

**WEST VIRGINIA LEGISLATURE**  
**EIGHTIETH LEGISLATURE**  
**FIRST EXTRAORDINARY SESSION, 2011**

—●—  
**ENROLLED**

**Senate Bill No. 1004**

(BY SENATORS KESSLER (ACTING PRESIDENT) AND HALL,  
BY REQUEST OF THE EXECUTIVE)

[PASSED AUGUST 5, 2011; IN EFFECT FROM PASSAGE.]

*SB 1004 (1st Special Session)*

OFFICE OF THE  
SECRETARY OF STATE

2011 AUG 10 PM 4:43

FILED

2011 AUG 10 PM 4: 43

WEST VIRGINIA STATE

**ENROLLED**

**Senate Bill No. 1004**

(BY SENATORS KESSLER (ACTING PRESIDENT) AND HALL,  
BY REQUEST OF THE EXECUTIVE)

[Passed August 5, 2011; 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 surplus balance in the State Fund, General Revenue, to the Department of Agriculture, fund 0131, fiscal year 2012, organization 1400, to the Department of Education, State Department of Education, fund 0313, fiscal year 2012, organization 0402, to the Department of Education and the Arts, Department of Education and the Arts - Office of the Secretary, fund 0294, fiscal year 2012, organization 0431, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2012, organization 0313, to the Department of Health and Human Resources, Division of Health - Central Office, fund 0407, fiscal year 2012, organization 0506, to the Department of Health and Human Resources, Consolidated Medical Service Fund, fund 0525, fiscal year 2012, organization 0506, to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2012, organization 0511, and to the Department of Military Affairs and Public Safety, West Virginia State Police, fund 0453, fiscal year 2012, organization 0612, by supplementing and amending the appropriations for the fiscal year ending June 30, 2012.

WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue, dated August 1, 2011, containing a statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2011, and further included the estimate of revenues for the fiscal year 2012, less net appropriation balances forwarded and regular appropriations for the fiscal year 2012; and

WHEREAS, It appears from the Statement of the State Fund, General Revenue, there now remains an unappropriated surplus balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2012; therefore

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

That the total appropriation for the fiscal year ending June 30, 2012, to fund 0131, fiscal year 2012, organization 1400, be supplemented and amended by increasing existing items of appropriation as follows:

1	TITLE II—APPROPRIATIONS.		
2	<b>Section 1. Appropriations from General Revenue.</b>		
3	<b>EXECUTIVE</b>		
4	<i>10—Department of Agriculture</i>		
5	(WV Code Chapter 19)		
6	Fund 0131 FY 2012 Org 1400		
7			<b>General</b>
8		<b>Act-</b>	<b>Revenue</b>
9		<b>ivity</b>	<b>Fund</b>
10	7	Unclassified - Surplus . . . . .	097    \$ 100,000
11	12	Predator Control - Surplus . . . . .	924    \$ 200,000

12 The above appropriation for Unclassified - Surplus  
13 (activity 097), shall be used for the Mountaineer Food Bank.

14 And, That the total appropriation for the fiscal year ending  
15 June 30, 2012, to fund 0313, fiscal year 2012, organization

16 0402, be supplemented and amended by adding a new item  
17 of appropriation as follows:

18 TITLE II—APPROPRIATIONS.

19 Section 1. Appropriations from General Revenue.

20 DEPARTMENT OF EDUCATION

21 *48-State Department of Education*

22 (WV Code Chapters 18 and 18A)

23 Fund 0313 FY 2012 Org 0402,

24	25	26	<b>Act- ivity</b>	<b>General Revenue Fund</b>
27	14a	Unclassified - Transfer -		
28		Surplus . . . . .	382	\$ 500,000

29 The above appropriation for Unclassified - Transfer -  
30 Surplus (activity 382), shall be transferred to the School  
31 Construction Fund, fund 3951, for emergency trailers at  
32 Kenova Elementary School.

33 And, That the total appropriation for the fiscal year ending  
34 June 30, 2012, to fund 0294, fiscal year 2012, organization  
35 0431, be supplemented and amended by adding a new item  
36 of appropriation as follows:

37 TITLE II—APPROPRIATIONS.

38 Section 1. Appropriations from General Revenue.

39 DEPARTMENT OF EDUCATION AND THE ARTS

40 *54-Department of Education and the Arts -*

41 *Office of the Secretary*

42 (WV Code Chapter 5F)

43 Fund 0294 FY 2012 Org 0431.

44		<b>Act-</b>	<b>General</b>
45		<b>ivity</b>	<b>Revenue</b>
46			<b>Fund</b>
47 10a	Educational Enhancements -		
48	Surplus . . . . .	927	\$ 1,000,000

49 And, That the total appropriation for the fiscal year ending  
50 June 30, 2012, to fund 0273, fiscal year 2012, organization  
51 0313, be supplemented and amended by adding a new item  
52 of appropriation as follows:

53 TITLE II—APPROPRIATIONS.

54 Section 1. Appropriations from General Revenue.

55 DEPARTMENT OF ENVIRONMENTAL PROTECTION

56 *60-Division of Environmental Protection*

57 (WV Code Chapter 22)

58 Fund 0273, FY 2012, Org 0313.

59		<b>Act-</b>	<b>General</b>
60		<b>ivity</b>	<b>Revenue</b>
61			<b>Fund</b>
62 6a	Meth Lab Cleanup - Surplus . . .	474	\$ 227,000

63 And, That the total appropriation for the fiscal year ending  
64 June 30, 2012, to fund 0407, fiscal year 2012, organization  
65 0506, be supplemented and amended by increasing an  
66 existing item of appropriation as follows:

67 TITLE II—APPROPRIATIONS.

68 Section 1. Appropriations from General Revenue.

69 DEPARTMENT OF HEALTH AND HUMAN  
70 RESOURCES

71 *63-Division of Health -*

72 *Central Office*

73 (WV Code Chapter 16)

74 Fund 0407, FY 2012, Org 0506

75		<b>Act-</b>	<b>General</b>
76		<b>ivity</b>	<b>Revenue</b>
77			<b>Fund</b>
78	20 Center for End of Life -		
79	Surplus . . . . .	496	\$ 216,886
80			

81 And, That the total appropriation for the fiscal year ending  
 82 June 30, 2012, to fund 0525, fiscal year 2012, organization  
 83 0506, be supplemented and amended by increasing an  
 84 existing item of appropriation as follows:

85 **TITLE II—APPROPRIATIONS.**

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

87 **DEPARTMENT OF HEALTH AND HUMAN**  
 88 **RESOURCES**

89 *64—Consolidated Medical Service Fund*

90 (WV Code Chapter 16)

91 Fund 0525, FY 2012, Org 0506

92		<b>Act-</b>	<b>General</b>
93		<b>ivity</b>	<b>Revenue</b>
94			<b>Fund</b>

95	9 Institutional Facilities		
96	9a Operations - Surplus . . . . .	632	\$ 22,750,000

97 And, That the total appropriation for the fiscal year ending  
 98 June 30, 2012, to fund 0403, fiscal year 2012, organization  
 99 0511, be supplemented and amended by increasing existing  
 100 items of appropriation as follows:

101 **TITLE II—APPROPRIATIONS.**

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

103 **DEPARTMENT OF HEALTH AND HUMAN**  
104 **RESOURCES**

105 *67-Division of Human Services*

106 (WV Code Chapters 9, 48 and 49)

107 Fund 0403, FY 2012, Org 0511.

108				<b>General</b>
109			<b>Act-</b>	<b>Revenue</b>
110			<b>ivity</b>	<b>Fund</b>
111	8	Medical Services - Surplus . . . .	633	\$ 2,009,222
112	20	Title XIX Waiver for		
113	20a	Seniors - Surplus . . . . .	526	2,500,000

114 And, That the total appropriation for the fiscal year ending  
115 June 30, 2012, to fund 0453, fiscal year 2012, organization  
116 0612, be supplemented and amended by adding a new item  
117 of appropriation as follows:

118 **TITLE II—APPROPRIATIONS.**

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

120 **DEPARTMENT OF MILITARY AFFAIRS**  
121 **AND PUBLIC SAFETY**

122 *75-West Virginia State Police*

123 (WV Code Chapter 15)

124 Fund 0453, FY 2012, Org 0612.

125				<b>General</b>
126			<b>Act-</b>	<b>Revenue</b>
127			<b>ivity</b>	<b>Fund</b>
128	10a	Capital Outlay, Repairs and		
129	10b	Equipment - Surplus . . . . .	677	\$ 3,500,000

130 The purpose of this supplemental appropriation bill is to  
131 supplement, amend, increase and add items of appropriations  
132 in the aforesaid accounts for the designated spending units  
133 for expenditure during the fiscal year 2012.

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

*[Signature]*  
.....  
Chairman Senate Committee

*Michael T. Fero*  
.....  
Vice Chairman House Committee

Originated in the Senate.

In effect from passage.

*Narull Khan*  
.....  
Clerk of the Senate

*Bryan D. Smith*  
.....  
Clerk of the House of Delegates

*Jeffrey Lee*  
.....  
Acting President of the Senate

*Scott Thomas*  
.....  
Speaker of the House of Delegates

RECEIVED  
SECRETARY OF STATE

2011 AUG 10 PM 4:43

The within *is appended* ..... this the *10<sup>th</sup>*  
Day of *August* ....., 2011.

*Earl Ray Tomblin*  
.....  
Governor



**PRESENTED TO THE GOVERNOR**

AUG 10 2011

**Time** 9:45 AM