson |
| Twenty-first | Mark Dean, (R) | Verner |
| Twenty-second | Jeff Eldridge, (D) | Alum Creek |
| | Zack Maynard, (R) | Harts |
| Twenty-third | Rodney Miller, (D) | Madison |
| Twenty-fourth | Rupert Phillips, Jr., (R) | Lorado |
| | Ralph Rodighiero, (D) | Logan |
| Twenty-fifth | Tony Paynter, (R) | Hanover |
| Twenty-sixth | Edward Evans, (D) | Welch |
| Twenty-seventh | Joe Ellington, (R) | Princeton |
| | Marty Gearheart, (R) | Bluefield |
| | John H. Shott, (R) | Bluefield |
| Twenty-eighth | Roy G. Cooper, (R) | Wayside |
| | John D. O'Neal IV, (R) | Beckley |
| Twenty-ninth | Rick Moye, (D) | Crab Orchard |
| Thirtieth | Mick Bates, (D) | Beckley |
| Thirty-first | Karen Arvon, (R) | Beckley |

HOUSE OF DELEGATES

| | | |
|----------------|--------------------------------|------------------|
| Thirty-second | Tom Fast, (R) | Fayetteville |
| | Kayla Kessinger, (R) | Mount Hope |
| | Shirley Love, (D) | Oak Hill |
| Thirty-third | Roger Hanshaw, (R) | Wallback |
| Thirty-fourth | Brent Boggs, (D) | Gassaway |
| Thirty-fifth | Andrew D. Byrd, (D) | South Charleston |
| | Moore Capito, (R) | Charleston |
| | Charlotte Lane, (R) | Charleston |
| | Eric Nelson, (R) | Charleston |
| Thirty-sixth | Andrew Robinson, (D) | Charleston |
| | Larry L. Rowe, (D) | Charleston |
| | Brad White, (R) | Charleston |
| Thirty-seventh | Mike Pushkin, (D) | Charleston |
| Thirty-eighth | Dianna Graves, (R) | Cross Lanes |
| Thirty-ninth | Ron Walters, (R) | Charleston |
| Fortieth | Tim Armstead, (R) | Elkview |
| Forty-first | Jordan Hill, (R) | Summersville |
| Forty-second | George Ambler, (R) | Fort Springs |
| | Jeff Campbell, (D) | Lewisburg |
| Forty-third | William G. Hartman, (D) | Elkins |
| | Phil Isner, (D) | Elkins |
| Forty-fourth | Dana L. Lynch, (D) | Webster Springs |
| Forty-fifth | Bill Hamilton, (R) | Buckhannon |
| Forty-sixth | Patrick Martin, (R) | Weston |
| Forty-seventh | Danny Wagner, (R) | Philippi |
| Forty-eighth | Danny Hamrick, (R) | Clarksburg |
| | Richard Iaquina, (D) | Clarksburg |
| | Tim Miley, (D) | Bridgeport |
| | Ben Queen, (R) | Bridgeport |
| Forty-ninth | Amy Summers, (R) | Flemington |
| Fiftieth | Mike Caputo, (D) | Rivesville |
| | Linda Longstreth, (D) | Fairmont |
| | Guy Ward, (R) | White Hall |
| Fifty-first | Barbara Evans Fleischauer, (D) | Morgantown |
| | Cindy Frich, (R) | Morgantown |
| | Rodney Pyles, (D) | Morgantown |
| | John Williams, (D) | Morgantown |
| | Joe Statler, (R) | Core |
| Fifty-second | Terri Funk Sypolt, (R) | Kingwood |
| Fifty-third | D. Rolland Jennings, (R) | Thornton |
| Fifty-fourth | Allen V. Evans, (R) | Petersburg |
| Fifty-fifth | Isaac Sponaugle, (D) | Franklin |
| Fifty-sixth | Gary G. Howell, (R) | Keyser |
| Fifty-seventh | Ruth Rowan, (R) | Points |
| Fifty-eighth | Darryl E. Cowles, (R) | Berkeley Springs |
| Fifty-ninth | Saira Blair, (R) | Martinsburg |
| Sixtieth | S. Marshall Wilson, (R) | Gerrardstown |
| Sixty-first | Jason Barrett, (D) | Martinsburg |
| Sixty-second | John Overington, (R) | Martinsburg |
| Sixty-third | Michael Folk, (R) | Martinsburg |
| Sixty-fourth | Eric L. Householder, (R) | Martinsburg |
| Sixty-fifth | Jill Upson, (R) | Charles Town |
| Sixty-sixth | Paul Espinosa, (R) | Charles Town |
| Sixty-seventh | Riley Moore, (R) | Harpers Ferry |

| | |
|-------------|-----|
| Democrats | 36 |
| Republicans | 64 |
| Total | 100 |

