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2010 MAY 24 PM 5:49

WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
FIRST EXTRAORDINARY SESSION, 2010

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SB 1024

—●—
ENROLLED

Senate Bill No. 1024

(BY SENATOR TOMBLIN (MR. PRESIDENT),
BY REQUEST OF THE EXECUTIVE)

[Passed May 18, 2010; in effect from passage.]

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Senate Bill No. 1024

(BY SENATOR TOMBLIN (MR. PRESIDENT),
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[Passed May 18, 2010; in effect from passage.]

AN ACT making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Senate, fund 0165, fiscal year 2011, organization 2100, to the House of Delegates, fund 0170, fiscal year 2011, organization 2200, to Joint Expenses, fund 0175, fiscal year 2011, organization 2300, to a new item of appropriation designated to the Department of Administration - Travel Management, fund 0615, fiscal year 2011, organization 0215, to the Department of Administration - Real Estate Division, fund 0610, fiscal year 2011, organization 0233, to the Department of Commerce - West Virginia Development Office, fund 0256, fiscal year 2011, organization 0307, to the Department of Education - State Department of Education, fund 0313, fiscal year 2011, organization 0402, to the Department of Education - State Board of Education - Vocational Division, fund 0390, fiscal year 2011, organization 0402, to the Department of Education and the Arts - Department of Education and the Arts -

Office of the Secretary, fund 0294, fiscal year 2011, organization 0431, to the Department of Education and the Arts - Division of Culture and History, fund 0293, fiscal year 2011, organization 0432, to the Department of Education and the Arts - Library Commission, fund 0296, fiscal year 2011, organization 0433, to the Department of Health and Human Resources - Division of Health - Central Office, fund 0407, fiscal year 2011, organization 0506, to the Department of Health and Human Resources - Division of Human Services, fund 0403, fiscal year 2011, organization 0511, to the Department of Military Affairs and Public Safety - Department of Military Affairs and Public Safety - Office of the Secretary, fund 0430, fiscal year 2011, organization 0601, to the Department of Military Affairs and Public Safety - West Virginia State Police, fund 0453, fiscal year 2011, organization 0612, and to Higher Education - Higher Education Policy Commission - Administration - Control Account, fund 0589, fiscal year 2011, organization 0441, by supplementing and amending Chapter 8, Acts of the Legislature, Regular Session, 2010, known as the Budget Bill.

WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue, dated May 13, 2010, setting forth therein the cash balance as of July 1, 2009 and further included the estimate of revenues for the fiscal year 2010, less net appropriation balances forwarded and regular appropriations for the fiscal year 2010, and an estimate of revenues for the fiscal year 2011, less regular appropriations; and

WHEREAS, It appears from the Governor's statement of the State Fund - General Revenue there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2011; therefore

Be it enacted by the Legislature of West Virginia:

That the total appropriation for the fiscal year ending June 30, 2011, to fund 0165, fiscal year 2011, organization 2100, be supplemented and amended to read as follows:

1 TITLE II—APPROPRIATIONS.

2 **Section 1. Appropriations from General Revenue.**

3 **LEGISLATIVE**

4 *1-Senate*

5 Fund 0165, FY 2011, Org 2100

		Act- ivity	General Revenue Funds
9 1	Compensation of Members (R) . .	003	\$ 1,010,000
10 2	Compensation and Per Diem of		
11 3	Officers and Employees (R) . .	005	3,003,210
12 4	Employee Benefits (R)	010	597,712
13 5	Current Expenses and		
14 6	Contingent Fund (R)	021	561,392
15 7	Repairs and Alterations (R)	064	210,410
16 8	Computer Supplies (R)	101	40,000
17 9	Computer Systems (R)	102	150,000
18 10	Printing Blue Book (R)	103	150,000
19 11	Expenses of Members (R)	399	700,000
20 12	BRIM Premium (R)	913	<u>29,482</u>
21 13	Total		\$ 6,452,206

22 The appropriations for the Senate for the fiscal year
 23 2010 are to remain in full force and effect and are hereby
 24 reappropriated to June 30, 2011 with the exception of fund
 25 0165, fiscal year 2010, activity 005 (\$230,921) which shall
 26 expire on June 30, 2010. Any balances so reappropriated
 27 may be transferred and credited to the fiscal year 2011
 28 accounts.

