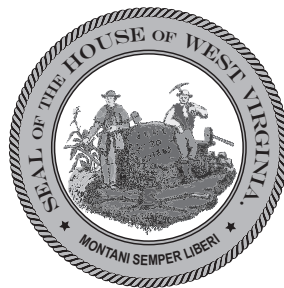


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March 8, 2022
FIFTY-SIXTH DAY

Tuesday, March 8, 2022

FIFTY-SIXTH DAY

[DELEGATE HANSHAW, MR. SPEAKER, IN THE CHAIR]

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Monday, March 7, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that S. B. 250 on Third Reading, Special Calendar, had been moved to the foot of all bills; and S. B. 493 on Second Reading, Special Calendar had been moved to the House Calendar.

Committee Reports

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 232, Relating to punishment for third offense felony,

And,

Com. Sub. for S. B. 606, Relating to WV Medical Practice Act,

And reports the same back with the recommendation that they each do pass.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 29, Providing fee for processing of criminal bonds,

And reports the same back with the recommendation that it do pass, but that it first be referred to the Committee on Finance.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 29) was referred to the Committee on Finance.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 312, Authorization for Department of Revenue to promulgate legislative rules,

Com. Sub. for S. B. 334, Authorizing miscellaneous agencies and boards to promulgate rules,

S. B. 548, Authorizing Workforce WV employers to obtain employment classifications and work locations,

And,

Com. Sub. for S. B. 659, Relating to nonintoxicating beer, wine, and liquor licenses and requirements,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

On motion of Delegate Steele, Com. Sub. for S. B. 334 was recommitted to the Committee on Government Organization.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 246, Requiring newly constructed public schools and public schools with major improvements to have water bottle filling stations,

Com. Sub. for S. B. 262, Relating generally to financial institutions engaged in boycotts of energy companies,

And,

Com. Sub. for S. B. 438, Relating generally to WV Security for Public Deposits Act,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

S. B. 228, Providing tuition and fee waivers at state higher education institutions for volunteers who have completed service in AmeriCorps programs in WV,

And reports the same back with the recommendation that it do pass.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 205, Expanding PEIA Finance Board membership,

Com. Sub. for S. B. 264, Relating to conservation districts law of WV,

And,

Com. Sub. for S. B. 609, Allowing DOH Commissioner to accept ownership of rented and leased equipment,

And reports the same back with the recommendation that they each do pass.

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 653, Relating to public higher education governance,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

Delegate Ellington, Chair of the Committee on Education submitted the following report, which was received:

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 498, Creating Anti-Racism Act of 2022,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, and with the recommendation that second reference to the Committee on the Judiciary be dispensed with.

The Speaker then referred the bill (Com. Sub. for S. B. 498) to the Committee on the Judiciary.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4282, Relating to establishing next generation 911 services in this state.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4286, Relating to exempting persons employed as attorneys from the civil service system.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4291, Relating to authorizing legislative rules regarding higher education.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4295, To transfer the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management.

On motion of Delegate Summers, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“CHAPTER 15. PUBLIC SAFETY.

ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

§15-5-20b. Continuation of the State Office of the National Flood Insurance Program; transfer to the Division of Emergency Management; funding; responsibilities.

(a) The Legislature, finding that the National Flood Insurance Program is a voluntary federal program under which federal flood insurance is made available to participating communities and is of vital importance to the citizens of West Virginia, does hereby continue the State Office of the National Flood Insurance Program. Effective July 1, 2022, the State Office of the National Flood Insurance Program shall transfer from the Offices of the Insurance Commissioner to the Division of Emergency Management established pursuant to §15-5-3 of this code. The Division of Emergency Management shall provide office space, equipment, and supplies for the State Office of the National Flood Insurance Program, which shall be funded, in part, from the special revenue fund established in §33-3-14(c) of this code.

(b) The State Office of the National Flood Insurance Program shall issue guidance and instructions as necessary to administer the program effectively. The State Office of the National Flood Insurance Program shall offer and conduct training as required by §15-5-20a of this code and adopt adequate land use and development criteria that are consistent with the minimum standards established by the National Flood Insurance Program. The State Office of the National Flood Insurance Program shall be under the supervision of the Director of the Division of Emergency Management who shall employ staff as needed to operate the program.

(c) The Director of the Division of Emergency Management may propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code as necessary to administer the State Office of the National Flood Insurance Program and any of the program's

responsibilities. Any state-owned property located in a non-participating local community shall be governed by rules proposed by the Director of the Division of Emergency Management.

(d) The State Office of the National Flood Insurance Program, in consultation with the Director of the Division of Emergency Management, and with the assistance of floodplain managers around the state, shall develop and publish a strategic plan to establish shared goals, define a path to meet those goals, and shall invite other governmental units to adopt these goals and objectives. The strategic plan shall be initially presented by the Director of the Division of Emergency Management to the State Resiliency Officer and to the State Resiliency Office Board who shall review and approve the strategic plan, and that plan shall be so presented and approved no less than biannually thereafter. The strategic plan shall be made available to the public.

(e) The State Office of the National Flood Insurance Program shall establish floodplain management guidelines for any state property in special hazard areas which, at a minimum, satisfy the criteria set forth in 44 CFR §§60.3, 60.4, and 60.5 (2022).

(f) Notwithstanding any other provision of this code to the contrary, the State Office of the National Flood Insurance Program shall cooperate with the State Resiliency Office to the fullest extent practicable to assist that office in fulfilling its duties.

CHAPTER 33. INSURANCE.

ARTICLE 2. INSURANCE COMMISSIONER.

§33-2-23. ~~Creation~~ Transfer of assets of the State Office of the National Flood Insurance Program; ~~responsibilities.~~

~~(a) The Legislature, finding that the National Flood Insurance Program is a voluntary federal program under which federal flood insurance is made available to participating communities is of vital importance to the citizens of West Virginia, does hereby create the State Office of the National Flood Insurance Program, to be housed in the office of the Insurance Commissioner of West Virginia, and which office shall administer this program.~~

~~(b) The State Office of the National Flood Insurance Program shall have a coordinator who shall issue such regulations, guidance, and instructions as necessary to effectively administer the program. The coordinator shall conduct trainings and will adopt and enforce adequate land use and development criteria that are consistent with the minimum standards established by the National Flood Insurance Program and shall report to the Insurance Commissioner.~~

~~(c) Any state-owned property that is located in a nonparticipating local community will be governed by the rules promulgated by the Insurance Commissioner and filed in the Code of State Rules.~~

~~(d) The coordinator, in consultation with the Insurance Commissioner, and with the assistance of floodplain managers around the state, shall develop and publish a strategic plan to establish shared goals, define a path to meet those goals, and shall invite other governmental units to adopt these goals and objectives. The strategic plan shall be initially presented by the Coordinator to the State Resiliency Officer and to the State Resiliency Office Board who shall review and approve the strategic plan, and that plan shall be so presented and approved no less than biannually thereafter. The strategic plan shall be made available to the public.~~

~~(e) The coordinator shall establish and enforce flood plain management regulations for any state property in special hazard areas which, at a minimum, satisfy the criteria set forth in 44 CFR §§60.3, 60.4, and 60.5 (2019).~~

~~(f) Notwithstanding any other provision of this code to the contrary, the coordinator shall cooperate with the State Resiliency Office to the fullest extent practicable to assist that office in fulfilling its duties~~

Effective July 1, 2022, the assets of the State Office of the National Flood Insurance Program, which Office has been transferred to the Division of Emergency Management pursuant to §15-5-20b of this code, are hereby assigned and transferred to the Division of Emergency Management. The Director of the Division of Emergency Management may decline certain assets from being transferred pursuant to this section if he or she believes the assets are unnecessary for the proper operation of the State Office of the National Flood Insurance Program.

ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.

§33-3-14. Annual financial statement and premium tax return; remittance by insurer of premium tax, less certain deductions; special revenue fund funds created.

(a) Every insurer transacting insurance in West Virginia shall file with the commissioner, on or before March 1, each year, a financial statement made under oath of its president or secretary and on a form prescribed by the commissioner. The insurer shall also, on or before March 1 of each year subject to the provisions of §33-3-14c of this code, under the oath of its president or secretary, make a premium tax return for the previous calendar year on a form prescribed by the commissioner showing the gross amount of direct premiums, whether designated as a premium or by some other name, collected, and received by it during the previous calendar year on policies covering risks resident, located, or to be performed in this state and compute the amount of premium tax chargeable to it in accordance with the provisions of this article, deducting the amount of quarterly payments as required to be made pursuant to the provisions of §33-3-14c of this code, if any, less any adjustments to the gross amount of the direct premiums made during the calendar year, if any, and transmit with the return to the commissioner a remittance in full for the tax due. The tax is the sum equal to two percent of the taxable premium and also includes any additional tax due under §33-3-14a of this code. All taxes, except those received on write your own federal flood insurance premium taxes or private market flood insurance premium taxes, received by the commissioner shall be paid into the insurance tax fund created in §33-3-14(b) of this code. ~~Provided, That no later than June 30 of each year, \$1,667,000 of the portion of taxes received by the commissioner from insurance policies for medical liability insurance as defined in §33-20F-3 of this code and from any insurer on its medical malpractice line shall be temporarily dedicated to replenishing moneys appropriated from the tobacco settlement account pursuant to §4-11A-2(c) of this code. Upon determination by the commissioner that these moneys have been fully replenished to the tobacco settlement account, the commissioner shall resume depositing taxes received from medical malpractice premiums as provided in §33-3-14(b) of this code~~

(b) There is created in the State Treasury a special revenue fund, administered by the treasurer, designated the "insurance tax fund". This fund is not part of the General Revenue Fund of the state. It consists of all amounts deposited in the fund pursuant to §33-3-14(a), §33-3-14a, §33-3-15, and §33-3-17 of this code, ~~except those received on write your own federal flood insurance premium taxes~~, any appropriations to the fund, all interest earned from investment of the fund, and any gifts, grants, or contributions received by the fund: Provided, That this subsection shall not apply to funds received on federal flood insurance premium taxes or private

market flood insurance premium taxes, which are subject to §33-3-14(c) of this code. The treasurer shall, no later than the last business day of each month, transfer amounts from the insurance tax fund to the General Revenue Fund that the treasurer determines are not necessary for making premium tax refunds under this article or §33-43-1 et seq. of this code.

~~(c) After the transfers authorized in this section, the treasurer shall, no later than the last business day of each month, transfer amounts the treasurer determines are not necessary for making refunds under this article to the credit of the General Revenue Fund~~

(d) ~~(c)~~ There is created in the State Treasury a special revenue fund, administered by the treasurer, designated the "flood insurance tax fund". This fund is not part of the General Revenue Fund of the state. All taxes collected pursuant to §33-3-14(a) of this code from federal flood insurance policy premium taxes or private market flood insurance premium taxes shall be deposited into the flood insurance tax fund. The flood insurance tax fund shall contain collections, any appropriations to the fund, and any gifts, grants, and contributions received. The Treasurer shall distribute funds from the flood insurance tax fund for the operations and responsibilities of the State Office of the National Flood Insurance Program, as provided in §15-5-20b of this code, for activities that promote and enhance floodplain management issues, and for subgrants to local units of government and other eligible entities after full consideration of the recommendations of the Division of Emergency Management.

~~(e) The treasurer is restricted to, and shall distribute from, the flood insurance tax fund for activities which promote and enhance flood plain management issues, and for subgrants to local units of government and other eligible entities after full consideration of the recommendations of the Office of Emergency Services~~

§33-3-14a. Additional premium tax.

For the purpose of providing additional revenue for the state General Revenue Fund, there is hereby levied and imposed, in addition to the taxes imposed by §33-3-14 of this code, an additional premium tax equal to one percent of taxable premiums. Except as otherwise provided in this section, all provisions of this article relating to the levy, imposition, and collection of the regular premium tax imposed by §33-3-14 of this code shall be applicable to the levy, imposition, and collection of the additional tax imposed by this section. All moneys received from the additional tax imposed by this section, less deductions allowed by this article or §33-43-1 et seq. of this code for refunds and for costs of administration, shall be received by the commissioner and shall be paid by him or her into the State Treasury in accordance with §33-3-14(b) of this code for the benefit of the state fund General Revenue Fund; *Provided, That each year, the first \$833,000 of the portion of taxes received by the commissioner from insurance policies for medical liability insurance as defined in section three, article twenty-f of this chapter and from any insurer on its medical malpractice line, shall be temporarily dedicated to replenishing moneys appropriated from the tobacco settlement account pursuant to subsection (c), section two, article eleven-a of chapter four of this code* moneys received pursuant to this section pertaining to federal flood insurance policy premium taxes or private market flood insurance premium taxes shall be deposited and distributed in accordance with §33-3-14(c) of this code. Upon determination by the commissioner that these moneys have been fully replenished to the tobacco settlement account, the commissioner shall resume depositing taxes received from medical malpractice premiums as provided herein.

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4295 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-5-20b; to amend and reenact §33-2-23 of said code; and to amend and reenact §33-3-14 and §33-3-14a of said code, all relating to the State Office of the National Flood Insurance Program; transferring the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management; authorizing the Director of the Division of Emergency Management to employ staff for the State Office of the National Flood Insurance Program; granting rule-making authority to the Division of Emergency Management; providing that state-owned property in any nonparticipating community shall be governed by rules proposed by the Division of Emergency Management; requiring the State Office of the National Flood Insurance Program and floodplain managers to develop a strategic plan to meet goals and objectives, which shall be reviewed and approved by the State Resiliency Officer and State Resiliency Board; requiring the State Office of the National Flood Insurance Program to establish floodplain management guidelines in special hazard areas which are in conformity with federal regulations; providing the State Office of the National Flood Insurance Program shall cooperate with the State Resiliency Office to the fullest extent practicable to assist that office in fulfilling its duties; transferring the assets of the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management; deleting obsolete language concerning temporary tax dedication to the tobacco settlement account; providing that private market flood insurance premium taxes be treated like federal flood insurance premium taxes; correcting terminology; clarifying that the additional premium tax applies to flood insurance premiums; and requiring the State Treasurer to distribute funds from the flood insurance tax fund to finance the operations and responsibilities of the State Office of the National Flood Insurance Program and for subgrants.'

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 404**), and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Kimes, Walker and Young.

Absent and Not Voting: Evans, Hardy, Hornbuckle and Longanacre.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4295) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4324, To update collaborative pharmacy practice agreements.

On motion of Delegate Kessinger, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS AND PHARMACIES.

§30-5-4. Definitions.

As used in this article:

(1) “Ambulatory health care facility” includes any facility defined in ~~section one, article five b, chapter sixteen~~ §16-5B-1 *et seq.* of this code, that also has a pharmacy, offers pharmacist care, or is otherwise engaged in the practice of pharmacist care.

(2) “Active Ingredients” means chemicals, substances, or other components of articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of diseases in humans or animals or for use as nutritional supplements.

(3) “Administer” means the direct application of a drug to the body of a patient or research subject by injection, inhalation, ingestion, or any other means.

(4) “Board” means the West Virginia Board of Pharmacy.

(5) “Board authorization” means a license, registration, or permit issued under this article.

(6) “Chain Pharmacy Warehouse” means a permanent physical location for drugs and/or devices that acts as a central warehouse and performs intracompany sales and transfers of prescription drugs or devices to chain pharmacies, which are members of the same affiliated group, under common ownership and control.

(7) “Charitable clinic pharmacy” means a clinic or facility organized as a not-for-profit corporation that has a pharmacy, offers pharmacist care, or is otherwise engaged in the practice of pharmacist care and dispenses its prescriptions free of charge to appropriately screened and qualified indigent patients.

(8) “Collaborative pharmacy practice” is that practice of pharmacist care where one or more pharmacists have jointly agreed, on a voluntary basis, to work in conjunction with one or more physicians under written protocol where the pharmacist or pharmacists may perform certain patient care functions authorized by the physician or physicians under certain specified conditions and limitations.

(9) “Collaborative pharmacy practice agreement” is a written and signed agreement, which is a physician directed approach, that is entered into between an individual physician or physician group, or for a medical provider in training where the agreement is signed by the supervising physician or chairperson of the medical department where the medical provider in training is practicing, and an individual pharmacist or pharmacists ~~and an individual patient or the patient’s authorized representative who has given informed consent~~ that provides for collaborative pharmacy practice for the purpose of drug therapy management of a patient, ~~which has been approved by the board, the Board of Medicine in the case of an allopathic physician or the West Virginia Board of Osteopathic Medicine in the case of an osteopathic physician.~~

(10) “Common Carrier” means any person or entity who undertakes, whether directly or by any other arrangement, to transport property including prescription drugs for compensation.

~~(11)~~ "Component" means any active ingredient or added substance intended for use in the compounding of a drug product, including those that may not appear in such product.

~~(12)~~ "Compounding" means:

(A) The preparation, mixing, assembling, packaging, or labeling of a drug or device:

(i) As the result of a practitioner's prescription drug order or initiative based on the practitioner/patient/pharmacist relationship in the course of professional practice for sale or dispensing; or

(ii) For the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale or dispensing; and

(B) The preparation of drugs or devices in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns.

~~(13)~~ "Deliver" or "delivery" means the actual, constructive, or attempted transfer of a drug or device from one person to another, whether or not for a consideration.

~~(14)~~ "Device" means an instrument, apparatus, implement or machine, contrivance, implant or other similar or related article, including any component part or accessory, which is required under federal law to bear the label, "Caution: Federal or state law requires dispensing by or on the order of a physician."

~~(15)~~ "Digital Signature" means an electronic signature based upon cryptographic methods of originator authentication, and computed by using a set of rules and a set of parameters so that the identity of the signer and the integrity of the data can be verified.

~~(16)~~ "Dispense" or "dispensing" means the interpretation, evaluation, and implementation of a prescription drug order, including the preparation, verification, and delivery of a drug or device to a patient or patient's agent in a suitable container appropriately labeled for subsequent administration to, or use by, a patient.

~~(17)~~ "Distribute" or "Distribution" means to sell, offer to sell, deliver, offer to deliver, broker, give away, or transfer a drug, whether by passage of title, physical movement, or both. The term does not include:

(A) To dispense or administer;

(B) (i) Delivering or offering to deliver a drug by a common carrier in the usual course of business as a common carrier; or providing a drug sample to a patient by a practitioner licensed to prescribe such drug;

(ii) A health care professional acting at the direction and under the supervision of a practitioner; or the pharmacy of a hospital or of another health care entity that is acting at the direction of such a practitioner and that received such sample in accordance with the Prescription Drug Marketing Act and regulations to administer or dispense;

(iii) Intracompany sales.

~~(18)~~ "Drop shipment" means the sale of a prescription drug to a wholesale distributor by the manufacturer of the prescription drug or by that manufacturer's colicensed product partner, that manufacturer's third-party logistics provider, that manufacturer's exclusive distributor, or by an authorized distributor of record that purchased the product directly from the manufacturer or from one of these entities whereby:

(A) The wholesale distributor takes title to but not physical possession of such prescription drug;

(B) The wholesale distributor invoices the pharmacy, pharmacy warehouse, or other person authorized by law to dispense or administer such drug; and

(C) The pharmacy, pharmacy warehouse, or other person authorized by law to dispense or administer such drug receives delivery of the prescription drug directly from the manufacturer or from that manufacturer's colicensed product partner, that manufacturer's third-party logistics provider, that manufacturer's exclusive distributor, or from an authorized distributor of record that purchased the product directly from the manufacturer or from one of these entities.

~~(19)~~ "Drug" means:

(A) Articles recognized as drugs by the United States Food and Drug Administration, or in any official compendium, or supplement;

(B) An article, designated by the board, for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals;

(C) Articles, other than food, intended to affect the structure or any function of the body of human or other animals; and

(D) Articles intended for use as a component of any articles specified in paragraph (A), (B), or (C) of this subdivision.

~~(20)~~ "Drug regimen review" includes, but is not limited to, the following activities:

(A) Evaluation of the prescription drug orders and if available, patient records for:

(i) Known allergies;

(ii) Rational therapy-contraindications;

(iii) Reasonable dose and route of administration; and

(iv) Reasonable directions for use.

(B) Evaluation of the prescription drug orders and patient records for duplication of therapy.

(C) Evaluation of the prescription drug for interactions ~~and/or~~ adverse effects which may include, but are not limited to, any of the following:

(i) Drug-drug;

(ii) Drug-food;

(iii) Drug-disease; and

(iv) Adverse drug reactions.

(D) Evaluation of the prescription drug orders and if available, patient records for proper use, including overuse and underuse and optimum therapeutic outcomes.

~~(24)~~ "Drug therapy management" means the review of drug therapy regimens of patients by a pharmacist for the purpose of evaluating and rendering advice to a physician regarding adjustment of the regimen in accordance with the collaborative pharmacy practice agreement. Decisions involving drug therapy management shall be made in the best interest of the patient. Drug therapy management is limited to:

(A) Implementing, modifying, and managing drug therapy according to the terms of the collaborative pharmacy practice agreement;

(B) Collecting and reviewing patient histories;

~~(C) Obtaining and checking vital signs, including pulse, temperature, blood pressure and respiration~~ Performing patient evaluations that are mutually agreed upon in the collaborative agreement;

(D) Ordering screening laboratory tests that are dose related and specific to the patient's medication or are protocol driven and are also specifically set out in the collaborative pharmacy practice agreement between the pharmacist and physician.

~~(22)~~ "Electronic data intermediary" means an entity that provides the infrastructure to connect a computer system, hand-held electronic device, or other electronic device used by a prescribing practitioner with a computer system or other electronic device used by a pharmacy to facilitate the secure transmission of:

(A) An electronic prescription order;

(B) A refill authorization request;

(C) A communication; or

(D) Other patient care information.

~~(23)~~ "E-prescribing" means the transmission, using electronic media, of prescription or prescription-related information between a practitioner, pharmacist, pharmacy benefit manager, or health plan as defined in 45 CFR §160.103, either directly or through an electronic data intermediary. E-prescribing includes, but is not limited to, two-way transmissions between the point of care and the pharmacist. E-prescribing may also be referenced by the terms "electronic prescription" or "electronic order".

~~(24)~~ "Electronic Signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

~~(25)~~ “Electronic transmission” means transmission of information in electronic form or the transmission of the exact visual image of a document by way of electronic equipment.

~~(26)~~ “Emergency medical reasons” include, but are not limited to, transfers of a prescription drug by one pharmacy to another pharmacy to alleviate a temporary shortage of a prescription drug; sales to nearby emergency medical services, i.e., ambulance companies and firefighting organizations in the same state or same marketing or service area, or nearby licensed practitioners of prescription drugs for use in the treatment of acutely ill or injured persons; and provision of minimal emergency supplies of prescription drugs to nearby nursing homes for use in emergencies or during hours of the day when necessary prescription drugs cannot be obtained.

~~(27)~~ “Exclusive distributor” means an entity that:

(A) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution, or other services on behalf of a manufacturer and who takes title to that manufacturer’s prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer’s prescription drug; and

(B) Is licensed as a wholesale distributor under this article.

~~(28)~~ “FDA” means the Food and Drug Administration, a federal agency within the United States Department of Health and Human Services.

~~(29)~~ “Health care entity” means a person that provides diagnostic, medical, pharmacist care, surgical, dental treatment, or rehabilitative care but does not include a wholesale distributor.

~~(30)~~ “Health information” means any information, whether oral or recorded in a form or medium, that:

(A) Is created or received by a health care provider, health plan, public health authority, employer, life insurer, school or university, or health care clearinghouse, and

(B) Relates to the past, present, or future physical or mental health or condition of an individual; or the past, present, or future payment for the provision of health care to an individual.

“Health care system” means an organization of people, institutions, and resources that deliver health care services to meet the health needs of a target population.

~~(31)~~ “HIPAA” is the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191).

~~(32)~~ “Immediate container” means a container and does not include package liners.

~~(33)~~ “Individually identifiable health information” is information that is a subset of health information, including demographic information collected from an individual and is created or received by a health care provider, health plan, employer, or health care clearinghouse; and relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and that identifies the individual; or with respect to which there is a reasonable basis to believe the information can be used to identify the individual.

(34) "Intracompany sales" means any transaction between a division, subsidiary, parent, and/or affiliated or related company under the common ownership and control of a corporate or other legal business entity.

(35) "Label" means a display of written, printed, or graphic matter upon the immediate container of any drug or device.

(36) "Labeling" means the process of preparing and affixing a label to a drug container exclusive, however, of a labeling by a manufacturer, packer, or distributor of a nonprescription drug or commercially packaged prescription drug or device.

(37) "Long-Term care facility" means a nursing home, retirement care, mental care, or other facility or institution that provides extended health care to resident patients.

(38) "Mail-order pharmacy" means a pharmacy, regardless of its location, which dispenses greater than ~~twenty-five~~ 25 percent of its prescription drugs via the mail or other delivery services.

(39) "Manufacturer" means any person who is engaged in manufacturing, preparing, propagating, processing, packaging, repackaging, or labeling of a prescription drug, whether within or outside this state.

(40) "Manufacturing" means the production, preparation, propagation, or processing of a drug or device, either directly or indirectly, by extraction from substances of natural origin or independently by means of chemical or biological synthesis and includes any packaging or repackaging of the substance or substances or labeling or relabeling of its contents and the promotion and marketing of the drugs or devices. Manufacturing also includes the preparation and promotion of commercially available products from bulk compounds for resale by pharmacies, practitioners, or other persons.

(41) "Medical order" means a lawful order of a practitioner that may or may not include a prescription drug order.

(42) "Medication therapy management" is a distinct service or group of services that optimize medication therapeutic outcomes for individual patients. Medication therapy management services are independent of, but can occur in conjunction with, the provision of a medication or a medical device. Medication therapy management encompasses a broad range of professional activities and responsibilities within the licensed pharmacist's scope of practice.

These services may include the following, according to the individual needs of the patient:

(A) Performing or obtaining necessary assessments of the patient's health status pertinent to medication therapy management;

(B) Optimize medication use, performing medication therapy, and formulating recommendations for patient medication care plans;

(C) Developing therapeutic recommendations, to resolve medication related problems;

(D) Monitoring and evaluating the patient's response to medication therapy, including safety and effectiveness;

(E) Performing a comprehensive medication review to identify, resolve, and prevent medication-related problems, including adverse drug events;

(F) Documenting the care delivered and communicating essential information to the patient's primary care providers;

(G) Providing verbal education and training designed to enhance patient understanding and appropriate use of his or her medications;

(H) Providing information, support services, and resources designed to enhance patient adherence with his or her medication therapeutic regimens;

(I) Coordinating and integrating medication therapy management services within the broader health care management services being provided to the patient; and

(J) Such other patient care services as may be allowed by law.

~~(43)~~ "Misbranded" means a drug or device that has a label that is false or misleading in any particular manner; or the label does not bear the name and address of the manufacturer, packer, or distributor and does not have an accurate statement of the quantities of the active ingredients in the case of a drug; or the label does not show an accurate monograph for prescription drugs.

~~(44)~~ "Nonprescription drug" means a drug which may be sold without a prescription and which is labeled for use by the consumer in accordance with the requirements of the laws and rules of this state and the federal government.

~~(45)~~ "Normal distribution channel" means a chain of custody for a prescription drug that goes directly or by drop shipment, from a manufacturer of the prescription drug, the manufacturer's third-party logistics provider, or the manufacturer's exclusive distributor to:

(A) A wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such prescription drug to a patient;

(B) A wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such prescription drug to a patient;

(C) A chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such prescription drug to a patient;

(D) A pharmacy or to other designated persons authorized by law to dispense or administer such prescription drug to a patient; or

(E) As prescribed by the board's legislative rules.

~~(46)~~ "Patient counseling" means the communication by the pharmacist of information, as prescribed further in the rules of the board, to the patient to improve therapy by aiding in the proper use of drugs and devices.

(47) "Pedigree" means a statement or record in a written form or electronic form, approved by the board, that records each wholesale distribution of any given prescription drug (excluding veterinary prescription drugs), which leaves the normal distribution channel.

(48) "Person" means an individual, corporation, partnership, association, or any other legal entity, including government.

(49) "Pharmacist" means an individual currently licensed by this state to engage in the practice of pharmacist care.

(50) "Pharmacist Care" means the provision by a pharmacist of patient care activities, with or without the dispensing of drugs or devices, intended to achieve outcomes related to the cure or prevention of a disease, elimination, or reduction of a patient's symptoms, or arresting or slowing of a disease process and as provided for in section ten.

(51) "Pharmacist-in-charge" means a pharmacist currently licensed in this state who accepts responsibility for the operation of a pharmacy in conformance with all laws and legislative rules pertinent to the practice of pharmacist care and the distribution of drugs and who is personally in full charge of the pharmacy and pharmacy personnel.

(52) "Pharmacist's scope of practice pursuant to the collaborative pharmacy practice agreement" means those duties and limitations of duties placed upon the pharmacist by the collaborating physician, ~~as jointly approved by the board and the Board of Medicine or the West Virginia Board of Osteopathic Medicine.~~

(53) "Pharmacy" means any place within this state where drugs are dispensed and pharmacist care is provided and any place outside of this state where drugs are dispensed and pharmacist care is provided to residents of this state.

(54) "Pharmacy Intern" or "Intern" means an individual who is currently licensed to engage in the practice of pharmacist care while under the supervision of a pharmacist.

(55) "Pharmacy related primary care" means the pharmacist's activities in patient education, health promotion, selection and use of over the counter drugs and appliances and referral or assistance with the prevention and treatment of health related issues and diseases.

(56) "Pharmacy Technician" means a person registered with the board to practice certain tasks related to the practice of pharmacist care as permitted by the board.

(57) "Physician" means an individual currently licensed, in good standing and without restrictions, as an allopathic physician by the West Virginia Board of Medicine or an osteopathic physician by the West Virginia Board of Osteopathic Medicine.

"Practice notification" means a written notice to the appropriate licensing board that an individual physician or physician group or a medical provider in training where the agreement is signed by the supervising physician or chairperson of the medical department where the medical provider in training is practicing, and an individual pharmacist or pharmacists will practice in collaboration.

(58) "Practice of telepharmacy" means the provision of pharmacist care by properly licensed pharmacists located within United States jurisdictions through the use of telecommunications or

other technologies to patients or their agents at a different location that are located within United States jurisdictions.

~~(59)~~ "Practitioner" means an individual authorized by a jurisdiction of the United States to prescribe drugs in the course of professional practices, as allowed by law.

~~(60)~~ "Prescription drug" means any human drug required by federal law or regulation to be dispensed only by prescription, including finished dosage forms and active ingredients subject to section 503(b) of the federal Food, Drug and Cosmetic Act.

~~(61)~~ "Prescription or prescription drug order" means a lawful order from a practitioner for a drug or device for a specific patient, including orders derived from collaborative pharmacy practice, where a valid patient-practitioner relationship exists, that is communicated to a pharmacist in a pharmacy.

~~(62)~~ "Product Labeling" means all labels and other written, printed, or graphic matter upon any article or any of its containers or wrappers, or accompanying such article.

~~(63)~~ "Repackage" means changing the container, wrapper, quantity, or product labeling of a drug or device to further the distribution of the drug or device.

~~(64)~~ "Repackager" means a person who repackages.

~~(65)~~ "Therapeutic equivalence" mean drug products classified as therapeutically equivalent can be substituted with the full expectation that the substituted product will produce the same clinical effect and safety profile as the prescribed product which contain the same active ingredient(s); dosage form and route of administration; and strength.

~~(66)~~ "Third-party logistics provider" means a person who contracts with a prescription drug manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition. A third-party logistics provider shall be licensed as a wholesale distributor under this article and, in order to be considered part of the normal distribution channel, shall also be an authorized distributor of record.

~~(67)~~ "Valid patient-practitioner relationship" means the following have been established:

(A) A patient has a medical complaint;

(B) A medical history has been taken;

(C) A face-to-face physical examination adequate to establish the medical complaint has been performed by the prescribing practitioner or in the instances of telemedicine through telemedicine practice approved by the appropriate practitioner board; and

(D) Some logical connection exists between the medical complaint, the medical history, and the physical examination and the drug prescribed.

~~(68)~~ "Wholesale distribution" and "wholesale distributions" mean distribution of prescription drugs, including directly or through the use of a third-party logistics provider or any other situation in which title, ownership, or control over the prescription drug remains with one person or entity

but the prescription drug is brought into this state by another person or entity on his, her, or its behalf, to persons other than a consumer or patient, but does not include:

(A) Intracompany sales, as defined in ~~subdivision thirty-four~~ of this subsection;

(B) The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of such organizations;

(C) The sale, purchase, or trade of a drug or an offer to sell, purchase or trade a drug by a charitable organization described in section 501(c)(3) of the United States Internal Revenue Code of 1986 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(D) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control. For purposes of this article, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract, or otherwise;

(E) The sale, purchase, or trade of a drug or an offer to sell, purchase or trade a drug for "emergency medical reasons" for purposes of this article includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage, except that the gross dollar value of such transfers shall not exceed five percent of the total prescription drug sales revenue of either the transferor or transferee pharmacy during any ~~twelve~~ 12 consecutive month period;

(F) The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a drug or the dispensing of a drug pursuant to a prescription;

(G) The distribution of drug samples by manufacturers' representatives or distributors' representatives, if the distribution is permitted under federal law [21 U. S. C. 353(d)];

(H) Drug returns by a pharmacy or chain drug warehouse to wholesale drug distributor or the drug's manufacturer; or

(J) The sale, purchase, or trade of blood and blood components intended for transfusion.

~~(69)~~ "Wholesale drug distributor" or "wholesale distributor" means any person or entity engaged in wholesale distribution of prescription drugs, including, but not limited to, manufacturers, repackers, own-label distributors, jobbers, private-label distributors, brokers, warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses and wholesale drug warehouses, independent wholesale drug traders, prescription drug repackagers, physicians, dentists, veterinarians, birth control and other clinics, individuals, hospitals, nursing homes and/or their providers, health maintenance organizations and other health care providers, and retail and hospital pharmacies that conduct wholesale distributions, including, but not limited to, any pharmacy distributor as defined in this section. A wholesale drug distributor shall not include any for hire carrier or person or entity hired solely to transport prescription drugs.

§30-5-19. Collaborative pharmacy practice agreement and practice notification.

(a) A pharmacist engaging in collaborative pharmacy practice shall have on file at his or her place of practice the collaborative pharmacy practice agreement. The existence and subsequent termination of the agreement and any additional information the rules may require concerning the agreement, including the agreement itself, shall be made available to the appropriate licensing board for review upon request. The agreement may allow the pharmacist, within the pharmacist's scope of practice pursuant to the collaborative pharmacy practice agreement, to conduct drug therapy management activities approved by the collaborating physician. The collaborative pharmacy practice agreement shall be a voluntary process, which is a physician directed approach after informed consent of the patient and noted in the patient's medical record, that is entered into between an individual physician or physician group and an individual pharmacist or pharmacists. ~~A pharmacist may not diagnose, and an individual patient or the patient's authorized representative who has given informed consent as per subsection (c).~~

(b) A collaborative pharmacy practice agreement may authorize a pharmacist to provide drug therapy management. In instances where drug therapy is discontinued, the pharmacist shall notify the treating physician of the discontinuance in the time frame and in the manner established by joint legislative rules. Each protocol developed, pursuant to the collaborative pharmacy practice agreement, shall contain detailed direction concerning the services that the pharmacists may perform for that patient. The protocol shall include, but need not be limited to:

(1) The specific drug or drugs to be managed by the pharmacist;

(2) The terms and conditions under which drug therapy may be implemented, modified, or discontinued;

(3) The conditions and events upon which the pharmacist is required to notify the physician; and

(4) The laboratory tests that may be ordered in accordance with drug therapy management; and

(5) The mutually agreed upon patient evaluations the pharmacist may conduct.

(c) All activities performed by the pharmacist in conjunction with the protocol shall be documented in the patient's medical record. The pharmacists shall report at least every ~~thirty~~ 30 days to the physician regarding the patient's drug therapy management. The collaborative pharmacy practice agreement and protocols shall be available for inspection by the board, the West Virginia Board of Medicine, or the West Virginia Board of Osteopathic Medicine, depending on the licensing board of the participating physician. A copy of the protocol shall be filed in the patient's medical record.

(d) Collaborative pharmacy agreements may not include the management of controlled substances.

(e) A collaborative pharmacy practice agreement, meeting the requirements herein established and in accordance with joint rules, shall be allowed in the hospital setting, the nursing home setting, the medical school setting and the hospital, community-based pharmacy setting and ambulatory care clinics. The pharmacist shall be employed by or under contract to provide services to the hospital, community pharmacy, nursing home, ambulatory care clinic, or medical school, or hold a faculty appointment with one of the schools of pharmacy or medicine in this state.

(f) Notwithstanding any other provision to the contrary, a pharmacist or group of pharmacists may practice in collaboration with physicians in any practice setting, including but not limited to a health care system, pursuant to a practice notification which has been filed with the appropriate board: *Provided*, That a pharmacist who is currently in collaboration with physicians pursuant to a practice agreement which was approved prior to June 1, 2023, may continue to practice under that agreement until the practice agreement terminates or until June 1, 2024.

(g) The practice notification shall be filed with the appropriate licensing board and becomes effective immediately upon filing. The board retains jurisdiction to investigate any complaints filed regarding a practice notification with respect to their respective license holders.

(f) (h) Nothing pertaining to collaborative pharmacy practice shall be interpreted to permit a pharmacist to accept delegation of a physician's authority outside the limits included in the appropriate board's statute and rules."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4324 – “A Bill to amend and reenact §30-5-4 and §30-5-19 of the Code of West Virginia, 1931, as amended, all relating to collaborative pharmacy practice; defining terms; setting forth requirements for different practice settings; prohibiting certain practices; removing board approval of specified items; updating the terms of collaborative practice agreements; providing for a practice notification; and providing for the procedure for the practice notification.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 405**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy and Hornbuckle.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4324) passed.

Delegate Kessinger moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 406**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy and Hornbuckle.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4324) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses as to

Com. Sub. for H. B. 4333, Relating to the sunset of the Board of Hearing-Aid Dealers and Fitters.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Takubo, Woodrum and Plymale.

On motion of Delegate Summers, the House of Delegates agreed to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Foster, Smith and Young.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4345, Relating to motor vehicle registration cards by establishing electronic or mobile registration cards.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4426, Repeal article 33-25G-1 *et seq.* creating provider sponsored networks.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4462, Relating to Deferred Retirement Option Plan evaluations.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4489, Require counties to post open positions on statewide job bank.

On motion of Delegate Kessinger, the House concurred in the following amendment of the bill by the Senate:

On page one, section seven-a, line four, after the word “professional”, by inserting a comma and the words “service, and extracurricular”.

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4489 – “A Bill to amend and reenact §18A-2-7a of the Code of West Virginia, 1931, as amended, relating to including service and extracurricular personnel positions in the statewide job bank required to be established by the State Board of Education; and requiring county boards of education report certain information to the statewide job bank.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 407**), and there were—yeas 96, nays 1, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Kimes.

Absent and Not Voting: Evans, Hardy and Hornbuckle.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4489) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4491, To establish requirements for carbon dioxide sequestration.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4517, Relating to the repealing requirements to display video ratings.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4631, Establishing a bone marrow and peripheral blood stem donation awareness program.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

H. B. 4649, Transferring the operations of the West Virginia Children’s Health Insurance Program to the Bureau for Medical Services.

On motion of Delegate Summers, the House concurred in the following amendment of the bill by the Senate:

On page ten, section six-a, by striking out the section caption and inserting in lieu thereof a new section caption to read as follows:

“§5-16B-6a. Required coverage for patient cost of clinical trials and autism spectrum disorder treatment.”

On page twelve, section six-a, lines fifty-one through fifty-four, by striking out all of subsection (a);”

And,

On page twelve, section six-a, line fifty-five, by striking out “(b)”.

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 408**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Hornbuckle and Kessinger.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4649) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 419, Establishing pilot project to evaluate impact of certain post-substance use disorder residential treatments.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 448, Developing policies and procedures for Statewide Interoperability Executive Committee.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 523, Transferring oversight of Jobs Investment Trust Fund to WV Economic Development Authority.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 524, Placing duties and functions of certain boards and commissions under Department of Arts, Culture, and History.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 542, Transferring Broadband Enhancement Council from Department of Commerce to Department of Economic Development.

A message from the Senate, by
The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2022, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 632 - "A Bill to amend and reenact §5F-2-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-4C-1, §16-4C-2, §16-4C-3, §16-4C-4, §16-4C-5, §16-4C-6, §16-4C-6a, §16-4C-6b, §16-4C-8, §16-4C-8a, §16-4C-9, §16-4C-10, §16-4C-12, §16-4C-13, §16-4C-14, §16-4C-15, §16-4C-16, §16-4C-17, §16-4C-18, §16-4C-20, §16-4C-21, §16-4C-23, and §16-4C-24 of said code; and to amend said code by adding thereto a new section, designated §16-4C-25, all relating to making Office of Emergency Medical Services, including all affiliated councils, boards, and entities, an independent office within Executive Branch of state government; setting effective date of July 1, 2022; providing that Governor shall appoint Director of Office of Emergency Medical Services at salary established by Governor; modifying the composition of the Emergency Medical Services Advisory Council; maintaining all authorities, powers, funds, and duties, and affiliated boards, councils, or commissions of Office of Emergency Medical Services; ensuring legislative rules remain in effect; directing Secretary of the Department of Health and Human Resources and Commissioner of Bureau for Public Health to work with Director of the Office of Emergency Medical Services to ensure smooth transition; requiring Office of Emergency Medical Services to utilize to fullest extent practicable existing resources of the Department of Health and Human Resources for functions necessary for operation of office; and making technical corrections to recognize the transfer elsewhere in code"; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by
The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 638, Changing hearing and notice provisions for failing or distressed public utilities.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 55 - "Respectfully urging the current presidential administration to open federal lease sales onshore and offshore; supporting critical energy infrastructure to safely deliver energy produced in West Virginia; and ensuring American energy companies can access the capital they need to hire American workers."