**STANDING AND SELECT COMMITTEES OF
THE HOUSE OF DELEGATES**

THIRD EXTRAORDINARY SESSION

2017

AGRICULTURE AND NATURAL RESOURCES

Delegates A. Evans (*Chair of Agriculture*), R. Romine (*Vice Chair of Agriculture*), Hamilton (*Chair of Natural Resources*), Ambler (*Vice Chair of Natural Resources*), Anderson, Atkinson, Cooper, Folk, Hanshaw, Harshbarger, C. Miller, Moore, Overington, Statler, Summers, Wagner, Sponaugle (*Minority Chair of Agriculture*), Thompson (*Minority Vice Chair of Agriculture*), Rodighiero (*Minority Chair of Natural Resources*), Hicks (*Minority Vice Chair of Natural Resources*), Brewer, Campbell, Eldridge, Love and Lynch.

BANKING AND INSURANCE

Delegates Frich (*Chair of Banking*), Upson (*Vice Chair of Banking*), Westfall (*Chair of Insurance*), White (*Vice Chair of Insurance*), Arvon, Capito, Criss, Deem, A. Evans, Householder, McGeehan, Nelson, O'Neal, C. Romine, Shott, Walters, Marcum (*Minority Chair of Banking*), Lovejoy (*Minority Vice Chair of Banking*), Hartman (*Minority Chair of Insurance*), Robinson (*Minority Vice Chair of Insurance*), Bates, Iaquinta, Isner, Rowe and Sponaugle.

EDUCATION

Delegates Espinosa (*Chair*), Statler (*Vice Chair*), Atkinson, Blair, Cooper, Dean, Folk, Higginbotham, Kelly, R. Romine, Rowan, Rohrbach, Upson, Wagner, Westfall, Wilson, Moye (*Minority Chair*), Hornbuckle (*Minority Vice Chair*), Campbell, E. Evans, Hicks, Pyles, Rodighiero, Rowe and Thompson.

ENERGY

Delegates Anderson (*Chair*), Kelly, (*Vice Chair of Oil and Gas*), Zatezalo (*Vice Chair of Coal*) Hamilton, Harshbarger, Higginbotham, Kessinger, Martin, Maynard, Paynter, R. Phillips, R. Romine, Statler, Storch, Sypolt, Upson, Ward, Pethel (*Minority Chair*), Eldridge (*Minority Vice Chair*), Boggs, Caputo, Hicks, Lynch, Marcum and Miley.

HOUSE COMMITTEES

FINANCE

Delegates E. Nelson (*Chair*), Householder (*Vice Chair*), Ambler, Anderson, Butler, Cowles, Ellington, Espinosa, A. Evans, Frich, Gearheart, Hamilton, C. Miller, Storch, Walters, Westfall, Boggs (*Minority Chair*), Bates (*Minority Vice Chair*), Barrett, Hartman, Longstreth, Moye, Pethtel, Rowe and Sponaugle.

GOVERNMENT ORGANIZATION

Delegates Howell (*Chair*), Arvon (*Vice Chair*), Criss, Graves, Hamrick, Hill, Jennings, Martin, Maynard, McGeehan, Paynter, Queen, C. Romine, Sypolt, Ward, Ferro (*Minority Chair*), Diserio (*Minority Vice Chair*), Brewer, Caputo, Eldridge, Iaquina, Lynch, Marcum, Pyles and Williams.

HEALTH AND HUMAN RESOURCES

Delegates Ellington (*Chair*), Summers (*Vice Chair*), Arvon, Atkinson, Butler, Cooper, Criss, Dean, Hill, Hollen, Householder, Queen, Rohrbach, Rowan, Sobonya, White, Longstreth (*Minority Chair*), Pushkin (*Minority Vice Chair*), Bates, Campbell, Fleischauer, Fluharty, Iaquina, Love and Rodighiero.