29 Upon the written request of the Clerk of the Senate, the
30 auditor shall transfer amounts between items of the total
31 appropriation in order to protect or increase the efficiency
32 of the service.

33 The Clerk of the Senate, with the approval of the
34 President, is authorized to draw his or her requisitions
35 upon the auditor, payable out of the Current Expenses and
36 Contingent Fund of the Senate, for any bills for supplies
37 and services that may have been incurred by the Senate
38 and not included in the appropriation bill, for supplies and
39 services incurred in preparation for the opening, the
40 conduct of the business and after adjournment of any
41 regular or extraordinary session, and for the necessary
42 operation of the Senate offices, the requisitions for which
43 are to be accompanied by bills to be filed with the auditor.

44 The Clerk of the Senate, with the written approval of the
45 President, or the President of the Senate shall have
46 authority to employ such staff personnel during any
47 session of the Legislature as shall be needed in addition to
48 staff personnel authorized by the Senate resolution
49 adopted during any such session. The Clerk of the Senate,
50 with the written approval of the President, or the Presi-
51 dent of the Senate shall have authority to employ such
52 staff personnel between sessions of the Legislature as shall
53 be needed, the compensation of all staff personnel during
54 and between sessions of the Legislature, notwithstanding
55 any such Senate resolution, to be fixed by the President of
56 the Senate. The Clerk is hereby authorized to draw his or
57 her requisitions upon the auditor for the payment of all
58 such staff personnel for such services, payable out of the
59 appropriation for Compensation and Per Diem of Officers
60 and Employees or Current Expenses and Contingent Fund
61 of the Senate.

62 For duties imposed by law and by the Senate, the Clerk
63 of the Senate shall be paid a monthly salary as provided

95 The appropriations for the House of Delegates for the
96 fiscal year 2010 are to remain in full force and effect and
97 are hereby reappropriated to June 30, 2011 with the
98 exception of fund 0170, fiscal year 2010, activity 021
99 (\$336,565) which shall expire on June 30, 2010. Any
100 balances so reappropriated may be transferred and
101 credited to the fiscal year 2011 accounts.

102 Upon the written request of the Clerk of the House of
103 Delegates, the auditor shall transfer amounts between
104 items of the total appropriation in order to protect or
105 increase the efficiency of the service.

106 The Clerk of the House of Delegates, with the approval
107 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
108 any bills for supplies and services that may have been
109 incurred by the House of Delegates and not included in the
110 appropriation bill, for bills for services and supplies
111 incurred in preparation for the opening of the session and
112 after adjournment, and for the necessary operation of the
113 House of Delegates' offices, the requisitions for which are
114 to be accompanied by bills to be filed with the auditor.

117 The Speaker of the House of Delegates, upon approval
118 of the House committee on rules, shall have authority to
119 employ such staff personnel during and between sessions
120 of the Legislature as shall be needed, in addition to
121 personnel designated in the House resolution, and the
122 compensation of all personnel shall be as fixed in such
123 House resolution for the session, or fixed by the Speaker,
124 with the approval of the House committee on rules, during
125 and between sessions of the Legislature, notwithstanding
126 such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the
127 auditor for such services, payable out of the appropriation
128 for the Compensation and Per Diem of Officers and
129

130 Employees or Current Expenses and Contingent Fund of
131 the House of Delegates.

132 For duties imposed by law and by the House of Dele-
133 gates, including salary allowed by law as keeper of the
134 rolls, the Clerk of the House of Delegates shall be paid a
135 monthly salary as provided in the House resolution, unless
136 increased between sessions under the authority of the
137 Speaker, with the approval of the House committee on
138 rules, and payable out of the appropriation for Compensa-
139 tion and Per Diem of Officers and Employees or Current
140 Expenses and Contingent Fund of the House of Delegates.

