

1 **ENROLLED**

2 **Senate Bill No. 678**

3 (BY SENATORS PREZIOSO, D. FACEMIRE, CHAFIN, EDGELL, GREEN, HELMICK, LAIRD,
4 MCCABE, MILLER, PLYMALE, STOLLINGS, UNGER, WELLS, YOST, BOLEY, HALL AND
5 SYPOLT)

6 _____
7 [Passed March 10, 2012; in effect from passage.]
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9

10 AN ACT making a supplementary appropriation of public moneys out of
11 the Treasury from the balance of moneys remaining as an
12 unappropriated surplus balance in the State Fund, General
13 Revenue, to the Department of Agriculture, fund 0131, fiscal
14 year 2012, organization 1400, to the Department of
15 Administration, Division of Finance, fund 0203, fiscal year
16 2012, organization 0209, to the Department of Administration,
17 Public Defender Services, fund 0226, fiscal year 2012,
18 organization 0221, to the Department of Commerce, Division of
19 Forestry, fund 0250, fiscal year 2012, organization 0305, to
20 the Department of Commerce, Division of Natural Resources,
21 fund 0265, fiscal year 2012, organization 0310, to the
22 Department of Education, State Department of Education, fund
23 0313, fiscal year 2012, organization 0402, to the Department
24 of Education and the Arts, Division of Culture and History,

1 fund 0293, fiscal year 2012, organization 0432, to the
2 Department of Environmental Protection, Division of
3 Environmental Protection, fund 0273, fiscal year 2012,
4 organization 0313, to the Department of Health and Human
5 Resources, Division of Health - Central Office, fund 0407,
6 fiscal year 2012, organization 0506, to the Department of
7 Health and Human Resources, Consolidated Medical Service Fund,
8 fund 0525, fiscal year 2012, organization 0506, to the
9 Department of Health and Human Resources, Division of Human
10 Services, fund 0403, fiscal year 2012, organization 0511, to
11 the Department of Military Affairs and Public Safety, Division
12 of Corrections - Correctional Units, fund 0450, fiscal year
13 2012, organization 0608, to the Department of Veterans'
14 Assistance, Department of Veterans' Assistance, fund 0456,
15 fiscal year 2012, organization 0613, to Higher Education, West
16 Virginia Council for Community and Technical College Education
17 - Control Account, fund 0596, fiscal year 2012, organization
18 0420, and to Higher Education, Higher Education Policy
19 Commission - Administration - Control Account, fund 0589,
20 fiscal year 2012, organization 0441, by supplementing and
21 amending the appropriations for the fiscal year ending June
22 30, 2012.

23 WHEREAS, The Governor submitted to the Legislature the
24 Executive Budget Documents on January 11, 2012, which included a

1 Statement of the State Fund, General Revenue, setting forth therein
2 the cash balance as of July 1, 2011, and further included the
3 estimate of revenues for the fiscal year 2012, less net
4 appropriation balances forwarded and regular appropriations for the
5 fiscal year 2012; and

6 WHEREAS, It appears from the Executive Budget Document
7 Statement of the State Fund, General Revenue, there now remains an
8 unappropriated surplus balance in the State Treasury which is
9 available for appropriation during the fiscal year ending June 30,
10 2012; therefore

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

12 That the total appropriation for the fiscal year ending June
13 30, 2012, to fund 0131, fiscal year 2012, organization 1400, be
14 supplemented and amended by adding a new item of appropriation as
15 follows:

16 TITLE II--APPROPRIATIONS.

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

18 **EXECUTIVE**

19 *10-Department of Agriculture*

20 (WV Code Chapter 19)

21 Fund 0131 FY 2012 Org 1400

22 **General**

23 **Act-**

Revenue

24 **ivity**

Fund

1 13a Capital Outlay, Repairs and
2 13b Equipment - Surplus (R) 677 \$ 1,000,000

3 Any unexpended balance remaining in the above appropriation
4 for Capital Outlay, Repairs and Equipment - Surplus (fund 0131,
5 activity 677) at the close of fiscal year 2012 is hereby
6 reappropriated for expenditure during the fiscal year 2013.