INDUSTRY AND LABOR

Delegates Fast (*Chair*), Foster (*Vice Chair*), Blair, Cowles, Dean, Ellington, Harshbarger, Hill, Householder, Jennings, Overington, Shott, Sobonya, Statler, Ward, White, Brewer (*Minority Chair*), Isner (*Minority Vice Chair*), Caputo, Diserio, Ferro, Fluharty, Hicks, R. Miller and Pushkin.

INTERSTATE COOPERATION

Delegates Storch (*Chair*), Hamrick (*Vice Chair*), Ellington, Higginbotham, R. Romine, Barrett and Ferro.

JUDICIARY

Delegates Shott (*Chair*), Hanshaw (*Vice Chair*), Capito, Deem, Fast, G. Foster, Harshbarger, Hollen, Kessinger, Lane, Moore, O'Neal, Overington, Sobonya, Summers, Zatezalo, Fleischauer (*Minority Chair*), Fluharty (*Minority Vice Chair*), Byrd, Canestraro, Isner, Lovejoy, R. Miller, Pushkin and Robinson.

HOUSE COMMITTEES

PENSIONS AND RETIREMENT

Delegates Walters (*Chair*), Anderson, Hamilton, O'Neal, E. Evans and Pethel.

POLITICAL SUBDIVISIONS

Delegates Storch (*Chair*), Blair (*Vice Chair*), Anderson, Cowles, Folk, G. Foster, Gearheart, Graves, Hamrick, Hanshaw, Householder, Jennings, Lane, Rohrbach, Summers, R. Miller (*Minority Chair*), Williams (*Minority Vice Chair*), Barrett, Byrd, Canestraro, Longstreth, Moye, Pyles, Robinson and Rowe.

ROADS AND TRANSPORTATION

Delegates Gearheart (*Chair*), Hamrick (*Vice Chair*), Ambler, Butler, Capito, Criss, Dean, Espinosa, Fast, Howell, Lane, Maynard, Paynter, R. Phillips, Rohrbach, Statler, Wagner, Caputo (*Minority Chair*), E. Evans (*Minority Vice Chair*), Boggs, Canestraro, Diserio, Hartman, Moye and Williams.

RULES

Delegates Armstead (*Chair*), Anderson, Cowles, Ellington, Espinosa, Hanshaw, Howell, C. Miller, Nelson, O'Neal, Overington, Shott, Sobonya, Boggs, Caputo, Ferro, Fleischauer, Miley, Moye and Pethel.

SELECT COMMITTEE ON PREVENTION AND TREATMENT OF SUBSTANCE ABUSE

Delegates Ellington (*Chair*), Kessinger (*Vice Chair*), Frich, Hollen, Sobonya, Storch, Upson, Bates, Boggs, Campbell and Hornbuckle.

SENIOR CITIZEN ISSUES

Delegates Rowan (*Chair*), Rohrbach (*Vice Chair*), A. Evans, Graves, Kelly, Martin, Maynard, Paynter, Queen, C. Romine, R. Romine, Sypolt, Walters, White, Zatezalo, Lynch (*Minority Chair*), Pyles (*Minority Vice Chair*), Boggs, Eldridge, Ferro, Fleischauer, Love, Lovejoy, Moye and Pethel.

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SMALL BUSINESS, ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT

Delegates Hill (*Chair*), Atkinson (*Vice Chair*), Blair, Espinosa, Higginbotham, Kelly, Kessinger, Martin, C. Miller, Moore, Queen, R. Phillips, Storch, Ward, Westfall, Wilson, Zatezalo, Rowe (*Minority Chair*), Barrett (*Minority Vice Chair*), Bates, Byrd, Marcum, Miley, Sponaugle and Thompson.

VETERANS AFFAIRS AND HOMELAND SECURITY

Delegates Cooper (*Chair of Veterans Affairs*), Wagner (*Vice Chair of Veterans Affairs*), Butler (*Chair of Homeland Security*), McGeehan (*Vice Chair of Homeland Security*), Arvon, Higginbotham, Hollen, Howell, Jennings, Kelly, Kessinger, Paynter, Rowan, Sypolt, Upson, Wilson, Iaquina (*Minority Chair of Veterans Affairs*), Canestraro (*Minority Vice Chair of Veterans Affairs*), Byrd (*Minority Chair of Homeland Security*), Campbell, Ferro, Fleischauer, Longstreth, Lynch and Pushkin.

