

H. B. 2538

(By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)
[By Request of the Executive]
[Introduced February 19, 2013; referred to the
Committee on Finance.]

A BILL expiring funds to the unappropriated surplus balance in the
State Fund, General Revenue, for the fiscal year ending June
30, 2013 in the amount of \$1,500,000 from the State Election
Commission, Supreme Court Public Campaign Financing Fund, fund
1690, fiscal year 2013, organization 1601, and in the amount
of \$2,500,000 from the Department of Administration, Office of
the Secretary, State Employee Sick Leave Fund, fund 2045,
fiscal year 2013, organization 0201, and in the amount of
\$18,317,356.29 from the Department of Administration,
Education, Arts, Sciences and Tourism Debt Service Fund, fund
2252, fiscal year 2013, organization 0211, and in the amount
of \$3,800,000 from the Department of Administration, Division
of General Services, 2004 Capitol Complex Parking Garage Fund,
fund 2461, fiscal year 2013, organization 0211, and in the
amount of \$8,000,000 from the Department of Administration,

1 Board of Risk and Insurance Management, Premium Tax Saving
2 Fund, fund 2367, fiscal year 2013, organization 0218, and in
3 the amount of \$2,000,000 from the Department of Health and
4 Human Resources, Division of Human Services, Low Income Energy
5 Assistance Program Fund, fund 5081, fiscal year 2013,
6 organization 0511, and in the amount of \$4,600,000 from the
7 Department of Revenue, State Budget Office, Public Employees
8 Insurance Reserve Fund, fund 7400, fiscal year 2013,
9 organization 0703, and in the amount of \$20,000,000 from the
10 Department of Revenue, Insurance Commissioner, Insurance
11 Commission Fund, fund 7152, fiscal year 2013, organization
12 0704, and in the amount of \$14,736,022 from the Department of
13 Revenue, Lottery Commission, Revenue Center Construction Fund,
14 fund 7209, fiscal year 2013, organization 0705, and making a
15 supplementary appropriation of public moneys out of the
16 Treasury from the balance of moneys remaining as an
17 unappropriated surplus balance in the State Fund, General
18 Revenue, to the Department of Administration, Division of
19 Finance, fund 0203, fiscal year 2013, organization 0209, to
20 the Department of Commerce, Division of Natural Resources,
21 fund 0265, fiscal year 2013, organization 0310, to the
22 Department of Health and Human Resources, Consolidated Medical
23 Service Fund, fund 0525, fiscal year 2013, organization 0506,
24 to the Department of Health and Human Resources, Division of

1 Human Services, fund 0403, fiscal year 2013, organization
2 0511, to the Department of Military Affairs and Public Safety
3 - Office of the Secretary, fund 0430, fiscal year 2013,
4 organization 0601, to the Department of Military Affairs and
5 Public Safety, Division of Corrections - Correctional Units,
6 fund 0450, fiscal year 2013, organization 0608, to the West
7 Virginia Council for Community and Technical College Education
8 - Control Account, fund 0596, fiscal year 2013, organization
9 0420, and to the Higher Education Policy Commission - Control
10 Account, fund 0586, fiscal year 2013, organization 0442, by
11 supplementing and amending the appropriations for the fiscal
12 year ending June 30, 2013.

13 WHEREAS, the Governor finds that the account balances in the
14 State Election Commission, Supreme Court Public Campaign Financing
15 Fund, fund 1690, fiscal year 2013, organization 1601, the
16 Department of Administration, Office of the Secretary, State
17 Employee Sick Leave Fund, fund 2045, fiscal year 2013, organization
18 0201, the Department of Administration, Education, Arts, Sciences
19 and Tourism Debt Service Fund, fund 2252, fiscal year 2013,
20 organization 0211, the Department of Administration, Division of
21 General Services, 2004 Capitol Complex Parking Garage Fund, fund
22 2461, fiscal year 2013, organization 0211, the Department of
23 Administration, Board of Risk and Insurance Management, Premium Tax
24 Saving Fund, fund 2367, fiscal year 2013, organization 0218, the

1 Department of Health and Human Resources, Division of Human
2 Services, Low Income Energy Assistance Program Fund, fund 5081,
3 fiscal year 2013, organization 0511, the Department of Revenue,
4 State Budget Office, Public Employees Insurance Reserve Fund, fund
5 7400, fiscal year 2013, organization 0703, the Department of
6 Revenue, Insurance Commissioner, Insurance Commission Fund, fund
7 7152, fiscal year 2013, organization 0704, the Department of
8 Revenue, Lottery Commission, Revenue Center Construction Fund, fund
9 7209, fiscal year 2013, organization 0705, exceed that which is
10 necessary for the purposes for which the accounts were established;
11 and

12 WHEREAS, The Governor submitted to the Legislature the
13 Executive Budget document, dated February 13, 2013, which included
14 a Statement of the State Fund, General Revenue, setting forth
15 therein the cash balance as of July 1, 2012, and further included
16 the estimate of revenues for the fiscal year 2013, less net
17 appropriation balances forwarded and regular appropriations for the
18 fiscal year 2013; and