7 And, That the total appropriation for the fiscal year ending
8 June 30, 2012, to fund 0203, fiscal year 2012, organization 0209,
9 be supplemented and amended by adding a new item of appropriation
10 as follows:

11 TITLE II--APPROPRIATIONS.

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

13 **DEPARTMENT OF ADMINISTRATION**

14 *20-Division of Finance*

15 (WV Code Chapter 5A)

16 Fund 0203 FY 2012 Org 0209

		General
	Act-	Revenue
	ivity	Fund

20 5a Enterprise Resource Planning
21 5b System - Surplus. 872 \$ 30,400,000

22 The above appropriation for Enterprise Resource Planning
23 System - Surplus (activity 872) shall be transferred to the West
24 Virginia Enterprise Resource Planning Board, fund 9080,

1 organization 0947.

2 And, That the total appropriation for the fiscal year ending
3 June 30, 2012, to fund 0226, fiscal year 2012, organization 0221,
4 be supplemented and amended by increasing an existing item of
5 appropriation as follows:

6 TITLE II--APPROPRIATIONS.

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

8 **DEPARTMENT OF ADMINISTRATION**

9 *27-Public Defender Services*

10 (WV Code Chapter 29)

11 Fund 0226 FY 2012 Org 0221

			General
		Act-	Revenue
		ivity	Fund
15	6 Appointed Counsel Fees - Surplus (R)..	435	\$13,000,000

16 Any unexpended balance remaining in the above appropriation
17 for the Appointed Counsel Fees - Surplus (fund 0226, activity 435)
18 at the close of fiscal year 2012 is hereby reappropriated for
19 expenditure during the fiscal year 2013.

20 And, That the total appropriation for the fiscal year ending
21 June 30, 2012, to fund 0250, fiscal year 2012, organization 0305,
22 be supplemented and amended by increasing an existing item of
23 appropriation as follows:

24 TITLE II--APPROPRIATIONS.

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

2 **DEPARTMENT OF COMMERCE**

3 *34-Division of Forestry*

4 (WV Code Chapter 19)

5 Fund 0250 FY 2012 Org 0305

		General
	Act-	Revenue
	ivity	Fund

9 4	Unclassified - Surplus (R)	097 \$ 375,000
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10 Any unexpended balance remaining in the above appropriation
 11 for Unclassified - Surplus (fund 0250, activity 097) at the close
 12 of fiscal year 2012 is hereby reappropriated for expenditure during
 13 the fiscal year 2013.

14 And, That the total appropriation for the fiscal year ending
 15 June 30, 2012, to fund 0265, fiscal year 2012, organization 0310,
 16 be supplemented and amended by adding a new item of appropriation
 17 as follows:

18 TITLE II--APPROPRIATIONS.

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

20 **DEPARTMENT OF COMMERCE**

21 *39-Division of Natural Resources*

22 (WV Code Chapter 20)

23 Fund 0265 FY 2012 Org 0310

		General
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		Act-	Revenue
1			
2		ivity	Fund

3	6a Canaan Valley Resort State Park		
4	6b Operating - Surplus (R)	710	\$ 2,000,000

5 Any unexpended balance remaining in the above appropriation
6 for Canaan Valley Resort State Park Operating - Surplus (fund 0265,
7 activity 710) at the close of fiscal year 2012 is hereby
8 reappropriated for expenditure during the fiscal year 2013.