JOINT COMMITTEES

GOVERNMENT AND FINANCE

Delegates Armstead (*Cochair*), Cowles, C. Miller, Nelson, Shott, Boggs and Miley.

GOVERNMENT OPERATIONS

Delegates Howell (*Cochair*), Arvon, Maynard, Iaquina and Sponaugle.

LEGISLATIVE RULE-MAKING REVIEW

Delegates Sobonya (*Cochair*), Frich (*Vice Cochair*), G. Foster, Hanshaw, Fleischauer and Rowe.

PENSIONS AND RETIREMENT

Delegates Walters (*Cochair*), Anderson (*Vice Cochair*), Hamilton, O'Neal, E. Evans and Pethtel.

HOUSE COMMITTEES

RULES

Delegates Armstead (*Cochair*), Cowles and Miley.

SELECT COMMITTEE ON TAX REFORM

Delegates Nelson (*Cochair*), Anderson, Householder, O'Neal, R. Phillips, Bates and Pethtel.

STATUTORY LEGISLATIVE COMMISSIONS

COMMISSION ON ECONOMIC DEVELOPMENT

Delegates Atkinson (*Cochair*), Ellington, Espinosa, Hamilton, C. Miller, Nelson, R. Phillips, Shott, Walters, Byrd, Hicks and Thompson.

COMMISSION ON INTERSTATE COOPERATION

Delegates Storch (*Cochair*), Hamrick (*Vice Cochair*), Ellington, Higginbotham, R. Romine, Barrett and Ferro.

COMMISSION ON SPECIAL INVESTIGATIONS

Delegates Armstead (*Cochair*), Nelson, Shott, Bates and Miley.

FOREST MANAGEMENT REVIEW COMMISSION

Delegates Overington (*Cochair*), A. Evans, R. Romine, Hartman and Lynch.

LEGISLATIVE OVERSIGHT COMMISSION ON EDUCATION ACCOUNTABILITY

Delegates Espinosa (*Cochair*), Anderson, R. Romine, Statler, Upson, Moyer and Armstead (*ex officio*).

LEGISLATIVE OVERSIGHT COMMISSION ON HEALTH AND HUMAN RESOURCES ACCOUNTABILITY

Delegates Ellington (*Cochair*), Householder, Rohrbach, Sobonya, Summers, Longstreth and Fleischauer (*nonvoting*).

HOUSE COMMITTEES

**LEGISLATIVE OVERSIGHT COMMISSION ON
STATE WATER RESOURCES**

Delegates Ambler (*Cochair*), White, Zatezalo, Brewer and Rowe.

**LEGISLATIVE OVERSIGHT COMMISSION ON
WORKFORCE INVESTMENT FOR ECONOMIC
DEVELOPMENT**

Delegates Atkinson (*Cochair*), C. Miller, Walters and Hicks.

**LEGISLATIVE OVERSIGHT COMMITTEE ON THE
REGIONAL JAIL AND CORRECTIONAL FACILITY
AUTHORITY**

Delegates Fast (*Cochair*), C. Romine, Shott, Love and R. Miller

WEST VIRGINIA LEGISLATURE
SENATE JOURNAL
EIGHTY-THIRD LEGISLATURE
THIRD EXTRAORDINARY SESSION, 2017

MONDAY, DECEMBER 4, 2017

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the first day of December, two thousand seventeen, convening the eighty-third Legislature of West Virginia in extraordinary session today (Monday, December 4, 2017), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 1 o'clock p.m., and was called to order by its President, the Honorable Mitch Carmichael.

Prayer was offered by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Ryan W. Weld, a senator from the first district.

On the call of the roll, the following answered to their names:

Senators Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President).

Thirty-two members having answered to their names, the President declared the presence of a quorum.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

STATE OF WEST VIRGINIA**EXECUTIVE DEPARTMENT****Charleston****A P R O C L A M A T I O N****By the Governor**

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at 1 p.m. on the fourth day of December, Two Thousand Seventeen, in its chambers in the State Capitol, City of Charleston, for the limited purpose of considering and acting upon the following matters:

FIRST: A bill authorizing the sale of state bonds in conjunction with the “Roads to Prosperity Amendment of 2017”.