19 WHEREAS, It appears from the Executive Budget document,
20 Statement of the State Fund, General Revenue, and this legislation,
21 there now remains an unappropriated surplus balance in the State
22 Treasury which is available for appropriation during the fiscal
23 year ending June 30, 2013; therefore

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

1 That the balance of the funds available for expenditure in the
2 fiscal year ending June 30, 2013, in the State Election Commission,
3 Supreme Court Public Campaign Financing Fund, fund 1690, fiscal
4 year 2013, organization 1601, be decreased by expiring the amount
5 of \$1,500,000, and in the Department of Administration, Office of
6 the Secretary, State Employee Sick Leave Fund, fund 2045, fiscal
7 year 2013, organization 0201, be decreased by expiring the amount
8 of 2,500,000, and in the Department of Administration, Division of
9 General Services, Education, Arts, Sciences and Tourism Debt
10 Service Fund, fund 2252, fiscal year 2013, organization 0211, be
11 decreased by expiring the amount of \$18,317,356.29, and in the
12 Department of Administration, Division of General Services, 2004
13 Capitol Complex Parking Garage Fund, fund 2461, fiscal year 2013,
14 organization 0211, be decreased by expiring the amount of
15 \$3,800,000, and in the Department of Administration, Board of Risk
16 and Insurance Management, Premium Tax Savings Fund, fund 2367,
17 fiscal year 2013, organization 0218, be decreased by expiring the
18 amount of \$8,000,000, and in the Department of Health and Human
19 Resources, Division of Human Services, Low Income Energy Assistance
20 Program Fund, fund 5081, fiscal year 2013, organization 0511, be
21 decreased by expiring the amount of \$2,000,000, and in the
22 Department of Revenue, State Budget Office, Public Employees,
23 Insurance Reserve Fund, fund 7400, fiscal year 2013, organization
24 0703, be decreased by expiring the amount of \$4,600,000, and in the

1 Department of Revenue, Insurance Commissioner, Insurance Commission
 2 Fund, fund 7152, fiscal year 2013, organization 0704, be decreased
 3 by expiring the amount of \$20,000,000, and in the Department of
 4 Revenue, Lottery Commission, Revenue Center Construction Fund, fund
 5 7209, fiscal year 2013, organization 0705, be decreased by expiring
 6 the amount of \$14,736,022, all to the unappropriated surplus
 7 balance of the State Fund, General Revenue, to be available for
 8 appropriation during the fiscal year ending June 30, 2013.

9 And, That the total appropriation for the fiscal year ending
 10 June 30, 2013, to fund 0203, fiscal year 2013, organization 0209,
 11 be supplemented and amended by adding a new item of appropriation
 12 as follows:

13 TITLE II - APPROPRIATIONS.

14 **Section 1. Appropriations from general revenue.**

15 **DEPARTMENT OF ADMINISTRATION**

16 *20-Division of Finance*

17 (WV Code Chapter 5A)

18 Fund 0203 FY 2013 Org 0209

	Act-	General
	ivity	Revenue
		Fund
22 10a Enterprise Resource Planning		
23 10b System - Surplus..	872	\$ 30,000,000

1 The above appropriation for Enterprise Resource Planning
 2 System - Surplus (activity 872), shall be transferred to the West
 3 Virginia Enterprise Resource Planning Board, fund 9080,
 4 organization 0947.

5 And, That the total appropriation for the fiscal year ending
 6 June 30, 2013, to fund 0265, fiscal year 2013, organization 0310,
 7 be supplemented and amended by adding a new item of appropriation
 8 as follows:

9 TITLE II - APPROPRIATIONS.

10 **Section 1. Appropriations from general revenue.**

11 **DEPARTMENT OF COMMERCE**

12 *39-Division of Natural Resources*

13 (WV Code Chapter 20)

14 Fund 0265 FY 2013 Org 0310

			General
	Act-		Revenue
	ivity		Fund
18 12a	Operating Expenses - Surplus (R) . . .	779	\$ 1,000,000

19 Any unexpended balance remaining in the above appropriation
 20 for Operating Expenses - Surplus (fund 0265, activity 779) at the
 21 close of the fiscal year 2013 is hereby reappropriated for
 22 expenditure during the fiscal year 2014.

23 And, That the total appropriation for the fiscal year ending

1 June 30, 2013, to fund 0525, fiscal year 2013, organization 0506,
 2 be supplemented and amended by increasing an existing item of
 3 appropriation as follows:

4 TITLE II - APPROPRIATIONS.

5 **Section 1. Appropriations from general revenue.**

6 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

7 *64-Consolidated Medical Service Fund*

8 (WV Code Chapter 16)

9 Fund 0525 FY 2013 Org 0506

		General
	Act-	Revenue
	ivity	Fund

10
 11
 12
 13 6 Behavioral Health Program - Surplus (R) 631 \$ 3,662,312

14 Any unexpended balance remaining in the above appropriation
 15 for Behavioral Health Program - Surplus (fund 0525, activity 631)
 16 at the close of the fiscal year 2013 is hereby reappropriated for
 17 expenditure during the fiscal year 2014.