Whereas, All West Virginia residents deserve access to affordable and reliable energy, whether electricity, natural gas, or transportation fuels, and

Whereas, West Virginians are currently dealing with the highest inflation in over 40 years, with energy costs rising 29 percent, and gasoline surging 50 percent, according to the U.S. Bureau of Labor Statistics; and

Whereas, The current administration is pursuing a policy placing the United States at the mercy of the Organization of Petroleum Exporting Countries and Russia to meet our domestic needs, harming our national and economic security; and

Whereas, Foreign oil imports from Russia surged more than 20 percent providing over \$16 billion to Russia in 2021, according to the U.S. Energy Information Agency; and

Whereas, The current administration has frozen federal lease sales for American energy resources onshore and offshore while cancelling critical energy infrastructure projects like the KeystoneXL pipeline which would have reduced our dependence on Russian oil imports; and

Whereas, The current administration is actively litigating against its obligations to issue lease sales on federal lands and waters required under federal law; and

Whereas, The Federal Energy Regulatory Commission has continually delayed important decisions on permits for pipelines across the country and has recently issued new harmful policy statements that could further delay and impede critical domestic energy infrastructure from being developed, depriving West Virginia access to energy markets outside of our state; and

Whereas, The Securities and Exchange Commission is designing rules to discourage investment in domestic oil and natural gas companies which may further impede production and opportunities for West Virginians; and

Whereas, The Environmental Protection Agency has not issued a decision on West Virginia's application for Class VI primacy that would allow West Virginia to safely utilize long-term storage in conjunction with state energy development; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby respectfully urges the current Presidential Administration to open federal lease sales onshore and offshore, supporting critical energy infrastructure to safely deliver energy produced in West Virginia, and ensuring American energy companies can access the capital they need to hire American workers; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President of the United States, the Secretary of the Interior, the Secretary of the Department of Energy, the Federal Energy Regulatory Commission, the White House National Climate Advisor, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, the members of the West Virginia Congressional Delegation, and the news media of West Virginia.”; which was referred to the Committee on Rules.

Special Calendar

Third Reading

Com. Sub. for S. B. 181, Creating Core Behavioral Health Crisis Services System; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 409**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Hornbuckle and Kessinger.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 181) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 410**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Hornbuckle and Kessinger.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 181) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 213, Establishing licensed professional counseling compact; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 411**), and there were—yeas 93, nays 3, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fast, Mazzocchi and G. Ward.

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 213) passed.

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

Com. Sub. for S. B. 274, Requiring secretary of DHHR to allocate CPS workers by Bureau of Social Services' district annually; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 412**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Evans, Hardy, Kessinger and Pinson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 274) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 413**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 274) takes effect from its passage.

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

Com. Sub. for S. B. 330, Authorizing DOT to promulgate legislative rules; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 414**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 330) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 415**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 330) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 427, Permitting WV Board of Medicine investigators to carry concealed weapon; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 416**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 427) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Com. Sub. for S. B. 466, Relating to limitations on civil actions or appeals brought by inmates; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 417**), and there were—yeas 78, nays 18, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Barach, Brown, Diserio, Doyle, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Lovejoy, Pushkin, Rowe, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Evans, Hardy, Kessinger and Pinson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 466) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Com. Sub. for S. B. 505, Updating laws on licensure and regulation of money transmitters; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 418**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Maynard.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 505) passed.

On motion of Delegate Capito, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 505 – “A Bill to amend and reenact §32A-2-1, §32A-2-2, §32A-2-3, §32A-2-4, §32A-2-8, §32A-2-10, §32A-2-11, §32A-2-13, §32A-2-24, and §32A-2-25 of the Code of West

Virginia, 1931, as amended; and to amend said code by adding two new sections thereto, designated §32A-2-8a and §32A-2-8b, all relating to the licensure and regulation of money transmitters; updating definitions; eliminating outdated provisions; clarifying the financial institution exemption; permitting the Commissioner of Financial Institutions to participate in the multistate licensing and examination process and to conduct examinations; updating net worth requirements to use a sliding scale; providing information requirements for a change in control and updating the change in control process; specifying requirements for individuals in control of a licensee or applicant; requiring permissible investments to match outstanding obligations; and updating the due process procedure to eliminate the two-step process for revocations and suspensions while preserving the order and hearing requirement.”

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

Com. Sub. for S. B. 522, Combining offices of WV State Americans with Disabilities Act and WV Equal Employment Opportunity; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 419**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Maynard.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 522) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Com. Sub. for S. B. 553, Relating to powers of WV Health Care Authority; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 420**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Maynard.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 553) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 421**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Kessinger and Maynard.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 553) takes effect from its passage.

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

Com. Sub. for S. B. 575, Ensuring that imposition of certain sexual offenses apply to persons working in juvenile facilities; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 422**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy and Kessinger.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 575) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Com. Sub. for S. B. 593, Allowing Marshall University's Forensic Analysis Laboratory access and participation in WV DNA database for certain purposes; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 423**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Honaker and Kessinger.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 593) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 424**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Honaker, Kessinger and Mandt.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 593) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 603, Prohibiting licensure and re-licensure in WV if applicant is prohibited from practicing in another jurisdiction; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 425**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Evans, Hardy, Honaker and Kessinger.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 603) passed.

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

Com. Sub. for H. B. 4023, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution; on third reading, with amendments pending, was reported by the Clerk.

An amendment, offered by Delegate Zukoff, was reported by the Clerk on page 194, following the period at the end of Item 404 by inserting a new item #405, to read as follows:

1 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2023 Org 0221

Appointed Counsel Fees (R).....	78800	<u>2,000,000</u>
 Total.....		 \$ 2,000,000

From the above appropriation for Appointed Counsel Fees (R) (fund 0226 appropriation 78800 shall be used to increase reimbursement rates for Guardian Ad Litem).

And,

To renumber "Item #405 as "Item 406", and to reconcile "Total TITLE II. Section 9 – General Revenue Surplus Accrued" accordingly.

On the question of adoption of the amendment, the same was put and was rejected.

An amendment, offered by Delegate Young, was reported by the Clerk on page 194, following the period at the end of Item 404 by inserting a new item #405, to read as follows:

"405

1- Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 0403 FY 2023 Org 0511

Child Care Development.....	14400	<u>14,600,000</u>
 Total		 \$ 14,600,000"

And,

To renumber "Item #405" as "Item 406", and to reconcile "Total TITLE II. Section 9 – General Revenue Surplus Accrued" accordingly.

Whereupon,

Delegate Young asked and obtained unanimous consent to reform the amendment, as follows:

On page 194, following the period at the end of Item 405 by inserting a new item #406, to read as follows:

"406

1- Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 0403 FY 2023 Org 0511

Child Care Development.....	14400	<u>14,600,000</u>
Total		\$ 14,600,000"

And,

To renumber "Item #405" as "Item 406", and to reconcile "Total TITLE II. Section 9 – General Revenue Surplus Accrued" accordingly.

On the adoption of the reformed amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 426**), and there were-- yeas 21, nays 73, absent and not voting 6, with the yeas and the absent and not voting being as follows:

Yeas: Barach, Boggs, Brown, Diserio, Doyle, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Lovejoy, Pethtel, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Evans, Hardy, J. Kelly, Kessinger, Pack and Smith.

So, a majority of the members present not having voted in the affirmative, the amendment was rejected.

An amendment offered by Delegate Young, was reported by the Clerk on page 194 following the period at the end of Item 404 by inserting a new item #405, to read as follows:

"405

1 - House of Delegates

Fund 0170 FY 2023 Org 2200

Capital Outlay, Repairs and Equipment (R).....	58900		<u>50,000</u>
Total		\$	50,000

From the above appropriation for (fund 0170 appropriation 78900 shall be used to install video broadcasting in the four House of Delegates Committee Rooms)."

And,

To renumber "Item #405" as "Item 406", and to reconcile "Total TITLE II. Section 9 – General Revenue Surplus Accrued" accordingly.

Delegate Young asked unanimous consent to reform the amendment, which consent was not granted, objection being heard.

Whereupon,

On motion of Delegate Young, the amendment was reformed on page 194 following the period at the end of Item 405 by inserting a new item #406, to read as follows:

"406

1 - House of Delegates

Fund 0170 FY 2023 Org 2200

Capital Outlay, Repairs and Equipment (R).....	58900		<u>50,000</u>
Total		\$	50,000

From the above appropriation for (fund 0170 appropriation 78900 shall be used to install video broadcasting in the four House of Delegates Committee Rooms)."

And,

To renumber "Item #405" as "Item 406", and to reconcile "Total TITLE II. Section 9 – General Revenue Surplus Accrued" accordingly.

On the adoption of the reformed amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 427**), and there were-- yeas 21, nays 74, absent and not voting 5, with the yeas and the absent and not voting being as follows:

Yeas: Barach, Boggs, Brown, Diserio, Doyle, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Lovejoy, Pethtel, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Evans, Hardy, J. Kelly, Kessinger and Pack.

So, a majority of the members present not having voted in the affirmative, the amendment was rejected.

An amendment, offered by Delegate Young, was reported by the Clerk.

Whereupon,

Delegate Young asked and obtained unanimous consent that the amendment be withdrawn.

Delegates Boggs, Skaff, Fleischauer and Rowe moved to amend the bill on page 194, following the period at the end of Item 404 by inserting a new item #405, to read as follows:

“405

1 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund ##### FY 2023 Org #####

State Pension supplement ##### \$ 70,534,000

From the above appropriation for State Pension supplement shall be used to provide a onetime payment to all PERS and TRS pensioners.”

And,

To renumber “Item #405” as “Item 406”, and to reconcile “Total TITLE II. Section 9 – General Revenue Surplus Accrued” accordingly.

Whereupon,

Delegate Boggs asked and obtained unanimous consent to withdraw the amendment and offer the following reformed amendment on page 194, following the period at the end of Item 404 by inserting a new item #405, to read as follows:

“405

1 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund ##### FY 2023 Org #####

State Pension supplement ##### \$ 66,288,000

From the above appropriation for State Pension supplement shall be used to provide a onetime payment to all PERS and TRS pensioners.”

And,

To renumber “Item #405” as “Item 406”, and to reconcile “Total TITLE II. Section 9 – General Revenue Surplus Accrued” accordingly.

On the adoption of the reformed amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 428**), and there were— yeas 24, nays 66, absent and not voting 10, with the yeas and the absent and not voting being as follows:

Yeas: Barach, Boggs, Brown, Diserio, Doyle, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Lovejoy, Paynter, Pethtel, Pushkin, Rohrbach, Rowe, Skaff, Thompson, Toney, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Barnhart, Booth, Evans, Hardy, Haynes, J. Kelly, Kessinger, McGeehan, Pack and Pritt.

So, a majority of the members present not having voted in the affirmative, the amendment was rejected.

An amendment, offered by Delegates Zukoff and Young was reported by the Clerk.

Whereupon,

Delegate Zukoff obtained unanimous consent to withdraw the amendment.

The bill was then read a third time.

On motion of Delegate Summers, the bill was then moved to the foot of all bills.

Second Reading

S. B. 135, Relating to acquisition and disposition of property by urban development authority; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 440, Establishing Uniform Commercial Real Estate Receivership Act; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 470, Relating generally to health care decisions; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 508, Requiring certain attire for deer hunters with muzzleloaders; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 535, Providing for revocation of school personnel certification or licensure in certain circumstances; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 591, Relating to process for filling vacancies in state Legislature; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 595, Relating to Dangerousness Assessment Advisory Board; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 616, Relating to confidentiality of court files and law-enforcement records of certain enumerated offenses; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 694, Relating to oil and gas conservation; on second reading, coming up in regular order, was read a second time.

An amendment, offered by Delegate Capito, was reported by the Clerk, after the enacting clause, by striking out the remainder of the bill in its entirety and inserting in lieu thereof the following:

**“CHAPTER 22C. ENVIRONMENTAL RESOURCES; BOARDS, AUTHORITIES,
COMMISSIONS AND COMPACTS.**

ARTICLE 9. OIL AND GAS CONSERVATION.

§22C-9-1. Declaration of public policy; legislative findings.

(a) It is hereby declared to be the public policy of this state and in the public interest to:

(1) Foster, encourage, and promote exploration for and development, production, utilization, and conservation of oil and gas resources;

(2) Prohibit waste of oil and gas resources and unnecessary surface loss of oil and gas and their constituents;

(3) Encourage the maximum recovery of oil and gas; ~~and~~

(4) Safeguard, protect, and enforce the correlative rights of operators and royalty owners in a pool of oil or gas to the end that each such operator and royalty owner may obtain his or her just and equitable share of production from ~~such that~~ pool, unit or unconventional reservoir of oil or gas; and

(5) Safeguard, protect, and enforce the property rights and interests of surface owners and the owners and agricultural users of other interests in the land.

(b) The Legislature hereby determines and finds that oil and natural gas found in West Virginia in shallow sands or strata have been produced continuously for more than 100 years; that oil and gas deposits in ~~such~~ shallow sands or strata have geological and other characteristics different than those found in deeper formations and unconventional reservoirs; and that in order to encourage the maximum recovery of oil and gas from all productive formations in this state, it is

not in the public interest, with the exception of shallow wells utilized in a secondary recovery program, to enact statutory provisions relating to the exploration for or production ~~from~~ of oil and gas from vertical shallow wells, ~~as defined in section two of this article~~ but that it is in the public interest to enact statutory provisions establishing regulatory procedures and principles to be applied to the exploration for or production of oil and gas from deep wells, as defined in ~~said~~ section two and oil and gas produced from horizontal wells.

§22C-9-2. Definitions.

(a) ~~As used in this article:~~

(1) ~~“Commission” means the Oil and Gas Conservation Commission and “commissioner” means the Oil and Gas Conservation Commissioner as provided for in section four of this article;~~

(2) ~~“Director” means the Secretary of the Department of Environmental Protection and “chief” means the Chief of the Office of Oil and Gas;~~

(3) ~~“Person” means any natural person, corporation, partnership, receiver, trustee, executor, administrator, guardian, fiduciary or other representative of any kind, and includes any government or any political subdivision or any agency thereof;~~

(4) ~~“Operator” means any owner of the right to develop, operate and produce oil and gas from a pool and to appropriate the oil and gas produced therefrom, either for that person or for that person and others; in the event that there is no oil and gas lease in existence with respect to the tract in question, the owner of the oil and gas rights therein is the “operator” to the extent of seven-eighths of the oil and gas in that portion of the pool underlying the tract owned by such owner, and as “royalty owner” as to one-eighth interest in such oil and gas; and in the event the oil is owned separately from the gas, the owner of the substance being produced or sought to be produced from the pool is the “operator” as to that pool;~~

(5) ~~“Royalty owner” means any owner of oil and gas in place, or oil and gas rights, to the extent that the owner is not an operator as defined in subdivision (4) of this section;~~

(6) ~~“Independent producer” means a producer of crude oil or natural gas whose allowance for depletion is determined under Section 613A of the federal Internal Revenue Code in effect on July 1, 1997;~~

(7) ~~“Oil” means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the underground reservoir;~~

(8) ~~“Gas” means all natural gas and all other fluid hydrocarbons not defined as oil in subdivision (7) of this section;~~

(9) ~~“Pool” means an underground accumulation of petroleum or gas in a single and separate reservoir (ordinarily a porous sandstone or limestone). It is characterized by a single natural-pressure system so that production of petroleum or gas from one part of the pool affects the reservoir pressure throughout its extent. A pool is bounded by geologic barriers in all directions, such as geologic structural conditions, impermeable strata, and water in the formations, so that it is effectively separated from any other pools that may be presented in the same district or on the same geologic structure;~~

~~(10) "Well" means any shaft or hole sunk, drilled, bored or dug into the earth or underground strata for the extraction of oil or gas;~~

~~(11) "Shallow well" means any well other than a coalbed methane well, drilled no deeper than one hundred feet below the top of the "Onondaga Group": *Provided*, That in no event may the "Onondaga Group" formation or any formation below the "Onondaga Group" be produced, perforated or stimulated in any manner;~~

~~(12) "Deep well" means any well, other than a shallow well or coalbed methane well, drilled to a formation below the top of the uppermost member of the "Onondaga Group;"~~

~~(13) "Drilling unit" means the acreage on which one well may be drilled;~~

~~(14) "Waste" means and includes:~~

~~(A) Physical waste, as that term is generally understood in the oil and gas industry;~~

~~(B) The locating, drilling, equipping, operating or producing of any oil or gas well in a manner that causes, or tends to cause, a reduction in the quantity of oil or gas ultimately recoverable from a pool under prudent and proper operations, or that causes or tends to cause unnecessary or excessive surface loss of oil or gas; or~~

~~(C) The drilling of more deep wells than are reasonably required to recover efficiently and economically the maximum amount of oil and gas from a pool. Waste does not include gas vented or released from any mine areas as defined in section two, article one, chapter twenty-two-a of this code or from adjacent coal seams which are the subject of a current permit issued under article two of chapter twenty-two-a of this code: *Provided*, That this exclusion does not address ownership of the gas;~~

~~(15) "Correlative rights" means the reasonable opportunity of each person entitled thereto to recover and receive without waste the oil and gas in and under his tract or tracts, or the equivalent thereof; and~~

~~(16) "Just and equitable share of production" means, as to each person, an amount of oil or gas or both substantially equal to the amount of recoverable oil and gas in that part of a pool underlying the person's tract or tracts.~~

~~(b) Unless the context clearly indicates otherwise, the use of the word "and" and the word "or" are interchangeable, as, for example, "oil and gas" means oil or gas or both.~~

~~(a) As used in this article:~~

~~"Commission" means the Oil and Gas Conservation Commission and "commissioner" means the Oil and Gas Conservation Commissioner as provided for in §22C-9-4 of this code;~~

~~"Correlative rights" means the reasonable opportunity of each person entitled thereto to recover and receive without waste the oil and gas in and under his or her tract or tracts, or the equivalent thereof;~~

“Deep well” means any well, other than a shallow well, deep horizontal well, or a coalbed methane well, drilled to a formation below the top of the uppermost member of the “Onondaga Group”;

“Director” means the Secretary of the Department of Environmental Protection and “chief” means the Chief of the Office of Oil and Gas;

“Drilling unit” or “unit” means the acreage on which one well or more wells may be drilled;

“Gas” means all natural gas and all other fluid hydrocarbons not defined as oil as that term is defined in this section;

“Horizontal drilling” means a method of drilling a well for the production of oil and gas that is intended to maximize the length of wellbore that is exposed to the formation and in which the wellbore is initially vertical but is eventually curved to become horizontal, or nearly horizontal, to be in a particular geologic formation;

“Horizontal well” means an oil and gas well, other than a coalbed methane well, where the wellbore is initially drilled using a horizontal drilling method. A horizontal well may include multiple horizontal side laterals drilled into the same formation. A horizontal well may have completions into multiple formations from the same well. Multiple horizontal wells may be drilled from the same well pad. A horizontal well may be either a shallow well or a deep well so long as it is initially drilled using a horizontal drilling method;

“Independent producer” means a producer of crude oil or natural gas whose allowance for depletion is determined under Section 613A of the federal Internal Revenue Code in effect on July 1, 1997;

“Just and equitable share of production” means, as to each person, an amount of oil or gas or both substantially equal to the amount of recoverable oil and gas in that part of a pool, unit, or unconventional reservoir in the person’s tract or tracts within a unit.

“Natural gas liquids” means the liquid hydrocarbons removed from the natural gas through the process of fractionation or condensation.

“Oil” means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the underground reservoir;

“Operator” means any owner of the right to develop, operate, and produce oil and gas from a pool and to appropriate the oil and gas produced therefrom, either for that person or for that person and others; in the event that there is no oil and gas lease in existence with respect to the tract in question, for all sections in this article other than section 7a, the owner of the oil and gas rights therein is the “operator” to the extent of seven eighths of the oil and gas in that portion of the pool underlying the tract owned by such the owner, and as “royalty owner” as to one-eighth interest in such the oil and gas; and in the event the oil is owned separately from the gas, the owner of the substance being produced or sought to be produced from the pool or the unit is the “operator” as to that pool or acreage included in a unit; the term operator includes owners of working interests in a lease but does not include owners whose interest is limited to working interests in a wellbore only, overriding royalties, or net profits interests;

“Person” means any natural person, corporation, limited liability company, partnership, receiver, trustee, executor, administrator, guardian, fiduciary or other representative of any kind, and includes any government or any political subdivision or any agency thereof;

“Pool” means an underground accumulation of petroleum or gas in a single and separate reservoir (ordinarily a porous sandstone or limestone). It is characterized by a single natural-pressure system so that production of petroleum or gas from one part of the pool affects the reservoir pressure throughout its extent. A pool is bounded by geologic barriers in all directions, such as geologic structural conditions, impermeable strata, and water in the formations, so that it is effectively separated from any other pools that may be presented in the same district or on the same geologic structure;

“Royalty owner” means any owner of oil and gas in place, or oil and gas rights, to the extent that the owner is not an operator as that term is defined in this section;

“Shallow well” means any well other than a shallow horizontal well or a coalbed methane well, drilled no deeper than 100 feet below the top of the “Onondaga Group”: *Provided*, That in no event may the “Onondaga Group” formation or any formation below the “Onondaga Group” be produced, perforated or stimulated in any manner;

“Unconventional reservoir” means any geologic formation that contains or is otherwise productive of oil or natural gas that generally cannot be produced at economic flow rates or in economic volumes except by wells stimulated by multiple hydraulic fracture treatments, a horizontal wellbore, or by using multilateral wellbores or some other technique to expose more of the formation to the wellbore;

“Vertical well” means an oil and gas well that does not utilize horizontal drilling methods. A vertical well may be either a shallow well or a deep well so long as it is initially drilled not using a horizontal drilling method;

“Waste” means and includes:

(1) Physical waste, as that term is generally understood in the oil and gas industry;

(2) The locating, drilling, equipping, operating, or producing of any oil or gas well in a manner that causes, or tends to cause, a reduction in the quantity of oil or gas ultimately recoverable from a pool under prudent and proper operations, or that causes or tends to cause unnecessary or excessive surface loss of oil or gas; or

(3) The drilling of more horizontal wells or deep wells than are reasonably required to recover efficiently and economically the maximum amount of oil and gas from a pool, unit, or an unconventional reservoir. Waste does not include gas vented or released from any mine areas as defined in §22A-1-2 of this code or from adjacent coal seams which are the subject of a current permit issued under §22A-2-1 *et seq.* of this code: *Provided*, That this exclusion does not address ownership of the gas;

“Well” means any shaft or hole sunk, drilled, bored or dug into the earth or underground strata for the extraction of oil or gas;

(b) Unless the context clearly indicates otherwise, the use of the word “and” and the word “or” are interchangeable, as, for example, “oil and gas” means “oil or gas or both”.

(c) A person with an interest in oil and gas in a unit formed under this article who does not consent to the unit shall have no liability in connection with well site preparation, drilling, completion, maintenance, reclamation, plugging, and other operations with respect to wells drilled in the unit: *Provided*, That this subsection shall not apply to any operator in a horizontal well unit, including but not limited to any nonconsenting party who elects to participate in the horizontal well unit on a carried basis pursuant to §22C-9-7a of this code.

§22C-9-3. Application of article; exclusions.

(a) Except as provided in subsection (b) of this section, the provisions of this article shall apply to all lands located in this state, however owned, including any lands owned or administered by any government or any agency or subdivision thereof, over which the state has jurisdiction under its police power. The provisions of this article are in addition to and not in derogation of or substitution for the provisions of §22-6-1 *et seq.* of this code.

(b) This article shall not apply to or affect:

(1) Shallow wells other than shallow horizontal wells and those utilized in secondary recovery programs as set forth in in §22C-9-8 of this code and those provided for in §22C-9-4 of this code;

(2) Any well commenced or completed prior to March 9, 1972, unless ~~such~~ the well is, after completion (whether ~~such~~ the completion is prior or subsequent to that date):

(A) Deepened or drilled laterally subsequent to that date to a formation at or below the top of the uppermost member of the Onondaga Group; ~~or~~

(B) Involved in secondary recovery operations for oil under an order of the commission entered pursuant to §22C-9-8 of this code; or

(C) Drilled laterally as a horizontal well at any depth;

(3) Gas storage operations or any well employed to inject gas into or withdraw gas from a gas storage reservoir or any well employed for storage observation; ~~or~~

(4) Free gas rights; or

(5) Coalbed methane wells.

(c) The provisions of this article shall not be construed to grant to the commissioner or the commission authority or power to:

(1) Limit production or output, or prorate production of any oil or gas well, except as provided in §22C-9-7(a)(6) of this code; or

(2) Fix prices of oil or gas.

(d) Nothing contained in either this chapter or §22-1-1 *et seq.* of this code may be construed so as to require, prior to commencement of plugging operations, a lessee under a lease covering a well to give or sell the well to any person owning an interest in the well, including, but not limited to, a respective lessor, or agent of the lessor, nor shall the lessee be required to grant to a person

owning an interest in the well, including, but not limited to, a respective lessor, or agent of a lessor, an opportunity to qualify under §22-6-26 of this code to continue operation of the well.

§22C-9-4. Oil and gas conservation commissioner and commission; commission membership; qualifications of members; terms of members; vacancies on commission; meetings; compensation and expenses; appointment and qualifications of commissioner; general powers and duties.

(a) The "oil and gas conservation commission" shall be ~~is~~ composed of ~~five~~ seven members. The director of the Department of Environmental Protection, and the Chief of the Office of Oil and Gas shall be ~~are~~ members of the commission ex officio. The remaining ~~three~~ five members of the commission shall be appointed by the Governor, by and with the advice and consent of the Senate, and may not be employees of the Department of Environmental Protection. Of the ~~three~~ five members appointed by the Governor, one shall be an independent producer and at least one shall be a public member not engaged in an activity under the jurisdiction of the Public Service Commission or the Federal Energy Regulatory Commission. ~~and at least one shall be a public member not engaged in an activity under the jurisdiction of the Public Service Commission or the federal energy regulatory commission~~ The third appointee shall possess a degree from an accredited college or university in engineering or geology and must be a registered professional engineer with particular knowledge and experience in the oil and gas industry and shall serve as commissioner and as chair of the commission. The fourth appointee shall be an individual who has substantial experience in the agricultural industry, who is engaged in the business of farming in this state, and who is not and never has been, either himself or herself nor through a member of his or her immediate family, engaged in the business of oil and gas other than as a royalty recipient. When this member is to be appointed, the Governor shall request from the primary organization representing the agriculture industry in this state a list of three nominees for the member to be appointed. The fifth appointee shall be a resident owner of minerals in this state who is not and never has been affiliated with an operator of oil or gas wells. The term "affiliated", as used in the immediately preceding sentence, means someone who directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with an operator of oil and gas wells by virtue of the power to direct or cause the direction of the management and policies of that operator, whether through the ownership of voting shares, by contract or otherwise.

(b) The members of the commission appointed by the Governor shall be appointed for overlapping terms of six years each, ~~except that the original appointments shall be for terms of two, four, and six years, respectively~~ except that any initial appointments shall be for terms of two, four, or six years to achieve staggered ends of terms. Each member appointed by the Governor shall serve until the members successor has been appointed and qualified. Members may be appointed by the Governor to serve any number of terms. The members of the commission appointed by the Governor, before performing any duty hereunder, shall take and subscribe to the oath required by section 5, article IV of the Constitution of West Virginia. Vacancies in the membership appointed by the Governor shall be filled by appointment by the Governor for the unexpired term of the member whose office is vacant and ~~such~~ the appointment shall be made by the Governor within 60 days of the occurrence of such vacancy. Any member appointed by the Governor may be removed by the Governor in case of incompetency, neglect of duty, gross immorality, or malfeasance in office. A commission member's appointment shall be ~~is~~ terminated as a matter of law if that member fails to attend three consecutive meetings. The Governor shall appoint a replacement within 30 days of the termination.

(c) The commission shall meet at such times and places as ~~shall be~~ are designated by the chair. The chair may call a meeting of the commission at any time, and shall call a meeting of the commission upon the written request of two members or upon the written request of the oil and gas conservation commissioner or the Chief of the Office of Oil and Gas. Notification of each meeting shall be given in writing to each member by the chair at least 14 calendar days in advance of the meeting. ~~Three~~ Four members of the commission, at least two of whom are appointed members, ~~shall~~ constitute a quorum for the transaction of any business.

(d) The commission shall pay each member the same compensation as is paid to members of the Legislature for their interim duties as recommended by the citizens legislative compensation commission and authorized by law for each day or portion thereof engaged in the discharge of official duties and shall reimburse each member for actual and necessary expenses incurred in the discharge of official duties.

(e) The commission is hereby empowered and it is the commission's duty to execute and carry out, administer and enforce the provisions of this article in the manner provided herein. Subject to the provisions of §22C-9-3 of this code, the commission has jurisdiction and authority over all persons and property necessary therefor. The commission is authorized to make such investigation of records and facilities as the commission ~~deems~~ considers proper. In the event of a conflict between the duty to prevent waste and the duty to protect correlative rights, the commission's duty to prevent waste ~~shall be~~ is paramount.

(f) Without limiting the commission's general authority, the commission ~~shall have~~ has specific authority to:

(1) Regulate the spacing of deep wells;

(2) Issue horizontal well unit orders;

~~(2)~~(3) Make and enforce reasonable rules and orders reasonably necessary to prevent waste, protect correlative rights, govern the practice and procedure before the commission and otherwise administer the provisions of this article;

~~(3)~~(4) Issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of any books, records, maps, charts, diagrams, and other pertinent documents, and administer oaths and affirmations to ~~such~~ the witnesses, whenever, in the judgment of the commission, it is necessary to do so for the effective discharge of the commission's duties under the provisions of this article; and

~~(4)~~(5) Serve as technical advisor regarding oil and gas to the Legislature, its members and committees, to the Chief of Office of Oil and Gas, to the Department of Environmental Protection and to any other agency of state government having responsibility related to the oil and gas industry.

(g) The commission may delegate to the commission staff the authority to approve or deny an application for new well permits, to establish drilling units or special field rules if:

(1) The application conforms to the rules of the commission; and

(2) No request for hearing has been received.

(h) The commission may not delegate its authority to:

(1) Propose legislative rules;

(2) Approve or deny an application for new well permits, to establish drilling units or special field rules if the conditions set forth in subsection (g) of this section are not met; or

(3) Approve or deny an application for the pooling of interests within a drilling unit.

(i) Any exception to the field rules or the spacing of wells which does not conform to the rules of the commission, and any application for the pooling of interests within a drilling unit, must be presented to and heard before the commission.

(j) The commission is hereby empowered and it is the commission's duty to execute and carry out, administer, and enforce the relevant provisions of §37B-1-1 *et seq.* of this code concerning mineral development by cotenants for all wells at all depths and §22-11B-1 *et seq.* of this code concerning underground carbon dioxide sequestration storage facilities at all depths. The commission has jurisdiction and authority over all persons and property necessary therefor. The commission is authorized to make such investigation of records and facilities as the commission deems proper.

§22C-9-5. Rules; notice requirements.

(a) The commission may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code, to implement and make effective the provisions of this article and the powers and authority conferred and the duties imposed upon the commission under the provisions of this article.

(b) Notwithstanding the provisions of §29A-7-2 of this code, any notice required under the provisions of this article shall be given at the direction of the commission by personal or substituted service or by certified United States mail, addressed, postage prepaid, to the last-known mailing address, if any, of the person being served, with the direction that the same be delivered to addressee only, return receipt requested. In the case of providing notice upon the filing of an application with the commission, the commission ~~shall cause~~ shall, within 14 days of the filing of an application, submit for publication notice of the application notice to be published as a Class II legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and the publication area for ~~such the~~ publication shall be the county or counties wherein any land which may be affected by ~~such the~~ order is situate.

In addition, the commission shall mail a copy of ~~such the~~ notice to all other persons who have specified to the commission an address to which all such notices may be mailed. The notice shall issue in the name of the state, shall be signed by the one of the commission members, shall specify the style and number of the proceeding, the time and place of any hearing and shall briefly state the purpose of the proceeding. Each notice of a hearing must be provided no fewer than 20 days preceding the hearing date. Personal or substituted service and proof thereof may be made by an officer authorized to serve process or by an agent of the commission in the same manner as is now provided by the ~~"West Virginia Rules of Civil Procedure for Trial Courts of Record"~~ West Virginia Rules of Civil Procedure for service of process in civil actions in the various courts of this state.

A certified copy of any pooling or unit order entered under the provisions of this article shall be presented by the commission to the clerk of the county commission of each county wherein all or any portion of the pooled or unit tract is located, for recordation in the record book of ~~such~~ the county in which oil and gas leases are normally recorded. The recording of the order from the time noted thereon by ~~such~~ the clerk shall be notice of the order to all persons.

§22C-9-7a. Unitization of interests in horizontal well drilling units.

(a) Declaration of public policy; legislative findings regarding unitization for all horizontal wells.

The Legislature finds that horizontal drilling is a technique that effectively and efficiently recovers natural resources and should be encouraged as a means of production of oil and gas and it is hereby declared to be the public policy of this state and in the public interest to:

(1) Foster, encourage, and promote exploration for and development, production, utilization, and conservation of oil and gas resources by horizontal drilling in deep and shallow formations;

(2) Prohibit waste of oil and gas resources and unnecessary surface loss of oil and gas and their constituents;

(3) Encourage the maximum recovery of oil and gas; and

(4) Safeguard, protect, and enforce the correlative rights of operators and royalty owners of oil and gas in a horizontal well unit to the end that each such operator and royalty owner may obtain his or her just and equitable share of production from that pool, horizontal well unit or unconventional reservoir of oil or gas; and

(5) Safeguard, protect, and enforce the property rights and interests of surface owners and the owners and agricultural users of other interests in the land.

(b) Definitions.— Unless the context in which used clearly requires a different meaning, as used in this section:

“Bonded operator” means a person that has posted a bond under §22-6-1 *et seq.* or §22-6A-1 *et seq.* of this code; is registered as an oil and gas well operator with the West Virginia Department of Environmental Protection, Office of Oil and Gas; and operates eight or more oil and gas wells, as defined in §22-6-1 *et seq.* or §22-6A-1 *et seq.* of this code, in West Virginia that are active, producing oil and gas wells;

“Executive interest” and “executory interest” means the interest entitling the owner to lease the oil and gas estate or amend an existing oil and gas lease. For purposes of this section, the owner of the executive interest is considered to be the royalty owner and interested party for purposes of notice and participation in proceedings here in this article, and all horizontal well unit orders are binding on the owners of executive interests and nonexecutive interests in a horizontal well unit. The owners of the executive interest and the associated nonexecutive interest owners are considered to be the same interest for purposes of computing percentages pursuant to §22C-9-7a(c)(2)(A) and §22C-9-7a(c)(2)(B) of this code;

“Horizontal well unit” means an area in which horizontal drilling may occur, and that is designated for the allocation of production from one or more horizontal wells drilled in the unit to oil and gas tracts, or portions of the tracts, included in the unit for production of oil and gas and

payment of royalty and proceeds of production regardless of the tract or tracts in which the horizontal well is drilled or completed, and the corresponding authorization to drill and produce oil and gas from that area as a unit, notwithstanding the lack of adequate consensual rights allowing pooling or unitization of oil and gas or allowing drilling horizontally across tract lines. When a horizontal well unit is formed, that portion of the production allocated to each tract or portion of the unit included in the horizontal well unit shall, when produced, be considered for all purposes to have been actually produced from the tract by an oil and gas well drilled, completed and producing on the tract;

“Lateral” means the portion of a well bore that deviates from approximate vertical orientation to approximate horizontal orientation and all wellbore beyond the initial deviation to total depth or terminus of the wellbore;

“Overriding royalty” means an interest carved out of the leasehold or out of the working interest and is not included within the meaning of royalty;

“Royalty owner” means any owner of oil and gas in place, or oil and gas rights, to the extent that the owner is not an operator as defined in §22C-9-2(a) of this code. A royalty owner does not include a person whose interest is limited to: (A) A working interest in a wellbore only; (B) overriding royalties; (C) nonparticipating royalty interests; (D) nonexecutive mineral interests; or (E) net profits interests;

“Target formation” means the primary geologic formation from which oil or gas is intended to be produced from a horizontal drilling operation and, where completions can reasonably be expected to produce from formations above or below the target formation, includes the formations from which production can reasonably be expected;

“Unitization” means the combination of two or more tracts of oil and gas, or portions thereof, or leases, for drilling of horizontal wells and production of oil and gas from the unit with allocation of production to the net acreage of each tract included in the unit to operate as a consolidated horizontal well unit;

“Unitization consideration” means consideration provided as set forth in subsection (f) of this section. Unitization consideration relates to the net acreage of the nonconsenting royalty owner included in a horizontal well unit;

“Unknown and unlocatable interest owner” means a royalty owner, executive interest owner, operator or other person vested with an interest in oil and gas in the target formation to be included in a horizontal well unit, whose present identity or location cannot be determined from:

(A) A reasonable review of the records of the clerk of the county commission for the county or counties where the oil and gas is located and any immediately adjacent counties within this state;

(B) Diligent inquiry to known interest owners in the same tract;

(C) Inquiry to the sheriff’s and assessor’s offices of the county or counties in which the oil and gas interest is located;

(D) A reasonable inquiry utilizing available internet resources that could reasonably lead to the identification of the person; and

(E) A mailing to the last known address, if available, of the person as reflected in the records of the sheriff's or assessor's office, and includes the unknown heirs, representatives, successors and assigns of the person.

"Weighted average sales price" means a weighted average sales price obtained each month for amounts received at the applicant's various delivery points to unaffiliated, third-party purchasers accessible by the owner's production, without deduction of post-production, third-party costs and expenses charged to or incurred by applicant and/or its affiliates other than costs and expenses charged to or incurred by applicant and/or its affiliates after the first liquid trading point or, if the production does not undergo processing, after delivery to the first interstate pipeline.

(c) Applicability. —

(1) For all horizontal wells, including shallow horizontal wells and deep horizontal wells, the commission may unitize tracts, or portions of tracts, in a horizontal well unit established under this section upon the filing of an application with the commission by a person that controls the horizontal well unit and upon the issuance of a horizontal well unit order pursuant to this section.

(2) Before filing an application under this section, an applicant must have:

(A) With respect to the royalty interest, for shallow horizontal wells and deep horizontal wells, obtained by ownership, lease, lease amendment, assignment, farmout, compliance with §37B-1-1, et seq. of this code with respect to unknown or unlocatable interest owners defined in §37B-1-3 of this code only, contract or other agreement the right, consent or agreement to pool or unitize the acreage to be included in the horizontal well unit from executory interest royalty owners of 75 percent or more of the net acreage in the target formation proposed to be included in the horizontal well unit, as provided and determined in subdivision (3) of this subsection; and

(B) With respect to the operator interest:

(i) For shallow horizontal wells, obtained by ownership, lease, lease amendment, assignment, farmout, contract, or other agreement, the right, consent or agreement to pool or unitize as to 55 percent or more of the net acreage in the target formation proposed to be included in the horizontal well unit owned, leased, or operated by operators and the applicant, collectively, by ownership, lease, farmout, assignment, contract or other agreement, as provided and determined in subdivision (3) of this subsection; or

(ii) For deep horizontal wells, obtained by ownership, lease, lease amendment, assignment, farmout, compliance with §37B-1-1, et seq. of this code with respect to unknown or unlocatable interest owners defined in §37B-1-3 of this code only, contract or other agreement the right, consent or agreement to develop the acreage to be included in the horizontal well unit from executory interest royalty owners of 55 percent or more of the net acreage in the target formation proposed to be included in the horizontal well unit, as provided and determined in subdivision (3) of this subsection;

(C) (i) Made good faith offers to consent or agree to pool or unitize, and has negotiated in good faith with, all known and locatable royalty owners having executory interests in the oil and gas in the target formation within the acreage to be included in the proposed horizontal well unit who have not previously consented or agreed to the pooling or unitization of the interests and whose interests are not subject to development under §37B-1-1, et seq. of this code; and

(ii) Made good faith offers to participate or consent or agree to the proposed horizontal well unit, and has negotiated in good faith with, all known and locatable operators who have not previously agreed to participate or consent or agree to pool or unitize the acreage to be included in a proposed horizontal well unit.

(iii) A person who satisfies the conditions of paragraphs (A) through (C) of this subdivision is referred to in this section as a person that controls the horizontal well unit.

(3) For purposes of determining whether a person has obtained the requisite control of the proposed horizontal well unit, the commission may not include overriding royalty owners, nonexecutive interest royalty owners or acreage owned or otherwise held by unleased unknown and unlocatable interest owners whose acreage is not subject to development pursuant to §37B-1-1, et seq. of this code, or acreage owned or otherwise held by operators who are not bonded operators, unless such operators have consented or otherwise agreed to develop their operator interest in the net acreage in the target formation proposed to be included in the horizontal well unit. Furthermore, for purposes of determining whether a person has the requisite control of the proposed horizontal well unit, the identity and rights of royalty owners and operators shall be determined as of the date on which the application for a horizontal well unit is filed.

(4) If the applicant has not met all the provisions of this subsection, the application shall be dismissed without prejudice.

(5) If the applicant meets all of the provisions of this subsection, the commission shall authorize unitization of tracts, or portions of the tracts, as to all interests in oil and gas in the target formation acreage proposed to be unitized for horizontal drilling, including interests of unknown and unlocatable interest owners, for production of oil and gas from the target formation as a horizontal well unit, and shall issue a horizontal well unit order in accordance with this section.