SECOND: A concurrent resolution providing for the issuance of not to exceed eight hundred million dollars of bonds pursuant to the “Roads to Prosperity Amendment of 2017” and article twenty-six-a, chapter seventeen of the code of West Virginia.

THIRD: Legislation authorizing and appropriating the expenditure of public funds to pay the expenses for the Extraordinary Session

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this first day of December, in the year of our Lord, Two Thousand Seventeen, and in the One Hundred Fifty-Fifth year of the State.

JIM JUSTICE
GOVERNOR

By the Governor

MAC WARNER
SECRETARY OF STATE

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Resolution 301—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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

Whereupon, the President appointed as members of such committee the following:

Senators Boso, Smith and Baldwin.

Subsequently, Senator Boso, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Dean, Summers and Lynch, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

At the request of Senator Ferns, unanimous consent being granted, Senator Ferns offered the following resolution from the floor:

Senate Resolution 302—Raising a committee to wait upon the Governor.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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

Whereupon, the President appointed as members of such committee the following:

Senators Swope, Drennan and Stollings.

A message from the House of Delegates, by

Delegates Capito, Westfall and Hartman, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the

Governor, under the provisions of Senate Resolution 302. Senate and House members of this select committee then proceeded to the executive offices.

Subsequently, Senator Swope reported that the joint Senate and House committee had performed the duty assigned to it.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bill was introduced and read by its title:

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 3001—A Bill to amend and reenact §17-3-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §17-26A-1, §17-26A-2, §17-26A-3, §17-26A-4, §17-26A-5, §17-26A-6, §17-26A-7, §17-26A-8, §17-26A-9, §17-26A-10, §17-26A-11, §17-26A-12, §17-26A-13 and §17-26A-14, all relating generally to state road bonds; requiring proceeds from the sale of state road bonds issued pursuant to Roads to Prosperity Amendment of 2017 to be kept in separate and distinct account in the State Road Fund; authorizing cost of issuance to be paid from State Road Fund; providing definitions; authorizing sale of bonds; providing schedule for sale of bonds; providing amount of bonds to be sold; providing conditions on the sale and issuance of bonds; creating the Roads to Prosperity Bond Debt Service Fund; authorizing investment of the fund; providing bond covenants; requiring certification of annual debt service amount; prohibiting conflicts of interest; creating a criminal misdemeanor offense and providing penalties for the proceeds from the sale of bonds to inure to the benefit of or be distributed to officers or employees of the state except to pay reasonable compensation for services rendered; declaring state road bonds lawful investments; allowing for the refund of bonds; allowing for continuity of debt service in termination or dissolution; authorizing the Treasurer to select financial advisor; authorizing the Governor to select bond counsel and underwriter; allowing for payment of necessary expenses for issuance from funds; dedicating tax and fee collections for debt service; and

setting a schedule for certain deposits into the Roads to Prosperity Bond Debt Service Fund.

At the request of Senator Ferns, unanimous consent being granted, reference of the bill to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

On motion of Senator Ferns, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Beach, Blair, Boley, Clements, Cline, Facemire, Ferns, Gaunch, Jeffries, Karnes, Mann, Maroney, Maynard, Mullins, Ojeda, Palumbo, Prezioso, Romano, Rucker, Sypolt, Takubo, Trump, Weld, Woelfel and Carmichael (Mr. President)—26.

The nays were: None.

Absent: Baldwin, Boso, Drennan, Plymale, Smith, Stollings, Swope and Unger—8.

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

Engrossed Senate Bill 3001 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Plymale and Unger—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 3001) passed with its title.

Senator Ferns moved that the bill take effect from passage.

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

The nays were: None.

Absent: Plymale and Unger—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 3001) takes effect from passage.

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

On motion of Senator Ferns, the Senate recessed until 5 p.m. today.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

A message from The Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 3001, Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017.

The Senate proceeded to the fourth order of business.

Senator Maynard, from 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 4th day of December, 2017, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 3001), Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.
Roger Hanshaw,
Chair, House Committee.

Without objection, the Senate returned to the third order of business.

Executive Communications

The Clerk then presented a communication from His Excellency, the Governor, advising that on December 4, 2017, he had approved **Enr. Senate Bill 3001**.