141 And, That the total appropriation for the fiscal year
142 ending June 30, 2011, to fund 0175, fiscal year 2011,
143 organization 2300, be supplemented and amended to read
144 as follows:

145 TITLE II—APPROPRIATIONS.

146 Section 1. Appropriations from General Revenue.

147 LEGISLATIVE

148 *3-Joint Expenses*

149 (WV Code Chapter 4)

150 Fund 0175, FY 2011, Org 2300.

151			General
152		Act-	Revenue
153		ivity	Funds
154	1 Joint Committee on Government		
155	2 and Finance (R)	104	\$ 6,758,015
156	3 Legislative Printing (R)	105	760,000
157	4 Legislative Rule-Making		
158	5 Review Committee (R)	106	147,250
159	6 Legislative Computer		
160	System (R)	107	902,500

161	7	Joint Standing Committee		
162	8	on Education (R)	108	83,600
163	9	BRIM Premium (R)	913	<u>20,900</u>
164	10	Total		\$ 8,672,265

165 The appropriations for the joint expenses for the fiscal
 166 year 2010 are to remain in full force and effect and are
 167 hereby reappropriated to June 30, 2011 with the exception
 168 of fund 0175, fiscal year 2010, activity 104 (\$310,375)
 169 which shall expire on June 30, 2010. Any balances so
 170 reappropriated may be transferred and credited to the
 171 fiscal year 2011 accounts.

172 Upon the written request of the Clerk of the Senate,
 173 with the approval of the President of the Senate, and the
 174 Clerk of the House of Delegates, with the approval of the
 175 Speaker of the House of Delegates, and a copy to the
 176 Legislative Auditor, the auditor shall transfer amounts
 177 between items of the total appropriation in order to
 178 protect or increase the efficiency of the service.

179 The appropriation for the Tax Reduction and Federal
 180 Funding Increased Compliance (TRAFFIC) (fund 0175,
 181 activity 642) is intended for possible general state tax
 182 reductions or the offsetting of any reductions in federal
 183 funding for state programs.

184 And, That chapter 8, Acts of the Legislature, regular
 185 session, 2010, known as the Budget Bill, be supplemented
 186 and amended by adding to Title II, section 1 thereof, the
 187 following:

188 TITLE II--APPROPRIATIONS.

189 **Section 1. Appropriations from General Revenue.**

190 **DEPARTMENT OF ADMINISTRATION**

191 *22a-Travel Management*

192 (WV Code Chapter 5A)

193 Fund 0615 FY 2011 Org 0215

194			General
195		Act-	Revenue
196		ivity	Funds

197	1	Unclassified - Total	096	\$ 1,800,000
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198 And, That the total appropriation for the fiscal year
 199 ending June 30, 2011, to fund 0610, fiscal year 2011,
 200 organization 0233, be supplemented and amended by
 201 increasing an existing item of appropriation as follows:

202 TITLE II-APPROPRIATIONS.

203 Section 1. Appropriations from General Revenue.

204 DEPARTMENT OF ADMINISTRATION

205 31-Real Estate Division

206 (WV Code Chapter 5A)

207 Fund 0610 FY 2011 Org 0233

208			General
209		Act-	Revenue
210		ivity	Funds

211	1	Unclassified - Total	099	\$ 366,393
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212 And, That the total appropriation for the fiscal year
 213 ending June 30, 2011, to fund 0256, fiscal year 2011,
 214 organization 0307, be supplemented and amended by
 215 adding a new item and increasing an existing item of
 216 appropriation as follows:

217 TITLE II-APPROPRIATIONS.

218 Section 1. Appropriations from General Revenue.

219 DEPARTMENT OF COMMERCE

220 35–West Virginia Development Office

221 (WV Code Chapter 5B)

222 Fund 0256, FY 2011, Org 0307.

223		Act-	General
224		ivity	Revenue
225			Funds
226	7 Unclassified - Total	099	\$ 300,000
227	43a 4-H Camp Improvements	941	650,000

228 And, That the total appropriation for the fiscal year
229 ending June 30, 2011, to fund 0313, fiscal year 2011,
230 organization 0402, be supplemented and amended by
231 increasing an existing item of appropriation as follows:

232 TITLE II–APPROPRIATIONS.

233 **Section 1. Appropriations from General Revenue.**

234 **DEPARTMENT OF EDUCATION**

235 46–State Board of Education–

236 (WV Code Chapters 18 and 18A)

237 Fund 0313, FY 2011, Org 0402.

238		Act-	General
239		ivity	Revenue
240			Funds

241	19 English as a Second		
242	Language	528	\$ 350,000

243 And, That the total appropriation for the fiscal year
244 ending June 30, 2011, to fund 0390, fiscal year 2011,
245 organization 0402, be supplemented and amended by
246 increasing an existing item of appropriation as follows:

247 TITLE II–APPROPRIATIONS.

248 **Section 1. Appropriations from General Revenue.**

249 **DEPARTMENT OF EDUCATION**

250 *49–State Board of Education–*
251 *Vocational Division*

252 (WV Code Chapters 18 and 18A)

253 Fund 0390 FY 2011 Org 0402

	Act- ivity	General Revenue Funds
254		
255		
256		
257 13 GED Testing (R)	339	\$ 100,000

258 And, That the total appropriation for the fiscal year
259 ending June 30, 2011, to fund 0294, fiscal year 2011,
260 organization 0431, be supplemented and amended by
261 increasing an existing item of appropriation as follows:

262 **TITLE II–APPROPRIATIONS.**

263 **Section 1. Appropriations from General Revenue.**

264 **DEPARTMENT OF EDUCATION AND THE ARTS**

265 *52–Department of Education and the Arts–*
266 *Office of the Secretary*

267 (WV Code Chapter 5F)

268 Fund 0294 FY 2011 Org 0431

	Act- ivity	General Revenue Funds
269		
270		
271		
272 1 Unclassified (R)	099	\$ 100,000

273 And, That the total appropriation for the fiscal year
274 ending June 30, 2011, to fund 0293, fiscal year 2011,

275 organization 0432, be supplemented and amended by
276 increasing an existing item of appropriation as follows:

277 TITLE II-APPROPRIATIONS.

278 Section 1. Appropriations from General Revenue.

279 DEPARTMENT OF EDUCATION AND THE ARTS

280 53-Division of Culture and History

281 (WV Code Chapter 29)

282 Fund 0293, FY 2011 Org 0432,

283		General
284	Act-	Revenue
285	ivity	Funds

286	4	Unclassified (R)	099	\$	105,576
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287 And, That the total appropriation for the fiscal year
288 ending June 30, 2011, to fund 0296, fiscal year 2011,
289 organization 0433, be supplemented and amended by
290 adding a new item of appropriation as follows:

291 TITLE II-APPROPRIATIONS.

292 Section 1. Appropriations from General Revenue.

293 DEPARTMENT OF EDUCATION AND THE ARTS

294 54-Library Commission

295 (WV Code Chapter 10)

296 Fund 0296 FY 2011, Org 0433,

297		General
298	Act-	Revenue
299	ivity	Funds

300	5a	Grants to Public Libraries	182	\$	250,000
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301 And, That the total appropriation for the fiscal year
 302 ending June 30, 2011, to fund 0407, fiscal year 2011,
 303 organization 0506, be supplemented and amended by
 304 increasing an existing item of appropriation as follows:

305 TITLE II--APPROPRIATIONS.

306 **Section 1. Appropriations from General Revenue.**

307 **DEPARTMENT OF HEALTH AND**
 308 **HUMAN RESOURCES**

309 *61--Division of Health-*
 310 *Central Office*

311 (WV Code Chapter 16)

312 Fund 0407 FY 2011 Org 0506

		General
	Act-	Revenue
	ivity	Funds
316 32 Health Right Free Clinics	727	\$ 750,000

317 And, That the total appropriation for the fiscal year
 318 ending June 30, 2011, to fund 0403, fiscal year 2011,
 319 organization 0511, be supplemented and amended by
 320 increasing existing items of appropriation as follows:

321 TITLE II--APPROPRIATIONS.

322 **Section 1. Appropriations from General Revenue.**

323 **DEPARTMENT OF HEALTH AND**
 324 **HUMAN RESOURCES**

325 *65--Division of Human Services*

326 (WV Code Chapters 9, 48 and 49)

327 Fund 0403 FY 2011 Org 0511

			General
		Act-	Revenue
		ivity	Funds
328			
329			
330			
331	4	Unclassified	099 \$ 200,000
332	20	Title XIX Waiver for Seniors . .	533 \$ 5,500,000
333	36	Grants for Licensed Domestic	
334	37	Violence Programs and	
335	38	Statewide Prevention	750 500,000

336 From the above appropriation for Unclassified (fund
 337 0403, activity 099), up to \$200,000 is for an At-Risk Youth
 338 Program which may only be used to match the Federal
 339 Promise Neighborhood Grant Program.