(d) Application requirements. —

(1) An applicant who is a person that controls the horizontal well unit proposed for a horizontal well unit order and has drilled or plans to drill one or more horizontal wells in the proposed horizontal well unit may file an application with the commission for a horizontal well unit order. The application shall contain:

(A) A description of the proposed horizontal well unit and identification of the target formation or formations;

(B) A statement of the nature of the operations contemplated;

(C) A plat that depicts the boundaries and acreage of the proposed horizontal well unit, the tracts in the horizontal well unit, the surface tax map and parcel numbers of the surface tracts above the tracts to be included in the horizontal well unit in accordance with county assessor's records, and the district(s) and county or counties where the proposed horizontal well unit is located. The plat shall show the surface location of the vertical borehole of the horizontal well(s) to be included in the proposed horizontal well unit determined by survey, the courses and distances of the surface location from two permanent points or landmarks on those tracts, the deviation from vertical, and also the proposed horizontal lateral portion of each proposed horizontal well to be included in the proposed horizontal well unit. The plat shall show the proposed horizontal well unit name, the proposed horizontal well names, and if known, the well number of each horizontal well to be drilled in the horizontal well unit. The plat shall also show

the location of each permitted, active oil and gas well located in the horizontal well unit, and the name of the operator of the well as shown by the records of the Department of Environmental Protection, Office of Oil and Gas: *Provided*, That the applicant is not required to depict or identify any abandoned or plugged well that is not required to be depicted or identified on the plat required by §22-6A-5(a)(6) of this code;

(D) A listing of all oil and gas tracts, or portions thereof, within the proposed horizontal well unit, the size of each tract, and the extent to which each tract is leased;

(E) The names and last known addresses of royalty owners of the target formation of each tract within the proposed horizontal well unit, specifying:

(i) Which, if any, of them are unknown and unlocatable;

(ii) Which of them hold executive rights; and

(iii) With respect to owners of an executory interest, whether they have consented to pooling or unitization of the acreage proposed to be included in the horizontal well unit;

(F) The names and last known addresses of operators of proposed horizontal well unit target formation acreage whose interest is of record in the county where the property is located, specifying:

(i) Which, if any, of them are unknown and unlocatable; and

(ii) Which, if any of them, are bonded operators, and if a bonded operator, whether he or she has consented to pooling or unitization as to the acreage proposed to be included in the horizontal well unit;

(G) Information regarding the applicant's actions to identify and locate unknown and unlocatable interest owners of target formation acreage to be included in the horizontal well unit;

(H) The percentage of the net acreage in the proposed horizontal well unit owned by executory interest target formation royalty owners who have consented to pooling or unitization;

(I) The percentage of the net acreage in the proposed horizontal well unit held by bonded operators and the applicant, collectively, as to which consent or agreement to pool or unitize has been granted;

(J) A percentage allocation to the separately owned tracts, or portions thereof, in the proposed horizontal well unit of the oil and gas that will be produced from the horizontal well unit as determined by the proportion that each tract's net acreage within the horizontal well unit bears to the total net acreage in the horizontal well unit;

(K) A certification that the applicant meets the requirements of subsection (c) of this section with respect to the proposed horizontal well unit, a list of the instruments granting the control and a certification that the applicant has mailed a copy of the application to all known and locatable interested parties by United States certified mail, return receipt requested, to their last known address and to the most current address filed with the West Virginia Department of Environmental Protection, Office of Oil and Gas, if any;

(L) A statement whether the applicant has submitted, either previously or contemporaneously with the application filed pursuant to this section, an application for a well work permit with the Department of Environmental Protection for one or more horizontal wells to be completed within the boundaries of the proposed horizontal well unit; and

(M) A proposed joint operating agreement that will govern the contractual relationship between the applicant and any unleased royalty owners following an election by the executive interest owners to participate in the drilling in the horizontal well unit on a carried basis under §22C-9-7a(f)(9) of this code.

(2) Upon the filing of an application for a horizontal well unit order, the commission shall provide notice of a hearing to all interested parties, as defined in this section, in accordance with §22C-9-5 of this code and subsection (g) of this section.

(e) Standard of review. —

(1) The commission shall evaluate the application and shall consider:

(A) The ownership and control of the tracts, or portions of the tracts, in the proposed horizontal well unit;

(B) Whether the tracts, or portions of the tracts, proposed to be made subject to a horizontal well unit order are owned, in whole or in part, by unknown and unlocatable interest owners;

(C) Information regarding the applicant's actions to locate unknown and unlocatable interest owners for the tracts, or portions of the tracts, sought to be included in the horizontal well unit;

(D) The percentage of executory interest royalty owner target formation acreage to be included in the horizontal well unit as to which consent or agreement for pooling or unitization has been granted;

(E) The percentage of proposed horizontal well unit target formation acreage held, collectively, by the applicant and bonded operators who have consented or agreed to the unit in accordance with subsection (c) of this section;

(F) Whether the applicant is a person that controls the horizontal well unit proposed for unitization;

(G) The area to be drained by well(s) completed or to be completed in the horizontal well unit;

(H) Correlative rights;

(I) The extent to which the application will prevent waste including the stranding of acreage of oil and gas formations between units that would be uneconomical to produce;

(J) Whether the applicant has complied with subsection (c) of this section;

(K) Whether notice has been provided in accordance with this section; and

(L) Whether the applicant demonstrates the intent and ability to drill all the wells proposed in the unit.

(2) The commission may not issue a horizontal well unit order pursuant to this section unless it finds that the applicant has before the filing of the application met the requirements of subsection (c) of this section.

(3) The commission may not change the operator of an existing well drilled in the proposed horizontal well unit, or a well actually being drilled within the proposed horizontal well unit as of the date the application is filed under this section and shall consider and protect the interests of owners of the well when issuing a horizontal well unit order.

(f) Horizontal well unit orders. —

(1) A horizontal well unit order under this section shall specify:

(A) The size and boundaries of the horizontal well unit giving due regard for maximization of the amount of oil and gas produced to prevent waste and protect correlative rights: *Provided*, That a horizontal well unit's size may not exceed 640 acres: *Provided, however*, That the commission may exceed the acreage limitation if the applicant demonstrates that the proposed horizontal well unit area would be drained efficiently and economically by a larger horizontal well unit: *Provided further*, That a horizontal well unit containing one or more horizontal wells may not contain more than 128 net acres controlled by nonconsenting royalty owners determined as of the date that the application for the horizontal well unit application is filed.

(B) The horizontal wells which may be drilled in the horizontal well unit, and whether the horizontal wells to be drilled are shallow or deep;

(C) If there are vertical wells completed in the target formation in the horizontal well unit, the area where a horizontal well may not be completed;

(D) The target formation or target formations to which the horizontal well unit applies; and

(E) Any unitization consideration due.

(2) An order authorizing unitization of tracts with unknown and unlocatable interest owners shall contain a finding that identifies the persons as unknown and unlocatable.

(3) An order shall specify that the allocation of the percentage of production of the horizontal wells drilled in the horizontal well unit to the separately owned tracts, or portions of the tracts, included within the horizontal well unit shall be in the proportion that each tract's net acreage within the horizontal well unit bears to the total net acreage within the horizontal well unit.

(4) A horizontal well unit order shall authorize and perfect unitization of all interests in the target formation as to the tracts, or portions of the tracts, included in the horizontal well unit.

(5) If the applicant is a person that controls the horizontal well unit proposed for a horizontal well unit order under this section, the commission shall form a horizontal well unit pursuant to this section and authorize the drilling and operation of one or more horizontal wells in the unit for the production of oil or gas from the target formation from any tract within the horizontal well unit.

(6) With respect to royalty owners of leased tracts who have not consented to pooling or unitization, the commission shall require that unitization consideration be paid to executive interest royalty owners in an amount equal to 25 percent of the weighted average monetary bonus

amount on a net mineral acre basis and a production royalty percentage equal to 80 percent of the weighted average production royalty percentage rounded to the nearest one tenth of one percent paid to other executive interest owners of leased tracts in the unit in the same target formation: *Provided*, That the weighted average calculation shall not include any fixed amounts paid to royalty owners or payments made on any basis other than a net mineral acre basis. Further, the royalty percentage cannot be less than the production royalty percentage in the existing lease or twelve and one-half percent for a flat rate lease. The applicant, all royalty owners, and owners of leasehold, working interest, overriding royalty interest and other interests in the oil and gas are bound by the order and the remaining lease terms, including other terms related to the payment of royalties. Unitization consideration shall be paid by the participating operators, including the applicant, to the extent of their interest in the horizontal well unit.

(7) With respect to interests in oil and gas as to which there is no lease in existence:

(A) Executive interest owners may elect to surrender the oil and gas underlying the tract to the participating operators, including the applicant, to the extent of their interest in the horizontal well unit for consideration, which if not agreed upon, shall be an amount equal to the weighted average amount paid, per net mineral acre, by the applicant to executive interest owners in bona fide, third-party transactions for the acquisition of the oil and gas mineral estate in the same target formation underlying the horizontal well unit: *Provided*, That the weighted average calculation shall not include any fixed amounts paid to royalty owners or payments made on any basis other than a net mineral acre basis; or

(B) Executive interest owners may make an election for unitization consideration, and if the executive interest owner elects unitization consideration, the interests of the executive interest owner and the associated nonexecutive interest owners shall be considered leased to the participating operators, including the applicant, to the extent of their interest in the horizontal well unit on terms which, if not agreed upon, shall consist of the following:

(i) A bonus payment per net mineral acre equal to the weighted average monetary bonus paid, per net mineral acre, to executive interest owners by the applicant in connection with other leases in the same target formation controlled by the applicant within the horizontal well unit: *Provided*, That the weighted average calculation shall not include any fixed amounts paid as bonus payments to executive interest owners or payments made on any basis other than a net mineral acre basis; and

(ii) A production royalty for the natural gas, oil and natural gas liquids produced and sold equal to the highest production royalty percentage in connection with other leases in the same target formation controlled by the applicant within the horizontal well unit and dated within the twenty four months preceding the application date. Executive interest owners may make a one-time election prior to the issuance of a horizontal well unit order by the commission to be paid production royalties for natural gas based on either: (a) An index price in effect at the beginning of each calendar month, as published in an independent, third-party publication reflecting arm's-length, market-based sales, for natural gas applicable to the first interstate pipeline into which the natural gas is delivered, and shall not be reduced by post-production expenses; or (b) the weighted average sales price.

Production royalties for natural gas liquids will be calculated using the sum of the proceeds received at the tailgate of the processing facility for each natural gas liquid product during each month divided by the volume of such natural gas liquid product that was sold during such month and shall not be reduced by post-production expenses. If an executive interest owner does not

make the one-time election regarding the price on which royalties for natural gas shall be paid prior to the issuance of a horizontal well unit order by the commission, the applicant shall determine whether it will pay royalties to the executive interest owner and the associated nonexecutive interest owners based on either the index price described in this subparagraph or the weighted average sales price, and such determination shall be binding on the applicant, operators, executive interest owners and the associated nonexecutive interest owners for the term of the lease. The applicant and all royalty owners and owners of leasehold, working interest, overriding royalty interest and other interests in the associated unleased oil and gas shall be bound by the order. Nothing contained in paragraph (B) applies to any lease in this state now in existence or entered into in the future, or to any award of unitization consideration made by the commission other than unitization consideration awarded to an executive interest owner of an unleased tract who elects to be considered leased pursuant to this paragraph; or

(C) Executive interest owners may make an election to participate in a horizontal well unit consistent with §22C-9-7a(f)(9) and §22C-9-7a(f)(10) of this code.

(D) Owners of oil and gas interests as to which there is no lease in existence who do not elect (A), (B) or (C) of this subdivision shall be considered to have made an election to receive unitization consideration and lease their interest in the oil and gas mineral estate in the target formation to the applicant pursuant to §22C-9-7a(f)(7)(B) of this code.

(8) No unitization consideration may be required to be paid to any royalty owner who has consented or agreed to pooling or unitization by virtue of the terms contained in an oil and gas lease, or other agreement which permits pooling or unitization.

(9) An operator may elect to consent to and participate in a horizontal well unit after an application is filed. Subject to subdivision (7) of this subsection, when the commission issues a horizontal well unit order pursuant to this section, the commission shall consider each nonconsenting operator, who does not elect to participate in the risk and cost of drilling in the horizontal well unit through a voluntary agreement with the applicant, to participate in the drilling in the horizontal well unit on a carried basis on terms and conditions which, if not agreed upon, shall be consistent with the terms and conditions contained in the proposed joint operating agreement submitted by the applicant in accordance with §22C-9-7a(d)(1)(M) of this code: *Provided*, That the commission determines that the proposed terms and conditions of the joint operating agreement are consistent with terms typically found in other similarly situated, arm's-length joint operating agreements within the horizontal well unit that were entered into by the applicant for the same target formation prior to the filing of the application for the horizontal well unit.

(10) If a nonconsenting operator participates in the drilling in the horizontal well unit on a carried basis under the horizontal well unit order and an owner of any operating interest in any portion of the horizontal well unit drills and operates, or pays the costs of drilling, completing, equipping and operating a horizontal well for the benefit of a nonconsenting operator as provided in the horizontal well unit order, then the operating owner is entitled to the share of production from the tracts or portions thereof subject to the horizontal well unit order accruing to the interest of the nonconsenting operator, exclusive of any unitization consideration, and royalty and overriding royalty reserved in any leases, assignments thereof or agreements relating thereto, of the tracts or portions of the tracts, until the net revenue from the nonconsenting operator's share of the production, exclusive of the unitization consideration, royalty and overriding royalty, equals double the share of the costs payable by or charged to the interest of the nonconsenting operator.

as set forth in the accounting procedures included within the joint operating agreement submitted by the applicant in accordance with §22C-9-7a(d)(1)(M) of this code.

(11) If all wells proposed in a horizontal well unit approved by the commission are not drilled and completed as approved in the horizontal well unit order, the applicant shall file a request to modify the horizontal well unit with the commission within 60 days from the later of: Completion of all drilling activities within the horizontal well unit; or the date that is five years after the most recent drilling activity in the horizontal well unit occurs.

(12) Any interested party may file an application to correct a clerical error in a horizontal well unit order at any time.

(13) The applicant may file a request to modify a horizontal well unit order at any time.

(14) If an operator has not drilled and completed a well in a horizontal well unit formed by the commission within three years after the latter of either the drilling and completion of the initial horizontal well in the horizontal well unit or the drilling and completion of the most recent horizontal well within the horizontal well unit, as the case may be, an interested party may file a request to modify the horizontal well unit, and the commission may modify the horizontal well unit. Upon the modification of the horizontal well unit, the commission shall recalculate the allocation of production from the tracts in the modified horizontal well unit from and after the modification order date and the modification order shall be binding on the property subject to the horizontal well unit order, and all owners thereof, their heirs, representatives, successors and assigns for so long as the horizontal well unit order remains in effect. Following the entry of a modified horizontal well unit order containing the commission's recalculation of the allocation of production from the tracts in the modified horizontal well unit order, the applicant and all other operators shall have no liability whatsoever to pay royalty in any manner other than that set forth in the modified horizontal well unit order.

(15) All operations, including, but not limited to, the commencement, drilling, or operation of a horizontal well upon any portion of a horizontal well unit for which a unit order has been entered pursuant to this section, shall be considered for all purposes the conduct of the operations upon each separate tract or portion of the tract in the horizontal well unit. That portion of the production allocated to each tract or portion of the tract included in a horizontal well unit shall, when produced, be considered for all purposes to have been actually produced from the tract by an oil and gas well drilled, completed, and producing on the tract.

(16) Subject to the provisions of subsection (o) of this section, where the commission finds that the interest of one or more unknown and unlocatable interest owners are included in the horizontal well unit, the horizontal well unit operator shall deposit the moneys payable to unknown and unlocatable interest owners into an escrow account bearing a market rate of interest to be held, administered and disbursed in accordance with an order of the commission and this section.

(17) A horizontal well unit order under this section shall expire if a horizontal well has not been drilled in the horizontal well unit within three years of the date the order is final and is nonappealable, unless the commission extends the order for good cause, and if a well has been drilled within three years the horizontal well unit shall continue in force and effect until the last producing horizontal well in the horizontal well unit is no longer capable of producing oil and gas.

(18) So long as the order remains in effect, a horizontal well unit order shall be binding on the property subject to the horizontal well order and all owners of the property and their heirs, representatives, successors, and assigns.

(g) Notice, timelines, hearings, and orders. —

(1)(A) For purposes of this section and the West Virginia Administrative Procedures Act, “interested parties” and “parties” mean owners of the executive interest in the oil and gas in the target formation within the horizontal well unit, including the unknown and unlocatable interest owner of the executive interest in the tracts, or portions of the tracts, to be included in the horizontal well unit subject to an application for a horizontal well unit order; owners of unleased oil and gas to be included in the horizontal well unit; operators of all target formation acreage in the horizontal well unit; and operators of all oil and gas wells located in the unit that have been drilled to or through the target formation.

(B) Bonded operators of wells drilled to or through the target formation that are not within the horizontal well unit but are located within 500 feet of a proposed horizontal well unit boundary and executive interest owners owning an interest in the target formation that is not located within the horizontal well unit but is located within 500 feet of a proposed horizontal well unit boundary may submit written comments regarding the horizontal well unit application at any time before the start of any hearing regarding the application, but are not interested parties and may not participate in the hearing nor have the right to appeal the commission’s decision regarding the application.

(2) Each notice issued in accordance with this section shall describe the area for which a horizontal well unit order is proposed in recognizable, narrative terms and contain such other information as is essential to the giving of proper notice, including the time and date and place of a hearing. As soon as practicable the commission shall establish a website. Within three business days of the filing of an application under this section, the commission shall publish on its website a copy of: (i) The horizontal well unit application notice required to be published pursuant to this section and section five of this article; and (ii) the proposed horizontal well unit plat filed with the application, both identified as a horizontal well unit application and indexed by county and district where the majority of the acreage to be included in the proposed horizontal well unit is located, so that the plat and notice of the application are readily accessible. Timely publication on the website for a period of 10 business days shall be notice to all operators.

(3) Upon request of any interested party or the commission, the commission shall conduct a hearing and receive evidence regarding the application. All interested parties may participate in any hearing. If a hearing has been held regarding an application, the order shall be a final order. If no hearing has been requested by the commission or an interested party within 15 days after notice of the application is posted on the commission website in accordance with subdivision (2) of this subsection, the commission may issue a proposed order and provide a copy of the proposed order, together with notice of the right to appeal to the commission and request a hearing, to all interested parties. Any interested party aggrieved by the proposed order may appeal the proposed order to the commission and request a hearing. Notice of appeal and request for hearing shall be made within 15 days of entry of the proposed order. If no appeal and request for hearing have been received within 15 days, the proposed order shall become final. If a hearing is requested, the hearing shall commence within 45 days of issuance of the initial notice. The commission may, upon written request, extend the date for the hearing: *Provided*, That the hearing must be convened within 45 days of the initial notice issued by the commission. The commission shall, within 20 days of the hearing, enter an order authorizing the unit, dismiss the application, or for good cause continue the process.

(4) At least 10 days prior to a hearing to consider an application for a horizontal well unit order, the applicant shall file with an independent, third-party attorney, or accountant selected by the chair of the commission a summary of:

(A) The prevailing economic terms of the leases within the proposed horizontal well unit relating to the target formation where the applicant is the operator, including the bonus payment per net mineral acre and production royalty rate, including whether the production royalty is subject to reduction for post-production expenses; and

(B) The prevailing amounts paid to the executive interest royalty owners, per net mineral acre, for the modification of leases relating to the target formation within the proposed unit where the applicant is the operator to allow the lessee to unitize the leased tract with other tracts for purposes of drilling horizontal wells.

(C) The independent, third-party selected by the chair of the commission shall review the economic information filed by the applicant to determine its accuracy and, upon completion of his or her review, shall submit a report to the commission specifying the following information for inclusion by the commission in the horizontal well unit order:

(i) The weighted average monetary bonus paid, per net mineral acre, to executive interest owners by the applicant in connection with other leases in the same target formation controlled by the applicant within the horizontal well unit, as provided in §22C-9-7a(f)(6) and §22C-9-7a(f)(7)(B)(ii) of this code;

(ii) The weighted average production and highest royalty percentage, calculated on a net mineral acre basis, of the leases in the same target formation controlled by the applicant within the horizontal well unit, as provided in §22C-9-7a(f)(6) of this code; and

(iii) The highest production royalty percentage in the unit in connection with other leases in the same target formation controlled by the applicant within the horizontal well unit and dated within the 24 months preceding the application date, as provided in §22C-9-7a(f)(7)(B)(ii) of this code.

(D) The reasonable fees and expenses of the independent, third-party selected by the chair of the commission to review the information filed by the applicant and render his or her report to the commission pursuant to this subsection shall be paid by the applicant.

(E) When filing information with the independent third-party selected by the chair of the commission, the applicant may mark the summary of the prevailing economic terms of leases and amounts paid for lease modifications, and any associated documents or information, as "CONFIDENTIAL" to the extent that the documents contain confidential, commercial information. Any information marked "CONFIDENTIAL" may only be used by the independent third-party selected by the chair of the commission for the purpose of performing his or her review and preparation and submission of his or her report to the commission, and by the court for the purpose of any appeal pursuant to §22C-9-7a(g)(5) of this code. All information marked "CONFIDENTIAL" pursuant to this subdivision shall retain that character in any court of competent jurisdiction on appeal, and the applicant may file a motion with the court seeking to have the documents sealed and withheld from the public record throughout the appeal from a final order of the commission pertaining to a horizontal well unit order. Furthermore, any information marked "CONFIDENTIAL" pursuant to this subdivision is exempt from disclosure under §29B-1-1 *et seq.* of this code.

(5) An order establishing a horizontal well drilling unit or dismissing an application shall be a final order. Any interested party aggrieved by the order may seek judicial review pursuant to section eleven of this article. Notice of appeal shall be made in accordance with §22C-9-11 of this code within 15 days of entry of the order. If no appeal has been received within 15 days, the order shall become final.

(h) Unit order does not grant surface rights. — A horizontal well unit order under this section does not grant or otherwise affect surface use rights: *Provided*, That without limiting the foregoing, in no event shall drilling be initiated upon, or other surface disturbance occur upon, the surface of or above a tract of minerals that was forced into the unit pursuant to this section without the owner's consent.

(i) Commission approval required for certain additional drilling. — After the filing of an application for a horizontal well unit order, no well may be drilled or completed to or through the target formation of the proposed horizontal well unit unless authorized by the commission.

(j) Contemporaneous permit applications authorized.— Notwithstanding anything to the contrary in §22-6A-1 *et seq.* of this code, upon the filing of an application for a horizontal well unit order pursuant to this section, an applicant may file an application for a well work permit under §22-6A-1 *et seq.* of this code for any proposed development within the horizontal well unit for which the unit order is sought.

(k) A party may appear in person. — At any hearing an interested party may represent themselves or be represented by an attorney-at-law.

(l) No provision of this section alters the common law of this state regarding the deduction of post-production expenses for the purpose of calculating royalty.

(m) Conflict resolution. — After the effective date of this section, all applications requesting unitization for horizontal wells shall be filed pursuant to this section. Deep well horizontal unit applications filed before the effective date of this section shall continue to proceed under and be governed by the provisions of section seven of this article. With respect to horizontal well unit applications filed after the effective date of this section, if this section conflicts with section seven of this article, the provisions of this section shall prevail. When considering an application pursuant to this section, rules regarding deep wells promulgated before the effective date of this section shall not apply.

(n) Unknown and unlocatable interest owners. — Notwithstanding the existence of unknown and unlocatable interest owners, a horizontal well unit order may be entered and development, drilling and production may occur in the horizontal well unit. Unknown and unlocatable interest owners of oil and gas in place not subject to lease shall be considered to have made an election to receive unitization consideration and lease their interest in the oil and gas mineral estate in the target formation to the applicant pursuant to §22C-9-7a(f)(7)(B) of this code. Unknown and unlocatable interest owners of working interest in property subject to lease before an application for a horizontal well unit is filed pursuant to this section shall be considered to have elected to participate in the drilling in the horizontal well unit on a carried basis pursuant to §22C-9-7a(f)(9) and §22c-9-7a(f)(10) of this code.

(o) Opportunity of surface owners to acquire interests of unknown and unlocatable interest owners in oil and gas underlying horizontal well unit. —

(1) When the interests of unknown and unlocatable interest owners' property is included in a horizontal well unit, if the applicant has not filed a proceeding pursuant to §55-12A-1 et seq. of this code (entitled Lease and Conveyance of Mineral Interests Owned by Missing or Unknown Owners or Abandoning Owners) with respect to the interest of an unknown and unlocatable interest owner in the horizontal well unit, and taxes on the unknown and unlocatable interest owners' property are not delinquent, then, after a horizontal well unit order is entered by the commission, the applicant shall inform the parties paying taxes on the surface overlying that portion of the oil and gas included in the horizontal well unit that the surface owner(s) (TSO) may acquire the underlying interest of the unknown and unlocatable interest owners in the horizontal well unit in a proceeding pursuant to this subsection and that information about the interest may be obtained from the applicant. Upon written request to the applicant by any TSO, the applicant shall, to the extent practicable under the circumstances, furnish the requesting TSO the following information: *Provided*, That applicant is not required to provide confidential, trade secret, attorney client communications or attorney work product:

(A) An identification of the last known owner, and information in the possession of the applicant regarding the last known identity and address of, the interest believed to be held by unknown and unlocatable interest owners,

(B) The efforts to locate unknown and unlocatable interest owners,

(C) Such other information known to the applicant which might be helpful in identifying or locating the present owners thereof,

(D) A copy of the most recent recorded instrument embracing the interest of the unknown and unlocatable interest owners as necessary to show the vesting of title to the minerals in the last record owner of the title to the minerals.

(E) The acreage of the tract and the net acreage of the unknown or unlocatable mineral owner or owners in the tract.

(F) The amount of money at any point to which the surface owners would be entitled upon written request.

(2) When an unknown and unlocatable interest in oil and gas is included in a horizontal well unit an owner of the surface overlying the interest may file a verified petition with respect to all the interests of unknown and unlocatable interest owners included in a horizontal well unit and underlying the surface owner's property. The circuit court in which the majority of the property subject to the petition authorized by this subsection is located has jurisdiction of the proceeding. The petition shall refer to this subsection and identify the oil and gas property subject to the petition. The prayer in any such petition shall be for the court to order, in the case of any defendant or heir, successor or assign of any defendant who does not appear to claim ownership of the defendant's interest for five years after the date the unit order is filed, a conveyance of the defendants' oil and gas mineral interest under this subsection, subject to the horizontal well unit order and lease terms approved by the commission, to the petitioners.

(3) In any proceeding authorized in this subsection the circuit court in which the petition is filed shall consider the property subject to the petition leased to the participating operators in the horizontal well unit on the terms determined by the commission.

(4) The person filing a petition under this subsection shall join as defendants to the action all unknown and unlocatable interest owners having record title to the particular oil and gas minerals subject to the petition, and the unknown heirs, successors and assigns of all such owners not known to be alive. All persons not in being who might have some contingent or future interest therein, and all persons whether in being or not in being, having any interest, present, future or contingent, in the mineral interests subject to the petition, shall be fully bound by the proceedings under this subsection.

(5) Any other owner of an overlying surface tract shall be joined as a petitioner in the proceeding. Any other person purporting to be the unknown and unlocatable interest owner, or any heir, successor or assign of an unknown and unlocatable interest owner, may appear as a matter of right at any time prior to the entry of judgment confirming the deed authorized by this subsection, for the purpose of establishing his or her title to a mineral interest subject to the petition. If the appearing unknown and unlocatable interest owner's claim is established to the satisfaction of the court, the court shall dismiss the action as to the appearing owner's interest without cost, fees or damages: *Provided*, That if the appearance of the formerly unknown and unlocatable interest owner was as a result of the filing of the petition by the surface owner pursuant to this subsection, then the court may order the petitioner's reasonable proportionate attorneys' fees and costs to be paid to the petitioner out of the amounts payable to the formerly unknown and unlocatable interest owner.

(6) The court may appoint a special commissioner at any time to deliver a deed to the petitioners in the form provided herein five years after first production reported to the state occurs or one year after the first publication service of a petition under this subsection is made, whichever is later. The special commissioner shall be an attorney duly admitted to practice before the West Virginia Supreme Court of Appeals and in good standing, but may not be required to give bond. If the petitioners do not agree as to the interest each is to acquire by the deed contemplated herein, or the division of any moneys associated therewith, the court shall equitably determine the interests of the petitioners.

(7) In any action under this subsection, if personal service of process is possible, it shall be made as provided by the West Virginia Rules of Civil Procedure. In addition, immediately upon the filing of the petition, the petitioner shall: (1) Publish a Class II legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and in the county wherein any part of the oil and gas mineral estate described in the petition lies and any immediately adjacent counties; and (2) no later than the first day of publication, file a lis pendens notice in the county clerk's office of the county where the petition is filed and the county wherein the larger part of the oil and gas mineral estate described in the petition lies. Both the advertisement and the lis pendens notice shall set forth: (1) The names of the petitioner and the defendants, as they are known to be by the exercise of reasonable diligence by the petitioner, and their last known addresses; (2) the date and record data of the instrument or other conveyance which immediately created the oil and gas mineral interest; (3) an adequate description of the land as contained therein; (4) the source of title of the last known owners of the oil and gas mineral interests; and (5) a statement that the action is brought for the purpose of authorizing payments from a horizontal well unit, and thereafter, in the case of any defendant or heir, successor or assign of any defendant who does not appear to claim ownership of the defendant's interest within five years after the date of the court ordering a conveyance of the defendant's oil and gas mineral interest under this subsection, subject to the lease terms determined by the commission and horizontal well unit order, to the owners of the surface overlying the oil and gas mineral interest. In addition, the petitioner shall send notice by certified mail, return receipt requested, to the last known address, if there is one, of all named defendants. In addition, the court may order advertisement

elsewhere or by additional means if there is reason to believe that additional advertisement might result in identifying and locating the unknown and unlocatable interest owners.

(8) Upon a finding by the court of the present ownership of the petitioners of the surface estate, the court shall order the special commissioner to convey to the proven surface owners, subject to the horizontal well unit order and lease terms approved by the commission, the mineral interest specified in the petition authorized herein, by a deed substantially in the form as follows:

This deed, made the _____ day of _____, 20____, between _____, special commissioner, grantor and _____, grantee.

Witnesseth, that whereas, grantor, in pursuance of the authority vested in him or her by an order of the circuit court of _____ county, West Virginia, entered on the _____ day of _____, 20____, in civil action no. _____ therein pending, to convey the mineral interest more particularly described below to the grantee,

Now, therefore, this deed witnesseth: That grantor grants unto grantee, subject to the provisions of the horizontal well unit order of the Oil and Gas Conservation Commission in _____ and lease terms provided therein, and further subject to all other liens and encumbrances of record, that certain oil and gas mineral interest in _____ County, West Virginia, more particularly described in the cited order of the circuit court as follows: (here insert the description in the order).

Witness the following signature.

Special Commissioner

(9) Prior to the delivery of the special commissioner's deed, no deed from owners of the surface to another party shall sever any benefits from this subsection from ownership of the surface. A deed doing so is void and unenforceable.

(10) After the date of the special commissioner's deed authorized herein, the surface owner grantee is entitled to receive all proceeds due and payable under a horizontal well unit order attributable to the mineral interests specified in the special commissioner's deed accruing before and after the date of the special commissioner's deed.

(11) The applicant may not be joined as a party, but shall be served with copies of all pleadings and other papers filed in the proceeding, and may intervene at any time. A surface owner must provide a copy of the recorded Special Commissioner deed to the applicant and any other necessary information reasonably requested by the applicant before the applicant or any other operator has an obligation to provide payment to the surface owner.

(12) Payment by the applicant shall relieve the participating operators of all liability whatsoever that the participating operators may have had to any unknown and unlocatable interest owners, their heirs, successors and assigns with respect to the payment and all operations in the horizontal well unit, all operations therein and all production from the operations.

(13) If a surface owner does not file a petition pursuant to this subsection within six years of the date notice is given to a TSO as provided herein, amounts payable with respect to the unknown and unlocatable interest owners' interests included in a horizontal well unit shall be paid to the Oil and Gas Reclamation Fund established pursuant to §22-6-29 of this code, and the payment shall relieve the participating operators of all liability of the participating operators with respect to the horizontal well unit and all operations therein and production therefrom to any unknown and unlocatable interest owners, their heirs, successors and assigns and to any owners of surface overlying the unknown and unlocatable interest owners' interest, their heirs, successors and assigns, with respect to the payment.

(14) After the recording of the special commissioner's deed, no action may be brought by any unknown and unlocatable interest owner or any heir, successor or assign thereof either to recover any past or future proceeds accrued or to be accrued from the property subject to the deed, or to recover any right, title or interest in and to the mineral interest subject to the deed.

(15) If any unknown and unlocatable interest owner or heir, successor or assign thereof appears in the proceeding in circuit court, the unknown and unlocatable interest owner, if he or she establishes his or her claim to the satisfaction of the circuit court, shall only be entitled to receive amounts payable in connection with the horizontal well unit or production therefrom after the date of appearance in the proceeding. Further, the participating operators and the petitioning surface owners shall have no liability to the unknown and unlocatable interest owner or their heirs, successors or assigns for any amount paid with respect to the unknown and unlocatable interest or the horizontal well unit or production therefrom paid in accordance with this subsection.

(p) If any part of this section is adjudged to be unconstitutional or invalid, the invalidation shall not affect the validity of the remaining parts of this section; and to this end, the provisions of this section are hereby declared to be severable."

Delegate Zukoff moved to amend the amendment on page 5, section 2, lines 90 through 92, by striking out the definition of "Just and equitable share of production" in its entirety and inserting a new definition to read as follows:

"Just and equitable share of production" means, as to each person, an amount of oil or gas or both substantially equal to the amount of recoverable oil and gas in that part of a pool underlying the person's tract or tracts."

On the adoption of the amendment to the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 429**), and there were—yeas 31, nays 62, absent and not voting 7, with the yeas and the absent and not voting being as follows:

Yeas: Barach, Boggs, Bridges, Brown, Crouse, Dean, Diserio, Doyle, Fleischauer, Fluharty, Griffith, Hansen, Hornbuckle, Howell, Jennings, Kimble, Lovejoy, Paynter, Pethtel, Pritt, Pushkin, Reed, Rowe, Skaff, Storch, Thompson, Walker, G. Ward, Williams, Young and Zukoff.

Absent and Not Voting: Evans, Garcia, Hardy, J. Kelly, Linville, McGeehan and Pack.

So, a majority of the members present not having voted in the affirmative, the amendment to the amendment was rejected.

An amendment, offered by Delegates Zukoff was reported by the Clerk.

Whereupon,

Delegate Zukoff obtained unanimous consent to withdraw the amendment.

The strike and insert amendment offered by Delegates Capito and Anderson was then adopted.

The bill was then read a third time.

First Reading

S. B. 1, Creating Mining Mutual Insurance Company; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 6, Establishing common law "veil piercing" claims not be used to impose personal liability; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 231, Relating generally to broadband connectivity; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 245, Revising wage payment and collection; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 253, Relating to voting precincts and redistricting; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 443, Including police and firefighter as electors of trustees for certain pension funds; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 478, Relating to Neighborhood Investment Program; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 486, Allowing PERS retirees to designate special needs trust as beneficiary; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 492, Relating to electronic collection of tolls; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 529, Encouraging additional computer science education in WV schools; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 543, Creating Unemployment Compensation Insurance Fraud Unit within Workforce WV; on first reading, coming up in regular order, was read a first time.

The original second reference having been omitted from the Committee on the Judiciary report on yesterday, Delegate Summers asked and obtained unanimous consent that second reference to the Committee on Finance be dispensed with.

Reference of the bill (Com. Sub. for S. B. 543) to the Committee on Finance was then abrogated and the bill was ordered to second reading.

S. B. 546, Expanding uses of fees paid by students at higher education institutions; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 550, Relating to funding for higher education institutions; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 570, Establishing training for law-enforcement in handling individuals with Alzheimer's and dementias; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 571, Declaring certain claims to be moral obligations of state; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 584, Relating to WV Infrastructure and Jobs Development Council; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 641, Requiring Consolidated Public Retirement Board to set contributions to Deputy Sheriff's Retirement System; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 698, Relating to number and selection of members for Governor's Veterans Council; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for S. B. 704, Allowing parents, grandparents, and guardians to inspect instructional materials in classroom; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Third Reading

- continued -

Com. Sub. for S. B. 250, Budget Bill; on third reading, with amendment pending, and having been placed at the foot of all bills by the Committee on Rules, was reported by the Clerk.

On motion of Delegate Householder, the bill was amended on page one after the enacting clause by striking the remainder of the bill and inserting in lieu thereof the following:

TITLE I – GENERAL PROVISIONS.

1 **Section 1. General policy.** – The purpose of this bill is to appropriate money necessary for
2 the economical and efficient discharge of the duties and responsibilities of the state and its
3 agencies during the fiscal year 2023.

1 **Sec. 2. Definitions.** — For the purpose of this bill:

2 “Governor” shall mean the Governor of the State of West Virginia.

3 “Code” shall mean the Code of West Virginia, one thousand nine hundred thirty-one, as
4 amended.

5 “Spending unit” shall mean the department, bureau, division, office, board, commission,
6 agency or institution to which an appropriation is made.

7 The “fiscal year 2023” shall mean the period from July 1, 2022, through June 30, 2023.

8 “General revenue fund” shall mean the general operating fund of the state and includes all
9 moneys received or collected by the state except as provided in W.Va. Code §12-2-2 or as
10 otherwise provided.

11 “Special revenue funds” shall mean specific revenue sources which by legislative enactments
12 are not required to be accounted for as general revenue, including federal funds.

13 “From collections” shall mean that part of the total appropriation which must be collected by
14 the spending unit to be available for expenditure. If the authorized amount of collections is not
15 collected, the total appropriation for the spending unit shall be reduced automatically by the
16 amount of the deficiency in the collections. If the amount collected exceeds the amount
17 designated “from collections,” the excess shall be set aside in a special surplus fund and may be
18 expended for the purpose of the spending unit as provided by Article 2, Chapter 11B of the Code.

1 **Sec. 3. Classification of appropriations.** — An appropriation for:

2 “Personal services” shall mean salaries, wages and other compensation paid to full-time, part-
3 time and temporary employees of the spending unit but shall not include fees or contractual
4 payments paid to consultants or to independent contractors engaged by the spending unit.
5 “Personal services” shall include “annual increment” for “eligible employees” and shall be
6 disbursed only in accordance with Article 5, Chapter 5 of the Code.

7 Unless otherwise specified, appropriations for “personal services” shall include salaries of
8 heads of spending units.

9 “Employee benefits” shall mean social security matching, workers’ compensation,
10 unemployment compensation, pension and retirement contributions, public employees insurance
11 matching, personnel fees or any other benefit normally paid by the employer as a direct cost of
12 employment. Should the appropriation be insufficient to cover such costs, the remainder of such
13 cost shall be paid by each spending unit from its “unclassified” appropriation, or its “current
14 expenses” appropriation or other appropriate appropriation. Each spending unit is hereby
15 authorized and required to make such payments in accordance with the provisions of Article 2,
16 Chapter 11B of the Code.

17 Each spending unit shall be responsible for all contributions, payments or other costs related
18 to coverage and claims of its employees for unemployment compensation and workers
19 compensation. Such expenditures shall be considered an employee benefit.

20 “BRIM Premiums” shall mean the amount charged as consideration for insurance protection
21 and includes the present value of projected losses and administrative expenses. Premiums are
22 assessed for coverages, as defined in the applicable policies, for claims arising from, inter alia,
23 general liability, wrongful acts, property, professional liability and automobile exposures.

24 Should the appropriation for "BRIM Premium" be insufficient to cover such cost, the remainder
25 of such costs shall be paid by each spending unit from its "unclassified" appropriation, its "current
26 expenses" appropriation or any other appropriate appropriation to the Board of Risk and
27 Insurance Management. Each spending unit is hereby authorized and required to make such
28 payments. If there is no appropriation for "BRIM Premium" such costs shall be paid by each
29 spending unit from its "current expenses" appropriation, "unclassified" appropriation or other
30 appropriate appropriation.

31 West Virginia Council for Community and Technical College Education and Higher Education
32 Policy Commission entities operating with special revenue funds and/or federal funds shall pay
33 their proportionate share of the Board of Risk and Insurance Management total insurance
34 premium cost for their respective institutions.

35 "Current expenses" shall mean operating costs other than personal services and shall not
36 include equipment, repairs and alterations, buildings or lands. Each spending unit shall be
37 responsible for and charged monthly for all postage meter service and shall reimburse the
38 appropriate revolving fund monthly for all such amounts. Such expenditures shall be considered
39 a current expense.

40 "Equipment" shall mean equipment items which have an appreciable and calculable period of
41 usefulness in excess of one year.

42 "Repairs and alterations" shall mean routine maintenance and repairs to structures and minor
43 improvements to property which do not increase the capital assets.

44 "Buildings" shall include new construction and major alteration of existing structures and the
45 improvement of lands and shall include shelter, support, storage, protection or the improvement
46 of a natural condition.

47 "Lands" shall mean the purchase of real property or interest in real property.

48 "Capital outlay" shall mean and include buildings, lands or buildings and lands, with such
49 category or item of appropriation to remain in effect as provided by W.Va. Code §12-3-12.

50 From appropriations made to the spending units of state government, upon approval of the
51 Governor there may be transferred to a special account an amount sufficient to match federal
52 funds under any federal act.

53 Appropriations classified in any of the above categories shall be expended only for the
54 purposes as defined above and only for the spending units herein designated: *Provided*, That the
55 secretary of each department shall have the authority to transfer within the department those
56 general revenue funds appropriated to the various agencies of the department: *Provided*,
57 *however*, That no more than five percent of the general revenue funds appropriated to any one
58 agency or board may be transferred to other agencies or boards within the department: and no
59 funds may be transferred to a "personal services and employee benefits" appropriation unless the
60 source funds are also wholly from a "personal services and employee benefits" line, or unless the
61 source funds are from another appropriation that has exclusively funded employment expenses
62 for at least twelve consecutive months prior to the time of transfer and the position(s) supported
63 by the transferred funds are also permanently transferred to the receiving agency or board within
64 the department: *Provided further*, That the secretary of each department and the director,
65 commissioner, executive secretary, superintendent, chairman or any other agency head not

66 governed by a departmental secretary as established by Chapter 5F of the Code shall have the
67 authority to transfer funds appropriated to “personal services and employee benefits,” “current
68 expenses,” “repairs and alterations,” “equipment,” “other assets,” “land,” and “buildings” to other
69 appropriations within the same account and no funds from other appropriations shall be
70 transferred to the “personal services and employee benefits” or the “unclassified” appropriation
71 except that during Fiscal Year 2023, and upon approval from the State Budget Office, agencies
72 with the appropriation “Salary and Benefits of Cabinet Secretary and Agency Heads” may transfer
73 between this appropriation and the appropriation “Personal Services and Employee Benefits” an
74 amount to cover annualized salaries and employee benefits for the fiscal year ending June 30,
75 2023, as provided by W.V. Code §6-7-2a: *And provided further*, That no authority exists hereunder
76 to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided*
77 *further*, That if the Legislature consolidates, reorganizes or terminates agencies, boards or
78 functions, within any fiscal year the secretary or other appropriate agency head, or in the case of
79 the termination of a spending unit of the state, the Director of the State Budget Office, in the
80 absence of general law providing otherwise, may transfer the funds formerly appropriated to such
81 agency, board or function, allocating items of appropriation as may be necessary if only part of
82 the item may be allocated, in order to implement such consolidation, reorganization or termination.
83 No funds may be transferred from a Special Revenue Account, dedicated account, capital
84 expenditure account or any other account or fund specifically exempted by the Legislature from
85 transfer, except that the use of the appropriations from the State Road Fund for the office of the
86 Secretary of the Department of Transportation is not a use other than the purpose for which such
87 funds were dedicated and is permitted.