The Senate again proceeded to the sixth order of business.

Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive) offered the following resolution:

Senate Concurrent Resolution 301—Providing for the issuance of not to exceed \$800 million of bonds pursuant to the Roads to Prosperity Amendment of 2017 and article twenty-six-a, chapter seventeen of the Code of West Virginia.

Resolved by the Legislature of West Virginia:

That state road bonds in the principal amount not to exceed \$800 million are authorized to be sold by the Governor during the fiscal year ending June 30, 2018. The bonds shall be issued in registered form and may be issued by the Governor in such

amounts and in one or more series, in such denominations, at such times during that fiscal year and bearing the date or dates as the Governor may determine; and, be it

Further Resolved, That all bonds shall be payable at the Office of the Treasurer of the State of West Virginia or at a paying agent designated by the Treasurer. The bonds shall mature on dates and at times as the Governor shall determine. The bonds shall bear interest at rates not exceeding seven percent per annum, payable semiannually. The Treasurer of the State of West Virginia shall issue his or her check for the interest and principal then due on the same dates each year and mail it to the registered owner at the addresses shown by the record of registration or shall provide the requisite funds by electronic means acceptable to the public municipal finance industry. The bonds may be redeemable on a date or dates prior to maturity as determined by the Governor; and, be it

Further Resolved, That the bonds shall be signed on behalf of the State of West Virginia as provided under section two, article twenty-six-a, chapter seventeen of the Code of West Virginia; and, be it

Further Resolved, That the Governor shall sell the bonds herein mentioned at a time or times during the fiscal year as he may determine necessary to provide funds for matching available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in this state, as herein provided, upon recommendation of the Commissioner of Highways; and, be it

Further Resolved, That the proceeds of all sales of bonds herein authorized shall be paid into the State Road Fund created by section one, article three, chapter seventeen of the Code of West Virginia, 1931, as amended, and used for the purposes set forth in article twenty-six-a of said chapter and in the Roads to Prosperity Amendment of 2017; and, be it

Further Resolved, That this resolution constitutes affirmative official intent of the State of West Virginia toward the issuance of

the bonds as contemplated herein in accordance with the purposes of the laws of the State of West Virginia and the United States Internal Revenue Code and the regulations issued thereunder. The State of West Virginia reasonably expects, as of the date thereof, to timely reimburse the State Road Fund for certain costs of the highway and bridge projects described above paid from the State Road Fund prior to the issuance of the bonds with the proceeds of the bonds.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

On motion of Senator Ferns, the Senate recessed until 5:45 p.m. today.

Upon expiration of the recess, the Senate reconvened and, without objection, returned to the third order of business.

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

Senate Concurrent Resolution 301, Providing for issuance of bonds under Roads to Prosperity Amendment of 2017.

At the request of Senator Ferns, and by unanimous consent, the Senate returned to the sixth order of business.

Senator Ferns offered the following pre-adjourning resolution:

Senate Resolution 303—Raising a committee to notify the House of Delegates the Senate is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to notify the House of Delegates that the Senate has completed its labors and is ready to adjourn *sine die*.

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

Senator Carmichael (Mr. President), under the provisions of the foregoing resolution, appointed the following committee to notify the House of Delegates of impending Senate adjournment:

Senators Drennan, Rucker and Beach.

Subsequently, Senator Drennan reported that the duties assigned by Senate Resolution 303 had been performed.

Thereafter, a three-member delegation from the House of Delegates, namely

Delegates Dean, Summers and Lynch, announced that that body also had completed its labors and was ready to adjourn *sine die*.

Senator Ferns then offered the following resolution:

Senate Resolution 304—Raising a committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn *sine die*.

Resolved by the Senate:

That the President be authorized to appoint a committee of three to join with a similar committee of the House of Delegates to notify His Excellency, the Governor, that the Legislature has completed its labors and is ready to adjourn *sine die*.

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

Under the provisions of the foregoing resolution, Senator Carmichael (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Gaunch, Clements and Romano.

Delegates Capito, Westfall and Hartman, then announced that they had been appointed by that body to join with the similar committee named by the Senate to wait upon His Excellency and were ready to proceed with this assignment.

Senators Gaunch, Clements and Romano, comprising the Senate committee, then joined the House committee and proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of this extraordinary session of the Legislature.