9 And, That the total appropriation for the fiscal year ending
10 June 30, 2012, to fund 0313, fiscal year 2012, organization 0402,
11 be supplemented and amended by adding a new item of appropriation
12 as follows:

TITLE II--APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION

48-State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2012 Org 0402

			General
19			
20		Act-	Revenue
21		ivity	Fund

22	3a Tax Assessment Errors - Surplus. . .	065	\$ 209,171
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23 And, That the total appropriation for the fiscal year ending
24 June 30, 2012, to fund 0293, fiscal year 2012, organization 0432,

1 be supplemented and amended by adding a new item of appropriation
2 as follows:

3 TITLE II--APPROPRIATIONS.

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

5 **DEPARTMENT OF EDUCATION AND THE ARTS**

6 *55-Division of Culture and History*

7 (WV Code Chapter 29)

8 Fund 0293 FY 2012 Org 0432

		General
	Act-	Revenue
	ivity	Fund
12 4a Capital Improvements - Surplus (R).. .	661	\$ 304,000

13 Any unexpended balance remaining in the above appropriation
14 for Capital Improvements - Surplus (fund 0293, activity 661) at the
15 close of fiscal year 2012 is hereby reappropriated for expenditure
16 during the fiscal year 2013.

17 And, That the total appropriation for the fiscal year ending
18 June 30, 2012, to fund 0273, fiscal year 2012, organization 0313,
19 be supplemented and amended by increasing an existing item of
20 appropriation as follows:

21 TITLE II--APPROPRIATIONS.

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

23 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

24 *60-Division of Environmental Protection*

(WV Code Chapter 22)

Fund 0273 FY 2012 Org 0313

			General
		Act-	Revenue
		ivity	Fund

6	6	Unclassified - Surplus..	097	\$ 1,300,000
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The above appropriation for Unclassified - Surplus (activity 097) shall be transferred to the Underground Storage Tank Insurance Fund, fund 3218, organization 0313.

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

TITLE II--APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

63-Division of Health -

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2012 Org 0506

			General
		Act-	Revenue
		ivity	Fund

24	5	Unclassified - Surplus..	097	\$ 36,545
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1 And, That the total appropriation for the fiscal year ending
 2 June 30, 2012, to fund 0525, fiscal year 2012, organization 0506,
 3 be supplemented and amended by adding a new item of appropriation
 4 as follows:

5 TITLE II--APPROPRIATIONS.

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

7 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

8 *64-Consolidated Medical Service Fund*

9 (WV Code Chapter 16)

10 Fund 0525 FY 2012 Org 0506

		General
	Act-	Revenue
	ivity	Fund
14 9a Capital Outlay, Repairs and		
15 9b Equipment - Surplus (R)	677	\$ 6,000,000

16 Any unexpended balance remaining in the above appropriation
 17 for Capital Outlay, Repairs and Equipment - Surplus (fund 0525,
 18 activity 677) at the close of fiscal year 2012 is hereby
 19 reappropriated for expenditure during the fiscal year 2013.

20 And, That the total appropriation for the fiscal year ending
 21 June 30, 2012, to fund 0403, fiscal year 2012, organization 0511,
 22 be supplemented and amended by increasing existing items of
 23 appropriation as follows:

24 TITLE II--APPROPRIATIONS.

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

2 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

3 *67-Division of Human Services*

4 (WV Code Chapters 9, 48 and 49)

5 Fund 0403 FY 2012 Org 0511

		Act-	General
		ivity	Revenue
			Fund
9	4 Unclassified - Surplus..	097	\$ 313,455
10	9 Social Services - Surplus.	082	8,673,484
11	27 Medical Services - Surplus (R).. . .	633	13,144,112

12 The above appropriation for Unclassified - Surplus (activity
13 097) shall be transferred to the West Virginia Works Separate State
14 Two-Parent Program Fund, fund 5468, organization 0511.

15 Any unexpended balance remaining in the above appropriation
16 for Medical Services - Surplus (fund 0403, activity 633) at the
17 close of fiscal year 2012 is hereby reappropriated for expenditure
18 during the fiscal year 2013.