88 Appropriations otherwise classified shall be expended only where the distribution of
89 expenditures for different purposes cannot well be determined in advance or it is necessary or
90 desirable to permit the spending unit the freedom to spend an appropriation for more than one of
91 the above classifications.

1 **Sec. 4. Method of expenditure.** — Money appropriated by this bill, unless otherwise
2 specifically directed, shall be appropriated and expended according to the provisions of Article 3,
3 Chapter 12 of the Code or according to any law detailing a procedure specifically limiting that
4 article.

1 **Sec. 5. Maximum expenditures.** — No authority or requirement of law shall be interpreted as
2 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.

1 **Section 1. Appropriations from general revenue.** – From the State Fund, General
2 Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set
3 forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal
4 year 2023.

LEGISLATIVE*1- Senate*Fund 0165 FY 2023 Org 2100

General**Appro-
piation****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		321,392
5	Repairs and Alterations (R).....	06400		35,000
6	Technology Repair and Modernization (R).....	29800		80,000
7	Expenses of Members (R)	39900		450,000
8	BRIM Premium (R).....	91300		<u>44,482</u>
9	Total		\$	5,952,206

10 The appropriations for the Senate for the fiscal year 2022 are to remain in full force and effect
 11 and are hereby reappropriated to June 30, 2023. Any balances so reappropriated may be
 12 transferred and credited to the fiscal year 2022 accounts.

13 Upon the written request of the Clerk of the Senate, the Auditor shall transfer amounts between
 14 items of the total appropriation in order to protect or increase the efficiency of the service.

15 The Clerk of the Senate, with the approval of the President, is authorized to draw his or her
 16 requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the
 17 Senate, for any bills for supplies and services that may have been incurred by the Senate and not
 18 included in the appropriation bill, for supplies and services incurred in preparation for the opening,
 19 the conduct of the business and after adjournment of any regular or extraordinary session, and
 20 for the necessary operation of the Senate offices, the requisitions for which are to be accompanied
 21 by bills to be filed with the Auditor.

22 The Clerk of the Senate, with the approval of the President, or the President of the Senate
 23 shall have authority to employ such staff personnel during any session of the Legislature as shall
 24 be needed in addition to staff personnel authorized by the Senate resolution adopted during any
 25 such session. The Clerk of the Senate, with the approval of the President, or the President of the
 26 Senate shall have authority to employ such staff personnel between sessions of the Legislature
 27 as shall be needed, the compensation of all staff personnel during and between sessions of the
 28 Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the
 29 Senate. The Clerk is hereby authorized to draw his or her requisitions upon the Auditor for the
 30 payment of all such staff personnel for such services, payable out of the appropriation for
 31 Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent
 32 Fund of the Senate.

33 For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly
 34 salary as provided by the Senate resolution, unless increased between sessions under the
 35 authority of the President, payable out of the appropriation for Compensation and Per Diem of
 36 Officers and Employees or Current Expenses and Contingent Fund of the Senate.

37 Included in the above appropriation for Senate (fund 0165, appropriation 02100), an amount
 38 not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of
 39 the Day Program.

2 - House of Delegates

Fund 0170 FY 2023 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		4,399,031
5	Expenses of Members (R)	39900		1,350,000
6	Capital Outlay, Repairs and Equipment (R).....	58900		500,000
7	BRIM Premium (R).....	91300		<u>80,000</u>
8	Total.....		\$	9,904,031

9 The appropriations for the House of Delegates for the fiscal year 2022 are to remain in full
 10 force and effect and are hereby reappropriated to June 30, 2023. Any balances so reappropriated
 11 may be transferred and credited to the fiscal year 2022 accounts.

12 Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer
 13 amounts between items of the total appropriation in order to protect or increase the efficiency of
 14 the service.

15 The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw
 16 his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent
 17 Fund of the House of Delegates, for any bills for supplies and services that may have been
 18 incurred by the House of Delegates and not included in the appropriation bill, for bills for services
 19 and supplies incurred in preparation for the opening of the session and after adjournment, and for
 20 the necessary operation of the House of Delegates' offices, the requisitions for which are to be
 21 accompanied by bills to be filed with the Auditor.

22 The Speaker of the House of Delegates shall have authority to employ such staff
 23 personnel during and between sessions of the Legislature as shall be needed, in addition to
 24 personnel designated in the House resolution, and the compensation of all personnel shall be as
 25 fixed in such House resolution for the session, or fixed by the Speaker during and between
 26 sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of
 27 Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable

28 out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current
29 Expenses and Contingent Fund of the House of Delegates.

30 For duties imposed by law and by the House of Delegates, including salary allowed by law
31 as keeper of the rolls, the Clerk of the House of Delegates shall be paid a monthly salary as
32 provided in the House resolution, unless increased between sessions under the authority of the
33 Speaker and payable out of the appropriation for Compensation and Per Diem of Officers and
34 Employees or Current Expenses and Contingent Fund of the House of Delegates.

35 Included in the above appropriation for House of Delegates (fund 0170, appropriation
36 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family
37 Physicians - Doc of the Day Program.

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2023 Org 2300

1	Joint Committee on Government and Finance (R)	10400	\$	7,725,138
2	Legislative Printing (R).....	10500		260,000
3	Legislative Rule-Making Review Committee (R).....	10600		147,250
4	Legislative Computer System (R).....	10700		1,447,500
5	Legislative Dues and Fees (R).....	10701		600,000
6	BRIM Premium (R).....	91300		<u>60,569</u>
7	Total.....		\$	10,240,457

8 The appropriations for the Joint Expenses for the fiscal year 2022 are to remain in full force
9 and effect and are hereby reappropriated to June 30, 2023. Any balances reappropriated may be
10 transferred and credited to the fiscal year 2022 accounts.

11 Upon the written request of the Clerk of the Senate, with the approval of the President of the
12 Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House
13 of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts between
14 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 2023 Org 2400

1	Personal Services and Employee Benefits (R).....	00100	\$	124,201,587
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2	Current Expenses (R)	13000	21,063,451
3	Repairs and Alterations (R).....	06400	40,000
4	Equipment (R).....	07000	2,482,300
5	Military Service Members Court (R)	09002	300,000
6	Judges' Retirement System (R)	11000	777,000
7	Buildings (R)	25800	10,000
8	Other Assets (R)	69000	200,000
9	BRIM Premium (R).....	91300	<u>834,000</u>
10	Total.....		\$ 149,908,338

11 The appropriations to the Supreme Court of Appeals for the fiscal years 2020, 2021 and 2022
 12 are to remain in full force and effect and are hereby reappropriated to June 30, 2023. Any
 13 balances so reappropriated may be transferred and credited to the fiscal year 2022 accounts.

14 This fund shall be administered by the Administrative Director of the Supreme Court of
 15 Appeals, who shall draw requisitions for warrants in payment in the form of payrolls, making
 16 deductions therefrom as required by law for taxes and other items.

17 The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to
 18 be transferred to the Consolidated Public Retirement Board, in accordance with the law relating
 19 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 2023 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$ 3,332,448
2	Current Expenses (R)	13000	799,000
3	Repairs and Alterations.....	06400	25,000
4	Equipment.....	07000	1,000
5	National Governors Association	12300	60,700
6	Herbert Henderson Office of Minority Affairs	13400	396,726
7	Community Food Program	18500	1,000,000

8	Office of Resiliency (R)	18600	605,234
9	BRIM Premium.....	91300	<u>183,645</u>
10	Total		\$ 6,403,753

11 Any unexpended balances remaining in the appropriations for Unclassified (fund 0101,
12 appropriation 09900), Current Expenses (fund 0101, appropriation 13000), and Office of
13 Resiliency (fund 0101, appropriation 18600) at the close of the fiscal year 2022 are hereby
14 reappropriated for expenditure during the fiscal year 2023.

15 The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101,
16 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 2023 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$ 396,421
2	Current Expenses (R)	13000	182,158
3	Repairs and Alterations.....	06400	5,000
4	Equipment.....	07000	<u>1,000</u>
5	Total		\$ 584,579

6 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102,
7 appropriation 13000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
8 during the fiscal year 2023.

9 Appropriations are to be used for current general expenses, including compensation of
10 employees, household maintenance, cost of official functions and additional household expenses
11 occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2023 Org 0100

1	Milton Flood Wall (R).....	75701	\$ 3,500,000
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2 Any unexpended balances remaining in the appropriations for Business and Economic
3 Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total

4 (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation
 5 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil
 6 Contingent Fund – Surplus (fund 0105, appropriation 26300), Local Economic Development
 7 Assistance – Surplus (fund 0105, appropriation 26600), Business and Economic Development
 8 Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation
 9 61400), Milton Flood Wall (fund 0105, appropriation 75701), Milton Flood Wall – Surplus (fund
 10 0105, appropriation 75799), Natural Disasters – Surplus (fund 0105, appropriation 76400), and
 11 Local Economic Development Assistance (fund 0105, appropriation 81900) at the close of the
 12 fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

13 From this fund there may be expended, at the discretion of the Governor, an amount not to
 14 exceed \$1,000 as West Virginia’s contribution to the interstate oil compact commission.

15 The above fund is intended to provide contingency funding for accidental, unanticipated,
 16 emergency or unplanned events which may occur during the fiscal year and is not to be expended
 17 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 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	2,461,609
2	Current Expenses (R)	13000		13,429
3	BRIM Premium.....	91300		<u>12,077</u>
4	Total		\$	2,487,115

5 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116,
 6 appropriation 13000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
 7 during the fiscal year 2023.

8 Included in the above appropriation to Personal Services and Employee Benefits (fund 0116,
 9 appropriation 00100), is \$95,000 for the Salary of the Auditor.

9 - Treasurer’s Office

(WV Code Chapter 12)

Fund 0126 FY 2023 Org 1300

1	Personal Services and Employee Benefits.....	00100	\$	2,649,270
2	Unclassified	09900		31,463
3	Current Expenses (R)	13000		572,684

4	Abandoned Property Program.....	11800	41,794
5	Other Assets	69000	10,000
6	ABLE Program.....	69201	150,000
7	BRIM Premium.....	91300	<u>59,169</u>
8	Total.....		\$ 3,514,380

9 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0126,
10 appropriation 13000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
11 during the fiscal year 2023.

12 Included in the above appropriation to Personal Services and Employee Benefits (fund 0126,
13 appropriation 00100), is \$95,000 for the Salary of the Treasurer.

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$ 6,559,737
2	Current Expenses (R)	13000	848,115
3	Animal Identification Program	03900	134,060
4	State Farm Museum.....	05500	87,759
5	Gypsy Moth Program (R)	11900	1,051,759
6	WV Farmers Market.....	12801	150,467
7	Black Fly Control.....	13700	456,724
8	HEMP Program.....	13701	363,162
9	Donated Foods Program.....	36300	45,000
10	Veterans to Agriculture Program (R)	36301	262,432
11	Predator Control (R).....	47000	176,400
12	Bee Research	69100	72,752
13	Microbiology Program	78500	102,854
14	Moorefield Agriculture Center.....	78600	1,017,582
15	Chesapeake Bay Watershed.....	83000	115,453

16	Livestock Care Standards Board.....	84300	8,820
17	BRIM Premium.....	91300	138,905
18	State FFA-FHA Camp and Conference Center	94101	756,707
19	Threat Preparedness	94200	75,618
20	WV Food Banks.....	96900	426,000
21	Senior's Farmers' Market Nutrition Coupon Program	97000	<u>55,835</u>
22	Total.....		\$ 12,906,141

23 Any unexpended balances remaining in the appropriations for Gypsy Moth Program (fund
 24 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Veterans to
 25 Agriculture Program (fund 0131, appropriation 36301), Predator Control (fund 0131, appropriation
 26 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation
 27 85000) at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the
 28 fiscal year 2023.

29 Included in the above appropriation to Personal Services and Employee Benefits (fund 0131,
 30 appropriation 00100), is \$95,000 for the Salary of the Commissioner.

31 The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be made
 32 available to the United States Department of Agriculture, Wildlife Services to administer the
 33 Predator Control Program.

34 A portion of the Current Expenses appropriation may be transferred to a special revenue fund
 35 for the purpose of matching federal funds for marketing and development activities.

36 From the above appropriation for WV Food Banks (fund 0131, appropriation 96900), \$20,000
 37 is for House of Hope and the remainder of the appropriation shall be allocated to the Huntington
 38 Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$ 836,549
2	Unclassified	09900	77,059
3	Current Expenses (R)	13000	317,848
4	Soil Conservation Projects (R).....	12000	9,962,895
5	BRIM Premium.....	91300	<u>34,428</u>
6	Total.....		\$ 11,228,779

7 Any unexpended balances remaining in the appropriations for Soil Conservation Projects (fund
8 0132, appropriation 12000) and Current Expenses (fund 0132, appropriation 13000) at the close
9 of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	695,260
2	Unclassified	09900		7,090
3	Current Expenses	13000		<u>82,605</u>
4	Total		\$	784,955

5 Any part or all of this appropriation may be transferred to a special revenue fund for the purpose
6 of matching federal funds for the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2023 Org 1400

1	Programs and Awards for 4-H Clubs and FFA/FHA	57700	\$	15,000
2	Commissioner's Awards and Programs	73700		<u>39,250</u>
3	Total		\$	54,250

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	102,573
2	Unclassified	09900		<u>950</u>
3	Total		\$	103,523

15 - Attorney General

(WV Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2023 Org 1500

1	Personal Services and Employee Benefits (R).....	00100	\$	3,114,386
2	Unclassified (R).....	09900		24,428
3	Current Expenses (R)	13000		687,795
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		1,000
6	Criminal Convictions and Habeas Corpus Appeals (R)	26000		970,283
7	Better Government Bureau	74000		283,648
8	BRIM Premium.....	91300		<u>120,654</u>
9	Total		\$	5,203,194

10 Any unexpended balances remaining in the appropriations for Personal Services and
 11 Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation
 12 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas
 13 Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool
 14 (fund 0150, appropriation 36200) at the close of the fiscal year 2022 are hereby reappropriated
 15 for expenditure during the fiscal year 2023.

16 Included in the above appropriation to Personal Services and Employee Benefits (fund 0150,
 17 appropriation 00100), is \$95,000 for the Salary of the Attorney General.

18 When legal counsel or secretarial help is appointed by the Attorney General for any state
 19 spending unit, this account shall be reimbursed from such spending units specifically appropriated
 20 account or from accounts appropriated by general language contained within this bill: *Provided*,
 21 That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending
 22 unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney
 23 General are unable to agree on the amount and terms of the reimbursement, the spending unit
 24 and the Attorney General shall submit their proposed reimbursement rates and terms to the
 25 Governor for final determination.

16 - Secretary of State

(WV Code Chapters 3, 5, and 59)

Fund 0155 FY 2023 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	118,794
2	Unclassified (R).....	09900		8,352

3	Current Expenses (R)	13000	781,584
4	BRIM Premium.....	91300	<u>34,500</u>
5	Total		\$ 943,230

6 Any unexpended balances remaining in the appropriations for Unclassified (fund 0155,
7 appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the
8 fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

9 Included in the above appropriation to Personal Services and Employee Benefits (fund 0155,
10 appropriation 00100), is \$95,000 for the Salary of the Secretary of State.

17 - State Election Commission

(WV Code Chapter 3)

Fund 0160 FY 2023 Org 1601

1	Personal Services and Employee Benefits.....	00100	\$ 2,477
2	Unclassified	09900	75
3	Current Expenses	13000	<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 2023 Org 0201

1	Personal Services and Employee Benefits.....	00100	\$ 452,199
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads	00201	168,000
4	Unclassified	09900	9,177
5	Current Expenses	13000	85,009
6	Repairs and Alterations.....	06400	100
7	Equipment.....	07000	1,000
8	Financial Advisor (R).....	30400	27,546

2022] HOUSE OF DELEGATES 1161

9	Lease Rental Payments	51600	14,850,000
10	Design-Build Board	54000	4,000
11	Other Assets	69000	100
12	BRIM Premium.....	91300	<u>6,736</u>
13	Total		\$ 15,603,867

14 Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186,
 15 appropriation 30400) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
 16 during the fiscal year 2023.

17 The appropriation for Lease Rental Payments (fund 0186, appropriation 51600) shall be
 18 disbursed as provided by W.Va. Code §31-15-6b.

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2023 Org 0205

1 The Division of Highways, Division of Motor Vehicles, Public Service Commission and other
 2 departments, bureaus, divisions, or commissions operating from special revenue funds and/or
 3 federal funds shall pay their proportionate share of the retirement costs for their respective
 4 divisions. When specific appropriations are not made, such payments may be made from the
 5 balances in the various special revenue funds in excess of specific appropriations.

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2023 Org 0209

1	Personal Services and Employee Benefits.....	00100	\$ 65,453
2	Unclassified	09900	1,400
3	Current Expenses	13000	53,563
4	GAAP Project (R).....	12500	632,332
5	BRIM Premium.....	91300	<u>20,675</u>
6	Total		\$ 773,423

7 Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203,
 8 appropriation 12500) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
 9 during the fiscal year 2023.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2023 Org 0211

1	Personal Services and Employee Benefits.....	00100	\$	2,860,163
2	Unclassified	09900		20,000
3	Current Expenses	13000		1,148,349
4	Repairs and Alterations.....	06400		500
5	Equipment.....	07000		5,000
6	Fire Service Fee.....	12600		14,000
7	Preservation and Maintenance of Statues and Monuments			
8	on Capitol Grounds	37100		68,000
9	Capital Outlay, Repairs and Equipment (R).....	58900		23,660,888
10	BRIM Premium.....	91300		<u>129,983</u>
11	Total		\$	27,906,883

12 Any unexpended balance remaining in the appropriation for Capital Outlay, Repairs and
 13 Equipment (fund 0230, appropriation 58900) at the close of the fiscal year 2022 is hereby
 14 reappropriated for expenditure during the fiscal year 2023.

15 From the above appropriation for Preservation and Maintenance of Statues and Monuments
 16 on Capitol Grounds (fund 0230, appropriation 37100), the Division shall consult the Division of
 17 Culture and History and Capitol Building Commission in all aspects of planning, assessment,
 18 maintenance and restoration.

19 The above appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation
 20 58900) shall be expended for capital improvements, maintenance, repairs and equipment for
 21 state-owned buildings.

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2023 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	1,072,747
2	Unclassified	09900		144
3	Current Expenses	13000		1,285

2022] HOUSE OF DELEGATES 1163

4	Repairs and Alterations.....	06400		200
5	BRIM Premium.....	91300		<u>6,922</u>
6	Total.....		\$	1,081,298

7 The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for all
 8 actual expenses incurred pursuant to the provisions of W.Va. Code §17-2A-13.

23 - Travel Management

(WV Code Chapter 5A)

Fund 0615 FY 2023 Org 0215

1	Personal Services and Employee Benefits.....	00100	\$	823,542
2	Unclassified	09900		12,032
3	Current Expenses	13000		440,247
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.....		\$	1,282,021

9 Any unexpended balance remaining in the appropriation for Buildings (fund 0615,
 10 appropriation 25800) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
 11 during the fiscal year 2023.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2023 Org 0217

1	Current Expenses	13000	\$	45,550
2	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 2023 Org 0219

1	Personal Services and Employee Benefits.....	00100	\$	999,883
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2	Unclassified	09900		1,000
3	Current Expenses	13000		145,295
4	Equipment.....	07000		50
5	BRIM Premium.....	91300		<u>8,740</u>
6	Total		\$	1,154,968

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2023 Org 0220

1	Personal Services and Employee Benefits.....	00100	\$	624,669
2	Unclassified	09900		2,200
3	Current Expenses	13000		104,501
4	Repairs and Alterations.....	06400		500
5	Other Assets	69000		100
6	BRIM Premium.....	91300		<u>5,574</u>
7	Total		\$	737,544

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2023 Org 0221

1	Personal Services and Employee Benefits.....	00100	\$	1,859,148
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		119,000
4	Unclassified	09900		333,300
5	Current Expenses	13000		12,740
6	Public Defender Corporations	35200		22,155,232
7	Appointed Counsel Fees (R).....	78800		12,691,113
8	BRIM Premium.....	91300		<u>10,575</u>
9	Total		\$	37,181,108

10 Any unexpended balance remaining in the appropriation for Appointed Counsel Fees (fund
 11 0226, appropriation 78800) at the close of the fiscal year 2022 is hereby reappropriated for
 12 expenditure during the fiscal year 2023.

13 The director shall have the authority to transfer funds from the appropriation to Public Defender
 14 Corporations (fund 0226, appropriation 35200) to Appointed Counsel Fees (fund 0226,
 15 appropriation 78800).

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2023 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 2023 Org 0225

1	PEIA Subsidy	80100	\$	21,000,000
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2 The Division of Highways, Division of Motor Vehicles, Public Service Commission and other
 3 departments, bureaus, divisions, or commissions operating from special revenue funds and/or
 4 federal funds shall pay their proportionate share of the public employees health insurance cost
 5 for their respective divisions.

6 The above appropriation for PEIA Subsidy (fund 0200, appropriation 80100) may be
 7 transferred to a special revenue fund and shall be utilized by the West Virginia Public Employees
 8 Insurance Agency for the purposes of offsetting benefit changes to offset the aggregate premium
 9 cost-sharing percentage requirements between employers and employees. Such amount shall
 10 not be included in the calculation of the plan year aggregate premium cost-sharing percentages
 11 between employers and employees.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2023 Org 0228

1	Forensic Medical Examinations (R).....	68300	\$	143,697
2	Federal Funds/Grant Match (R)	74900		<u>109,007</u>

3 Total \$ 252,704

4 Any unexpended balances remaining in the appropriations for Forensic Medical Examinations
5 (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation
6 74900) at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the
7 fiscal year 2023.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2023 Org 0233

1	Personal Services and Employee Benefits.....	00100	\$	704,366
2	Unclassified	09900		124
3	Current Expenses	13000		137,381
4	Repairs and Alterations.....	06400		100
5	Equipment.....	07000		2,500
6	BRIM Premium.....	91300		<u>9,784</u>
7	Total		\$	854,255

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2023 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	4,798,258
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		111,674
4	Unclassified	09900		21,435
5	Current Expenses	13000		558,024
6	Repairs and Alterations.....	06400		80,000
7	BRIM Premium.....	91300		<u>98,754</u>
8	Total		\$	5,668,145

9 Any unexpended balance remaining in the appropriation for Equipment (fund 0250,
10 appropriation 07000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
11 during the fiscal year 2023.

12 Out of the above appropriations a sum may be used to match federal funds for cooperative
13 studies or other funds for similar purposes.

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2023 Org 0306

1	Personal Services and Employee Benefits.....	00100	\$	1,645,283
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		112,753
4	Unclassified	09900		27,678
5	Current Expenses	13000		51,524
6	Repairs and Alterations.....	06400		968
7	Mineral Mapping System (R).....	20700		1,117,464
8	BRIM Premium.....	91300		<u>24,486</u>
9	Total.....		\$	2,980,156

10 Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund
11 0253, appropriation 20700) at the close of the fiscal year 2022 is hereby reappropriated for
12 expenditure during the fiscal year 2023.

13 The above Unclassified and Current Expense appropriations include funding to secure federal
14 and other contracts and may be transferred to a special revolving fund (fund 3105) for the purpose
15 of providing advance funding for such contracts.

34 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 0260 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	1,606,616
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		\$ 1,885,116

35 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2023 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$ 17,724,945
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads	00201	113,188
4	Unclassified	09900	184,711
5	Current Expenses	13000	196,302
6	Repairs and Alterations.....	06400	100
7	Equipment.....	07000	100
8	Buildings (R)	25800	100
9	Capital Outlay – Parks (R)	28800	3,000,000
10	Litter Control Conservation Officers	56400	151,662
11	Upper Mud River Flood Control.....	65400	166,304
12	Other Assets	69000	100
13	Land (R).....	73000	100
14	Law Enforcement	80600	2,628,555
15	BRIM Premium.....	91300	<u>45,141</u>
16	Total		\$ 24,211,308

17 Any unexpended balances remaining in the appropriations for Buildings (fund 0265,
18 appropriation 25800), Capital Outlay – Parks (fund 0265, appropriation 28800), Land (fund 0265,
19 appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300)
20 at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal
21 year 2023.

22 Any revenue derived from mineral extraction at any state park shall be deposited in a special
23 revenue account of the Division of Natural Resources, first for bond debt payment purposes and
24 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 2023 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$	9,662,673
2	Unclassified	09900		111,016
3	Current Expenses	13000		1,396,141
4	Coal Dust and Rock Dust Sampling	27000		493,803
5	BRIM Premium.....	91300		<u>80,668</u>
6	Total.....		\$	11,744,301

7 Included in the above appropriation for Current Expenses (fund 0277, appropriation 13000) is
 8 \$500,000 to be used for coal mine training activities at an established mine training facility in
 9 southern West Virginia.

37 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2023 Org 0319

1	Personal Services and Employee Benefits.....	00100	\$	240,032
2	Unclassified	09900		3,480
3	Current Expenses	13000		<u>118,138</u>
4	Total.....		\$	361,650

5 Included in the above appropriation for Current Expenses (fund 0280, appropriation 13000) up
 6 to \$29,000 shall be used for the Coal Mine Safety and Technical Review Committee.

38 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2023 Org 0323

1	Personal Services and Employee Benefits.....	00100	\$	51,433
2	Unclassified	09900		593
3	Current Expenses	13000		<u>6,447</u>
4	Total.....		\$	58,473

*39 - Department of Commerce –**Office of the Secretary*

(WV Code Chapter 19)

Fund 0606 FY 2023 Org 0327

1	Personal Services and Employee Benefits.....	00100	\$	1,313,774
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		153,750
4	Unclassified	09900		1,490
5	Current Expenses	13000		<u>353,147</u>
6	Total.....		\$	1,822,161

*40 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(WV Code Chapter 18)

Fund 0310 FY 2023 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$	11,913,813
2	Current Expenses	13000		558,815
3	Independent Living Services	00900		429,418
4	Workshop Development.....	16300		1,817,427
5	Supported Employment Extended Services	20600		77,960
6	Ron Yost Personal Assistance Fund	40700		333,828
7	Employment Attendant Care Program.....	59800		131,575
8	BRIM Premium.....	91300		<u>77,464</u>
9	Total.....		\$	15,340,300

10 From the above appropriation for Workshop Development (fund 0310, appropriation 16300)
 11 shall be used exclusively with the private nonprofit community rehabilitation program
 12 organizations known as work centers or sheltered workshops. The appropriation shall also be
 13 used to continue the support of the program, services, and individuals with disabilities currently in
 14 place at those organizations.

DEPARTMENT OF TOURISM

*41 - Department of Tourism –**Office of the Secretary*

(WV Code Chapter 5B)

Fund 0246 FY 2023 Org 0304

1	Tourism – Brand Promotion (R)	61803	\$	3,000,000
2	Tourism – Public Relations (R).....	61804		1,500,000
3	Tourism – Events and Sponsorships (R).....	61805		500,000
4	Tourism – Industry Development (R).....	61806		500,000
5	State Parks and Recreation Advertising (R)	61900		<u>1,500,000</u>
6	Total		\$	7,000,000

7 Any unexpended balances remaining in the appropriations for Tourism – Development
8 Opportunity Fund (fund 0245, appropriation 11601), Tourism – Brand Promotion (fund 0246,
9 appropriation 61803), Tourism – Public Relations (fund 0246, appropriation 61804), Tourism –
10 Events and Sponsorships (fund 0246, appropriation 61805), Tourism – Industry Development
11 (fund 0246, appropriation 61806), and State Parks and Recreation Advertising (fund 0246,
12 appropriation 61900) at the close of the fiscal year 2022 are hereby reappropriated for expenditure
13 during the fiscal year 2023.

14 The Secretary of the Department of Tourism shall have the authority to transfer between the
15 above items of appropriation.

DEPARTMENT OF ECONOMIC DEVELOPMENT*42 - Department of Economic Development –**Office of the Secretary*

(WV Code Chapter 5B)

Fund 0256 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	4,712,222
2	Unclassified	09900		108,055
3	Current Expenses	13000		4,715,464
4	National Youth Science Camp	13200		241,570
5	Local Economic Development Partnerships (R)	13300		1,250,000
6	ARC Assessment.....	13600		152,585

7	Guaranteed Work Force Grant (R).....	24200	982,630
8	Mainstreet Program	79400	170,493
9	BRIM Premium.....	91300	3,157
10	Hatfield McCoy Recreational Trail.....	96000	<u>198,415</u>
11	Total.....		\$ 12,534,591

12 Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund
13 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local
14 Economic Development Partnerships (fund 0256, appropriation 13300), Global Economic
15 Development Partnership (fund 0256, appropriation 20201), and Guaranteed Work Force Grant
16 (fund 0256, appropriation 24200) at the close of the fiscal year 2022 are hereby reappropriated
17 for expenditure during the fiscal year 2023.

18 From the above appropriation for Current Expenses (fund 0256, appropriation 13000), \$50,000
19 shall be used for the Western Potomac Economic Partnership \$100,000 shall be used for
20 Advantage Valley, \$548,915 is for West Virginia University, and \$298,915 is for Southern West
21 Virginia Community and Technical College for the Mine Training and Energy Technologies
22 Academy.

23 The above appropriation to Local Economic Development Partnerships (fund 0256,
24 appropriation 13300) shall be used by the Department of Economic Development for the award
25 of funding assistance to county and regional economic development corporations or authorities
26 participating in the Certified Development Community Program developed under the provisions
27 of W.Va. Code §5B-2-14. The Department of Economic Development shall award the funding
28 assistance through a matching grant program, based upon a formula whereby funding assistance
29 may not exceed \$30,000 per county served by an economic development or redevelopment
30 corporation or authority.

DEPARTMENT OF EDUCATION

43 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$ 360,144
2	Current Expenses	13000	<u>2,118,865</u>
3	Total.....		\$ 2,479,009

44 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	4,719,032
2	Unclassified (R).....	09900		420,000
3	Current Expenses (R)	13000		4,580,000
4	Teachers' Retirement Savings Realized.....	09500		56,337,000
5	Center for Professional Development (R).....	11500		150,000
6	Increased Enrollment	14000		3,260,000
7	Safe Schools.....	14300		4,530,281
8	Attendance Incentive Bonus (R).....	15001		2,056,717
9	National Teacher Certification (R)	16100		300,000
10	Jobs & Hope – Childhood Drug Prevention Education	21901		5,000,000
11	Technology Repair and Modernization.....	29800		951,003
12	HVAC Technicians	35500		529,650
13	Early Retirement Notification Incentive.....	36600		300,000
14	MATH Program	36800		336,532
15	Assessment Programs (R)	39600		3,909,374
16	Benedum Professional Development Collaborative (R).....	42700		429,775
17	Governor's Honors Academy (R)	47800		1,059,270
18	21 st Century Fellows.....	50700		274,899
19	English as a Second Language.....	52800		96,000
20	Teacher Reimbursement.....	57300		297,188
21	Hospitality Training	60000		275,498
22	Youth in Government	61600		100,000
23	High Acuity Special Needs (R).....	63400		1,500,000

24	Foreign Student Education.....	63600	100,899
25	State Board of Education Administrative Costs	68400	280,429
26	IT Academy (R).....	72100	500,000
27	Early Literacy Program.....	75600	5,711,675
28	School Based Truancy Prevention (R)	78101	2,047,366
29	Communities in Schools (R).....	78103	4,903,026
30	Mastery Based Education	78104	125,000
31	Mountain State Digital Literacy Program	86401	415,500
32	21 st Century Learners (R).....	88600	1,790,508
33	BRIM Premium.....	91300	342,859
34	21 st Century Assessment and Professional Development	93100	2,009,701
35	21 st Century Technology Infrastructure Network		
36	Tools and Support (R)	93300	9,764,417
37	Special Olympic Games.....	96600	25,000
38	Educational Program Allowance	99600	<u>516,250</u>
39	Total.....		\$ 119,944,849

40 The above appropriations include funding for the state board of education and their executive
41 office.

42 From the above appropriation for Current Expenses (fund 0313, appropriation 13000),
43 \$2,000,000 shall be used for the Department of Education Child Nutrition Program – Non-
44 traditional Child Hunger Solutions.

45 Any unexpended balances remaining in the appropriations for Unclassified (fund 0313,
46 appropriation 09900), Current Expenses (fund 0313, appropriation 13000), Center for
47 Professional Development (fund 0313, appropriation 11500), Attendance Incentive Bonus (fund
48 0313, appropriation 15001), National Teacher Certification (fund 0313, appropriation 16100),
49 Assessment Programs (fund 0313, appropriation 39600), Benedum Professional Development
50 Collaborative (fund 0313, appropriation 42700), Governor's Honors Academy (fund 0313,
51 appropriation 47800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy
52 (fund 0313, appropriation 72100), School Based Truancy Prevention (fund 0313, appropriation
53 78101), Communities in Schools (fund 0313, appropriation 78103), 21st Century Learners (fund
54 0313, appropriation 88600), and 21st Century Technology Infrastructure Network Tools and
55 Support (fund 0313, appropriation 93300) at the close of the fiscal year 2022 are hereby
56 reappropriated for expenditure during the fiscal year 2023.

57 The above appropriation for Teachers' Retirement Savings Realized (fund 0313, appropriation
58 09500) shall be transferred to the Employee Pension and Health Care Benefit Fund (fund 2044).

59 From the above appropriation for Unclassified (fund 0313, appropriation 09900), \$120,000
60 shall be for assisting low income students with AP and CLEP exam fees.

61 The above appropriation for Hospitality Training (fund 0313, appropriation 60000), shall be
62 allocated only to entities that have a plan approved for funding by the Department of Education,
63 at the funding level determined by the State Superintendent of Schools. Plans shall be submitted
64 to the State Superintendent of Schools to be considered for funding.

65 From the above appropriation for Educational Program Allowance (fund 0313, appropriation
66 99600), \$100,000 shall be expended for the Morgan County Board of Education for Paw Paw
67 Schools; \$150,000 shall be for the Randolph County Board of Education for Pickens School;
68 \$100,000 shall be for the Preston County Board of Education for the Aurora School; \$100,000
69 shall be for the Fayette County Board of Education for Meadow Bridge and \$66,250 is for Project
70 Based Learning in STEM fields.

45 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2023 Org 0402

1	Special Education – Counties	15900	\$	7,271,757
2	Special Education – Institutions	16000		4,078,883
3	Education of Juveniles Held in Predispositional			
4	Juvenile Detention Centers.....	30200		683,479
5	Education of Institutionalized Juveniles and Adults (R)	47200		<u>21,195,471</u>
6	Total		\$	33,229,590

7 Any unexpended balance remaining in the appropriation for Education of Institutionalized
8 Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2022 is
9 hereby reappropriated for expenditure during the fiscal year 2023.

10 From the above appropriations, the superintendent shall have authority to expend funds for
11 the costs of special education for those children residing in out-of-state placements.

46 - State Board of Education –

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2023 Org 0402

1	Other Current Expenses	02200	\$ 159,503,818
2	Advanced Placement	05300	594,563
3	Professional Educators	15100	904,942,470
4	Service Personnel.....	15200	303,757,447
5	Fixed Charges.....	15300	105,298,651
6	Transportation.....	15400	65,257,311
7	Improved Instructional Programs	15600	51,974,496
8	Professional Student Support Services	65500	61,488,888
9	21 st Century Strategic Technology Learning Growth	93600	26,443,757
10	Teacher and Leader Induction	93601	<u>5,478,876</u>
11	Basic Foundation Allowances		1,684,740,277
12	Less Local Share		(473,697,218)
13	Adjustments		<u>(2,397,711)</u>
14	Total Basic State Aid.....		1,208,645,348
15	Public Employees' Insurance Matching.....	01200	214,702,113
16	Teachers' Retirement System	01900	73,032,069
17	School Building Authority (R)	45300	24,000,000
18	Retirement Systems – Unfunded Liability.....	77500	<u>301,401,000</u>
19	Total.....		\$ 1,821,780,530

20 Any unexpended balances remaining in the appropriations for School Building Authority (fund
 21 0317, appropriation 45300) at the close of the fiscal year 2022 are hereby reappropriated for
 22 expenditure during the fiscal year 2023.

23 The above appropriation for School Building Authority (fund 0317, appropriation 45300) shall
 24 be transferred to the School Construction Fund (fund 3952).

47 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2023 Org 0402

2022] HOUSE OF DELEGATES 1177

1	Personal Services and Employee Benefits.....	00100	\$	1,376,322
2	Unclassified	09900		268,800
3	Current Expenses	13000		883,106
4	Wood Products – Forestry Vocational Program.....	14600		82,713
5	Albert Yanni Vocational Program	14700		132,123
6	Vocational Aid.....	14800		24,516,692
7	Adult Basic Education	14900		5,460,891
8	Jobs & Hope	14902		3,478,337
9	Program Modernization.....	30500		884,313
10	High School Equivalency Diploma Testing (R).....	72600		807,935
11	FFA Grant Awards	83900		11,496
12	Pre-Engineering Academy Program.....	84000		<u>265,294</u>
13	Total.....		\$	38,168,022

14 Any unexpended balances remaining in the appropriations for Jim's Dream (fund 0390,
 15 appropriation 14901) and High School Equivalency Diploma Testing (fund 0390, appropriation
 16 72600) at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the
 17 fiscal year 2023.

48 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2023 Org 0403

1	Personal Services and Employee Benefits.....	00100	\$	10,573,588
2	Unclassified (R).....	09900		110,000
3	Current Expenses (R)	13000		2,250,696
4	Repairs and Alterations.....	06400		164,675
5	Equipment.....	07000		77,000
6	Buildings (R)	25800		45,000
7	Capital Outlay and Maintenance (R)	75500		1,670,000

8	BRIM Premium.....	91300	<u>130,842</u>
9	Total		\$ 15,021,801

10 Any unexpended balances remaining in the appropriations for Unclassified (fund 0320,
 11 appropriation 09900), Current Expenses (fund 0320, appropriation 13000), Buildings (fund 0320,
 12 appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at
 13 the close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year
 14 2023.

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

49 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2023 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$ 3,513,485
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads	00201	120,106
4	Unclassified (R).....	09900	28,483
5	Current Expenses	13000	610,843
6	Repairs and Alterations.....	06400	1,000
7	Equipment.....	07000	1
8	WV Humanities Council	16800	250,000
9	Buildings (R)	25800	1
10	Other Assets	69000	1
11	Educational Enhancements.....	69500	573,500
12	Land (R).....	73000	1
13	Culture and History Programming	73200	231,573
14	Capital Outlay and Maintenance (R)	75500	19,600
15	Historical Highway Marker Program.....	84400	57,548
16	BRIM Premium.....	91300	<u>39,337</u>
17	Total		\$ 5,445,479

18 Any unexpended balances remaining in the appropriations for Unclassified (fund 0293,
19 appropriation 09900), WV Women's Suffragist Memorial (fund 0293, appropriation 22101),
20 Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0293,
21 appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital
22 Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Land (fund 0293,
23 appropriation 73000), and Capital Outlay and Maintenance (fund 0293, appropriation 75500) at
24 the close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year
25 2023.

26 The Current Expenses appropriation includes funding for the arts funds, department
27 programming funds, grants, fairs and festivals and Camp Washington Carver and shall be
28 expended only upon authorization of the Division of Culture and History and in accordance with
29 the provisions of Chapter 5A, Article 3, and Chapter 12 of the Code.

30 From the above appropriation for Educational Enhancements (fund 0293, appropriation
31 69500), \$500,000 shall be used for Save the Children and \$73,500 shall be used for the Clay
32 Center.

50 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2023 Org 0433

1	Personal Services and Employee Benefits.....	00100	\$	1,119,022
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		112,000
4	Current Expenses.....	13000		139,624
5	Repairs and Alterations.....	06400		6,500
6	Services to Blind & Handicapped.....	18100		161,717
7	BRIM Premium.....	91300		<u>18,205</u>
8	Total.....		\$	1,557,068

51 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2023 Org 0439

1	Personal Services and Employee Benefits.....	00100	\$	3,274,206
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		120,106
4	Current Expenses.....	13000		113,844

5	Mountain Stage.....	24900	300,000
6	Capital Outlay and Maintenance (R)	75500	49,250
7	BRIM Premium.....	91300	<u>47,727</u>
8	Total		\$ 3,905,133
9	Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance		
10	(fund 0300, appropriation 75500) at the close of the fiscal year 2022 is hereby reappropriated for		
11	expenditure during the fiscal year 2023.		