Subsequently, Senator Gaunch, from the joint select committee to notify His Excellency, the Governor, that the Legislature had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Gaunch then reported this mission accomplished.

On motion of Senator Ferns, a leave of absence for the day was granted Senator Plymale.

On motion of Senator Ferns, the third extraordinary session of the Senate in the year two thousand seventeen adjourned *sine die*.

We hereby certify that the foregoing Senate record of the proceedings of the Third Extraordinary Session of the Eighty-Third Legislature, 2017, is the Official Journal of the Senate for said session.

President of the Senate

Clerk of the Senate

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3001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017** - Passed 12/4/2017; Effective from passage - To Governor 12/4/17 - Approved by Governor 12/4/17 - Chapter 1, Acts, 3rd Extraordinary Session,

SENATE CONCURRENT RESOLUTIONS ADOPTED BY LEGISLATURE

301. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Providing for issuance of bonds under Roads to Prosperity Amendment of 2017** - Adopted 12/4/2017

ALL SENATE BILLS INTRODUCED

3001. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017** - Introduced 12/4/2017 - Committee reference dispensed - Constitutional rule suspended - Passed Senate 12/4/2017 - Effective from passage - To House 12/4/2017 - Reference dispensed - Passed House 12/4/2017 - Effective from passage - To Governor 12/4/17 - Approved by Governor 12/4/17 - Chapter 1, Acts, 3rd Extraordinary Session, 2017

ALL SENATE CONCURRENT RESOLUTIONS OFFERED

301. By Sen. Carmichael (Mr. President) and Prezioso [By Request of the Executive]
- **Providing for issuance of bonds under Roads to Prosperity Amendment of 2017** - Introduced 12/4/2017 - Committee reference dispensed - Adopted by Senate 12/4/2017 - To House 12/4/2017 - Reference dispensed - Adopted by House 12/4/2017

ALL SENATE RESOLUTIONS OFFERED

301. By Sen. Ferns - **Notifying House of Delegates Senate has assembled in extraordinary session** - Introduced 12/4/2017 - Committee reference dispensed - Adopted 12/4/2017
302. By Sen. Ferns - **Notifying Governor Legislature has assembled in extraordinary session** - Introduced 12/4/2017 - Committee reference dispensed - Adopted 12/4/2017

303. By Sen. Ferns - **Notifying House Senate is ready to adjourn sine die** - Introduced 12/4/2017 - Committee reference dispensed - Adopted 12/4/2017
304. By Sen. Ferns - **Notifying Governor Legislature is ready to adjourn sine die** - Introduced 12/4/2017 - Committee reference dispensed - Adopted 12/4/2017

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| Number | TITLE OF SENATE BILLS | Introduced | Reported from Committee | Amended | Passed Senate | Passed House | OTHER PROCEEDINGS |
|--------|--|------------|-------------------------|---------|---------------|--------------|-------------------|
| 3001 - | By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive): Authorizing sale of bonds pursuant to Roads to Prosperity Amendment of 2017 | 5 | | | 6 | 7 | 5-7, 8 |

| Number | TITLE OF SENATE CONCURRENT RESOLUTIONS | Introduced | Reported from Committee | Amended | Adopted by Senate | Adopted by House | OTHER PROCEEDINGS |
|--------|--|------------|-------------------------|---------|-------------------|------------------|-------------------|
| 301 - | By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive): Providing for issuance of bonds under Roads to Prosperity Amendment of 2017 | 8 | | | 10 | 10 | 10 |

| Number | TITLE OF SENATE RESOLUTIONS | Introduced | Reported from Committee | Amended | Adopted by Senate | OTHER PROCEEDINGS |
|--------|--|------------|-------------------------|---------|-------------------|-------------------|
| 301 - | By Senator Ferns: Notifying House of Delegates Senate has assembled in extraordinary session | 3 | | | 3 | 3 |
| 302 - | By Senator Ferns: Notifying Governor Senate has assembled in extraordinary session | 4 | | | 4 | 4 |
| 303 - | By Senator Ferns: Notifying House Senate is ready to adjourn <i>sine die</i> | 10 | | | 11 | 11 |
| 304 - | By Senator Ferns: Notifying Governor Senate is ready to adjourn <i>sine die</i> | 11 | | | 12 | 12 |