18 And, That the total appropriation for the fiscal year ending
 19 June 30, 2013, to fund 0403, fiscal year 2013, organization 0511,
 20 be supplemented and amended by increasing existing items of
 21 appropriation as follows:

22 TITLE II - APPROPRIATIONS.

23 **Section 1. Appropriations from general revenue.**

1 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

2 *67-Division of Human Services*

3 (WV Code Chapters 9, 48 and 49)

4 Fund 0403 FY 2013 Org 0511

5		General
6	Act-	Revenue
7	ivity	Fund

8	9	Medical Services - Surplus (R)	633	\$ 26,350,105
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9	10	Social Services - Surplus	082	4,717,147
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10 Any unexpended balance remaining in the above appropriation
 11 for Medical Services - Surplus (fund 0403, activity 633) at the
 12 close of the fiscal year 2013 is hereby reappropriated for
 13 expenditure during the fiscal year 2014.

14 And, That the total appropriation for the fiscal year ending
 15 June 30, 2013, to fund 0430, fiscal year 2013, organization 0601,
 16 be supplemented and amended by adding new items of appropriation as
 17 follows:

18 TITLE II - APPROPRIATIONS.

19 **Section 1. Appropriations from general revenue.**

20 **DEPARTMENT OF MILITARY AFFAIRS**

21 **AND PUBLIC SAFETY**

22 *68-Department of Military Affairs and Public Safety -*

23 *Office of the Secretary*

1 (WV Code Chapter 5F)
 2 Fund 0430 FY 2013 Org 0601

3			General
4		Act-	Revenue
5		ivity	Fund

6	9a	Substance Abuse		
7	9b	Program - Surplus (R)	696	\$ 3,000,000
8	9c	Justice Reinvestment		
9	9d	Training - Surplus (R)	699	500,000

10 Any unexpended balances remaining in the above appropriations
 11 for Substance Abuse Program - Surplus (fund 0430, activity 696) and
 12 Justice Reinvestment Training - Surplus (fund 0430, activity 699)
 13 at the close of the fiscal year 2013 are hereby reappropriated for
 14 expenditure during the fiscal year 2014.

15 The above appropriations for Substance Abuse Program - Surplus
 16 (fund 0430, activity 696) and Justice Reinvestment Training -
 17 Surplus (fund 0430, activity 699) shall be used for substance abuse
 18 and training initiatives designed to increase public safety and
 19 decrease the recidivism rate in West Virginia.

20 And, That the total appropriation for the fiscal year ending
 21 June 30, 2013, to fund 0450, fiscal year 2013, organization 0608,
 22 be supplemented and amended by adding new items of appropriation as
 23 follows:

24 TITLE II - APPROPRIATIONS.

1 **Section 1. Appropriations from general revenue.**

2 **DEPARTMENT OF MILITARY AFFAIRS**

3 **AND PUBLIC SAFETY**

4 *74-Division of Corrections -*

5 *Correctional Units*

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

7 Fund 0450 FY 2013 Org 0608

	Act-	General
	ivity	Revenue
		Fund
11 14a Capital Improvements - Surplus (R)..	661	\$ 6,000,000
12 15a Capital Outlay, Repairs and		
13 15b Equipment - Surplus (R)	677	4,900,000
14 18a Operating Expenses - Surplus (R) . . .	779	2,000,000

15 Any unexpended balances remaining in the above appropriations
 16 for Capital Improvements - Surplus (fund 0450, activity 661),
 17 Capital Outlay, Repairs and Equipment - Surplus (fund 0450,
 18 activity 677), and Operating Expenses - Surplus (fund 0450,
 19 activity 779) at the close of the fiscal year 2013 are hereby
 20 reappropriated for expenditure during the fiscal year 2014.

21 And, That the total appropriation for the fiscal year ending
 22 June 30, 2013, to fund 0596, fiscal year 2013, organization 0420,
 23 be supplemented and amended by adding a new item of appropriation

1 as follows:

2 TITLE II - APPROPRIATIONS.

3 **Section 1. Appropriations from general revenue.**

4 **HIGHER EDUCATION**

5 *92-West Virginia Council for*

6 *Community and Technical College Education-*

7 *Control Account*

8 (WV Code Chapter 18B)

9 Fund 0596 FY 2013 Org 0420

10			General
11		Act-	Revenue
12		ivity	Fund
13	2a	Unclassified - Surplus (R)	097 \$ 80,758

14 And, That the total appropriation for the fiscal year ending
15 June 30, 2013, to fund 0586, fiscal year 2013, organization 0442,
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 **HIGHER EDUCATION**

21 *94-Higher Education Policy Commission -*

22 *System -*

23 *Control Account*

1 (WV Code Chapter 18B)

2 Fund 0586 FY 2013 Org 0442

3			General
4		Act-	Revenue
5		ivity	Fund

6 2a	Unclassified - Surplus..	097	\$ 247,234
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7 The purpose of this supplemental appropriation bill is to
8 expire, supplement, amend, increase, and add items of appropriation
9 in the aforesaid accounts for the designated spending units for
10 expenditure during the fiscal year 2013.