DEPARTMENT OF ENVIRONMENTAL PROTECTION

52 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2023 Org 0311

1	Personal Services and Employee Benefits.....	00100	\$ 88,590
2	Current Expenses	13000	28,453
3	Repairs and Alterations.....	06400	800
4	Equipment.....	07000	500
5	Other Assets	69000	400
6	BRIM Premium.....	91300	<u>791</u>
7	Total		\$ 119,534

53 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 4,144,818
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads.....	00201	168,000
4	Current Expenses	13000	85,816
5	Water Resources Protection and Management.....	06800	583,086
6	Dam Safety	60700	245,842
7	West Virginia Stream Partners Program.....	63700	77,396

2022] HOUSE OF DELEGATES 1181

8	Meth Lab Cleanup.....	65600		91,888
9	WV Contributions to River Commissions.....	77600		148,485
10	Office of Water Resources Non-Enforcement Activity	85500		<u>1,040,868</u>
11	Total		\$	6,586,199

54 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2023 Org 0325

1	Personal Services and Employee Benefits.....	00100	\$	60,737
2	Current Expenses	13000		11,612
3	Repairs and Alterations.....	06400		800
4	Equipment.....	07000		400
5	Other Assets	69000		200
6	BRIM Premium.....	91300		<u>2,304</u>
7	Total		\$	76,053

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

55 - Department of Health and Human Resources –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0400 FY 2023 Org 0501

1	Personal Services and Employee Benefits.....	00100	\$	387,664
2	Unclassified	09900		6,459
3	Current Expenses	13000		50,613
4	Commission for the Deaf and Hard of Hearing.....	70400		<u>228,560</u>
5	Total		\$	673,296

56 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	13,051,133
2	Unclassified	09900		671,795
3	Current Expenses	13000		5,388,459
4	Chief Medical Examiner (R)	04500		8,887,105
5	State Aid for Local and Basic Public Health Services.....	18400		15,672,592
6	Safe Drinking Water Program (R).....	18700		1,915,528
7	Women, Infants and Children.....	21000		38,621
8	Early Intervention	22300		8,134,060
9	Cancer Registry	22500		211,359
10	Office of Drug Control Policy (R).....	35401		554,230
11	Statewide EMS Program Support (R).....	38300		1,711,912
12	Office of Medical Cannabis (R)	42001		1,487,219
13	Black Lung Clinics.....	46700		170,885
14	Vaccine for Children.....	55100		341,261
15	Tuberculosis Control	55300		335,307
16	Maternal and Child Health Clinics, Clinicians			
17	Medical Contracts and Fees (R).....	57500		5,905,414
18	Epidemiology Support.....	62600		1,530,473
19	Primary Care Support	62800		1,233,045
20	Sexual Assault Intervention and Prevention	72300		800,000
21	Health Right Free Clinics	72700		4,250,000
22	Capital Outlay and Maintenance (R)	75500		70,000
23	Healthy Lifestyles.....	77800		898,169
24	Maternal Mortality Review	83400		50,841
25	Diabetes Education and Prevention	87300		97,125

26	BRIM Premium.....	91300	169,791
27	State Trauma and Emergency Care System	91800	1,936,450
28	WVU Charleston Poison Control Hotline	94400	<u>712,942</u>
29	Total		\$ 76,225,716

30 Any unexpended balances remaining in the appropriations for Chief Medical Examiner (fund
 31 0407, appropriation 04500), Safe Drinking Water Program (fund 0407, appropriation 18700),
 32 Office of Drug Control Policy (fund 0407, appropriation 35401), Office of Drug Control Policy –
 33 Surplus (fund 0407, appropriation 35402), Statewide EMS Program Support (fund 0407,
 34 appropriation 38300), Office of Medical Cannabis (fund 0407, appropriation 42001), Medical
 35 Cannabis Surplus (fund 0407, appropriation 42099), Maternal and Child Health Clinics, Clinicians
 36 and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and
 37 Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects
 38 (fund 0407, appropriation 82200), and Tobacco Education Program (fund 0407, appropriation
 39 90600) at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the
 40 fiscal year 2023.

41 Notwithstanding the provisions of Title I, section three of this bill, the secretary of the
 42 Department of Health and Human Resources shall have the authority to transfer funds within the
 43 above appropriations: *Provided*, That no more than five percent of the funds appropriated to one
 44 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
 45 other appropriations shall be transferred to the personal services and employee benefits
 46 appropriation.

47 From the above appropriation for Current Expenses (fund 0407, appropriation 13000), an
 48 amount not less than \$100,000 is for the West Virginia Cancer Coalition; \$50,000 shall be
 49 expended for the West Virginia Aids Coalition; \$100,000 is for Adolescent Immunization
 50 Education; \$73,065 is for informal dispute resolution relating to nursing home administrative
 51 appeals; and \$1,000,000 shall be used for the administration of the Telestroke program.

52 From the above appropriation for Maternal and Child Health Clinics, Clinicians and Medical
 53 Contracts and Fees (fund 0407, appropriation 57500) up to \$400,000 may be transferred to the
 54 Breast and Cervical Cancer Diagnostic Treatment Fund (fund 5197) and \$11,000 is for the
 55 Marshall County Health Department for dental services.

57 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 1,693,100
2	Current Expenses	13000	14,113
3	Behavioral Health Program (R)	21900	70,186,648
4	Institutional Facilities Operations (R).....	33500	150,992,263

5	Substance Abuse Continuum of Care (R)	35400	1,840,000
6	Capital Outlay and Maintenance (R)	75500	950,000
7	BRIM Premium.....	91300	<u>1,296,098</u>
8	Total		\$ 226,972,222

9 Any unexpended balances remaining in the appropriations for Jim's Dream (fund 0525,
10 appropriation 14901), Behavioral Health Program (fund 0525, appropriation 21900), Institutional
11 Facilities Operations (fund 0525, appropriation 33500), Substance Abuse Continuum of Care
12 (fund 0525, appropriation 35400), and Capital Outlay and Maintenance (fund 0525, appropriation
13 75500) at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the
14 fiscal year 2023.

15 Notwithstanding the provisions of Title I, section three of this bill, the secretary of the
16 Department of Health and Human Resources shall have the authority to transfer funds within the
17 above appropriations: *Provided*, That no more than five percent of the funds appropriated to one
18 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
19 other appropriations shall be transferred to the personal services and employee benefits
20 appropriation.

21 Included in the above appropriation for Behavioral Health Program (fund 0525, appropriation
22 21900) is \$100,000 for the Healing Place of Huntington.

23 The above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500)
24 contains prior year salary increases due to the Hartley court order in the amount of \$2,202,013
25 for William R. Sharpe Jr. Hospital, and \$2,067,984 for Mildred Mitchel-Bateman Hospital.

26 From the above appropriation for Substance Abuse Continuum of Care (fund 0525,
27 appropriation 35400), the funding will be consistent with the goal areas outlined in the
28 Comprehensive Substance Abuse Strategic Action Plan.

29 Additional funds have been appropriated in fund 5156, fiscal year 2023, organization 0506, for
30 the operation of the institutional facilities. The secretary of the Department of Health and Human
31 Resources is authorized to utilize up to ten percent of the funds from the Institutional Facilities
32 Operations appropriation to facilitate cost effective and cost saving services at the community
33 level.

58 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2023 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund-Transfer	68900	\$ 647,500

3 The above appropriation for Drinking Water Treatment Revolving Fund – Transfer shall be
 4 transferred to the West Virginia Drinking Water Treatment Revolving Fund or appropriate bank
 5 depository and the Drinking Water Treatment Revolving – Administrative Expense Fund as
 6 provided by Chapter 16 of the Code.

59 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2023 Org 0510

1	Personal Services and Employee Benefits.....	00100	\$	1,003,911
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		112,000
4	Unclassified	09900		4,024
5	Current Expenses	13000		331,304
6	BRIM Premium.....	91300		<u>10,764</u>
7	Total		\$	1,462,003

60 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 0403 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$	56,055,526
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		45,531
4	Unclassified	09900		5,688,944
5	Current Expenses	13000		13,050,824
6	Child Care Development.....	14400		3,118,451
7	Medical Services.....	18900		308,117,213
8	Social Services	19500		226,056,151
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 Catastrophic Illness Fund.....	45500		60,164

13	I/DD Waiver	46600	108,541,736
14	Child Protective Services Case Workers	46800	32,251,148
15	Title XIX Waiver for Seniors	53300	13,593,620
16	WV Teaching Hospitals Tertiary/Safety Net	54700	6,356,000
17	In-Home Family Education	68800	1,000,000
18	WV Works Separate State Program.....	69800	135,000
19	Child Support Enforcement	70500	6,711,478
20	Temporary Assistance for Needy Families/ 21 Maintenance of Effort	70700	25,819,096
22	Child Care – Maintenance of Effort Match.....	70800	5,693,743
23	Grants for Licensed Domestic Violence 24 Programs and Statewide Prevention	75000	2,500,000
25	Capital Outlay and Maintenance (R)	75500	11,875
26	Community Based Services and Pilot Programs for Youth.....	75900	1,000,000
27	Medical Services Administrative Costs.....	78900	43,681,857
28	Traumatic Brain Injury Waiver	83500	800,000
29	Indigent Burials (R)	85100	1,550,000
30	CHIP Administrative Costs	85601	701,815
31	CHIP Services.....	85602	6,390,665
32	BRIM Premium.....	91300	892,642
33	Rural Hospitals Under 150 Beds	94000	2,596,000
34	Children's Trust Fund – Transfer.....	95100	220,000
35	PATH.....	95400	<u>7,217,367</u>
36	Total.....		\$ 883,584,310

37 Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance
38 (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation 85100) at the
39 close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

40 Notwithstanding the provisions of Title I, section three of this bill, the secretary of the
41 Department of Health and Human Resources shall have the authority to transfer funds within the

42 above appropriations: *Provided*, That no more than five percent of the funds appropriated to one
 43 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
 44 other appropriations shall be transferred to the personal services and employee benefits
 45 appropriation.

46 The secretary shall have authority to expend funds for the educational costs of those children
 47 residing in out-of-state placements, excluding the costs of special education programs.

48 Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is
 49 funding for continuing education requirements relating to the practice of social work.

50 The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation
 51 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

52 The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403,
 53 appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund
 54 (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

55 The above appropriation for WV Works Separate State Program (fund 0403, appropriation
 56 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467),
 57 and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the
 58 secretary of the Department of Health and Human Resources.

59 From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500)
 60 an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized
 61 to offset funds determined to be uncollectible.

62 From the above appropriation for the Grants for Licensed Domestic Violence Programs and
 63 Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided equally
 64 and distributed among the fourteen (14) licensed programs and the West Virginia Coalition
 65 Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for
 66 Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation
 67 75000), shall be distributed according to the formula established by the Family Protection
 68 Services Board.

69 The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100)
 70 shall be transferred to the Children's Trust Fund (fund 5469, org 0511).

DEPARTMENT OF HOMELAND SECURITY

61 - Department of Homeland Security –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2023 Org 0601

1	Personal Services and Employee Benefits.....	00100	\$	780,510
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2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads.....	00201	168,000
4	Unclassified (R).....	09900	30,000
5	Current Expenses.....	13000	91,636
6	Repairs and Alterations.....	06400	500
7	Equipment.....	07000	500
8	Fusion Center (R).....	46900	2,739,870
9	Other Assets.....	69000	500
10	Directed Transfer.....	70000	32,000
11	BRIM Premium.....	91300	22,563
12	WV Fire and EMS Survivor Benefit (R).....	93900	<u>200,000</u>
13	Total.....		\$ 4,066,079

14 Any unexpended balances remaining in the appropriations for Unclassified (fund 0430,
15 appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Justice Reinvestment
16 Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund
17 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430,
18 appropriation 95300) at the close of the fiscal year 2022 are hereby reappropriated for expenditure
19 during the fiscal year 2023.

20 The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be
21 transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment
22 Fund (fund 6003).

62 - Division of Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2023 Org 0606

1	Personal Services and Employee Benefits.....	00100	\$ 2,177,053
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads.....	00201	61,250
4	Unclassified.....	09900	21,022
5	Current Expenses.....	13000	51,065
6	Repairs and Alterations.....	06400	600
7	Radiological Emergency Preparedness.....	55400	17,052

2022] HOUSE OF DELEGATES 1189

8	SIRN.....	55401	600,000
9	Federal Funds/Grant Match (R)	74900	1,449,990
10	Mine and Industrial Accident Rapid		
11	Response Call Center	78100	489,577
12	Early Warning Flood System (R).....	87700	1,290,499
13	BRIM Premium.....	91300	<u>96,529</u>
14	Total		\$ 6,254,637

15 Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match
 16 (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation 87700),
 17 and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2022 are
 18 hereby reappropriated for expenditure during the fiscal year 2023.

63 - Division of Corrections and Rehabilitation –

West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2023 Org 0608

1	Personal Services and Employee Benefits.....	00100	\$ 310,869
2	Unclassified	09900	10,000
3	Current Expenses	13000	334,440
4	Salaries of Members of West Virginia Parole Board	22700	734,286
5	BRIM Premium.....	91300	<u>6,149</u>
6	Total		\$ 1,395,744

7 The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440,
 8 appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va. Code
 9 §5-5-1), and related employee benefits of board members.

64 - Division of Corrections and Rehabilitation –

Central Office

(WV Code Chapter 15A)

Fund 0446 FY 2023 Org 0608

1	Personal Services and Employee Benefits.....	00100	\$ 250,577
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2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads	00201	126,000
4	Current Expenses	13000	<u>2,400</u>
5	Total		\$ 378,977

65 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 0450 FY 2023 Org 0608

1	Employee Benefits	01000	\$ 1,258,136
2	Unclassified	09900	1,578,800
3	Current Expenses (R)	13000	57,690,483
4	Children's Protection Act (R)	09000	838,437
5	Facilities Planning and Administration (R)	38600	1,274,200
6	Charleston Correctional Center	45600	3,530,502
7	Beckley Correctional Center	49000	2,633,846
8	Anthony Correctional Center	50400	6,281,339
9	Huttonsville Correctional Center	51400	19,975,709
10	Northern Correctional Center	53400	8,154,113
11	Inmate Medical Expenses (R)	53500	62,226,064
12	Pruntytown Correctional Center	54300	8,946,953
13	Corrections Academy	56900	1,983,466
14	Information Technology Services	59901	2,759,052
15	Martinsburg Correctional Center	66300	4,482,115
16	Parole Services	68600	6,023,661
17	Special Services	68700	5,894,456
18	Investigative Services	71600	3,502,991
19	Capital Outlay and Maintenance (R)	75500	2,000,000

20	Salem Correctional Center	77400	11,678,166
21	McDowell County Correctional Center	79000	2,542,590
22	Stevens Correctional Center	79100	7,863,195
23	Parkersburg Correctional Center.....	82800	6,418,300
24	St. Mary's Correctional Center	88100	15,081,470
25	Denmar Correctional Center	88200	5,367,552
26	Ohio County Correctional Center	88300	2,211,029
27	Mt. Olive Correctional Complex.....	88800	23,032,441
28	Lakin Correctional Center	89600	11,141,496
29	BRIM Premium.....	91300	<u>2,527,657</u>
30	Total		\$ 288,898,219

31 Any unexpended balances remaining in the appropriations for Children's Protection Act (fund
 32 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current
 33 Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450,
 34 appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital
 35 Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay, Repairs and
 36 Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund
 37 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation
 38 75501), and Roof Repairs and Mechanical System Upgrades (fund 0450, appropriation 75502) at
 39 the close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year
 40 2023.

41 The Commissioner of Corrections and Rehabilitation shall have the authority to transfer
 42 between appropriations.

43 From the above appropriation to Current Expenses (fund 0450, appropriation 13000) payment
 44 shall be made to house Division of Corrections and Rehabilitation inmates in federal, county, and
 45 /or regional jails.

46 Any realized savings from Energy Savings Contract may be transferred to Facilities Planning
 47 and Administration (fund 0450, appropriation 38600).

66 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(WV Code Chapter 15A)

Fund 0570 FY 2023 Org 0608

1	Statewide Reporting Centers	26200	\$ 6,991,498
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2	Robert L. Shell Juvenile Center.....	26700	2,649,168
3	Resident Medical Expenses (R).....	53501	3,604,999
4	Central Office.....	70100	1,779,854
5	Capital Outlay and Maintenance (R).....	75500	250,000
6	Gene Spadaro Juvenile Center.....	79300	2,789,569
7	BRIM Premium.....	91300	115,967
8	Kenneth Honey Rubenstein Juvenile Center (R).....	98000	5,941,605
9	Vicki Douglas Juvenile Center.....	98100	2,471,185
10	Northern Regional Juvenile Center.....	98200	2,876,302
11	Lorrie Yeager Jr. Juvenile Center.....	98300	2,537,852
12	Sam Perdue Juvenile Center.....	98400	2,741,571
13	Tiger Morton Center.....	98500	2,754,083
14	Donald R. Kuhn Juvenile Center.....	98600	5,287,575
15	J.M. "Chick" Buckbee Juvenile Center.....	98700	<u>2,615,359</u>
16	Total.....		\$ 45,406,587

17 Any unexpended balances remaining in the appropriations for Resident Medical Expenses
18 (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation
19 75500), Roof Repairs and Mechanical System Upgrades (fund 0570, appropriation 75502), and
20 Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the
21 fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

22 The Director of Juvenile Services shall have the authority to transfer between appropriations
23 to the individual juvenile centers above including statewide reporting centers and central office
24 and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund
25 0570, appropriation 53501).

67 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2023 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$ 73,886,203
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads.....	00201	139,300

4	Children's Protection Act.....	09000		1,040,805
5	Current Expenses	13000		10,384,394
6	Repairs and Alterations.....	06400		450,523
7	Trooper Class	52100		3,207,832
8	Barracks Lease Payments	55600		237,898
9	Communications and Other Equipment (R).....	55800		1,070,968
10	Trooper Retirement Fund	60500		6,812,749
11	Handgun Administration Expense	74700		80,918
12	Capital Outlay and Maintenance (R)	75500		250,000
13	Retirement Systems – Unfunded Liability.....	77500		35,000
14	Automated Fingerprint Identification System	89800		2,229,846
15	BRIM Premium.....	91300		<u>5,743,921</u>
16	Total		\$	105,570,357

17 Any unexpended balances remaining in the appropriations for Communications and Other
 18 Equipment (fund 0453, appropriation 55800) and Capital Outlay and Maintenance (fund 0453,
 19 appropriation 75500) at the close of the fiscal year 2022 are hereby reappropriated for expenditure
 20 during the fiscal year 2023.

21 From the above appropriation for Personal Services and Employee Benefits (fund 0453,
 22 appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs
 23 associated with providing police services for the West Virginia State Fair.

68 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2023 Org 0619

1	Current Expenses	13000	\$	63,061
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69 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2023 Org 0622

1	Personal Services and Employee Benefits.....	00100	\$	3,186,789
2	Unclassified (R).....	09900		21,991

3	Current Expenses	13000	422,981
4	Repairs and Alterations.....	06400	8,500
5	Equipment (R).....	07000	64,171
6	BRIM Premium.....	91300	<u>32,602</u>
7	Total.....		\$ 3,737,034

8 Any unexpended balances remaining in the appropriations for Equipment (fund 0585,
9 appropriation 07000) and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal
10 year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

70 - Division of Justice and Community Services

(WV Code Chapter 15A)

Fund 0546 FY 2023 Org 0623

1	Personal Services and Employee Benefits.....	00100	\$ 591,795
2	Current Expenses (R)	13000	233,360
3	Repairs and Alterations.....	06400	1,804
4	Child Advocacy Centers (R).....	45800	2,209,526
5	Community Corrections (R).....	56100	4,599,155
6	Statistical Analysis Program.....	59700	50,122
7	Sexual Assault Forensic Examination Commission (R).....	71400	79,340
8	Qualitative Analysis and Training for Youth Services (R)	76200	136,732
9	Law Enforcement Professional Standards.....	83800	170,172
10	Justice Reinvestment Initiative (R)	89501	2,333,795
11	BRIM Premium.....	91300	<u>2,123</u>
12	Total.....		\$ 10,407,924

13 Any unexpended balances remaining in the appropriations for Current Expenses (fund 0546,
14 appropriation 13000), Child Advocacy Centers (fund 0546, appropriation 45800), Community
15 Corrections (fund 0546, appropriation 56100), Sexual Assault Forensic Examination Commission
16 (fund 0546 appropriation 71400), Qualitative Analysis and Training for Youth Services (fund 0546,
17 appropriation 76200), and Justice Reinvestment Initiative (fund 0546, appropriation 89501) at the
18 close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

19 From the above appropriation for Current Expenses (fund 0546, appropriation 13000),
20 \$100,000 shall be used for Court Appointed Special Advocates.

21 From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800),
22 the division may retain an amount not to exceed four percent of the appropriation for
23 administrative purposes.

71 - Division of Administrative Services

(WV Code Chapter 15A)

Fund 0619 FY 2023 Org 0623

1	Personal Services and Employee Benefits.....	00100	\$	5,155,206
2	Unclassified	09900		5,000
3	Current Expenses	13000		<u>600,000</u>
4	Total.....		\$	5,760,206

DEPARTMENT OF REVENUE

72 - Office of the Secretary

(WV Code Chapter 11)

Fund 0465 FY 2023 Org 0701

1	Personal Services and Employee Benefits.....	00100	\$	364,034
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		168,000
4	Unclassified	09900		437
5	Current Expenses	13000		81,594
6	Repairs and Alterations.....	06400		1,262
7	Equipment.....	07000		8,000
8	Other Assets	69000		<u>500</u>
9	Total.....		\$	623,827

10 Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465,
11 appropriation 09600) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
12 during the fiscal year 2023.

73 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2023 Org 0702

1	Personal Services and Employee Benefits (R).....	00100	\$	19,043,378
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		147,000
4	Unclassified (R).....	09900		174,578
5	Current Expenses (R).....	13000		6,904,635
6	Repairs and Alterations.....	06400		10,150
7	Equipment.....	07000		54,850
8	Tax Technology Upgrade.....	09400		3,700,000
9	Multi State Tax Commission.....	65300		77,958
10	Other Assets.....	69000		10,000
11	BRIM Premium.....	91300		<u>15,579</u>
12	Total.....		\$	30,138,128

13 Any unexpended balances remaining in the appropriations for Personal Services and
 14 Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation
 15 09900), Current Expenses (fund 0470, appropriation 13000), and Integrated Tax Assessment
 16 System (fund 0470, appropriation 29200) at the close of the fiscal year 2022 are hereby
 17 reappropriated for expenditure during the fiscal year 2023.

74 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2023 Org 0703

1	Personal Services and Employee Benefits.....	00100	\$	819,147
2	Unclassified (R).....	09900		9,200
3	Current Expenses (R).....	13000		<u>119,449</u>
4	Total.....		\$	947,796

5 Any unexpended balances remaining in the appropriations for Unclassified (fund 0595,
 6 appropriation 09900) and Current Expenses (fund 0595, appropriation 13000) at the close of the
 7 fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

75 - West Virginia Office of Tax Appeals

2022]

HOUSE OF DELEGATES

1197

(WV Code Chapter 11)

Fund 0593 FY 2023 Org 0709

1	Personal Services and Employee Benefits.....	00100	\$	935,715
2	Unclassified	09900		5,255
3	Current Expenses (R)	13000		229,374
4	BRIM Premium.....	91300		<u>3,062</u>
5	Total.....		\$	1,173,406

6 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593,
7 appropriation 13000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
8 during the fiscal year 2023.

76 - Division of Professional and Occupational Licenses –

State Athletic Commission

(WV Code Chapter 29)

Fund 0523 FY 2023 Org 0933

1	Personal Services and Employee Benefits.....	00100	\$	7,200
2	Current Expenses	13000		<u>29,611</u>
3	Total.....		\$	36,811

DEPARTMENT OF TRANSPORTATION

77 - State Rail Authority

(WV Code Chapter 29)

Fund 0506 FY 2023 Org 0804

1	Personal Services and Employee Benefits.....	00100	\$	370,704
2	Current Expenses	13000		287,707
3	Other Assets (R)	69000		1,270,019
4	BRIM Premium.....	91300		<u>201,541</u>
5	Total.....		\$	2,129,971

6 Any unexpended balance remaining in the appropriation for Other Assets (fund 0506,
7 appropriation 69000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
8 during the fiscal year 2023.

78 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2023 Org 0805

1	Equipment (R).....	07000	\$	100,000
2	Current Expenses (R)	13000		2,012,989
3	Buildings (R)	25800		100,000
4	Other Assets (R).....	69000		<u>50,000</u>
5	Total.....		\$	2,262,989

6 Any unexpended balances remaining in the appropriations for Equipment (fund 0510,
7 appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510,
8 appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal
9 year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

79 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2023 Org 0807

1	Personal Services and Employee Benefits.....	00100	\$	229,791
2	Current Expenses (R)	13000		591,839
3	Repairs and Alterations.....	06400		100
4	BRIM Premium.....	91300		<u>4,438</u>
5	Total.....		\$	826,168

6 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0582,
7 appropriation 13000) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
8 during the fiscal year 2023.

DEPARTMENT OF VETERANS' ASSISTANCE

80 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2023 Org 0613

2022]

HOUSE OF DELEGATES

1199

1	Personal Services and Employee Benefits.....	00100	\$	2,212,090
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		110,880
4	Unclassified	09900		20,000
5	Current Expenses	13000		245,335
6	Repairs and Alterations.....	06400		5,000
7	Veterans' Field Offices.....	22800		405,550
8	Veterans' Nursing Home (R).....	28600		7,103,125
9	Veterans' Toll Free Assistance Line.....	32800		2,015
10	Veterans' Reeducation Assistance (R).....	32900		40,000
11	Veterans' Grant Program (R)	34200		560,000
12	Veterans' Grave Markers	47300		10,000
13	Veterans' Cemetery	80800		402,074
14	BRIM Premium.....	91300		<u>50,000</u>
15	Total.....		\$	11,166,069

16 Any unexpended balances remaining in the appropriations for Buildings – Surplus (fund 0456,
17 appropriation 25899), Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans'
18 Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456,
19 appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), and
20 Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400)
21 at the close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal
22 year 2023.

81 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2023 Org 0618

1	Personal Services and Employee Benefits.....	00100	\$	1,296,064
2	Current Expenses (R)	13000		46,759
3	Veterans Outreach Programs (R).....	61700		<u>203,766</u>
4	Total.....		\$	1,546,589

5 Any unexpended balances remaining in the appropriations for Current Expenses (fund 0460,
 6 appropriation 13000) and Veterans Outreach Programs (fund 0456, appropriation 61700) at the
 7 close of fiscal year 2022 is hereby reappropriated for expenditure during the fiscal year 2023.

BUREAU OF SENIOR SERVICES

82 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2023 Org 0508

1	Transfer to Division of Human Services for Health Care			
2	and Title XIX Waiver for Senior Citizens	53900	\$	19,612,957

3 The above appropriation for Transfer to Division of Human Services for Health Care and Title
 4 XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys
 5 generated thereby shall be used for reimbursement for services provided under the program.

6 The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
 AND TECHNICAL COLLEGE EDUCATION**

83 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2023 Org 0420

1	West Virginia Council for Community			
2	and Technical Education (R)	39200	\$	744,232
3	Transit Training Partnership	78300		34,293
4	Community College Workforce Development (R)	87800		2,788,387
5	College Transition Program.....	88700		278,222
6	West Virginia Advance Workforce Development (R)	89300		3,121,387
7	Technical Program Development (R)	89400		1,800,735
8	WV Invests Grant Program (R)	89401		<u>7,037,672</u>
9	Total		\$	15,804,928

10 Any unexpended balances remaining in the appropriations for West Virginia Council for
 11 Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements –
 12 Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund
 13 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596,
 14 appropriation 89300), Technical Program Development (fund 0596, appropriation 89400), and
 15 WV Invests Grant Program (fund 0596, appropriation 89401) at the close of the fiscal year 2022
 16 are hereby reappropriated for expenditure during the fiscal year 2023.

84 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2023 Org 0444

1	Mountwest Community and Technical College.....	48700	\$	6,716,176
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85 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2023 Org 0445

1	New River Community and Technical College.....	35800	\$	6,088,539
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86 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2023 Org 0446

1	Pierpont Community and Technical College.....	93000	\$	8,119,152
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87 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2023 Org 0447

1	Blue Ridge Community and Technical College.....	88500	\$	8,139,835
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88 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2023 Org 0464

1	West Virginia University – Parkersburg.....	47100	\$	10,799,686
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89 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2023 Org 0487

1	Southern West Virginia Community and Technical College.....	44600	\$	8,557,086
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90 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2023 Org 0489

1	West Virginia Northern Community and Technical College	44700	\$	7,580,697
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91 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2023 Org 0492

1	Eastern West Virginia Community and Technical College	41200	\$	2,264,340
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92 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2023 Org 0493

1	BridgeValley Community and Technical College	71700	\$	8,364,587
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HIGHER EDUCATION POLICY COMMISSION*93 - Higher Education Policy Commission –**Administration –**Control Account*

(WV Code Chapter 18B)

Fund 0589 FY 2023 Org 0441

1	Personal Services and Employee Benefits.....	00100	\$	2,789,394
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2	Current Expenses	13000		1,096,902
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3	RHI Program and Site Support –			
4	RHEP Program Administration (R)	03700		80,000

5	Mental Health Provider Loan Repayment (R).....	11301		330,000
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6	Higher Education Grant Program	16400		40,619,864
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7	Tuition Contract Program (R)	16500		1,225,412
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8	Underwood-Smith Scholarship Program-Student Awards	16700	628,349
9	Facilities Planning and Administration.....	38600	1,760,254
10	Higher Education System Initiatives.....	48801	1,635,847
11	PROMISE Scholarship – Transfer.....	80000	18,500,000
12	HEAPS Grant Program (R)	86700	5,017,974
13	Health Professionals’ Student Loan Program (R).....	86701	547,470
14	BRIM Premium.....	91300	<u>17,817</u>
15	Total.....		\$ 74,249,283

16 Any unexpended balances remaining in the appropriations for RHI Program and Site Support
 17 – RHEP Program Administration (fund 0589, 03700), Mental Health Provider Loan Repayment
 18 (fund 0589, appropriation 11301), Tuition Contract Program (fund 0589, appropriation 16500),
 19 Workforce Development Initiative (fund 0589, appropriation 52901), HEAPS Grant Program (fund
 20 0589, appropriation 86700), and Health Professionals’ Student Loan Program (fund 0589,
 21 appropriation 86701) at the close of the fiscal year 2022 are hereby reappropriated for expenditure
 22 during the fiscal year 2023.

23 The above appropriation for Facilities Planning and Administration (fund 0589, appropriation
 24 38600) is for operational expenses of the West Virginia Education, Research and Technology
 25 Park between construction and full occupancy.

26 The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400)
 27 shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by
 28 W.Va. Code §18C-5-3.

29 The above appropriation for Underwood-Smith Scholarship Program Student Awards (fund
 30 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher Scholarship
 31 and Loan Assistance Fund (4922, org 0441) established by W.Va. Code §18C-4-1.

32 The above appropriation for PROMISE Scholarship-Transfer (fund 0589, appropriation 80000)
 33 shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established by
 34 W.Va. Code §18C-7-7.

94 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2023 Org 0463

1	WVU School of Health Science – Eastern Division	05600	\$ 2,277,794
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2	WVU – School of Health Sciences	17400	15,490,163
3	WVU – School of Health Sciences – Charleston Division	17500	2,351,833
4	Rural Health Outreach Programs (R)	37700	165,979
5	West Virginia University School of Medicine		
6	BRIM Subsidy	46000	<u>1,203,087</u>
7	Total		\$ 21,488,856

8 Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs
9 (fund 0343, appropriation 37700) at the close of fiscal year 2022 is hereby reappropriated for
10 expenditure during the fiscal year 2023.

95 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2023 Org 0463

1	West Virginia University	45900	\$ 85,166,182
2	Jackson's Mill (R).....	46100	502,471
3	West Virginia University Institute of Technology.....	47900	8,320,240
4	State Priorities – Brownfield Professional Development (R)	53100	316,556
5	Energy Express (R).....	86100	382,935
6	West Virginia University – Potomac State	99400	<u>4,709,664</u>
7	Total		\$ 99,398,048

8 Any unexpended balances remaining in the appropriations for Jackson's Mill (fund 0344,
9 appropriation 46100), State Priorities – Brownfield Professional Development (fund 0344,
10 appropriation 53100), and Energy Express (fund 0344, appropriation 86100) at the close of fiscal
11 year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

96 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2023 Org 0471

1	Marshall Medical School	17300	\$ 12,772,947
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2022] HOUSE OF DELEGATES 1205

2	Rural Health Outreach Programs (R)	37700	157,572
3	Forensic Lab (R)	37701	227,415
4	Center for Rural Health (R)	37702	161,043
5	Marshall University Medical School BRIM Subsidy	44900	<u>872,612</u>
6	Total		\$ 14,191,589

7 Any unexpended balances remaining in the appropriations for Rural Health Outreach Program
 8 (fund 0347, appropriation 37700), Forensic Lab (fund 0347, appropriation 37701), and Center for
 9 Rural Health (fund 0347, appropriation 37702) at the close of the fiscal year 2022 are hereby
 10 reappropriated for expenditure during the fiscal year 2023.

97 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2023 Org 0471

1	Marshall University.....	44800	\$ 40,961,949
2	Luke Lee Listening Language and Learning Lab (R).....	44801	151,939
3	Vista E-Learning (R).....	51900	229,019
4	State Priorities – Brownfield Professional Development (R)	53100	309,606
5	Marshall University Graduate College Writing Project (R)	80700	25,412
6	WV Autism Training Center (R).....	93200	<u>1,869,776</u>
7	Total		\$ 43,547,701

8 Any unexpended balances remaining in the appropriations for Luke Lee Listening Language
 9 and Learning Lab (fund 0348, appropriation 44801), Vista E-Learning (fund 0348, appropriation
 10 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100),
 11 Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), and WV
 12 Autism Training Center (fund 0348, appropriation 93200) at the close of the fiscal year 2022 are
 13 hereby reappropriated for expenditure during the fiscal year 2023.

98 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2023 Org 0476

1	West Virginia School of Osteopathic Medicine	17200	\$ 9,147,095
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2	Rural Health Outreach Programs (R)	37700		169,035
3	West Virginia School of Osteopathic Medicine			
4	BRIM Subsidy	40300		153,405
5	Rural Health Initiative – Medical Schools Support.....	58100		<u>403,439</u>
6	Total		\$	9,872,974

7 Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs
8 (fund 0336, appropriation 37700) at the close of fiscal year 2022 is hereby reappropriated for
9 expenditure during the fiscal year 2023.

99 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2023 Org 0482

1	Bluefield State College.....	40800	\$	6,648,770
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100 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2023 Org 0483

1	Concord University.....	41000	\$	10,836,709
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101 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2023 Org 0484

1	Fairmont State University.....	41400	\$	19,273,190
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102 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2023 Org 0485

1	Glenville State College.....	42800	\$	6,768,535
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103 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2023 Org 0486

1	Shepherd University.....	43200	\$	13,026,830
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104 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2023 Org 0488

1	West Liberty University	43900	\$	9,552,600
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105 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2023 Org 0490

1	West Virginia State University	44100	\$	11,680,098
2	West Virginia State University Land Grant Match	95600		<u>2,950,192</u>
3	Total		\$	14,630,290

4 From the above appropriation for West Virginia State University (fund 0373, appropriation
5 44100), \$300,000 shall be for the Healthy Grandfamilies program.

106 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B)

Fund 0551 FY 2023 Org 0495

1	WVNET	16900	\$	1,817,992
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MISCELLANEOUS BOARDS AND COMMISSIONS

107 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2023 Org 0603

1	Salary and Benefits of Cabinet Secretary and			
2	Agency Heads	00201	\$	189,000
3	Unclassified (R)	09900		106,798
4	College Education Fund	23200		4,000,000

5	Civil Air Patrol	23400	249,664
6	Armory Board Transfer.....	70015	2,317,555
7	Mountaineer ChalleNGe Academy.....	70900	3,324,624
8	Military Authority (R).....	74800	6,251,727
9	Drug Enforcement and Support.....	74801	<u>1,532,374</u>
10	Total.....		\$ 17,971,742

11 Any unexpended balances remaining in the appropriations for Unclassified (fund 0433,
 12 appropriation 09900), Military Authority (fund 0433, appropriation 74800), and Military Authority –
 13 Surplus (fund 0433, appropriation 74899) at the close of the fiscal year 2022 are hereby
 14 reappropriated for expenditure during the fiscal year 2023.

15 From the above appropriations an amount approved by the Adjutant General may be
 16 transferred to the State Armory Board for operation and maintenance of National Guard Armories.

17 The adjutant general shall have the authority to transfer between appropriations.

18 From the above appropriation and other state and federal funding, the Adjutant General shall
 19 provide an amount not less than \$3,324,624 to the Mountaineer ChalleNGe Academy to meet
 20 anticipated program demand.

108 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2023 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$ 100,000
2	Current Expenses	13000	<u>57,775</u>
3	Total.....		\$ 157,775
4	Total TITLE II, Section 1 – General Revenue		
5	(Including claims against the state).....		<u>\$ 4,641,378,000</u>

6 **Sec. 2. Appropriations from state road fund.** — From the state road fund there are hereby
 7 appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B
 8 of the Code the following amounts, as itemized, for expenditure during the fiscal year 2023.

DEPARTMENT OF TRANSPORTATION

109 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20, and 24A)

Fund 9007 FY 2023 Org 0802

		State
	Appro-	Road
	priation	Fund
1 Personal Services and Employee Benefits.....	00100	\$ 36,894,264
2 Salary and Benefits of Cabinet Secretary and		
3 Agency Heads.....	00201	129,500
4 Current Expenses	13000	22,334,363
5 Repairs and Alterations.....	06400	144,000
6 Equipment.....	07000	1,080,000
7 Buildings	25800	10,000
8 Other Assets	69000	2,480,000
9 BRIM Premium.....	91300	<u>75,117</u>
10 Total.....		\$ 63,147,244

110 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2023 Org 0803

1 Salary and Benefits of Cabinet Secretary and		
2 Agency Heads.....	00201	\$ 200,000
3 Debt Service	04000	135,500,000
4 Maintenance	23700	551,081,528
5 Inventory Revolving	27500	4,000,000
6 Equipment Revolving	27600	19,400,841
7 General Operations.....	27700	156,842,168
8 Interstate Construction.....	27800	115,000,000
9 Other Federal Aid Programs	27900	345,000,000

10	Appalachian Programs.....	28000	100,000,000
11	Highway Litter Control.....	28200	<u>1,650,000</u>
12	Total.....		\$ 1,428,674,537

13 The above appropriations are to be expended in accordance with the provisions of Chapters
 14 17 and 17C of the code.

15 The Commissioner of Highways shall have the authority to operate revolving funds within the
 16 State Road Fund for the operation and purchase of various types of equipment used directly and
 17 indirectly in the construction and maintenance of roads and for the purchase of inventories and
 18 materials and supplies.

19 There is hereby appropriated in addition to the above appropriations, sufficient money for the
 20 payment of claims, accrued or arising during this budgetary period, to be paid in accordance with
 21 Sections 17 and 18, Article 2, Chapter 14 of the code.

22 It is the intent of the Legislature to capture and match all federal funds available for expenditure
 23 on the Appalachian highway system at the earliest possible time. Therefore, should amounts in
 24 excess of those appropriated be required for the purposes of Appalachian programs, funds in
 25 excess of the amount appropriated may be made available upon recommendation of the
 26 commissioner and approval of the Governor. Further, for the purpose of Appalachian programs,
 27 funds appropriated by appropriation may be transferred to other appropriations upon
 28 recommendation of the commissioner and approval of the Governor.

29	Total TITLE II, Section 2 – State Road Fund		
30	(Including claims against the state).....		<u>\$ 1,492,255,013</u>

1 **Sec. 3. Appropriations from other funds.** — From the funds designated there are hereby
 2 appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B
 3 of the Code the following amounts, as itemized, for expenditure during the fiscal year 2023.

LEGISLATIVE

111 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2023 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

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4	Economic Loss Claim Payment Fund.....	33400		2,000,000
5	Other Assets	69000		<u>3,700</u>
6	Total		\$	2,636,623

JUDICIAL

112 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2023 Org 2400

1	Current Expenses	13000	\$	100,000
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113 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2023 Org 2400

1	Current Expenses	13000	\$	200,000
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114 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2023 Org 2400

1	Current Expenses	13000	\$	1,050,000
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115 - Supreme Court –

Court Facilities Maintenance Fund

(WV Code Chapter 51)

Fund 1766 FY 2023 Org 2400

1	Current Expenses	13000	\$	250,000
2	Repairs and Alterations.....	06400		<u>250,000</u>
3	Total		\$	500,000

EXECUTIVE*116 - Governor's Office –**Minority Affairs Fund*

(WV Code Chapter 5)

Fund 1058 FY 2023 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$	233,788
2	Current Expenses	13000		453,200
3	Martin Luther King, Jr. Holiday Celebration	03100		<u>8,926</u>
4	Total.....		\$	695,914

*117 - Auditor's Office –**Grant Recovery Fund*

(WV Code Chapter 12)

Fund 1205 FY 2023 Org 1200

1	Repairs and Alterations.....	06400	\$	2,000
2	Equipment.....	07000		7,000
3	Current Expenses	13000		<u>191,000</u>
4	Total.....		\$	200,000

*118 - Auditor's Office –**Land Operating Fund*

(WV Code Chapters 11A, 12, and 36)

Fund 1206 FY 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	832,826
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>1,841,168</u>
7	Total.....		\$ 3,833,765

8 There is hereby appropriated from this fund, in addition to the above appropriations if needed,
 9 the necessary amount for the expenditure of funds other than Personal Services and Employee
 10 Benefits to enable the division to pay the direct expenses relating to land sales as provided in
 11 Chapter 11A of the West Virginia Code.

12 The total amount of these appropriations shall be paid from the special revenue fund out of
 13 fees and collections as provided by law.

119 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 639,881
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>3,500,000</u>
7	Total.....		\$ 4,488,716

8 There is hereby appropriated from this fund, in addition to the above appropriations if needed,
 9 the amount necessary to meet the transfer of revenue distribution requirements to provide a
 10 proportionate share of rebates back to the general fund of local governments based on utilization
 11 of the program in accordance with W.Va. Code §6-9-2b.

120 - Auditor's Office –

Securities Regulation Fund

(WV Code Chapter 32)

Fund 1225 FY 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 2,826,332
2	Unclassified	09900	31,866
3	Current Expenses	13000	1,463,830

4	Repairs and Alterations.....	06400	12,400
5	Equipment.....	07000	594,700
6	Other Assets.....	69000	<u>1,200,000</u>
7	Total.....		\$ 6,129,128

121 - Auditor's Office –

Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2023 Org 1200

1	Current Expenses.....	13000	\$ 10,000
2	Other Assets.....	69000	<u>5,000</u>
3	Total.....		\$ 15,000

4 Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office
5 – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the
6 purposes described in W.Va. Code §12-3-10c.