19 And, That the total appropriation for the fiscal year ending
20 June 30, 2012, to fund 0450, fiscal year 2012, organization 0608,
21 be supplemented and amended by adding new items of appropriation as
22 follows:

23 TITLE II--APPROPRIATIONS.

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

1 **DEPARTMENT OF MILITARY AFFAIRS**

2 **AND PUBLIC SAFETY**

3 *74-Division of Corrections -*

4 *Correctional Units*

5 (WV Code Chapters 25, 28, 49 and 62)

6 Fund 0450 FY 2012 Org 0608

7 **General**

8 **Act-**

Revenue

9 **ivity**

Fund

10	3a	Payments to Counties and/or Regional			
11	3b	Jails - Surplus (R)	348	\$	9,000,000
12	3c	Payments for Voluntary Inmate			
13	3d	Placement - Surplus (R)	592		1,500,000
14	3e	Capital Improvements - Surplus (R) . . .	661		5,500,000
15	3f	Capital Outlay, Repairs and			
16	3g	Equipment - Surplus (R)	677		5,000,000
17	3h	Operational Expenses - Surplus	779		5,439,629

18 Any unexpended balances remaining in the above appropriations
 19 for Payments to Counties and/or Regional Jails - Surplus (fund
 20 0450, activity 348), Payments for Voluntary Inmate Placement -
 21 Surplus (fund 0450, activity 592), Capital Improvements - Surplus
 22 (fund 0450, activity 661), and Capital Outlay, Repairs and
 23 Equipment - Surplus (fund 0450, activity 677) at the close of
 24 fiscal year 2012 are hereby reappropriated for expenditure during

1 the fiscal year 2013.

2 And, That the total appropriation for the fiscal year ending
3 June 30, 2012, to fund 0456, fiscal year 2012, organization 0613,
4 be supplemented and amended by adding a new item of appropriation
5 as follows:

6 TITLE II--APPROPRIATIONS.

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

8 **DEPARTMENT OF VETERANS' ASSISTANCE**

9 *91-Department of Veterans' Assistance*

10 (WV Code Chapter 9A)

11 Fund 0456 FY 2012 Org 0613

		General
	Act-	Revenue
	ivity	Fund
15 9a	Veterans Bonus - Surplus (R).. . . . 344	\$ 1,000,000

16 Any unexpended balance remaining in the above appropriation
17 for Veterans Bonus - Surplus (fund 0456, activity 344) at the close
18 of fiscal year 2012 is hereby reappropriated for expenditure during
19 the fiscal year 2013.

20 And, That the total appropriation for the fiscal year ending
21 June 30, 2012, to fund 0596, fiscal year 2012, organization 0420,
22 be supplemented and amended by adding a new item of appropriation
23 as follows:

24 TITLE II--APPROPRIATIONS.

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

2 **HIGHER EDUCATION**

3 *94-West Virginia Council for*

4 *Community and Technical College Education -*

5 *Control Account*

6 (WV Code Chapter 18B)

7 Fund 0596 FY 2012 Org 0420

8 **General**

9 **Act- Revenue**

10 **ivity Fund**

11 18a Capital Improvements - Surplus (R).. . 661 \$ 2,700,000

12 Any unexpended balance remaining in the above appropriation
13 for Capital Improvements - Surplus (fund 0596, activity 661) at the
14 close of fiscal year 2012 is hereby reappropriated for expenditure
15 during the fiscal year 2013.

16 And, That the total appropriation for the fiscal year ending
17 June 30, 2012, to fund 0589, fiscal year 2012, organization 0441,
18 be supplemented and amended by increasing an existing item of
19 appropriation as follows:

20 TITLE II -- APPROPRIATIONS.

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

22 **HIGHER EDUCATION**

23 *95-Higher Education Policy Commission -*

24 *Administration -*

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2012 Org 0441

General

Act-

Revenue

ivity

Fund

1 1 Unclassified - Surplus (R) 097 \$ 3,000,000

2 Any unexpended balance remaining in the above appropriation
3 for Unclassified - Surplus (fund 0589, activity 097) at the close
4 of fiscal year 2012 is hereby reappropriated for expenditure during
5 the fiscal year 2013.

6 The purpose of this supplemental appropriation bill is to
7 supplement, amend, increase and add items of appropriations in the
8 aforesaid accounts for the designated spending units for
9 expenditure during the fiscal year 2012.