340 And, That the total appropriation for the fiscal year
 341 ending June 30, 2011, to fund 0430, fiscal year 2011,
 342 organization 0601, be supplemented and amended by
 343 adding a new item of appropriation as follows:

344 **TITLE II--APPROPRIATIONS.**

345 **Section 1. Appropriations from General Revenue.**

346 **DEPARTMENT OF MILITARY AFFAIRS**
 347 **AND PUBLIC SAFETY**

348 *66--Department of Military Affairs and Public Safety-*
 349 *Office of the Secretary*

350 (WV Code Chapter 5F)

351 Fund 0430, FY 2011 Org 0601

			General
		Act-	Revenue
		ivity	Funds
352			
353			
354			
355	3a	WV Fire and EMS	
356		Survivor Benefit (R)	939 \$ 100,000

357 And, That the total appropriation for the fiscal year
358 ending June 30, 2011, to fund 0453, fiscal year 2011,
359 organization 0612, be supplemented and amended by
360 increasing existing items of appropriation as follows:

361 TITLE II-APPROPRIATIONS.

362 Section 1. Appropriations from General Revenue.

363 DEPARTMENT MILITARY AFFAIRS
364 AND PUBLIC SAFETY

365 73-West Virginia State Police

366 (WV Code Chapter 15)

367 Fund 0453, FY 2011, Org 0612.

368			General
369			Revenue
370			Funds
			Act- ivity
371	1	Personal Services 001	\$ 670,152
372	3	Employee Benefits 010	152,404
373	5	Unclassified 099	200,404
374	6	Vehicle Purchase 451	365,400
375	8	Communications and	
376	9	Other Equipment(R) 558	391,104
377	10	Trooper Retirement Fund 605	126,538

378 And, That the total appropriation for the fiscal year
379 ending June 30, 2011, to fund 0589, fiscal year 2011,
380 organization 0441, be supplemented and amended by
381 increasing an existing item of appropriation as follows:

382 TITLE II-APPROPRIATIONS.

383 Section 1. Appropriations from General Revenue.

384 HIGHER EDUCATION

385 91-Higher Education Policy Commission-

386
387

*Administration-
Control Account*

388

(WV Code Chapter 18B)

389

Fund 0589 FY 2011 Org 0441

390

General

391

Act-

Revenue

392

ivity

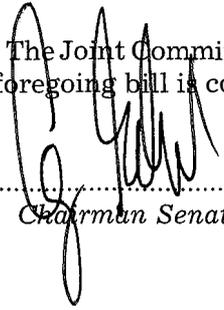
Funds

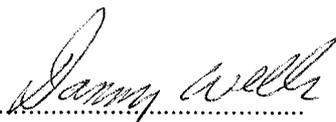
393

1 Unclassified (R) 099 \$ 600,000

394 The purpose of this supplemental appropriation bill is to
395 supplement, amend, increase and add items of appropria-
396 tions in the aforesaid accounts for the designated spending
397 units for expenditure during the fiscal year 2011.

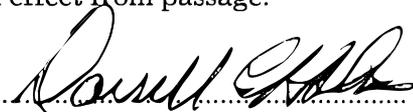
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

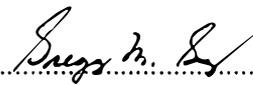

.....
Chairman Senate Committee

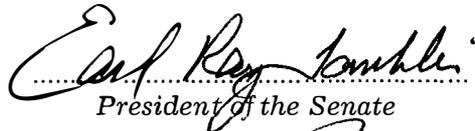

.....
Chairman House Committee

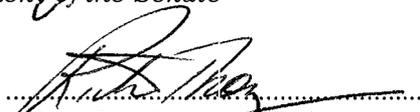
Originated in the Senate.

In effect from passage.

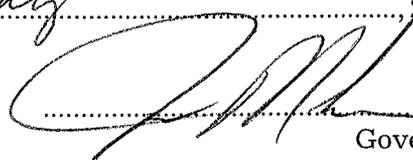

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Clerk of the Senate


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Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker House of Delegates

The within was approved this the 24th
May Day of, 2010.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAY 24 2010

Time 4:10 pm