122 - Auditor's Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 3,192,502
2	Current Expenses.....	13000	2,303,622
3	Repairs and Alterations.....	06400	5,500
4	Equipment.....	07000	850,000
5	Other Assets.....	69000	508,886
6	Statutory Revenue Distribution.....	74100	<u>8,000,000</u>
7	Total.....		\$ 14,860,510

8 There is hereby appropriated from this fund, in addition to the above appropriations if needed,
9 the amount necessary to meet the transfer and revenue distribution requirements to the
10 Purchasing Improvement Fund (fund 2264), the Entrepreneurship and Innovation Investment

11 Fund (fund 3014), the Hatfield-McCoy Regional Recreation Authority, and the State Park
 12 Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

123 - Auditor's Office –

Chief Inspector's Fund

(WV Code Chapter 6)

Fund 1235 FY 2023 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	3,682,850
2	Current Expenses	13000		765,915
3	Equipment.....	07000		<u>50,000</u>
4	Total		\$	4,498,765

124 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(WV Code Chapters 12 and 33)

Fund 1239 FY 2023 Org 1200

1	Volunteer Fire Department			
2	Workers' Compensation Subsidy.....	83200	\$	2,500,000

125 - Treasurer's Office –

College Prepaid Tuition and Savings Program

Administrative Account

(WV Code Chapter 18)

Fund 1301 FY 2023 Org 1300

1	Personal Services and Employee Benefits.....	00100	\$	830,643
2	Unclassified	09900		14,000
3	Current Expenses	13000		<u>1,397,559</u>
4	Total		\$	2,242,202

*126 - Treasurer's Office-**Jumpstart Savings Program Expense Fund*

(WV Code Chapter 18)

Fund 1303 FY 2023 Org 1300

1	Unclassified	09900	\$	188,502
2	Current Expenses	13000		<u>411,498</u>
3	Total		\$	600,000

*127 - Department of Agriculture –**Agriculture Fees Fund*

(WV Code Chapter 19)

Fund 1401 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	2,534,889
2	Unclassified	09900		37,425
3	Current Expenses	13000		1,856,184
4	Repairs and Alterations.....	06400		158,500
5	Equipment.....	07000		436,209
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	5,033,207

*128 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	80,974
2	Unclassified	09900		10,476
3	Current Expenses	13000		<u>2,200,000</u>
4	Total		\$	2,291,450

*129 - Department of Agriculture –
General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	76,415
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		\$	219,415

7 The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the
8 Code.

130 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	888,219
2	Unclassified	09900		15,173
3	Current Expenses	13000		1,367,464
4	Repairs and Alterations.....	06400		388,722
5	Equipment.....	07000		399,393
6	Other Assets	69000		<u>20,000</u>
7	Total		\$	3,078,971

131 - Department of Agriculture –

Capital Improvements Fund

(WV Code Chapter 19)

Fund 1413 FY 2023 Org 1400

1	Unclassified	09900	20,000
2	Current Expenses	13000	510,000
3	Repairs and Alterations.....	06400	250,000
4	Equipment.....	07000	350,000
5	Building Improvements.....	25800	670,000
6	Other Assets	69000	<u>200,000</u>
7	Total		\$ 2,000,000

132 - Department of Agriculture –

Donated Food Fund

(WV Code Chapter 19)

Fund 1446 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$ 1,074,322
2	Unclassified	09900	45,807
3	Current Expenses	13000	3,410,542
4	Repairs and Alterations.....	06400	128,500
5	Equipment.....	07000	10,000
6	Other Assets	69000	27,000
7	Land	73000	<u>250,000</u>
8	Total		\$ 4,946,171

133 - Department of Agriculture –

Integrated Predation Management Fund

(WV Code Chapter 7)

Fund 1465 FY 2023 Org 1400

1	Current Expenses	13000	\$ 112,500
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134 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(WV Code Chapter 19)

Fund 1481 FY 2023 Org 1400

1	Current Expenses	13000	\$	600,000
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135 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(WV Code Chapter 19)

Fund 1483 FY 2023 Org 1400

1	Current Expenses	13000	\$	7,500
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136 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(WV Code Chapters 18 and 18A)

Fund 1484 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	1,218,564
2	Unclassified	09900		17,000
3	Current Expenses	13000		1,143,306
4	Repairs and Alterations.....	06400		82,500
5	Equipment.....	07000		76,000
6	Buildings	25800		1,000
7	Other Assets	69000		10,000
8	Land.....	73000		<u>1,000</u>
9	Total		\$	2,549,370

137 - Attorney General –

Antitrust Enforcement Fund

(WV Code Chapter 47)

Fund 1507 FY 2023 Org 1500

1	Personal Services and Employee Benefits.....	00100	\$	363,466
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2	Current Expenses	13000	148,803
3	Repairs and Alterations.....	06400	1,000
4	Equipment.....	07000	<u>1,000</u>
5	Total		\$ 514,269

138 - Attorney General –

Preneed Burial Contract Regulation Fund

(WV Code Chapter 47)

Fund 1513 FY 2023 Org 1500

1	Personal Services and Employee Benefits.....	00100	\$ 228,620
2	Current Expenses	13000	54,615
3	Repairs and Alterations.....	06400	1,000
4	Equipment.....	07000	<u>1,000</u>
5	Total		\$ 285,235

139 - Attorney General –

Preneed Funeral Guarantee Fund

(WV Code Chapter 47)

Fund 1514 FY 2023 Org 1500

1	Current Expenses	13000	\$ 901,135
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140 - Secretary of State –

Service Fees and Collection Account

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2023 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$ 1,110,490
2	Unclassified	09900	4,524
3	Current Expenses	13000	<u>8,036</u>
4	Total		\$ 1,123,050

141 - Secretary of State –

General Administrative Fees Account

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2023 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	3,041,423
2	Unclassified	09900		25,529
3	Current Expenses	13000		976,716
4	Technology Improvements.....	59900		<u>870,000</u>
5	Total.....		\$	4,913,668

DEPARTMENT OF ADMINISTRATION

142 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(WV Code Chapter 4)

Fund 2041 FY 2023 Org 0201

1	Tobacco Settlement Securitization Trustee Pass Thru.....	65000	\$	80,000,000
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143 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(WV Code Chapter 18)

Fund 2044 FY 2023 Org 0201

1	Current Expenses	13000	\$	56,337,000
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2 The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be
 3 transferred to the Consolidated Public Retirement Board – Teachers’ Accumulation Fund (fund
 4 2600).

144 - Department of Administration –

Division of Finance –

Shared Services Section Fund

(WV Code Chapter 5A)

Fund 2020 FY 2023 Org 0209

1	Personal Services and Employee Benefits.....	00100	\$	1,545,384
2	Current Expenses	13000		<u>500,000</u>
3	Total		\$	2,045,384

145 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2023 Org 0210

1	Personal Services and Employee Benefits.....	00100	\$	23,052,937
2	Unclassified	09900		344,119
3	Current Expenses	13000		13,418,001
4	Equipment.....	07000		2,050,000
5	Other Assets	69000		<u>1,045,000</u>
6	Total		\$	39,910,057

7 The total amount of these appropriations shall be paid from a special revenue fund out of
8 collections made by the Division of Information Services and Communications as provided by law.

9 Each spending unit operating from the General Revenue Fund, from special revenue funds or
10 receiving reimbursement for postage from the federal government shall be charged monthly for
11 all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

*146 - Division of Purchasing –**Vendor Fee Fund*

(WV Code Chapter 5A)

Fund 2263 FY 2023 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	579,296
2	Current Expenses	13000		9,115
3	BRIM Premium.....	91300		<u>810</u>
4	Total		\$	589,221

*147 - Division of Purchasing –
Purchasing Improvement Fund*

(WV Code Chapter 5A)

Fund 2264 FY 2023 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	992,206
2	Unclassified	09900		5,562
3	Current Expenses	13000		492,066
4	Repairs and Alterations.....	06400		500
5	Equipment.....	07000		500
6	Other Assets	69000		500
7	BRIM Premium.....	91300		<u>850</u>
8	Total		\$	1,492,184

148 - Travel Management –

Aviation Fund

(WV Code Chapter 5A)

Fund 2302 FY 2023 Org 0215

1	Unclassified	09900	\$	1,000
2	Current Expenses	13000		149,700
3	Repairs and Alterations.....	06400		1,275,237
4	Equipment.....	07000		1,000
5	Buildings	25800		100
6	Other Assets	69000		100
7	Land	73000		<u>100</u>
8	Total		\$	1,427,237

149 - Fleet Management Division Fund

(WV Code Chapter 5A)

Fund 2301 FY 2023 Org 0216

1	Personal Services and Employee Benefits.....	00100	\$	784,375
2	Unclassified	09900		4,000
3	Current Expenses	13000		11,630,614
4	Repairs and Alterations.....	06400		12,000
5	Equipment.....	07000		800,000
6	Other Assets	69000		<u>2,000</u>
7	Total.....		\$	13,232,989

150 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2023 Org 0222

1	Personal Services and Employee Benefits.....	00100	\$	4,781,898
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		122,500
4	Unclassified	09900		51,418
5	Current Expenses	13000		1,262,813
6	Repairs and Alterations.....	06400		5,000
7	Equipment.....	07000		20,000
8	Other Assets	69000		<u>60,000</u>
9	Total.....		\$	6,303,629

10 The total amount of these appropriations shall be paid from a special revenue fund out of fees
11 collected by the Division of Personnel.

151 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2023 Org 0228

1	Personal Services and Employee Benefits.....	00100	\$	136,097
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		119,000

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4	Unclassified	09900		4,023
5	Current Expenses	13000		297,528
6	Repairs and Alterations.....	06400		600
7	Equipment.....	07000		500
8	Other Assets	69000		<u>500</u>
9	Total		\$	558,248

*152 - Office of Technology –
Chief Technology Officer Administration Fund
(WV Code Chapter 5A)*

Fund 2531 FY 2023 Org 0231

1	Personal Services and Employee Benefits.....	00100	\$	454,411
2	Unclassified	09900		6,949
3	Current Expenses	13000		196,504
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		50,000
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	718,864

8 From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit
9 expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

*153 - Division of Forestry
(WV Code Chapter 19)*

Fund 3081 FY 2023 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	382,137
2	Current Expenses	13000		282,202
3	Repairs and Alterations.....	06400		53,000
4	Equipment.....	07000		<u>300,000</u>

5 Total \$ 1,017,339

154 - Division of Forestry –

Timbering Operations Enforcement Fund

(WV Code Chapter 19)

Fund 3082 FY 2023 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	248,321
2	Current Expenses	13000		87,036
3	Repairs and Alterations.....	06400		<u>11,250</u>
4	Total.....		\$	346,607

155 - Division of Forestry –

Severance Tax Operations

(WV Code Chapter 11)

Fund 3084 FY 2023 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	559,626
2	Current Expenses	13000		<u>117,466</u>
3	Total.....		\$	677,092

156 - Geological and Economic Survey –

Geological and Analytical Services Fund

(WV Code Chapter 29)

Fund 3100 FY 2023 Org 0306

1	Personal Services and Employee Benefits.....	00100	\$	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

8 The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

157 - Division of Labor –

West Virginia Jobs Act Fund

(WV Code Chapter 21)

Fund 3176 FY 2023 Org 0308

1	Current Expenses	13000		75,000
2	Equipment.....	07000		<u>25,000</u>
3	Total.....		\$	100,000

158 - Division of Labor –

HVAC Fund

(WV Code Chapter 21)

Fund 3186 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	367,925
2	Unclassified	09900		4,000
3	Current Expenses	13000		82,000
4	Repairs and Alterations.....	06400		4,500
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>8,500</u>
7	Total.....		\$	467,925

159 - Division of Labor –

Elevator Safety Fund

(WV Code Chapter 21)

Fund 3188 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	304,756
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		104,180

4	Unclassified	09900		2,261
5	Current Expenses	13000		94,712
6	Repairs and Alterations.....	06400		2,000
7	Buildings	25800		1,000
8	BRIM Premium.....	91300		<u>8,500</u>
9	Total		\$	517,409

160 - Division of Labor –

Steam Boiler Fund

(WV Code Chapter 21)

Fund 3189 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	80,742
2	Unclassified	09900		1,000
3	Current Expenses	13000		20,000
4	Repairs and Alterations.....	06400		2,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>1,000</u>
7	Total		\$	105,742

161 - Division of Labor –

Crane Operator Certification Fund

(WV Code Chapter 21)

Fund 3191 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	196,226
2	Unclassified	09900		1,380
3	Current Expenses	13000		51,265
4	Repairs and Alterations.....	06400		1,500
5	Buildings	25800		1,000

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6	BRIM Premium.....	91300	<u>7,000</u>
7	Total		\$ 258,371

162 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 192,424
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		\$ 249,725

163 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 294,645
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		\$ 345,596

164 - Division of Labor –

Weights and Measures Fund

(WV Code Chapter 47)

Fund 3196 FY 2023 Org 0308

1	Unclassified	09900	\$	1,200
2	Current Expenses	13000		93,000
3	Repairs and Alterations.....	06400		10,000
4	Equipment.....	07000		10,000
5	BRIM Premium.....	91300		<u>7,000</u>
6	Total.....		\$	121,200

*165 - Division of Labor –**Bedding and Upholstery Fund*

(WV Code Chapter 21)

Fund 3198 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	152,270
2	Unclassified	09900		2,000
3	Current Expenses	13000		145,400
4	Repairs and Alterations.....	06400		2,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>8,700</u>
7	Total.....		\$	311,370

*166 - Division of Labor –**Psychophysiological Examiners Fund*

(WV Code Chapter 21)

Fund 3199 FY 2023 Org 0308

1	Current Expenses	13000	\$	4,000
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*167 - Division of Natural Resources –**License Fund – Wildlife Resources*

(WV Code Chapter 20)

Fund 3200 FY 2023 Org 0310

1	Wildlife Resources	02300	\$	9,759,535
2	Administration	15500		2,405,642
3	Capital Improvements and Land Purchase (R).....	24800		2,410,936
4	Law Enforcement.....	80600		<u>9,787,279</u>
5	Total.....		\$	24,363,392

6 The total amount of these appropriations shall be paid from a special revenue fund out of fees
7 collected by the Division of Natural Resources.

8 Any unexpended balance remaining in the appropriation for Capital Improvements and Land
9 Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2022 is hereby
10 reappropriated for expenditure during the fiscal year 2023.

*168 - Division of Natural Resources –**Natural Resources Game Fish and Aquatic Life Fund*

(WV Code Chapter 22)

Fund 3202 FY 2023 Org 0310

1	Current Expenses	13000	\$	125,000
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*169 - Division of Natural Resources –**Nongame Fund*

(WV Code Chapter 20)

Fund 3203 FY 2023 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	694,154
2	Current Expenses	13000		201,810
3	Equipment.....	07000		<u>106,615</u>
4	Total.....		\$	1,002,579

*170 - Division of Natural Resources –**Planning and Development Division*

(WV Code Chapter 20)

Fund 3205 FY 2023 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	467,117
2	Current Expenses	13000		1,056,876
3	Repairs and Alterations.....	06400		15,016
4	Equipment.....	07000		8,300
5	Buildings	25800		8,300
6	Other Assets	69000		1,900,000
7	Land	73000		<u>31,700</u>
8	Total.....		\$	3,487,309

*171 - Division of Natural Resources –**State Parks and Recreation Endowment Fund*

(WV Code Chapter 20)

Fund 3211 FY 2023 Org 0310

1	Current Expenses	13000	\$	6,000
2	Repairs and Alterations.....	06400		3,000
3	Equipment.....	07000		2,000
4	Buildings	25800		3,000
5	Other Assets	69000		4,000
6	Land	73000		<u>2,000</u>
7	Total.....		\$	20,000

*172 - Division of Natural Resources –**Whitewater Study and Improvement Fund*

(WV Code Chapter 20)

Fund 3253 FY 2023 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	70,667
2	Current Expenses	13000		64,778

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3	Equipment.....	07000	1,297
4	Buildings	25800	<u>6,969</u>
5	Total		\$ 143,711

*173 - Division of Natural Resources –
Whitewater Advertising and Promotion Fund
(WV Code Chapter 20)*

Fund 3256 FY 2023 Org 0310

1	Unclassified	09900	\$ 200
2	Current Expenses	13000	<u>19,800</u>
3	Total		\$ 20,000

*174 - Division of Miners' Health, Safety and Training –
Special Health, Safety and Training Fund
(WV Code Chapter 22A)*

Fund 3355 FY 2023 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$ 516,356
2	Unclassified	09900	40,985
3	Current Expenses	13000	1,954,557
4	WV Mining Extension Service	02600	150,000
5	Buildings	25800	2,481,358
6	Land	73000	<u>1,000,000</u>
7	Total		\$ 6,143,256

*175 - Department of Commerce –
Office of the Secretary –
Marketing and Communications Operating Fund
(WV Code Chapter 5B)*

Fund 3002 FY 2023 Org 0327

1	Personal Services and Employee Benefits.....	00100	\$	2,148,018
2	Unclassified	09900		30,000
3	Current Expenses	13000		1,315,078
4	Equipment.....	07000		<u>36,000</u>
5	Total		\$	3,529,096

176 - Department of Commerce –

Office of the Secretary –

Broadband Enhancement Fund

(WV Code Chapter 31G)

Fund 3013 FY 2023 Org 0327

1	Personal Services and Employee Benefits.....	00100	\$	131,682
2	Current Expenses	13000		<u>1,648,318</u>
3	Total		\$	1,780,000

177 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2023 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$	119,738
2	Current Expenses	13000		1,180,122
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		\$	1,905,360

1 **DEPARTMENT OF ECONOMIC DEVELOPMENT**

178 - Department of Economic Development –

Office of Energy –

Energy Assistance

(WV Code Chapter 5B)

Fund 3010 FY 2023 Org 0307

1	Energy Assistance - Total	64700	\$	7,211
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179 - Department of Economic Development –

Office of the Secretary –

Entrepreneurship and Innovation Investment Fund

(WV Code Chapter 5B)

Fund 3014 FY 2023 Org 0307

1	Entrepreneurship and Innovation Investment Fund	70301	\$	1,500,000
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180 - Department of Economic Development –

Office of the Secretary –

Broadband Development Fund

(WV Code Chapter 31G)

Fund 3034 FY 2023 Org 0307

1	Personal Services and Employee Benefits	00100	\$	647,075
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2	Unclassified	09900		2,000,000
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3	Current Expenses	13000		<u>235,302,925</u>
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4	Total		\$	237,950,000
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181 - Department of Economic Development –

Office of the Secretary –

Office of Coalfield Community Development

(WV Code Chapter 5B)

Fund 3162 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	438,687
2	Unclassified	09900		8,300
3	Current Expenses	13000		<u>399,191</u>
4	Total.....		\$	846,178

DEPARTMENT OF EDUCATION*182 - State Board of Education –**Strategic Staff Development*

(WV Code Chapter 18)

Fund 3937 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	35,000
2	Unclassified	09900		26,000
3	Current Expenses	13000		<u>2,539,000</u>
4	Total.....		\$	2,600,000

*183 - School Building Authority –**School Construction Fund*

(WV Code Chapters 18 and 18A)

Fund 3952 FY 2023 Org 0404

1	SBA Construction Grants	24000	\$	59,845,818
2	Directed Transfer	70000		<u>1,371,182</u>
3	Total.....		\$	61,217,000

4 The above appropriation for Directed Transfer (fund 3952, appropriation 70000) shall be
5 transferred to the School Building Authority Fund (fund 3959) for the administrative expenses of
6 the School Building Authority.

184 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2023 Org 0404

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1	Personal Services and Employee Benefits.....	00100	\$	1,171,429
2	Current Expenses	13000		244,195
3	Repairs and Alterations.....	06400		13,150
4	Equipment.....	07000		<u>26,000</u>
5	Total		\$	1,454,774

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

185 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2023 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$	235,943
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		\$	1,227,512

DEPARTMENT OF ENVIRONMENTAL PROTECTION

186 - Solid Waste Management Board

(WV Code Chapter 22C)

Fund 3288 FY 2023 Org 0312

1	Personal Services and Employee Benefits.....	00100	\$	869,535
2	Current Expenses	13000		2,060,457
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		5,000
5	Other Assets	69000		<u>4,403</u>

6	Total		\$ 2,940,395
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187 - Division of Environmental Protection –

Hazardous Waste Management Fund

(WV Code Chapter 22)

Fund 3023 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 805,575
2	Unclassified	09900	8,072
3	Current Expenses	13000	155,969
4	Repairs and Alterations.....	06400	500
5	Equipment.....	07000	1,505
6	Other Assets	69000	2,000
7	Total		\$ 973,621

188 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 806,186
2	Unclassified	09900	14,647
3	Current Expenses	13000	876,863
4	Repairs and Alterations.....	06400	13,000
5	Equipment.....	07000	53,105
6	Other Assets	69000	20,000
7	Total		\$ 1,783,801

189 - Division of Environmental Protection –

Special Reclamation Fund

(WV Code Chapter 22)

Fund 3321 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	1,678,252
2	Current Expenses	13000		16,185,006
3	Repairs and Alterations.....	06400		79,950
4	Equipment.....	07000		130,192
5	Other Assets	69000		<u>32,000</u>
6	Total		\$	18,105,400

*190 - Division of Environmental Protection –**Oil and Gas Reclamation Fund*

(WV Code Chapter 22)

Fund 3322 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	549,957
2	Current Expenses	13000		<u>1,956,094</u>
3	Total		\$	2,506,051

*191 - Division of Environmental Protection –**Oil and Gas Operating Permit and Processing Fund*

(WV Code Chapter 22)

Fund 3323 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	2,187,791
2	Unclassified	09900		15,700
3	Current Expenses	13000		932,300
4	Repairs and Alterations.....	06400		9,500
5	Equipment.....	07000		500
6	Other Assets	69000		<u>500</u>
7	Total		\$	3,146,291

*192 - Division of Environmental Protection –**Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	3,635,868
2	Unclassified	09900		920
3	Current Expenses	13000		2,202,231
4	Repairs and Alterations.....	06400		60,260
5	Equipment.....	07000		83,000
6	Other Assets	69000		<u>57,500</u>
7	Total		\$	6,039,779

*193 - Division of Environmental Protection –**Underground Storage Tank**Administrative Fund*

(WV Code Chapter 22)

Fund 3325 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	486,251
2	Unclassified	09900		7,520
3	Current Expenses	13000		318,420
4	Repairs and Alterations.....	06400		5,350
5	Equipment.....	07000		3,610
6	Other Assets	69000		<u>3,500</u>
7	Total		\$	824,651

*194 - Division of Environmental Protection –**Hazardous Waste Emergency Response Fund*

(WV Code Chapter 22)

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Fund 3331 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	614,039
2	Unclassified	09900		10,616
3	Current Expenses	13000		767,905
4	Repairs and Alterations.....	06400		7,014
5	Equipment.....	07000		9,000
6	Other Assets	69000		<u>3,500</u>
7	Total.....		\$	1,412,074

195 - Division of Environmental Protection –

Solid Waste Reclamation and

Environmental Response Fund

(WV Code Chapter 22)

Fund 3332 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	849,562
2	Unclassified	09900		22,900
3	Current Expenses	13000		3,604,737
4	Repairs and Alterations.....	06400		25,000
5	Equipment.....	07000		31,500
6	Buildings.....	25800		500
7	Other Assets	69000		<u>1,000</u>
8	Total.....		\$	4,535,199

196 - Division of Environmental Protection –

Solid Waste Enforcement Fund

(WV Code Chapter 22)

Fund 3333 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	3,362,824
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2	Unclassified	09900		31,145
3	Current Expenses	13000		940,229
4	Repairs and Alterations.....	06400		30,930
5	Equipment.....	07000		23,356
6	Other Assets	69000		<u>25,554</u>
7	Total		\$	4,414,038

197 - Division of Environmental Protection –

Air Pollution Control Fund

(WV Code Chapter 22)

Fund 3336 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	6,112,158
2	Unclassified	09900		70,572
3	Current Expenses	13000		1,469,467
4	Repairs and Alterations.....	06400		84,045
5	Equipment.....	07000		103,601
6	Other Assets	69000		<u>52,951</u>
7	Total		\$	7,892,794

198 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(WV Code Chapter 22)

Fund 3340 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	364,936
2	Unclassified	09900		1,120
3	Current Expenses	13000		201,146
4	Repairs and Alterations.....	06400		1,000

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5	Other Assets	69000	<u>163,000</u>
6	Total		\$ 731,202

199 - Division of Environmental Protection –

Stream Restoration Fund

(WV Code Chapter 22)

Fund 3349 FY 2023 Org 0313

1	Current Expenses	13000	\$ 5,182,076
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200 - Division of Environmental Protection –

Litter Control Fund

(WV Code Chapter 22)

Fund 3486 FY 2023 Org 0313

1	Current Expenses	13000	\$ 60,000
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201 - Division of Environmental Protection –

Recycling Assistance Fund

(WV Code Chapter 22)

Fund 3487 FY 2023 Org 0313

1	Personal Services and Employee Benefits	00100	\$ 680,241
2	Unclassified	09900	400
3	Current Expenses	13000	2,754,258
4	Repairs and Alterations	06400	800
5	Equipment	07000	500
6	Other Assets	69000	<u>2,500</u>
7	Total		\$ 3,438,699

202 - Division of Environmental Protection –

Mountaintop Removal Fund

(WV Code Chapter 22)

Fund 3490 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	1,120,989
2	Unclassified	09900		1,180
3	Current Expenses	13000		589,834
4	Repairs and Alterations.....	06400		27,612
5	Equipment.....	07000		23,500
6	Other Assets	69000		<u>11,520</u>
7	Total.....		\$	1,774,635

*203 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2023 Org 0315

1	Personal Services and Employee Benefits.....	00100	\$	165,187
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.....		\$	338,393

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*204 - Division of Health –**Ryan Brown Addiction Prevention and Recovery Fund*

(WV Code Chapter 19)

Fund 5111 FY 2023 Org 0506

1	Current Expenses	13000	\$	10,667,392
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*205 - Division of Health –**The Vital Statistics Account*

(WV Code Chapter 16)

Fund 5144 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	1,097,919
2	Unclassified	09900		15,500
3	Current Expenses	13000		<u>3,557,788</u>
4	Total		\$	4,671,207

206 - Division of Health –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(WV Code Chapter 16)

Fund 5156 FY 2023 Org 0506

1	Institutional Facilities Operations.....	33500	\$	44,555,221
2	Medical Services Trust Fund – Transfer.....	51200		<u>27,800,000</u>
3	Total		\$	72,355,221

4 The total amount of these appropriations shall be paid from the Hospital Services Revenue
 5 Account Special Fund created by W.Va. Code §16-1-13, and shall be used for operating expenses
 6 and for improvements in connection with existing facilities.

7 Additional funds have been appropriated in fund 0525, fiscal year 2023, organization 0506, for
 8 the operation of the institutional facilities. The Secretary of the Department of Health and Human
 9 Resources is authorized to utilize up to ten percent of the funds from the appropriation for
 10 Institutional Facilities Operations to facilitate cost effective and cost saving services at the
 11 community level.

12 Necessary funds from the above appropriation may be used for medical facilities operations,
 13 either in connection with this fund or in connection with the appropriation designated Institutional
 14 Facilities Operations in the Consolidated Medical Service Fund (fund 0525, organization 0506).

207 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	985,121
2	Unclassified	09900		18,114
3	Current Expenses	13000		<u>2,209,105</u>
4	Total.....		\$	3,212,340

208 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	669,651
2	Unclassified	09900		7,113
3	Current Expenses	13000		<u>98,247</u>
4	Total.....		\$	775,011

209 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2023 Org 0506

1	Current Expenses	13000	\$	9,740
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210 - Division of Health –

Lead Abatement Account

(WV Code Chapter 16)

Fund 5204 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	19,100
2	Unclassified	09900		373
3	Current Expenses	13000		<u>17,875</u>
4	Total.....		\$	37,348

*211 - Division of Health –
West Virginia Birth-to-Three Fund
(WV Code Chapter 16)
Fund 5214 FY 2023 Org 0506*

1	Personal Services and Employee Benefits.....	00100	\$	719,208
2	Unclassified	09900		223,999
3	Current Expenses	13000		30,134,400
4	Total.....		\$	31,077,607

*212 - Division of Health –
Tobacco Control Special Fund
(WV Code Chapter 16)
Fund 5218 FY 2023 Org 0506*

1	Current Expenses	13000	\$	7,579
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*213 - Division of Health –
Medical Cannabis Program Fund
(WV Code Chapter 16A)
Fund 5420 FY 2023 Org 0506*

1	Personal Services and Employee Benefits.....	00100	\$	509,658
2	Current Expenses	13000		2,046,040
3	Total.....		\$	2,555,698

*214 - West Virginia Health Care Authority –
Health Care Cost Review Fund
(WV Code Chapter 16)
Fund 5375 FY 2023 Org 0507*

1	Personal Services and Employee Benefits.....	00100	\$	1,348,406
2	Unclassified	09900		20,100

3	Current Expenses	13000	<u>785,445</u>
4	Total		\$ 2,153,951

5 The above appropriation is to be expended in accordance with and pursuant to the provisions
6 of W.Va. Code §16-29B and from the special revolving fund designated Health Care Cost Review
7 Fund.

215 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2023 Org 0507

1	Personal Services and Employee Benefits.....	00100	\$ 844,926
2	Current Expenses	13000	<u>474,967</u>
3	Total		\$ 1,319,893

216 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2023 Org 0511

1	Medical Services.....	18900	\$ 393,594,315
2	Medical Services Administrative Costs.....	78900	<u>251,273</u>
3	Total		\$ 393,845,588

4 The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation
5 78900) shall be transferred to a special revenue account in the treasury for use by the Department
6 of Health and Human Resources for administrative purposes. The remainder of all moneys
7 deposited in the fund shall be transferred to the Medical Services Program Fund (fund 5084).

217 - Division of Human Services –

Child Support Enforcement Fund

(WV Code Chapter 48A)

Fund 5094 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 24,809,509
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2	Unclassified	09900	380,000
3	Current Expenses	13000	<u>12,810,491</u>
4	Total		\$ 38,000,000

218 - Division of Human Services –

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2023 Org 0511

1	Medical Services.....	18900	\$ 77,500,000
2	Medical Services Administrative Costs.....	78900	<u>646,750</u>
3	Total		\$ 78,146,750

4 The above appropriation to Medical Services shall be used to provide state match of Medicaid
5 expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a. Expenditures
6 from the fund are limited to the following: payment of backlogged billings, funding for services to
7 future federally mandated population groups and payment of the required state match for
8 Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund
9 shall be transferred to the Division of Human Services accounts.

219 - Division of Human Services –

James "Tiger" Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2023 Org 0511

1	Unclassified	09900	\$ 7,000
2	Current Expenses	13000	<u>393,000</u>
3	Total		\$ 400,000

220 - Division of Human Services –

Domestic Violence Legal Services Fund

(WV Code Chapter 48)

Fund 5455 FY 2023 Org 0511

1	Current Expenses	13000	\$ 900,000
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221 - Division of Human Services –

West Virginia Works Separate State College Program Fund

(WV Code Chapter 9)

Fund 5467 FY 2023 Org 0511

1	Current Expenses	13000	\$	500,000
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222 - Division of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(WV Code Chapter 9)

Fund 5468 FY 2023 Org 0511

1	Current Expenses	13000	\$	1,500,000
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223 - Division of Human Services –

Marriage Education Fund

(WV Code Chapter 9)

Fund 5490 FY 2023 Org 0511

1	Personal Services and Employee Benefits	00100	\$	10,000
2	Current Expenses	13000		25,000
3	Total		\$	35,000

DEPARTMENT OF HOMELAND SECURITY

224 - Department of Homeland Security –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(WV Code Chapter 15)

Fund 6003 FY 2023 Org 0601

1	Current Expenses	13000	\$	32,000
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*225 - Division of Emergency Management –
Statewide Interoperable Radio Network Account
(WV Code Chapter 15)*

Fund 6208 FY 2023 Org 0606

1	Current Expenses	13000	\$	80,000
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*226 - Division of Emergency Management –
West Virginia Interoperable Radio Project
(WV Code Chapter 24)*

Fund 6295 FY 2023 Org 0606

1	Unclassified	09900	\$	20,000
2	Current Expenses	13000		3,980,000
3	Repairs and Alterations.....	06400		250,000
4	Equipment.....	07000		250,000
5	Total		\$	4,500,000

*227 - Division of Corrections and Rehabilitation –
Parolee Supervision Fees
(WV Code Chapter 15A)*

Fund 6362 FY 2023 Org 0608

1	Personal Services and Employee Benefits.....	00100	\$	1,164,081
2	Unclassified	09900		9,804
3	Current Expenses	13000		758,480
4	Equipment.....	07000		30,000
5	Other Assets	69000		40,129
6	Total		\$	2,002,494

*228 - Division of Corrections and Rehabilitation –
Regional Jail and Correctional Facility Authority*

(WV Code Chapter 15A)

Fund 6675 FY 2023 Org 0608

1	Personal Services and Employee Benefits.....	00100	\$	1,974,532
2	Debt Service	04000		9,000,000
3	Current Expenses	13000		<u>245,472</u>
4	Total		\$	11,220,004

*229 - West Virginia State Police –**Motor Vehicle Inspection Fund*

(WV Code Chapter 17C)

Fund 6501 FY 2023 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	1,965,212
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		\$	8,270,106

9 The total amount of these appropriations shall be paid from the special revenue fund out of
10 fees collected for inspection stickers as provided by law.

*230 - West Virginia State Police –**Forensic Laboratory Fund*

(WV Code Chapter 15)

Fund 6511 FY 2023 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	1,615,128
2	Current Expenses	13000		90,000
3	Repairs and Alterations.....	06400		5,000

4	Equipment.....	07000	<u>545,000</u>
5	Total		\$ 2,255,128

*231 - West Virginia State Police –
Drunk Driving Prevention Fund
(WV Code Chapter 15)
Fund 6513 FY 2023 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

5 The total amount of these appropriations shall be paid from the special revenue fund out of
6 receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund
7 account in the State Treasury.

*232 - West Virginia State Police –
Surplus Real Property Proceeds Fund
(WV Code Chapter 15)
Fund 6516 FY 2023 Org 0612*

1	Buildings	25800	\$ 1,022,778
2	Land	73000	1,000
3	BRIM Premium.....	91300	<u>77,222</u>
4	Total		\$ 1,101,000

*233 - West Virginia State Police –
Surplus Transfer Account
(WV Code Chapter 15)
Fund 6519 FY 2023 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

234 - West Virginia State Police –

Central Abuse Registry Fund

(WV Code Chapter 15)

Fund 6527 FY 2023 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	268,731
2	Current Expenses	13000		376,443
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		\$	1,265,198

235 - West Virginia State Police –

Bail Bond Enforcer Account

(WV Code Chapter 15)

Fund 6532 FY 2023 Org 0612

1	Current Expenses	13000	\$	8,300
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236 - West Virginia State Police –

State Police Academy Post Exchange

(WV Code Chapter 15)

Fund 6544 FY 2023 Org 0612

1	Current Expenses	13000	\$	160,000
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2	Repairs and Alterations.....	06400	<u>40,000</u>
3	Total		\$ 200,000

237 - Fire Commission –

Fire Marshal Fees

(WV Code Chapter 29)

Fund 6152 FY 2023 Org 0619

1	Personal Services and Employee Benefits.....	00100	\$ 3,616,684
2	Unclassified	09900	3,800
3	Current Expenses	13000	1,646,550
4	Repairs and Alterations.....	06400	58,500
5	Equipment.....	07000	140,800
6	BRIM Premium.....	91300	<u>65,000</u>
7	Total		\$ 5,531,334

238 - Division of Administrative Services –

WV Community Corrections Fund

(WV Code Chapter 62)

Fund 6386 FY 2023 Org 0623

1	Personal Services and Employee Benefits.....	00100	\$ 166,250
2	Unclassified	09900	750
3	Current Expenses	13000	1,846,250
4	Repairs and Alterations.....	06400	<u>1,000</u>
5	Total		\$ 2,014,250

239 - Division of Administrative Services –

Court Security Fund

(WV Code Chapter 51)

Fund 6804 FY 2023 Org 0623

1	Personal Services and Employee Benefits.....	00100	\$	24,748
2	Current Expenses	13000		<u>1,478,135</u>
3	Total		\$	1,502,883

*240 - Division of Administrative Services –
Second Chance Driver's License Program Account
(WV Code Chapter 17B)*

Fund 6810 FY 2023 Org 0623

1	Current Expenses	13000	\$	125,000
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DEPARTMENT OF REVENUE

241 - Division of Financial Institutions

(WV Code Chapter 31A)

Fund 3041 FY 2023 Org 0303

1	Personal Services and Employee Benefits.....	00100	\$	2,653,645
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		119,000
4	Current Expenses	13000		650,475
5	Equipment.....	07000		<u>8,500</u>
6	Total.....		\$	3,431,620

242 - Office of the Secretary –

State Debt Reduction Fund

(WV Code Chapter 29)

Fund 7007 FY 2023 Org 0701

1	Retirement Systems – Unfunded Liability.....	77500	\$	20,000,000
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2 The above appropriation for Retirement System – Unfunded Liability shall be transferred to the
3 Consolidated Public Retirement Board – West Virginia Teachers Retirement System Employers
4 School Aid Formula Funds Holding Account Fund (fund 2606).

243 - Home Rule Board Operations

(WV Code Chapter 8)

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Fund 7010 FY 2023 Org 0701

1	Personal Services and Employee Benefits.....	00100	\$	25,000
2	Unclassified	09900		680
3	Current Expenses	13000		42,000
4	Repairs and Alterations.....	06400		120
5	Equipment.....	07000		<u>200</u>
6	Total		\$	68,000

244 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2023 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	27,441
2	Current Expenses	13000		<u>7,717</u>
3	Total		\$	35,158

245 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2023 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	724,718
2	Unclassified	09900		8,500
3	Current Expenses	13000		273,297
4	Repairs and Alterations.....	06400		7,000
5	Equipment.....	07000		<u>5,000</u>
6	Total		\$	1,018,515

246 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2023 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	275,024
2	Current Expenses	13000		<u>5,406</u>
3	Total		\$	280,430

*247 - Tax Division –**Reduced Cigarette Ignition Propensity**Standard and Fire Prevention Act Fund*

(WV Code Chapter 47)

Fund 7092 FY 2023 Org 0702

1	Current Expenses	13000	\$	35,000
2	Equipment.....	07000		<u>15,000</u>
3	Total		\$	50,000

*248 - Tax Division –**Local Sales Tax and Excise Tax**Administration Fund*

(WV Code Chapter 11)

Fund 7099 FY 2023 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	1,567,732
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		\$	2,368,295

*249 - State Budget Office –**Public Employees Insurance Reserve Fund*

(WV Code Chapter 11B)

Fund 7400 FY 2023 Org 0703

1	Public Employees Insurance Reserve Fund – Transfer.....	90300	\$	6,800,000
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2 The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be
3 transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

*250 - Insurance Commissioner –**Examination Revolving Fund*

(WV Code Chapter 33)

Fund 7150 FY 2023 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	760,866
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		\$	2,222,156

*251 - Insurance Commissioner –**Consumer Advocate*

(WV Code Chapter 33)

Fund 7151 FY 2023 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	584,078
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		\$	849,780

*252 - Insurance Commissioner –
Insurance Commission Fund
(WV Code Chapter 33)
Fund 7152 FY 2023 Org 0704*

1	Personal Services and Employee Benefits.....	00100	\$	24,627,046
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		136,500
4	Current Expenses	13000		8,797,758
5	Repairs and Alterations.....	06400		68,614
6	Equipment.....	07000		1,728,240
7	Buildings	25800		25,000
8	Other Assets	69000		340,661
9	Total		\$	35,723,819

*253 - Insurance Commissioner –
Insurance Fraud Prevention Fund
(WV Code Chapter 33)
Fund 7153 FY 2023 Org 0704*

1	Current Expenses	13000	\$	15,000
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*254 - Insurance Commissioner –
Workers' Compensation Old Fund
(WV Code Chapter 23)
Fund 7162 FY 2023 Org 0704*

1	Employee Benefits	01000	\$	50,000
2	Current Expenses	13000		250,500,000
3	Total		\$	250,550,000

*255 - Insurance Commissioner –
Workers' Compensation Uninsured Employers' Fund*

(WV Code Chapter 23)

Fund 7163 FY 2023 Org 0704

1	Current Expenses	13000	\$	15,000,000
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256 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2023 Org 0704

1	Current Expenses	13000	\$	9,000,000
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257 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(WV Code Chapter 23)

Fund 7165 FY 2023 Org 0704

1	Current Expenses	13000	\$	14,000,000
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258 - Municipal Bond Commission

(WV Code Chapter 13)

Fund 7253 FY 2023 Org 0706

1	Personal Services and Employee Benefits.....	00100	\$	321,604
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2	Current Expenses	13000		154,344
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3	Equipment.....	07000		<u>100</u>
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4	Total		\$	476,048
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259 - Racing Commission –

Relief Fund

(WV Code Chapter 19)

Fund 7300 FY 2023 Org 0707

1	Medical Expenses – Total	24500	\$	154,000
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2 The total amount of this appropriation shall be paid from the special revenue fund out of
 3 collections of license fees and fines as provided by law.

4 No expenditures shall be made from this fund except for hospitalization, medical care and/or
 5 funeral expenses for persons contributing to this fund.

260 - Racing Commission –

Administration and Promotion Account

(WV Code Chapter 19)

Fund 7304 FY 2023 Org 0707

1	Personal Services and Employee Benefits.....	00100	\$	272,430
2	Current Expenses	13000		85,433
3	Other Assets	69000		<u>5,000</u>
4	Total		\$	362,863

261 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2023 Org 0707

1	Personal Services and Employee Benefits.....	00100	\$	2,380,713
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		48,443
4	Current Expenses	13000		497,284
5	Repairs and Alterations.....	06400		5,000
6	Other Assets	69000		<u>40,000</u>
7	Total		\$	2,971,440

262 - Racing Commission –

Administration, Promotion, Education, Capital Improvement

and Greyhound Adoption Programs

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2023 Org 0707

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1	Personal Services and Employee Benefits.....	00100	\$	924,832
2	Current Expenses	13000		160,099
3	Other Assets	69000		<u>200,000</u>
4	Total		\$	1,284,931

263 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2023 Org 0708

1	Personal Services and Employee Benefits.....	00100	\$	147,213
2	Current Expenses	13000		54,186
3	Repairs and Alterations.....	06400		7,263
4	Equipment.....	07000		10,000
5	Buildings	25800		100,000
6	Transfer Liquor Profits and Taxes	42500		30,750
7	Other Assets	69000		<u>100</u>
8	Total		\$	349,512

9 To the extent permitted by law, four classified exempt positions shall be provided from Personal
 10 Services and Employee Benefits appropriation for field auditors.

264 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2023 Org 0708

1	Personal Services and Employee Benefits.....	00100	\$	5,849,609
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		122,500
4	Current Expenses	13000		2,890,577
5	Repairs and Alterations.....	06400		91,000
6	Equipment.....	07000		108,000

7	Buildings	25800	375,100
8	Purchase of Supplies for Resale	41900	76,500,000
9	Transfer Liquor Profits and Taxes	42500	21,200,000
10	Other Assets	69000	125,100
11	Land	73000	<u>100</u>
12	Total		\$ 107,261,986

13 The total amount of these appropriations shall be paid from a special revenue fund out of liquor
 14 revenues and any other revenues available.

15 The above appropriations include the salary of the commissioner and the salaries, expenses,
 16 and equipment of administrative offices, warehouses, and inspectors.

17 The above appropriations include funding for the Tobacco/Alcohol Education Program.

18 There is hereby appropriated from liquor revenues, in addition to the above appropriations as
 19 needed, the necessary amount for the purchase of liquor as provided by law and the remittance
 20 of profits and taxes to the General Revenue Fund.

265 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2023 Org 0933

1	Personal Services and Employee Benefits.....	00100	\$ 12,000
2	Current Expenses	13000	<u>28,000</u>
3	Total		\$ 40,000

DEPARTMENT OF TRANSPORTATION

266 - Division of Motor Vehicles –

Dealer Recovery Fund

(WV Code Chapter 17)

Fund 8220 FY 2023 Org 0802

1	Current Expenses	13000	\$ 189,000
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267 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

2022]

HOUSE OF DELEGATES

1265

(WV Code Chapter 17B)

Fund 8223 FY 2023 Org 0802

1	Personal Services and Employee Benefits.....	00100	\$	3,929,736
2	Current Expenses	13000		4,372,596
3	Repairs and Alterations.....	06400		16,000
4	Equipment.....	07000		75,000
5	Other Assets	69000		10,000
6	BRIM Premium.....	91300		<u>75,116</u>
7	Total.....		\$	8,478,448

268 - Division of Highways –

A. James Manchin Fund

(WV Code Chapter 22)

Fund 8319 FY 2023 Org 0803

1	Current Expenses	13000	\$	2,500,000
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269 - State Rail Authority -

West Virginia Commuter Rail Access Fund

(WV Code Chapter 29)

Fund 8402 FY 2023 Org 0804

1	Current Expenses	13000	\$	600,000
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DEPARTMENT OF VETERANS' ASSISTANCE

270 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2023 Org 0613

1	Current Expenses	13000	\$	1,654,234
2	Other Assets	69000		<u>10,000</u>
3	Total.....		\$	1,664,234

271 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2023 Org 0618

1	Current Expenses	13000	\$	289,400
2	Repairs and Alterations.....	06400		<u>10,600</u>
3	Total.....		\$	300,000

BUREAU OF SENIOR SERVICES

272 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 29)

Fund 5409 FY 2023 Org 0508

1	Personal Services and Employee Benefits.....	00100	\$	140,202
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		25,795
4	Current Expenses	13000		<u>10,348,710</u>
5	Total.....		\$	10,514,707

6 The total amount of these appropriations are funded from annual table game license fees to
 7 enable the aged and disabled citizens of West Virginia to stay in their homes through the provision
 8 of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

273 - 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 2023 Org 0442

1	Debt Service	04000	\$	27,402,035
2	General Capital Expenditures	30600		5,000,000
3	Facilities Planning and Administration.....	38600		<u>456,239</u>
4	Total.....		\$	32,858,274

5 The total amount of these appropriations shall be paid from the Special Capital Improvement
6 Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis and made
7 available on July 1.

8 The above appropriations, except for Debt Service, may be transferred to special revenue
9 funds for capital improvement projects at the institutions.

274 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2023 Org 0442

1 Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906,
2 appropriation 51100) at the close of the fiscal year 2022 is hereby reappropriated for expenditure
3 during the fiscal year 2023.

4 The appropriation shall be paid from available unexpended cash balances and interest
5 earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher
6 Education Policy Commission and the funds may be allocated to any institution within the system.

7 The total amount of this appropriation shall be paid from the unexpended proceeds of revenue
8 bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been refunded.

*275 - Community and Technical College –**Capital Improvement Fund*

(WV Code Chapter 18B)

Fund 4908 FY 2023 Org 0442

1 Any unexpended balance remaining in the appropriation for Capital Improvements – Total
2 (fund 4908, appropriation 95800) at the close of fiscal year 2022 is hereby reappropriated for
3 expenditure during the fiscal year 2023.

4 The total amount of this appropriation shall be paid from the sale of the Series 2017 Community
5 and Technical College Capital Improvement Refunding Revenue Bonds and anticipated interest
6 earnings.

276 - West Virginia University –
West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2023 Org 0463

1	Personal Services and Employee Benefits.....	00100	\$	11,118,758
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		\$	16,780,058

MISCELLANEOUS BOARDS AND COMMISSIONS

277 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2023 Org 0505

1	Personal Services and Employee Benefits.....	00100	\$	568,198
2	Current Expenses	13000		234,969
3	Repairs and Alterations.....	06400		<u>5,000</u>
4	Total		\$	808,167

5 The total amount of these appropriations shall be paid from a special revenue fund out of
6 collections made by the Board of Barbers and Cosmetologists as provided by law.

278 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2023 Org 0509

1	Salary and Benefits of Cabinet Secretary and			
2	Agency Heads.....	00201	\$	93,339

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3	Unclassified	09900		1,501
4	Current Expenses	13000		<u>55,268</u>
5	Total		\$	150,108

6 The total amount of these appropriations shall be paid from the special revenue fund out of
 7 fees and collections as provided by Article 29A, Chapter 16 of the Code.

279 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2023 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$	1,687,298
2	Current Expenses	13000		650,000
3	Repairs and Alterations.....	06400		385,652
4	Equipment.....	07000		250,000
5	Buildings	25800		520,820
6	Other Assets	69000		350,000
7	Land	73000		<u>200,000</u>
8	Total		\$	4,043,770

9 From the above appropriations, the Adjutant General may receive and expend funds to conduct
 10 operations and activities to include functions of the Military Authority. The Adjutant General may
 11 transfer funds between appropriations, except no funds may be transferred to Personal Services
 12 and Employee Benefits (fund 6057, appropriation 00100).

280 - WV State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(WV Code Chapter 30)

Fund 8517 FY 2023 Org 0906

1	Personal Services and Employee Benefits.....	00100	\$	507,607
2	Current Expenses	13000		<u>107,700</u>
3	Total		\$	615,307

281 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2023 Org 0907

1	Personal Services and Employee Benefits.....	00100	\$	1,342,970
2	Current Expenses	13000		312,655
3	Repairs and Alterations.....	06400		3,000
4	Equipment.....	07000		25,000
5	Other Assets	69000		<u>4,500</u>
6	Total		\$	1,688,125

282 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	12,543,164
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		318,640
4	Unclassified	09900		147,643
5	Current Expenses	13000		2,507,202
6	Repairs and Alterations.....	06400		120,000
7	Equipment.....	07000		160,000
8	Buildings	25800		10
9	PSC Weight Enforcement	34500		4,742,560
10	Debt Payment/Capital Outlay	52000		350,000
11	Land	73000		10
12	BRIM Premium.....	91300		<u>172,216</u>
13	Total		\$	21,061,445

14 The total amount of these appropriations shall be paid from a special revenue fund out of
15 collections for special license fees from public service corporations as provided by law.

16 The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet
17 the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the
18 amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715,
19 Regular Session, 1997.

283 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	288,700
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		11,949
4	Unclassified	09900		3,851
5	Current Expenses	13000		93,115
6	Repairs and Alterations.....	06400		<u>4,000</u>
7	Total.....		\$	401,615

8 The total amount of these appropriations shall be paid from a special revenue fund out of
9 receipts collected for or by the Public Service Commission pursuant to and in the exercise of
10 regulatory authority over pipeline companies as provided by law.

284 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8625 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	2,367,199
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		67,711
4	Unclassified	09900		29,233
5	Current Expenses	13000		577,557

6	Repairs and Alterations.....	06400	23,000
7	Equipment.....	07000	<u>50,000</u>
8	Total.....		\$ 3,114,700

9 The total amount of these appropriations shall be paid from a special revenue fund out of
 10 receipts collected for or by the Public Service Commission pursuant to and in the exercise of
 11 regulatory authority over motor carriers as provided by law.

285 - Public Service Commission –

Consumer Advocate Fund

(WV Code Chapter 24)

Fund 8627 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$ 889,096
2	Current Expenses.....	13000	386,472
3	Equipment.....	07000	9,872
4	BRIM Premium.....	91300	<u>4,660</u>
5	Total.....		\$ 1,290,100

6 The total amount of these appropriations shall be supported by cash from a special revenue
 7 fund out of collections made by the Public Service Commission.

286 - Real Estate Commission –

Real Estate License Fund

(WV Code Chapter 30)

Fund 8635 FY 2023 Org 0927

1	Personal Services and Employee Benefits.....	00100	\$ 628,277
2	Current Expenses.....	13000	293,122
3	Repairs and Alterations.....	06400	2,500
4	Equipment.....	07000	<u>5,000</u>
5	Total.....		\$ 928,899

6 The total amount of these appropriations shall be paid out of collections of license fees as
 7 provided by law.

*287 - WV Board of Examiners for Speech-Language**Pathology and Audiology –**Speech-Language Pathology and Audiology Operating Fund*

(WV Code Chapter 30)

Fund 8646 FY 2023 Org 0930

1	Personal Services and Employee Benefits.....	00100	\$	97,564
2	Current Expenses	13000		<u>63,499</u>
3	Total		\$	161,063

*288 - WV Board of Respiratory Care –**Board of Respiratory Care Fund*

(WV Code Chapter 30)

Fund 8676 FY 2023 Org 0935

1	Personal Services and Employee Benefits.....	00100	\$	88,904
2	Current Expenses	13000		<u>62,709</u>
3	Total		\$	151,613

*289 - WV Board of Licensed Dietitians –**Dietitians Licensure Board Fund*

(WV Code Chapter 30)

Fund 8680 FY 2023 Org 0936

1	Personal Services and Employee Benefits.....	00100	\$	20,219
2	Current Expenses	13000		<u>20,250</u>
3	Total		\$	40,469

*290 - Massage Therapy Licensure Board –**Massage Therapist Board Fund*

(WV Code Chapter 30)

Fund 8671 FY 2023 Org 0938

1	Personal Services and Employee Benefits.....	00100	\$	112,641
2	Current Expenses	13000		<u>42,388</u>
3	Total		\$	155,029

291 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2023 Org 0945

1	Personal Services and Employee Benefits.....	00100	\$	1,577,216
2	Current Expenses	13000		1,108,789
3	Repairs and Alterations.....	06400		<u>8,000</u>
4	Total		\$	2,694,005

292 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(WV Code Chapter 12)

Fund 9080 FY 2023 Org 0947

1	Personal Services and Employee Benefits.....	00100	\$	5,494,051
2	Unclassified	09900		132,000
3	Current Expenses	13000		17,214,993
4	Repairs and Alterations.....	06400		300
5	Equipment.....	07000		502,000
6	Buildings	25800		2,000
7	Other Assets	69000		<u>2,004,500</u>
8	Total		\$	25,349,844

293 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(WV Code Chapter 12)

Fund 9152 FY 2023 Org 0950

1	Personal Services and Employee Benefits.....	00100	\$	857,714
2	Unclassified	09900		14,850
3	Current Expenses	13000		580,889
4	BRIM Premium.....	91300		31,547
5	Fees of Custodians, Fund Advisors and Fund Managers	93800		<u>3,500,000</u>
6	Total		\$	4,985,000

7 There is hereby appropriated from this fund, in addition to the above appropriation if needed,
 8 an amount of funds necessary for the Board of Treasury Investments to pay the fees and
 9 expenses of custodians, fund advisors and fund managers for the consolidated fund of the State
 10 as provided in Article 6C, Chapter 12 of the Code.

11 The total amount of these appropriations shall be paid from the special revenue fund out of
 12 fees and collections as provided by law.

294 - Contractor Licensing Board Fund

(WV Code Chapter 21)

Fund 3187 FY 2023 Org 0951

1	Personal Services and Employee Benefits.....	00100	\$	2,559,000
2	Repairs and Alterations.....	06400		10,000
3	Unclassified	09900		21,000
4	Current Expenses	13000		500,000
5	BRIM Premium.....	91300		<u>8,500</u>
6	Total		\$	3,098,500

7 Total TITLE II, Section 3 – Other Funds

8 (Including claims against the state)..... \$ 2,002,782,414

1 **Sec. 4. Appropriations from lottery net profits.** — Net profits of the lottery are to be
 2 deposited by the Director of the Lottery to the following accounts in the amounts indicated. The
 3 Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation
 4 for each account bears to the total of the appropriations for all accounts.

5 After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to
 6 W.Va. Code §29-22-18, the Director of the Lottery shall make available from the remaining net
 7 profits of the lottery any amounts needed to pay debt service for which an appropriation is made

8 for Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 and is authorized
 9 to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and
 10 Fund 9068 for that purpose. Upon receipt of reimbursement of amounts so transferred, the
 11 Director of the Lottery shall deposit the reimbursement amounts to the following accounts as
 12 required by this section.

295 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2023 Org 0211

	Appro-		Lottery
	priation		Funds
1 Debt Service – Total	31000	\$	10,000,000

296 - Department of Tourism –

Office of the Secretary

(WV Code Chapter 5B)

Fund 3067 FY 2023 Org 0304

1 Tourism – Telemarketing Center	46300	\$	82,080
2 Tourism – Advertising (R)	61800		2,422,407
3 Tourism – Operations (R).....	66200		<u>4,339,884</u>
4 Total		\$	6,844,371

5 Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund
 6 3067, appropriation 61800) and Tourism – Operations (fund 3067, appropriation 66200) at the
 7 close of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

297 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2023 Org 0310

1 Personal Services and Employee Benefits.....	00100	\$	2,558,278
2 Current Expenses	13000		26,900
3 Pricketts Fort State Park	32400		106,560

4	Non-Game Wildlife (R).....	52700		405,088
5	State Parks and Recreation Advertising (R).....	61900		<u>494,578</u>
6	Total.....		\$	3,591,404

7 Any unexpended balances remaining in the appropriations for Capital Outlay – Parks (fund
 8 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State
 9 Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year
 10 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

298 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2023 Org 0402

1	FBI Checks	37200	\$	119,574
2	Vocational Education Equipment Replacement.....	39300		800,000
3	Assessment Program (R).....	39600		490,439
4	Literacy Project	89900		350,000
5	21 st Century Technology Infrastructure			
6	Network Tools and Support (R).....	93300		<u>12,611,880</u>
7	Total.....		\$	14,371,893

8 Any unexpended balances remaining in the appropriations for Assessment Program (fund
 9 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and
 10 Support (fund 3951, appropriation 93300) at the close of the fiscal year 2022 are hereby
 11 reappropriated for expenditure during the fiscal year 2023.

299 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2023 Org 0404

1	Debt Service – Total	31000	\$	15,320,363
2	Directed Transfer	70000		<u>2,679,637</u>
3	Total.....		\$	18,000,000

4 The School Building Authority shall have the authority to transfer between the above
5 appropriations in accordance with W.Va. Code §29-22-18.

6 The above appropriation for Directed Transfer (fund 3963, appropriation 70000) may be
7 transferred to the Department of Education, State Board of Education, School Building Authority,
8 School Construction Fund, fund 3952, organization 0404 to be used for school construction and
9 maintenance projects.

300 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2023 Org 0432

1	Huntington Symphony.....	02700	\$	59,058
2	Preservation West Virginia (R).....	09200		491,921
3	Fairs and Festivals (R).....	12200		1,346,814
4	Commission for National and Community Service (R).....	19300		380,275
5	Archeological Curation/Capital Improvements (R).....	24600		38,546
6	Historic Preservation Grants (R)	31100		417,933
7	West Virginia Public Theater	31200		120,019
8	Greenbrier Valley Theater	42300		115,000
9	Theater Arts of West Virginia	46400		90,000
10	Marshall Artists Series	51800		36,005
11	Grants for Competitive Arts Program (R).....	62400		811,500
12	West Virginia State Fair	65700		31,241
13	Save the Music	68000		40,000
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		\$ 4,273,727

21 From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200)
 22 funding shall be provided to the African-American Heritage Family Tree Museum (Fayette)
 23 \$2,673, Arts Monongahela (Monongalia) \$11,881, Barbour County Arts and Humanities Council
 24 \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo Creek Memorial (Logan) \$2,970, Carnegie
 25 Hall (Greenbrier) \$46,899, Ceredo Historical Society (Wayne) \$1,188, Ceredo Kenova Railroad
 26 Museum (Wayne) \$1,188, Ceredo Museum (Wayne) \$720, Children's Theatre of Charleston
 27 (Kanawha) \$3,127, Chuck Mathena Center (Mercer) \$62,532, Collis P. Huntington Railroad
 28 Historical Society (Cabell) \$5,941, Country Music Hall of Fame and Museum (Marion) \$4,159,
 29 First Stage Children's Theater Company \$1,188, Flannigan Murrell House (Summers) \$3,781,
 30 Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison) \$2,198, Fort Randolph (Mason)
 31 \$2,970, General Adam Stephen Memorial Foundation (Berkeley) \$11,006, Grafton Mother's Day
 32 Shrine Committee (Taylor) \$9,029, Hardy County Tour and Crafts Association \$11,881,
 33 Heartwood in the Hills (Calhoun) \$5,040, Heritage Farm Museum & Village (Cabell) \$29,703,
 34 Historic Fayette Theater (Fayette) \$3,267, Historic Middleway Conservancy (Jefferson) \$594,
 35 Jefferson County Black History Preservation Society \$2,970, Jefferson County Historical
 36 Landmark Commission \$4,753, Maddie Carroll House (Cabell) \$4,455, Marshall County Historical
 37 Society \$5,049, McCoy Theater (Hardy) \$11,881, Memorial Day Patriotic Exercise (Taylor)
 38 \$20,000, Morgantown Theater Company (Monongalia) \$11,881, Mountaineer Boys' State (Lewis)
 39 \$5,941, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum
 40 (Berkeley) \$5,941, Old Opera House Theater Company (Jefferson) \$8,911, Parkersburg Arts
 41 Center (Wood) \$11,881, Pocahontas Historic Opera House \$3,564, Raleigh County All Wars
 42 Museum \$5,941, Rhododendron Girl's State (Ohio) \$5,941, Roane County 4-H and FFA Youth
 43 Livestock Program \$2,970, Society for the Preservation of McGrew House (Preston) \$2,079,
 44 Southern West Virginia Veterans' Museum (Raleigh) \$3,393, Summers County Historic Landmark
 45 Commission \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian
 46 Center (Summers) \$5,311, Veterans Committee for Civic Improvement of Huntington (Wayne)
 47 \$2,970, West Virginia Museum of Glass (Lewis) \$2,970, West Virginia Music Hall of Fame
 48 (Kanawha) \$20,792, YMCA Camp Horseshoe (Tucker) \$59,406, Youth Museum of Southern
 49 West Virginia (Raleigh) \$7,129, Z.D. Ramsdell House (Wayne) \$720

50 From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding
 51 shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage Festival
 52 (Jefferson) \$2,970, Alderson 4th of July Celebration (Greenbrier) \$2,970, Allegheny Echo
 53 (Pocahontas) \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War
 54 (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Angus Beef
 55 and Cattle Show (Lewis) \$891, Annual Don Redman Heritage Concert & Awards (Jefferson) \$938,
 56 Annual Ruddle Park Jamboree (Pendleton) \$4,690, Antique Market Fair (Lewis) \$1,188, Apple
 57 Butter Festival (Morgan) \$3,564, Arkansas Homemaker's Heritage Weekend (Hardy) \$2,079,
 58 Armed Forces Day-South Charleston (Kanawha) \$1,782, Arthurdale Heritage New Deal Festival
 59 (Preston) \$2,970, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn
 60 Harvest Fest (Monroe) \$2,448, Back Home Festival (Wetzel) \$5,000, Barbour County Fair
 61 (Barbour) \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Battelle District Fair (Monongalia)
 62 \$3,340, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee
 63 (Mason) \$2,970, Belle Town Fair (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881,
 64 Bergoo Down Home Days (Webster) \$1,485, Berkeley County Youth Fair (Berkeley) \$10,990,
 65 Black Bear 4K Mountain Bike Race (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564,
 66 Black Walnut Festival (Roane) \$5,940, Blacksville VFD Memorial Day Celebration (Monongalia)

67 \$1,000, Blast from the Past (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Blue Ridge
68 Arts and Crafts Festival (Jefferson) \$5,000, Boone County Fair (Boone) \$5,940, Boone County
69 Labor Day Celebration (Boone) \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Bramwell
70 Labor Day (Mercer) \$5,000, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair
71 (Braxton) \$6,832, Braxton County Monster Fest / West Virginia Autumn Festival (Braxton) \$1,485,
72 Brooke County Fair (Brooke) \$2,079, Bruceton Mills Good Neighbor Days (Preston) \$1,188,
73 Buckwheat Festival (Preston) \$5,050, Buffalo 4th of July Celebration (Putnam) \$400, Buffalo
74 October Fest (Putnam) \$3,240, Burlington Apple Harvest Auxiliary (Mineral) \$13,821, Burlington
75 Pumpkin Harvest Festival (Raleigh) \$2,970, Burlington Volunteer Fire and Rescue Carnival
76 (Mineral) \$4,000, Burnsville Freedom Festival (Braxton) \$1,407, Cabell County Fair (Cabell)
77 \$5,940, Calhoun County Wood Festival (Calhoun) \$1,188, Campbell's Creek Community Fair
78 (Kanawha) \$1,485, Cape Coalwood Festival Association (McDowell) \$1,485, Cacapon River Fest
79 (Hampshire) \$2,500, Capon Bridge Founders Day Festival (Hampshire) \$1,188, Capon Springs
80 Ruritan 4th of July (Hampshire) \$684, Cass Homecoming (Pocahontas) \$1,188, Cedarville Town
81 Festival (Gilmer) \$684, Celebration of America (Monongalia) \$3,564, Chapmanville Apple Butter
82 Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles Town
83 Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson) \$2,970, Cherry
84 River Festival (Nicholas) \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July
85 Festivities (Hancock) \$2,970, Chilifest West Virginia State Chili Championship (Cabell) \$1,563,
86 Christmas In Our Town (Marion) \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376,
87 Christmas in the Park (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, Christmas on
88 Main Street (Hancock) \$11,881, City of Dunbar Critter Dinner (Kanawha) \$5,940, City of New
89 Martinsville Festival of Memories (Wetzel) \$6,534, Clay County Golden Delicious Apple Festival
90 (Clay) \$4,158, Clay District Fair (Monongalia) \$3,341, Clendenin Homecoming Festival
91 (Kanawha) \$1,000, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158,
92 Covered Bridge Festival (Marion) \$3,000, Craigsville Fall Festival (Nicholas) \$2,079, Cruise into
93 Princeton (Mercer) \$2,160, Culturefest World Music & Arts Festival (Mercer) \$4,690, Delbarton
94 Homecoming (Mingo) \$2,079, Doddridge County Fair (Doddridge) \$4,158, Dorcas Ice Cream
95 Social (Grant) \$3,564, Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion Festival
96 (McDowell) \$891, Fairview 4th of July Celebration (Marion) \$684, Farm Safety Day (Preston)
97 \$1,188, Farmer's Day Festival (Monroe) \$2,330, Fenwick Mountain Old Time Community Festival
98 (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881, Flemington Days Fair and Festival
99 (Taylor) \$2,379, Fly in Festival (Cabell) \$5,000, Follansbee Community Days (Brooke) \$4,900,
100 Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry
101 Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison) \$2,432,
102 Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$10,709,
103 Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis)
104 \$2,970, Frontier Days (Harrison) \$1,782, Fund for the Arts-Wine & All that Jazz Festival
105 (Kanawha) \$1,485, Gassaway Days Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast
106 (Mingo) \$2,188, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County Farm Show (Gilmer) \$2,376,
107 Grant County Arts Council (Grant) \$1,188, Great Greenbrier River Race (Pocahontas) \$5,940,
108 Greater Quinwood Days (Greenbrier) \$781, Guyandotte Civil War Days (Cabell) \$5,941, Hamlin
109 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire)
110 \$684, Hampshire County 4th of July Celebration (Hampshire) \$11,881, Hampshire County Fair
111 (Hampshire) \$5,002, Hampshire Highlands Art & Music Festival (Hampshire) \$4,252, Hancock
112 County Oldtime Fair (Hancock) \$2,970, Hardy County Commission - 4th of July (Hardy) \$5,940,
113 Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330, Hatfield McCoy Trail National ATV
114 and Dirt Bike Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln) \$2,970, Heritage
115 Craft Festival (Monroe) \$1,044, Heritage Days Festival (Roane) \$891, Hilltop Festival (Cabell)
116 \$684, Hilltop Festival of Lights (McDowell) \$1,188, Hinton Railroad Days (Summers) \$4,347, Holly

117 River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432, Hundred
118 4th of July (Wetzel) \$4,307, Huntersville Traditions Day (Pocahontas) \$4,000, Hurricane 4th of
119 July Celebration (Putnam) \$2,970, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of
120 West Virginia (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-
121 Clarksburg (Harrison) \$17,821, Jackson County Fair (Jackson) \$2,970, Jamboree (Pocahontas)
122 \$2,970, Jane Lew Arts and Crafts Fair (Lewis) \$684, Jefferson County Fair Association (Jefferson)
123 \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival
124 (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown
125 Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Kanawha Coal
126 Riverfest-St. Albans 4th of July Festival (Kanawha) \$2,970, Keeper of the Mountains-Kayford
127 (Kanawha) \$1,485, Kenova Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782,
128 Keystone Reunion Gala (McDowell) \$1,563, King Coal Festival (Mingo) \$2,970, Kingwood
129 Downtown Street Fair and Heritage Days (Preston) \$1,188, Knights of Columbus Irish Road
130 Bowling (Marshall County) \$3,000, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier)
131 \$2,970, Lady of Agriculture (Preston) \$684, Larry Joe Harless Center Octoberfest Hatfield McCoy
132 Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo)
133 \$2,970, Last Blast of Summer (McDowell) \$2,970, Lewisburg Shanghai (Greenbrier) \$1,188,
134 Lincoln County Fall Festival (Lincoln) \$4,752, Lincoln County Winterfest (Lincoln) \$2,970,
135 Lindsie Veterans' Day Parade (Monroe) \$720, Little Levels Heritage Festival (Pocahontas)
136 \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur)
137 \$3,127, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813, Malden Salt
138 Fest (Kanawha) \$2,000, Mannington District Fair (Marion) \$3,564, Maple Syrup Festival
139 (Randolph) \$684, Marion County FFA Farm Fest (Marion) \$1,485, Marmet Labor Day Celebration
140 (Kanawha) \$3,078, Marshall County Antique Power Show (Marshall) \$1,485, Marshall County
141 Fair (Marshall) \$5,000, Mason County Fair (Mason) \$2,970, Matewan Massacre Reenactment
142 (Mingo) \$5,004, Matewan-Magnolia Fair (Mingo) \$15,932, McARTS-McDowell County
143 (McDowell) \$11,881, McGrew House History Day (Preston) \$1,188, McNeill's Rangers (Mineral)
144 \$4,752, Meadow Bridge Hometown Festival (Fayette) \$743, Meadow River Days Festival
145 (Greenbrier) \$1,782, Mercer County Fair (Mercer) \$1,188, Mercer County Heritage Festival
146 (Mercer) \$3,474, Milton Christmas in the Park (Cabell) \$1,485, Milton Old Timey Days (Cabell)
147 \$1,485, Mineral County Fair (Mineral) \$1,040, Mineral County Veterans Day Parade (Mineral)
148 \$891, Molasses Festival (Calhoun) \$1,188, Monongahfest (Marion) \$3,752, Monongalia County
149 Fair (Monongalia) \$7,250, Moon Over Mountwood Fishing Festival (Wood) \$1,782, Morgan
150 County Fair-History Wagon (Morgan) \$891, Moundsville Bass Festival (Marshall) \$2,376,
151 Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485,
152 Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts and Crafts Festival (Jefferson) \$2,970,
153 Mountain Music Festival (McDowell) \$1,485, Mountain State Apple Harvest Festival (Berkeley)
154 \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$26,732, Mullens Dogwood
155 Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$11,881, Music
156 and Barbecue - Banks District VFD (Upshur) \$1,278, New Cumberland Christmas Parade
157 (Hancock) \$1,782, New Cumberland 4th of July (Hancock) \$2,970, New Martinsville Regatta
158 (Wetzel) \$9,000, New River Bridge Day Festival (Fayette) \$23,762, Nicholas County Fair
159 (Nicholas) \$2,970, Nicholas County Potato Festival (Nicholas) \$2,079, Oak Leaf Festival (Fayette)
160 \$6,253, Oceana Heritage Festival (Wyoming) \$4,000, Oglebay City Park - Festival of Lights (Ohio)
161 \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair (Ohio) \$5,346, Ohio River
162 Fest (Jackson) \$4,320, Ohio Valley Black Heritage Festival (Ohio) \$3,267, Old Brick Playhouse
163 (Randolph) \$7,000, Old Central City Fair (Cabell) \$2,970, Old Tyme Christmas (Jefferson) \$1,425,
164 Osage Street Fair (Monongalia) \$1,000, Paden City Labor Day Festival (Wetzel) \$3,861,
165 Parkersburg Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188, Paw Paw District Fair
166 (Marion) \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend

167 (Pendleton) \$1,188, Pendleton County Committee for Arts (Pendleton) \$8,910, Pennsboro
168 Country Road Festival (Ritchie) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881,
169 Petersburg HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street Festival (Mineral)
170 \$2,376, Pinch Reunion (Kanawha) \$1,500, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove
171 4th of July Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564, Pleasants County
172 Agriculture Youth Fair (Pleasants) \$2,970, Poca Heritage Days (Putnam) \$1,782, Pocahontas
173 County Pioneer Days (Pocahontas) \$4,159, Point Pleasant Stern Wheel Regatta (Mason) \$2,970,
174 Pratt Fall Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer) \$1,563, Princeton Street
175 Fair (Mercer) \$2,970, Putnam County Fair (Putnam) \$2,970, Quartets on Parade (Hardy) \$2,376,
176 Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival (Kanawha) \$1,485,
177 Randolph County Community Arts Council (Randolph) \$1,782, Randolph County Fair (Randolph)
178 \$4,158, Randolph County Ramps and Rails (Randolph) \$2,188, Ranson Christmas Festival
179 (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier)
180 \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie County Fair and Exposition (Ritchie) \$2,970,
181 Ritchie County Pioneer Days (Ritchie) \$684, River City Festival (Preston) \$684, Roane County
182 Agriculture Field Day (Roane) \$1,782, Rock the Park (Kanawha) \$3,240, Rocket Boys Festival
183 (Raleigh) \$1,710, Romney Heritage Days (Hampshire) \$1,876, Ronceverte River Festival
184 (Greenbrier) \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert Country Fling
185 (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter
186 Festival (Harrison) \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the River (Mingo)
187 \$1,250, Smoke on the Water (Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$5,940,
188 Southern Wayne County Fall Festival (Wayne) \$684, Spirit of Grafton Celebration (Taylor) \$6,240,
189 Spring Mountain Festival (Grant) \$2,500, St. Albans City of Lights - December (Kanawha) \$2,970,
190 Sternwheel Festival (Wood) \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall Jackson
191 Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley)
192 \$7,200, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival (Boone) \$1,944,
193 Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair (Taylor)
194 \$3,567, The Gathering at Sweet Creek (Wood) \$1,782, Three Rivers Coal Festival (Marion)
195 \$4,604, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$7,300, Town of Delbarton 4th
196 of July Celebration (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town
197 of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County Homecoming
198 (Putnam) \$3,240, St. Albans Train Fest (Kanawha) \$6,120, Treasure Mountain Festival
199 (Pendleton) \$16,851, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and
200 Celebration (Tucker) \$10,692, Tucker County Fair (Tucker) \$2,821, Tucker County Health Fair
201 (Tucker) \$1,188, Turkey Festival (Hardy) \$1,782, Tyler County Fair (Tyler) \$3,088, Tyler County
202 Fireworks Celebration (Tyler) \$2,000, Union Community Irish Festival (Barbour) \$648, Upper
203 Kanawha Valley Oktoberfest (Kanawha) \$1,485, Upper Ohio Valley Italian Festival (Ohio) \$7,128,
204 Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938,
205 Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood
206 Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival
207 (Hardy) \$2,970, Wayne County Fair (Wayne) \$2,970, Wayne County Fall Festival (Wayne)
208 \$2,970, Webster County Fair (Webster) \$3,600, Webster County Wood Chopping Festival
209 (Webster) \$8,910, Webster Wild Water Weekend (Webster) \$1,188, Welcome Home Family Day
210 (Wayne) \$1,900, Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple Festival of
211 Brooke County (Brooke) \$2,970, West Virginia Blackberry Festival (Harrison) \$2,970, West
212 Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West
213 Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940, West
214 Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum
215 (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Freedom Festival
216 (Logan) \$4,456, West Virginia Fireman's Rodeo (Fayette) \$1,485, West Virginia Oil and Gas

217 Festival (Tyler) \$6,534, West Virginia Peach Festival (Hampshire) \$3,240, West Virginia Polled
 218 Hereford Association (Braxton) \$891, West Virginia Pumpkin Festival (Cabell) \$5,940, West
 219 Virginia Rivers and Rails Festival (Pleasants) \$1,099, West Virginia State Folk Festival (Gilmer)
 220 \$2,970, West Virginia Water Festival - City of Hinton (Summers) \$9,144, Weston VFD 4th of July
 221 Firemen Festival (Lewis) \$1,188, Wetzel County Autumnfest (Wetzel) \$3,267, Wetzel County
 222 Town and Country Days (Wetzel) \$10,098, Wheeling Celtic Festival (Ohio) \$1,166, Wheeling City
 223 of Lights (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio) \$5,940, Wheeling Vintage Raceboat
 224 Regatta (Ohio) \$11,881, Whipple Community Action (Fayette) \$1,485, Wine Festival and
 225 Mountain Music Event (Harrison) \$2,970, Winfield Watersports Weekend (Putnam) \$3,240, Wirt
 226 County Fair (Wirt) \$1,485, Wirt County Pioneer Days (Wirt) \$1,188, Wyoming County Civil War
 227 Days (Wyoming) \$1,296, Youth Stockman Beef Expo (Lewis) \$1,188.

228 Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund
 229 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Commission
 230 for National and Community Service (fund 3534, appropriation 19300), Archeological
 231 Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants
 232 (fund 3534, appropriation 31100), and Grants for Competitive Arts Program (fund 3534,
 233 appropriation 62400) at the close of the fiscal year 2022 are hereby reappropriated for expenditure
 234 during the fiscal year 2023.

235 Any Fairs & Festivals awards shall be funded in addition to, and not in lieu of, individual grant
 236 allocations derived from the Arts Council and Cultural Grant Program allocations.

301 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2023 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>943,353</u>
6	Total		\$	11,513,700

302 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 3587 FY 2023 Org 0439

1 Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance
 2 (fund 3587, appropriation 75500) at the close of fiscal year 2022 is hereby reappropriated for
 3 expenditure during the fiscal year 2023.

303 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2023 Org 0441

1	RHI Program and Site Support (R).....	03600	\$	1,915,854
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		89,586
6	Minority Doctoral Fellowship (R)	16600		129,604
7	Health Sciences Scholarship (R).....	17600		225,908
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		\$	3,023,161

13 Any unexpended balances remaining in the appropriations for RHI Program and Site Support
 14 (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal
 15 Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925,
 16 appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice
 17 Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation
 18 60100) at the close of fiscal year 2022 are hereby reappropriated for expenditure during the fiscal
 19 year 2023.

20 The above appropriation for WV Engineering, Science, and Technology Scholarship Program
 21 (fund 4925, appropriation 86800) shall be transferred to the West Virginia Engineering, Science
 22 and Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

304 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2023 Org 0442

1	Debt Service – Total	31000	\$	5,000,000
2	Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements			
3	– Total (fund 4908, appropriation 84700) at the close of fiscal year 2022 is hereby reappropriated			
4	for expenditure during the fiscal year 2023.			

*305 - Higher Education Policy Commission –**Lottery Education –**West Virginia University – School of Medicine*

(WV Code Chapter 18B)

Fund 4185 FY 2023 Org 0463

1	WVU Health Sciences –			
2	RHI Program and Site Support (R)	03500	\$	1,208,106
3	MA Public Health Program and			
4	Health Science Technology (R)	62300		52,445
5	Health Sciences Career Opportunities Program (R)	86900		336,987
6	HSTA Program (R)	87000		1,802,118
7	Center for Excellence in Disabilities (R)	96700		<u>318,711</u>
8	Total		\$	3,718,367

9 Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI
 10 Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and
 11 Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career
 12 Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185,
 13 appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700)
 14 at the close of fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year
 15 2023.

*306 - Higher Education Policy Commission –**Lottery Education –**Marshall University – School of Medicine*

(WV Code Chapter 18B)

Fund 4896 FY 2023 Org 0471

1	Marshall Medical School –			
2	RHI Program and Site Support (R)	03300	\$	434,910
3	Vice Chancellor for Health Sciences –			
4	Rural Health Residency Program (R)	60100		<u>174,109</u>
5	Total		\$	609,019

6 Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI
7 Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health
8 Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of
9 fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

307 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2023 Org 0508

1	Personal Services and Employee Benefits	00100	\$	142,503
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		70,720
4	Current Expenses	13000		332,284
5	Repairs and Alterations	06400		1,000
6	Local Programs Service Delivery Costs	20000		2,435,250
7	Silver Haired Legislature	20200		18,500
8	Transfer to Division of Human Services for Health Care			
9	and Title XIX Waiver for Senior Citizens	53900		14,203,501
10	Roger Tompkins Alzheimer's Respite Care	64300		2,304,286
11	WV Alzheimer's Hotline	72400		45,000
12	Regional Aged and Disabled Resource Center	76700		425,000
13	Senior Services Medicaid Transfer	87100		16,400,070
14	Legislative Initiatives for the Elderly	90400		9,671,239
15	Long Term Care Ombudsman	90500		297,226
16	BRIM Premium	91300		7,718
17	In-Home Services and Nutrition for Senior Citizens	91700		<u>6,845,941</u>

18 Total..... \$ 53,200,238

19 Any unexpended balance remaining in the appropriation for Senior Citizen Centers and
20 Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2022 is hereby
21 reappropriated for expenditure during the fiscal year 2023.

22 Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is
23 funding to support an in-home direct care workforce registry.

24 The above appropriation for Transfer to Division of Human Services for Health Care and Title
25 XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys generated
26 thereby shall be used for reimbursement for services provided under the program.

27 Total TITLE II, Section 4 – Lottery Revenue..... \$ 134,145,880

1 **Sec. 5. Appropriations from state excess lottery revenue fund.** — In accordance with
2 W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the
3 following appropriations shall be deposited and disbursed by the Director of the Lottery to the
4 following accounts in this section in the amounts indicated.

5 After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d, §29-
6 22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the
7 State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent
8 that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund
9 are sufficient to meet all the appropriations required made pursuant to this section, then the
10 Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

308 - Governor’s Office

(WV Code Chapter 5)

Fund 1046 FY 2023 Org 0100

	Excess
Appro-	Lottery
priation	Funds

1 Any unexpended balance remaining in the appropriation for Publication of Papers and
2 Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal
3 year 2022 is hereby reappropriated for expenditure during the fiscal year 2023.

309 - Office of Technology

(WV Code Chapter 5A)

Fund 2532 FY 2023 Org 0231

1 Any unexpended balances remaining in the appropriations for Cyber Security (fund 2532,
2 appropriation 99001), Enterprise Data Center (fund 2532, appropriation 99002), and Enterprise

3 Telephony Modernization (fund 2532, appropriation 99003) at the close of the fiscal year 2022
 4 are hereby reappropriated for expenditure during the fiscal year 2023.

310 - Department of Economic Development –

Office of the Secretary –

West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2023 Org 0307

1 Any unexpended balance remaining in the appropriation for Recreational Grants or Economic
 2 Development Loans (fund 3170, appropriation 25300) at the close of the fiscal year 2022 is hereby
 3 reappropriated for expenditure during the fiscal year 2023.

311 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2023 Org 0310

1	Current Expenses (R)	13000	\$	23,300
2	Repairs and Alterations (R).....	06400		161,200
3	Equipment (R).....	07000		200,000
4	Buildings (R)	25800		100,000
5	Other Assets (R).....	69000		<u>1,020,500</u>
6	Total.....		\$	1,505,000

7 Any unexpended balances remaining in the appropriations for Repairs and Alterations (fund
 8 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total
 9 (fund 3277, appropriation 09600), Current Expenses (fund 3277, appropriation 13000), Buildings
 10 (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close
 11 of the fiscal year 2022 are hereby reappropriated for expenditure during the fiscal year 2023.

312 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2023 Org 0316

1	Directed Transfer	70000	\$	46,000,000
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2 The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-15-
 3 9.

313 - Department of Education –

School Building Authority

Fund 3514 FY 2023 Org 0404

1	Debt Service - Total	31000	\$	18,999,900
2	Directed Transfer	70000		<u>100</u>
3	Total.....		\$	19,000,000

4 The School Building Authority shall have the authority to transfer between the above
5 appropriations in accordance with W.Va. Code §29-22-18a.

6 The above appropriation for Directed Transfer (fund 3514, appropriation 70000) may be
7 transferred to the Department of Education, State Board of Education, School Building Authority,
8 School Construction Fund (fund 3952, organization 0404) to be used for school construction and
9 maintenance projects.

314 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2023 Org 0441

1	PROMISE Scholarship – Transfer.....	80000	\$	29,000,000
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2 The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296,
3 org 0441) established by W.Va. Code §18C-7-7.

4 The Legislature has explicitly set a finite amount of available appropriations and directed the
5 administrators of the Program to provide for the award of scholarships within the limits of available
6 appropriations.

315 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2023 Org 0441

1	Directed Transfer	70000	\$	15,000,000
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2 The above appropriation for Directed Transfer shall be transferred to Higher Education Policy
3 Commission – System – Tuition Fee Capital Improvement Fund (fund 4903, org 0442) as
4 authorized by Senate Concurrent Resolution No. 41.

316 - Higher Education Policy Commission –

Administration –

Control Account

Fund 4932 FY 2023 Org 0441

1 Any unexpended balance remaining in the appropriation for Advanced Technology Centers
 2 (fund 4932, appropriation 02800) at the close of the fiscal year 2022 is hereby reappropriated for
 3 expenditure during the fiscal year 2023.

317 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 5365 FY 2023 Org 0511

1	Medical Services.....	18900	\$	26,697,960
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318 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 6283 FY 2023 Org 0608

1 Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance
 2 (fund 6283, appropriation 75500) at the close of the fiscal year 2022 is hereby reappropriated for
 3 expenditure during the fiscal year 2023.

319 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2023 Org 0705

1	General Revenue Fund – Transfer.....	70011	\$	65,000,000
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2 The above appropriation shall be transferred to the General Revenue Fund as determined by
 3 the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

320 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2023 Org 0705

1	Directed Transfer	70000	\$	10,000,000
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2 The above appropriation shall be transferred to the General Revenue Fund to provide
 3 reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of
 4 the required transfer shall be determined solely by the State Tax Commissioner and shall be
 5 completed by the Director of the Lottery upon the commissioner’s request.

321 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2023 Org 0705

1	Parking Garage Fund – Transfer.....	70001	\$	500,000
2	2004 Capitol Complex Parking Garage Fund – Transfer.....	70002		216,478
3	Capitol Dome and Improvements Fund – Transfer.....	70003		1,796,256
4	Capitol Renovation and Improvement Fund – Transfer	70004		2,381,252
5	Development Office Promotion Fund – Transfer	70005		1,298,864
6	Research Challenge Fund – Transfer	70006		1,731,820
7	Tourism Promotion Fund – Transfer.....	70007		4,808,142
8	Cultural Facilities and Capitol Resources Matching			
9	Grant Program Fund – Transfer	70008		1,250,535
10	State Debt Reduction Fund – Transfer.....	70010		20,000,000
11	General Revenue Fund – Transfer.....	70011		1,167,799
12	West Virginia Racing Commission Racetrack			
13	Video Lottery Account	70012		3,463,637
14	Historic Resort Hotel Fund	70013		24,010
15	Licensed Racetrack Regular Purse Fund.....	70014		<u>22,383,247</u>
16	Total.....		\$	61,022,040

*322 - Racing Commission*Fund 7308 FY 2023 Org 0707

1	Special Breeders Compensation			
2	(WVC §29-22-18a, subsection (I)).....	21800	\$	2,000,000

*323 - Economic Development Authority –**Economic Development Project Fund*Fund 9065 FY 2023 Org 0944

1	Debt Service – Total	31000	\$	19,000,000
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2 Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to
3 be transferred to the lottery fund as reimbursement of amounts transferred to the economic
4 development project fund pursuant to section four of this title and W.Va. Code §29-22-18,
5 subsection (f).

324 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2023 Org 0944

1	Debt Service	04000	\$	2,032,000
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325 - Economic Development Authority –

State Parks Lottery Revenue Debt Service Fund

Fund 9068 FY 2023 Org 0944

1	Debt Service	04000	\$	4,395,000
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2	Total TITLE II, Section 5 – Excess Lottery Funds.....		\$	<u>300,652,000</u>
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1 **Sec. 6. Appropriations of federal funds.** — In accordance with Article 11, Chapter 4 of the
 2 Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the
 3 provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for
 4 expenditure during the fiscal year 2023.

LEGISLATIVE

326 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2023 Org 2300

			Appro-	Federal
			priation	Funds
1	Economic Loss Claim Payment Fund.....	33400	\$	1,100,000

JUDICIAL

327 - Supreme Court

Fund 8867 FY 2023 Org 2400

1	Personal Services and Employee Benefits.....	00100	\$	1,813,000
2	Current Expenses	13000		1,557,000
3	Repairs and Alterations.....	06400		100,000
4	Equipment.....	07000		250,000

5	Other Assets	69000	280,000
6	Total		\$ 4,000,000

EXECUTIVE

328 - Governor's Office –

Coronavirus State Fiscal Recovery Fund

(WV Code Chapter 4)

Fund 8823 FY 2023 Org 0100

1	Personal Services and Employee Benefits	00100	\$ 941,932,089
2	Unclassified	09900	13,554,899
3	Current Expenses	13000	400,000,000
4	Repairs and Alterations	06400	1,000
5	Equipment	07000	1,000
6	Other Assets	69000	1,000
7	Total		\$ 1,355,489,988

329 - Department of Agriculture

(WV Code Chapter 19)

Fund 8736 FY 2023 Org 1400

1	Personal Services and Employee Benefits	00100	\$ 2,708,867
2	Unclassified	09900	50,534
3	Current Expenses	13000	6,828,661
4	Repairs and Alterations	06400	650,000
5	Equipment	07000	910,500
6	Buildings	25800	1,000,000
7	Other Assets	69000	550,000
8	Land	73000	500,000
9	Total		\$ 13,198,562

330 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 8737 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	685,045
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		\$	949,790

331 - Department of Agriculture –

State Conservation Committee

(WV Code Chapter 19)

Fund 8783 FY 2023 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	97,250
2	Current Expenses	13000		<u>15,599,974</u>
3	Total		\$	15,697,224

332 - Department of Agriculture –

Land Protection Authority

Fund 8896 FY 2023 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

333 - Attorney General –

Medicaid Fraud Unit

Fund 8882 FY 2023 Org 1500

1	Personal Services and Employee Benefits.....	00100	\$	1,434,886
2	Unclassified	09900		15,336
3	Current Expenses	13000		599,513
4	Repairs and Alterations.....	06400		4,313
5	Equipment.....	07000		7,500
6	Other Assets	69000		<u>11,336</u>
7	Total.....		\$	2,072,884

334 - Secretary of State –

State Election Fund

(WV Code Chapter 3)

Fund 8854 FY 2023 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

335 - Division of Forestry

(WV Code Chapter 19)

Fund 8703 FY 2023 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	610,888
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		\$ 7,958,593

336 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2023 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

337 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2023 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 427,254
2	Unclassified	09900	5,572
3	Current Expenses	13000	167,098
4	Repairs and Alterations.....	06400	<u>500</u>
5	Total		\$ 600,424

338 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2023 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$ 10,318,396
2	Unclassified	09900	107,693

2022] HOUSE OF DELEGATES 1297

3	Current Expenses	13000	7,887,660
4	Repairs and Alterations.....	06400	566,250
5	Equipment.....	07000	2,126,141
6	Administration	15500	50,325
7	Buildings	25800	951,000
8	Other Assets	69000	4,768,670
9	Land	73000	<u>2,893,920</u>
10	Total.....		\$ 29,670,055

*339 - Division of Miners' Health,
Safety and Training
(WV Code Chapter 22)*

Fund 8709 FY 2023 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$ 670,029
2	Current Expenses	13000	<u>150,000</u>
3	Total.....		\$ 820,029

*340 - WorkForce West Virginia
(WV Code Chapter 23)*

Fund 8835 FY 2023 Org 0323

1	Unclassified	09900	\$ 5,127
2	Current Expenses	13000	507,530
3	Reed Act 2002 – Unemployment Compensation.....	62200	4,446,737
4	Reed Act 2002 – Employment Services	63000	<u>3,246,737</u>
5	Total.....		\$ 8,206,131

6 Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as
7 amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified
8 and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of
9 administration of the state's unemployment insurance program or job service activities, subject to
10 each and every restriction, limitation or obligation imposed on the use of the funds by those federal
11 and state statutes.

341 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2023 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$	12,042,929
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		138,000
4	Current Expenses	13000		34,440,940
5	Repairs and Alterations.....	06400		350,400
6	Equipment.....	07000		<u>1,275,870</u>
7	Total.....		\$	48,248,139

342 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(WV Code Chapter 18)

Fund 8890 FY 2023 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$	12,945,086
2	Current Expenses	13000		13,383,206
3	Repairs and Alterations.....	06400		1,100
4	Equipment.....	07000		<u>83,350</u>
5	Total.....		\$	26,412,742

DEPARTMENT OF ECONOMIC DEVELOPMENT

343 - Department of Economic Development –

Office of the Secretary

(WV Code Chapter 5B)

Fund 8705 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	1,521,231
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2022] HOUSE OF DELEGATES 1299

2	Unclassified	09900	50,000
3	Current Expenses	13000	<u>21,304,019</u>
4	Total		\$ 22,875,250

344 - Department of Economic Development –

Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$ 985,462
2	Unclassified	09900	7,350
3	Current Expenses	13000	<u>8,266,076</u>
4	Total		\$ 9,258,888

345 - Department of Economic Development –

Office of the Secretary –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$ 854,189
2	Repairs and Alterations.....	06400	250
3	Equipment.....	07000	6,000
4	Unclassified	09900	106,795
5	Current Expenses	13000	<u>20,303,081</u>
6	Total		\$ 21,270,315

DEPARTMENT OF EDUCATION

346 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	5,890,196
2	Unclassified	09900		2,000,000
3	Current Expenses	13000		1,434,146,008
4	Repairs and Alterations.....	06400		10,000
5	Equipment.....	07000		10,000
6	Other Assets	69000		10,000
7	Federal Coronavirus Pandemic.....	89101		<u>4,990,123</u>
8	Total.....		\$	1,447,056,327

*347 - State Board of Education –
School Lunch Program
(WV Code Chapters 18 and 18A)*

Fund 8713 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	1,924,124
2	Unclassified	09900		1,150,500
3	Current Expenses	13000		258,781,265
4	Repairs and Alterations.....	06400		20,000
5	Equipment.....	07000		100,000
6	Other Assets	69000		<u>25,000</u>
7	Total.....		\$	262,000,889

*348 - State Board of Education –
Vocational Division
(WV Code Chapters 18 and 18A)*

Fund 8714 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	1,938,607
2	Unclassified	09900		155,000

2022] HOUSE OF DELEGATES 1301

3	Current Expenses	13000	17,820,081
4	Repairs and Alterations.....	06400	10,000
5	Equipment.....	07000	10,000
6	Other Assets	69000	<u>10,000</u>
7	Total		\$ 19,943,688

349 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2023 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$ 3,540,241
2	Unclassified	09900	1,000,000
3	Current Expenses	13000	133,346,390
4	Repairs and Alterations.....	06400	10,000
5	Equipment.....	07000	10,000
6	Other Assets	69000	10,000
7	Federal Coronavirus Pandemic.....	89101	<u>17,336,635</u>
8	Total		\$ 155,253,266

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

350 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2023 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$ 851,130
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		\$ 2,802,862

351 - Commission for National and Community Service

(WV Code Chapter 5F)

Fund 8841 FY 2023 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$ 446,874
2	Current Expenses	13000	5,587,325
3	Repairs and Alterations.....	06400	<u>1,000</u>
4	Total		\$ 6,035,199

352 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2023 Org 0433

1	Personal Services and Employee Benefits.....	00100	\$ 368,524
2	Current Expenses	13000	1,076,162
3	Equipment.....	07000	<u>543,406</u>
4	Total		\$ 1,988,092

353 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2023 Org 0439

1	Equipment.....	07000	\$ 1,000
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

354 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 8708 FY 2023 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 32,273,598
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2022] HOUSE OF DELEGATES 1303

2	Unclassified	09900	1,923,580
3	Current Expenses	13000	153,850,118
4	Repairs and Alterations.....	06400	739,783
5	Equipment.....	07000	1,712,238
6	Other Assets	69000	2,177,261
7	Land	73000	<u>80,000</u>
8	Total.....		\$ 192,756,578

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

355 - Consolidated Medical Service Fund

(WV Code Chapter 16)

Fund 8723 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 1,660,962
2	Unclassified	09900	73,307
3	Current Expenses	13000	92,583,302
4	Federal Coronavirus Pandemic.....	89101	<u>4,886,344</u>
5	Total.....		\$ 99,203,915

356 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 8802 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 16,607,893
2	Unclassified	09900	856,614
3	Current Expenses	13000	102,758,622
4	Equipment.....	07000	456,972
5	Buildings	25800	155,000
6	Other Assets	69000	380,000

7	Federal Coronavirus Pandemic.....	89101	<u>248,935,941</u>
8	Total		\$ 370,151,042

*357 - Division of Health –**West Virginia Safe Drinking Water Treatment*

(WV Code Chapter 16)

Fund 8824 FY 2023 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund – Transfer	68900	\$ 16,000,000

358 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2023 Org 0510

1	Personal Services and Employee Benefits.....	00100	\$ 455,925
2	Unclassified	09900	5,050
3	Current Expenses	13000	<u>64,950</u>
4	Total		\$ 525,925

359 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 80,538,993
2	Unclassified	09900	22,855,833
3	Current Expenses	13000	112,181,984
4	Medical Services.....	18900	3,935,000,000
5	Medical Services Administrative Costs.....	78900	132,380,661
6	CHIP Administrative Costs	85601	4,549,783
7	CHIP Services.....	85602	49,752,412
8	Federal Economic Stimulus.....	89100	5,002,723
9	Federal Coronavirus Pandemic.....	89101	<u>151,642,105</u>

10 Total \$ 4,493,904,494

DEPARTMENT OF HOMELAND SECURITY

360 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2023 Org 0601

1	Unclassified	09900	\$	5,000
2	Current Expenses	13000		<u>495,000</u>
3	Total		\$	500,000

361 - Division of Emergency Management

(WV Code Chapter 15)

Fund 8727 FY 2023 Org 0606

1	Personal Services and Employee Benefits.....	00100	\$	1,418,043
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads	00201		61,250
4	Current Expenses	13000		20,429,281
5	Repairs and Alterations.....	06400		5,000
6	Equipment.....	07000		<u>100,000</u>
7	Total		\$	22,013,574

362 - Division of Corrections and Rehabilitation

(WV Code Chapters 15A)

Fund 8836 FY 2023 Org 0608

1	Unclassified	09900	\$	1,100
2	Current Expenses	13000		<u>108,900</u>
3	Total		\$	110,000

363 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2023 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	2,502,056
2	Current Expenses	13000		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.....		\$	8,067,812

364 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2023 Org 0619

1	Current Expenses	13000	\$	80,000
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365 - Division of Administrative Services

(WV Code Chapter 15)

Fund 8803 FY 2023 Org 0623

1	Personal Services and Employee Benefits.....	00100	\$	1,270,062
2	Unclassified	09900		25,185
3	Current Expenses	13000		75,381,973
4	Repairs and Alterations.....	06400		<u>1,750</u>
5	Total.....		\$	76,678,970

DEPARTMENT OF REVENUE*366 - Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2023 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	145,000
2	Current Expenses	13000		2,825,000

2022]

HOUSE OF DELEGATES

1307

3	Equipment.....	07000	<u>30,000</u>
4	Total		\$ 3,000,000

DEPARTMENT OF TRANSPORTATION

367 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2023 Org 0802

1	Personal Services and Employee Benefits.....	00100	\$ 551,394
2	Current Expenses	13000	5,448,106
3	Repairs and Alterations.....	06400	<u>500</u>
4	Total		\$ 6,000,000

368 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2023 Org 0805

1	Personal Services and Employee Benefits.....	00100	\$ 1,040,576
2	Current Expenses	13000	18,863,149
3	Repairs and Alterations.....	06400	2,500
4	Equipment.....	07000	3,501,714
5	Buildings	25800	2,450,000
6	Other Assets	69000	<u>250,000</u>
7	Total		\$ 26,107,939

369 - Aeronautics Commission

(WV Code Chapter 29)

Fund 8831 FY 2023 Org 0807

1	Current Expenses	13000	\$ 400,000
2	Other Assets	69000	<u>100</u>
3	Total		\$ 400,100

DEPARTMENT OF VETERANS' ASSISTANCE*370 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 8858 FY 2023 Org 0613

1	Personal Services and Employee Benefits.....	00100	\$	3,016,683
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		57,120
4	Current Expenses	13000		2,840,300
5	Repairs and Alterations.....	06400		20,000
6	Equipment.....	07000		25,000
7	Buildings	25800		250,000
8	Land	73000		500
9	Veterans' Cemetery	80800		175,000
10	Federal Coronavirus Pandemic.....	89101		<u>1,900,000</u>
11	Total.....		\$	8,284,603

*371 - Department of Veterans' Assistance –**Veterans' Home*

(WV Code Chapter 9A)

Fund 8728 FY 2023 Org 0618

1	Personal Services and Employee Benefits.....	00100	\$	951,931
2	Current Expenses	13000		595,700
3	Repairs and Alterations.....	06400		60,500
4	Equipment.....	07000		10,500
5	Buildings	25800		500
6	Other Assets	69000		6,500
7	Land	73000		100
8	Federal Coronavirus Pandemic.....	89101		<u>1,600,000</u>

9 Total \$ 3,225,731

BUREAU OF SENIOR SERVICES

372 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2023 Org 0508

1	Personal Services and Employee Benefits.....	00100	\$	783,001
2	Salary and Benefits of Cabinet Secretary and			
3	Agency Heads.....	00201		8,840
4	Current Expenses.....	13000		13,811,853
5	Repairs and Alterations.....	06400		<u>3,000</u>
6	Total.....		\$	14,606,694

MISCELLANEOUS BOARDS AND COMMISSIONS

373 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2023 Org 0603

1	Unclassified.....	09900	\$	982,705
2	Mountaineer ChalleNGe Academy.....	70900		11,573,992
3	Martinsburg Starbase.....	74200		547,801
4	Charleston Starbase.....	74300		516,838
5	Military Authority.....	74800		<u>88,132,332</u>
6	Total.....		\$	101,753,668

7 The Adjutant General shall have the authority to transfer between appropriations.

374 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2023 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$	1,350,000
2	Current Expenses	13000		150,000
3	Repairs and Alterations.....	06400		50,000
4	Equipment.....	07000		200,000
5	Buildings	25800		100,000
6	Other Assets	69000		100,000
7	Land	73000		<u>50,000</u>
8	Total.....		\$	2,000,000

375 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	1,410,819
2	Current Expenses	13000		368,953
3	Repairs and Alterations.....	06400		39,000
4	Equipment.....	07000		<u>1,000</u>
5	Total.....		\$	1,819,772

376 - Public Service Commission –

Gas Pipeline Division

(WV Code Chapter 24B)

Fund 8744 FY 2023 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	639,344
2	Unclassified	09900		4,072
3	Current Expenses	13000		124,628
4	Equipment.....	07000		<u>3,000</u>
5	Total.....		\$	771,044

377 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2023 Org 0941

1	Personal Services and Employee Benefits.....	00100	\$	193,043
2	Current Expenses	13000		328,008
3	Repairs and Alterations.....	06400		5,000
4	Equipment.....	07000		3,000
5	Other Assets	69000		<u>2,000</u>
6	Total.....		\$	531,051
7	Total TITLE II, Section 6 - Federal Funds.....			<u>\$ 8,912,932,524</u>

1 **Sec. 7. Appropriations from federal block grants.** — The following items are hereby
 2 appropriated from federal block grants to be available for expenditure during the fiscal year 2023.

378 - Department of Economic Development –

Office of the Secretary –

Community Development

Fund 8746 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	10,662,609
2	Unclassified	09900		2,375,000
3	Current Expenses	13000		<u>224,476,883</u>
4	Total.....		\$	237,514,492

379 - Department of Economic Development –

Office of the Secretary –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2023 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	771,289
2	Unclassified	09900		125,000

3	Current Expenses	13000	17,781,811
4	Repairs and Alterations.....	06400	1,500
5	Equipment.....	07000	<u>9,000</u>
6	Total		\$ 18,688,600

380 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2023 Org 0323

1	Personal Services and Employee Benefits.....	00100	\$ 2,941,437
2	Salary and Benefits of Cabinet Secretary and		
3	Agency Heads.....	00201	124,018
4	Unclassified	09900	23,023
5	Current Expenses	13000	63,381,511
6	Repairs and Alterations.....	06400	1,600
7	Equipment.....	07000	500
8	Buildings	25800	<u>1,100</u>
9	Total		\$ 66,473,189

381 - Division of Health –

Maternal and Child Health

Fund 8750 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 2,343,848
2	Unclassified	09900	81,439
3	Current Expenses	13000	<u>5,794,267</u>
4	Total		\$ 8,219,554

382 - Division of Health –

Preventive Health

Fund 8753 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 274,388
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2022] HOUSE OF DELEGATES 1313

2	Unclassified	09900	22,457
3	Current Expenses	13000	1,895,366
4	Equipment.....	07000	<u>165,642</u>
5	Total		\$ 2,357,853

383 - Division of Health –

Substance Abuse Prevention and Treatment

Fund 8793 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 683,799
2	Unclassified	09900	115,924
3	Current Expenses	13000	10,853,740
4	Federal Coronavirus Pandemic.....	89101	<u>14,965,070</u>
5	Total		\$ 26,618,533

384 - Division of Health –

Community Mental Health Services

Fund 8794 FY 2023 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 571,034
2	Unclassified	09900	33,533
3	Current Expenses	13000	4,883,307
4	Federal Coronavirus Pandemic.....	89101	<u>12,480,519</u>
5	Total		\$ 17,968,393

385 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 1,959,926
2	Unclassified	09900	350,000
3	Current Expenses	13000	38,182,151

4	Federal Coronavirus Pandemic.....	89101	<u>48,296,777</u>
5	Total		\$ 88,788,854

386 - Division of Human Services –

Social Services

Fund 8757 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 9,106,066
2	Unclassified	09900	171,982
3	Current Expenses	13000	<u>8,870,508</u>
4	Total		\$ 18,148,556

387 - Division of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 21,331,693
2	Unclassified	09900	1,250,000
3	Current Expenses	13000	105,871,588
4	Federal Coronavirus Pandemic.....	89101	<u>4,617,546</u>
5	Total		\$ 133,070,827

388 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2023 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 2,867,623
2	Unclassified	09900	350,000
3	Current Expenses	13000	47,000,307
4	Federal Coronavirus Pandemic.....	89101	<u>330,722,313</u>
5	Total		\$ 380,940,243
6	Total TITLE II, Section 7 – Federal Block Grants		<u>\$ 998,789,094</u>

1 **Sec. 8. Awards for claims against the state.** — There are hereby appropriated for fiscal year
 2 2023, from the fund as designated, in the amounts as specified, general revenue funds in the
 3 amount of \$17,924, special revenue funds in the amount of \$63,003, and state road funds in the
 4 amount of \$433,232 for payment of claims against the state.

1 **Sec. 9. Appropriations from general revenue fund surplus accrued.** — The following
 2 items are hereby appropriated from the state fund, general revenue, and are to be available for
 3 expenditure during the fiscal year 2023 out of surplus funds only, accrued from the fiscal year
 4 ending June 30, 2022, subject to the terms and conditions set forth in this section.

5 It is the intent and mandate of the Legislature that the following appropriations be payable only
 6 from surplus as of July 31, 2022 from the fiscal year ending June 30, 2022, only after first meeting
 7 requirements of W.Va. Code §11B-2-20(b).

8 In the event that surplus revenues available on July 31, 2022, are not sufficient to meet the
 9 appropriation made pursuant to this section, then the appropriation shall be made to the extent
 10 that surplus funds are available as of the date mandated to meet the appropriation in this section
 11 and shall be allocated first to provide the necessary funds to meet the first appropriation of this
 12 section and each subsequent appropriation in the order listed in this section.

389 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2023 Org 0463

West Virginia University – Surplus	#####	\$	14,100,000
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390 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2023 Org 0471

Marshall University – Surplus	#####	\$	8,100,000
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391 - Department of Tourism –

Office of the Secretary

(WV Code Chapter 5B)

Fund 0246 FY 2023 Org 0304

1 Tourism – Brand Promotion – Surplus	#####	\$	7,000,000
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392 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2023 Org 0402

1 Jobs & Hope – Surplus ##### \$ 2,771,363

393 - Department of Revenue

(WV Code Chapter 11)

Fund #### FY 2023 Org ####

1 Directed Transfer – Surplus ##### \$ 96,000,000

2 The above appropriation for Directed Transfer – Surplus (fund ####, appropriation #####)
3 shall be credited to Fiscal Year 2023 collections.

394 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2023 Org 0327

1 Directed Transfer – Surplus 70099 \$ 1,000,000

2 The above appropriation for Directed Transfer – Surplus (fund 0606, appropriation 70099) shall
3 be transferred to the Marketing and Communications Operating Fund (fund 3002).

395 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2023 Org 1400

1 Personal Services and Employee Benefits – Surplus 24301 \$ 550,000

396 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 0456 FY 2023 Org 0613

1 Personal Services and Employee Benefits – Surplus 24301 \$ 293,474

2 Veterans' Nursing Home – Surplus 29100 652,530

3 Total \$ 946,004

397 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 0460 FY 2023 Org 0618

1 Personal Services and Employee Benefits – Surplus 24301 \$ 69,783

2 Current Expenses – Surplus 13099 80,000

3 Total \$ 149,783

398 - Division of Administrative Services

(WV Code Chapter 15)

Fund 0546 FY 2023 Org 0623

1 Current Expenses – Surplus 13099 \$ 11,400,000

2 Justice Reinvestment Initiative – Surplus 89599 750,000

3 Total \$ 12,150,000

4 From the above appropriation for Current Expenses – Surplus (fund 0546, appropriation
5 13099) \$11,400,000 shall be used for the Victims of Crime Act (VOCA).

399 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2023 Org 0211

1 Capital Outlay, Repairs and Equipment – Surplus..... 67700 \$ 4,000,000

400 - Department of Economic Development –

Office of the Secretary

(WV Code Chapter 5B)

Fund 0256 FY 2023 Org 0307

1 Directed Transfer – Surplus n 70099 \$ 500,000

2 Global Economic Development – Surplus 20299 150,000

3 Total \$ 650,000

4 The above appropriation for Directed Transfer – Surplus (fund 0256, appropriation 70099) shall
 5 be transferred to the Broadband Enhancement Fund (fund 3013).

401 - Division of Personnel

(WV Code Chapter 29)

Fund 0206 FY 2023 Org 0222

1 Directed Transfer – Surplus 70099 \$ 1,500,000

2 The above appropriation for Directed Transfer – Surplus (fund 0206, appropriation 70099) shall
 3 be transferred to the Department of Administration, Division of Personnel (fund 2440).

402 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2023 Org 0603

1 Armory Board Transfer – Surplus..... 70199 \$ 1,525,000

403 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2023 Org 0439

1 Mountain Stage – Surplus 24999 \$ 150,000

404 - Division of Corrections and Rehabilitation –

Correctional Units

(WV Code Chapter 15A)

Fund 0450 FY 2023 Org 0608

1 Current Expenses – Surplus 13099 \$ 4,200,000

405 - Department of Revenue

(WV Code Chapter 11)

Fund #### FY 2023 Org ####

1 Directed Transfer – Surplus #### \$ 265,000,000

2 The above appropriation for Directed Transfer – Surplus (fund #####, appropriation #####) shall
 3 be transferred to the Stabilization and Future Economic Reform Fund (fund #####, appropriation
 4 #####), created in House Bill 4007 during the 2022 Regular Session.

1 Total TITLE II, Section 9 – General Revenue Surplus Accrued \$ 419,792,150

1 **Sec. 10. Appropriations from lottery net profits surplus accrued.** — The following item is
 2 hereby appropriated from the lottery net profits, and is to be available for expenditure during the
 3 fiscal year 2023 out of surplus funds only, as determined by the director of lottery, accrued from
 4 the fiscal year ending June 30, 2022, subject to the terms and conditions set forth in this section.

5 It is the intent and mandate of the Legislature that the following appropriation be payable only
 6 from surplus accrued from the fiscal year ending June 30, 2022.

7 In the event that surplus revenues available from the fiscal year ending June 30, 2022, are not
 8 sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be
 9 made to the extent that surplus funds are available.

406 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2023 Org 0508

1 Senior Services Medicaid Transfer – Lottery Surplus.....	68199	\$	14,000,000
2 In-Home Services and Nutrition for Senior Citizens – Surplus.	76699		<u>2,000,000</u>
3 Total TITLE II, Section 10 – Surplus Accrued.....		\$	<u>16,000,000</u>

1 **Sec. 11. Appropriations from state excess lottery revenue surplus accrued.** — The
 2 following item is hereby appropriated from the state excess lottery revenue fund, and is to be
 3 available for expenditure during the fiscal year 2023 out of surplus funds only, as determined by
 4 the director of lottery, accrued from the fiscal year ending June 30, 2022, subject to the terms and
 5 conditions set forth in this section.

6 It is the intent and mandate of the Legislature that the following appropriation be payable only
 7 from surplus accrued from the fiscal year ending June 30, 2022.

8 In the event that surplus revenues available from the fiscal year ending June 30, 2022, are not
 9 sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be
 10 made to the extent that surplus funds are available.

407 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7308 FY 2023 Org 0707

1 Directed Transfer 70000 \$ 800,000

2 From the above appropriation for Directed Transfer (fund 7308, appropriation 70000),
 3 \$800,000 shall be transferred to the Racing Commission – General Administration (Fund 7305).

408 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 5365 FY 2023 Org 0511

1 Medical Services – Lottery Surplus 68100 \$ 16,200,000
 2 Total TITLE II, Section 11 – Surplus Accrued..... \$ 17,000,000

1 **Sec. 12. Special revenue appropriations.** — There are hereby appropriated for expenditure
 2 during the fiscal year 2023 special revenues collected pursuant to general law enactment of the
 3 Legislature which are not paid into the state fund as general revenue under the provisions of
 4 W.Va. Code §12-2-2 and are not expressly appropriated under this act: Provided, That none of
 5 the money so appropriated by this section shall be available for expenditure except in compliance
 6 with the provisions of W.Va. Code §12-2-1 et seq., W.Va. Code §12-3-1 et seq., and W.Va. Code
 7 §11B-2-1 et seq., unless the spending unit has filed with the director of the budget and the
 8 legislative auditor prior to the beginning of each fiscal year:

9 (a) An estimate of the amount and sources of all revenues accruing to such fund; and

10 (b) A detailed expenditure schedule showing for what purposes the fund is to be expended:
 11 *Provided, however,* That federal funds received by the state may be expended only in accordance
 12 with Sections (6) or (7) of this Title and with W.Va. Code §4-11-1, *et seq.* *Provided further,* That
 13 federal funds that become available to a spending unit for expenditure while the Legislature is not
 14 in session and the availability of such funds could not reasonably have been anticipated and
 15 included in this act may be only be expended in the limited circumstances provided by W. Va.
 16 Code §4-11-5(d): *And provided further,* That no provision of this Act may be construed to
 17 authorize the expenditure of federal funds except as provided in this section.

1 **Sec. 13. State improvement fund appropriations.** — Bequests or donations of nonpublic
 2 funds, received by the Governor on behalf of the state during the fiscal year 2023, for the purpose
 3 of making studies and recommendations relative to improvements of the administration and
 4 management of spending units in the executive branch of state government, shall be deposited
 5 in the state treasury in a separate account therein designated state improvement fund.

6 There are hereby appropriated all moneys so deposited during the fiscal year 2023 to be
 7 expended as authorized by the Governor, for such studies and recommendations which may
 8 encompass any problems of organization, procedures, systems, functions, powers or duties of a
 9 state spending unit in the executive branch, or the betterment of the economic, social,
 10 educational, health and general welfare of the state or its citizens.

1 **Sec. 14. Specific funds and collection accounts.** — A fund or collection account which by
 2 law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful
 3 demands upon the fund or collection account and shall be expended according to the provisions
 4 of Article 3, Chapter 12 of the Code.

1 **Sec. 15. Appropriations for refunding erroneous payment.** — Money that has been
2 erroneously paid into the state treasury is hereby appropriated out of the fund into which it was
3 paid, for refund to the proper person.

4 When the officer authorized by law to collect money for the state finds that a sum has been
5 erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of
6 the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer
7 shall pay the warrant out of the fund into which the amount was originally paid.

1 **Sec. 16. Sinking fund deficiencies.** — There is hereby appropriated to the Governor a
2 sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance
3 fund of the West Virginia housing development fund which is under the supervision and control of
4 the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the
5 municipal bond commission because of the failure of any state agency for either general obligation
6 or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary
7 for the payment of interest and sinking fund requirements. The Governor is authorized to transfer
8 from time to time such amounts to the municipal bond commission as may be necessary for these
9 purposes.

10 The municipal bond commission shall reimburse the state of West Virginia through the
11 Governor from the first remittance collected from the West Virginia housing development fund or
12 from any state agency or local taxing district for which the Governor advanced funds, with interest
13 at the rate carried by the bonds for security or payment of which the advance was made.

1 **Sec. 17. Appropriations for local governments.** — There are hereby appropriated for
2 payment to counties, districts and municipal corporations such amounts as will be necessary to
3 pay taxes due counties, districts and municipal corporations and which have been paid into the
4 treasury:

5 (a) For redemption of lands;

6 (b) By public service corporations;

7 (c) For tax forfeitures.

1 **Sec. 18. Total appropriations.** — Where only a total sum is appropriated to a spending unit,
2 the total sum shall include personal services and employee benefits, annual increment, current
3 expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay,
4 where not otherwise specifically provided and except as otherwise provided in TITLE I –
5 GENERAL PROVISIONS, Sec. 3.

1 **Sec. 19. General school fund.** — The balance of the proceeds of the general school fund
2 remaining after the payment of the appropriations made by this act is appropriated for expenditure
3 in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

1 **Sec. 1. Appropriations conditional.** — The expenditure of the appropriations made by this
2 act, except those appropriations made to the legislative and judicial branches of the state
3 government, are conditioned upon the compliance by the spending unit with the requirements of
4 Article 2, Chapter 11B of the Code.

5 Where spending units or parts of spending units have been absorbed by or combined with
6 other spending units, it is the intent of this act that appropriations and reappropriations shall be to
7 the succeeding or later spending unit created, unless otherwise indicated.

1 **Sec. 2. Constitutionality.** — If any part of this act is declared unconstitutional by a court of
2 competent jurisdiction, its decision shall not affect any portion of this act which remains, but the
3 remaining portion shall be in full force and effect as if the portion declared unconstitutional had
4 never been a part of the act.

The bill was then read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 430**), and there were—yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Kimes and Pritt.

Absent and Not Voting: Clark, Evans, Hardy, McGeehan and Pack.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 250) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 431**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Evans, Hardy, Linville, McGeehan and Pack.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 250) takes effect from its passage.

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

The bill having been read a third time and then placed at the foot of all bills in earlier proceedings, the House returned to further consideration of **Com. Sub. for H. B. 4023**, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution.

Whereupon,

On motion of Delegate Summers, Com. Sub. for H. B. 4023 was laid upon the table.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leave of absence for the day were granted Delegate Hardy.

At 2:07 p.m., the House of Delegates recessed until 7:00 p.m.

* * * * *

Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3223, Prohibit state, county, and municipal governments from dedicating or naming any public structure for a public official who is holding office at the time.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 4019, Relating to deadlines for public charter schools.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4242, Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4297, To facilitate the sharing of information between the Department of Health and Human Resources and the State Auditor's office in order to investigate reports of financial abuse and neglect of a vulnerable adult.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4418, Relating to the Small Business Supplier Certification Assistance Program.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4420, To modify definitions of school bus operators.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4430, Relating to definitions of base salary and overtime for police and firemen pensions.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4461, Relating to the consolidation of all administrative fees collected by the agency into the existing "Tax Administration Services Fund".

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4484, Declaring certain claims against agencies of the state to be moral obligations of the state.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4578, Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4675, Relating to autonomous delivery vehicles.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4758, Relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program.

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4769, Eliminate the requirement to send recommended decisions by certified mail.

A message from the Senate, by
The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 56 - “Requesting the Joint Committee on Government and Finance study the effect of *Kenney v. Liston*, 233 W. Va. 620 (2014). “

Whereas, in Syl. Pt. 7, *Kenney v. Liston*, 233 W. Va. 620 (2014), the West Virginia Supreme Court of Appeals held that, where an injured person’s health care provider agrees to reduce, discount or write off a portion of the person’s medical bill, the person may recover the entire reasonable value of the medical services necessarily required by the injury, and the tortfeasor is not entitled to receive the benefit of the reduced, discounted, or written-off amount: therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on the Judiciary is hereby requested to study the effect of *Kenney v. Liston*, 233 W. Va. 620 (2014); and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2023, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules as follows:

S. C. R. 57 - “Requesting the West Virginia Insurance Commission study coverage options and costs for the coverage of medically necessary dental procedures that result from cancer related dental and oral health procedures.”

Whereas, Approximately 50,000 Americans are diagnosed with oral cancer every year based upon reports of the Oral Cancer Foundation; and

Whereas, Half of the diagnosed individuals survive for five years or longer; and

Whereas, Since people might not have regular oral cancer screenings, this cancer is often detected late and at a more dangerous stage; and

Whereas, In order to improve patient outcomes, the West Virginia Insurance Commission is directed to study coverage options and costs if provided by insurance plans covered under §33-1-1 *et seq.* W. Va. Code for the coverage of medically necessary dental procedures to include the following: Evaluations, examinations, patient education, laboratory assessments, medications, treatments, restoration, rehabilitation, medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial function associated with eating, breathing, voice, speech, and swallowing related to a cancer diagnosis; and

Whereas, The West Virginia Insurance Commission is directed to study coverage options and costs if provided by insurance plans covered under §33-1-1 *et seq.* W. Va. Code for the coverage of medically necessary oral health procedures to include the following: Surgery, chemotherapy,

biotherapy, pharmacology, immunotherapy, or radiation related to a cancer diagnosis; therefore be it

Resolved by the Legislature of West Virginia:

That the West Virginia Insurance Commission study coverage options and costs for the coverage of medically necessary dental procedures that result from cancer related dental and oral health procedures; and, be it

Further Resolved, That the West Virginia Insurance Commission shall report to the Legislative Oversight Commission on Health and Human Resources Accountability on July 1, 2023.

In the absence of objection, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

H. C. R. 97, U.S. Army Air Corps Private Albert J. Sutphin Memorial Highway,

H. C. R. 99, Lt. Col. Mitchell M. Mickel Memorial Bridge,

Com. Sub. for S. C. R. 29, Nitro WW I Memorial Bridge,

S. C. R. 37, Harrison County Veterans Memorial Bridge,

Com. Sub. for S. C. R. 38, Cox Brothers' Veteran Memorial Bridge,

And,

Com. Sub. for S. C. R. 45, US Army CPL John D. Doyle, Sr. Memorial Road,

And reports the same back with the recommendation that they each be adopted.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 528, Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 528) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

S. B. 624, Making supplementary appropriation to DHHR, Division of Health, Laboratory Services,

Com. Sub. for S. B. 625, Making supplementary appropriation to DHHR, Division of Health, Vital Statistics Account,

S. B. 633, Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund,

S. B. 634, Making supplementary appropriation to DHHR, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations,

S. B. 715, Decreasing and increasing existing items of appropriations from State Fund, General Revenue,

S. B. 716, Supplemental appropriation to DOE, WV BOE, Strategic Staff Development,

S. B. 717, Supplemental appropriation to Miscellaneous Boards and Commissions, Board of Medicine, Medical Licensing Board,

S. B. 718, Supplemental appropriation to Department of Administration, Travel Management, Aviation Fund,

S. B. 719, Supplemental appropriation to DHS, Fire Commission, Fire Marshal Fees,

S. B. 720, Supplementing and amending appropriations to Executive, Governor's Office, Civil Contingent Fund,

S. B. 722, Expiring funds to DEP, Division of Environmental Protection, Reclamation of Abandoned and Dilapidated Property Program Fund,

S. B. 723, Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund,

S. B. 724, Making supplementary appropriation to DHS, Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority,

And,

S. B. 725, Supplementing and amending appropriations to DHS, WV State Police,

And reports the same back with the recommendation that they each do pass.

At the respective requests of Delegate Summers, and by unanimous consent, the bills (S. B. 624, Com. Sub. for S. B. 625, S. B. 633, S. B. 634, S. B. 715, S. B. 716, S. B. 717, S. B. 718, S. B. 719, S. B. 720, S. B. 722, S. B. 723, S. B. 724 and S. B. 725) were each taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 242, Restricting authority to prevent or limit owner's use of natural resources or real property in certain agricultural operations,

Com. Sub. for S. B. 434, Updating authority to airports for current operations,

Com. Sub. for S. B. 668, Clarifying eligibility for probation and parole conditions for sex offenses,

And,

S. B. 693, Clarifying meeting voting requirements for political party executive committees,

And reports the same back with the recommendation that they each do pass.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

S. B. 617, Relating to qualifications for members of boards, commissions, and other entities,

And reports the same back with the recommendation that it do pass.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 5, Creating WV Unmanned Aircraft Systems Advisory Council,

Com. Sub. for S. B. 138, Relating to Board of Medicine composition,

Com. Sub. for S. B. 530, Encouraging public-private partnerships in transportation,

Com. Sub. for S. B. 582, Creating WV Workforce Resiliency Act,

Com. Sub. for S. B. 611, Removing cap on bidder's contract bond,

And,

S. B. 685, Relating to WV Real Estate License Act,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective requests of Delegate Summers, and by unanimous consent, Com. Sub. for S. B. 5 was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 588, Relating to WV Rails to Trails Program,

And,

S. B. 714, Relating to tie votes by Coal Mine Safety and Technical Review Committee,

And reports the same back with the recommendation that they each do pass.

Delegate Rohrbach, Chair of 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:

Com. Sub. for S. B. 518, Allowing nurses licensed in another state to practice in WV,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 518) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Rohrbach, Chair of 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:

Com. Sub. for S. B. 585, Creating administrative medicine license for physicians not practicing clinical medicine,

And reports the same back with the recommendation that it do pass.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 585) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 230, Relating generally to public employees grievance procedure,

Com. Sub. for S. B. 568, Relating to health insurance loss ratio information,

And,

S. B. 728, Requiring registered sex offenders pay annual fee,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 552, Relating to tax sale process,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

Delegate Capito, Chair of the Committee on the Judiciary submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 424, Relating generally to 2022 Farm Bill,

And reports the same back, with amendment, with the recommendation that it do pass, as amended, and with the recommendation that second reference to the Committee on Finance be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for S. B. 424) to the Committee on Finance was abrogated.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 334, Authorizing miscellaneous agencies and boards to promulgate rules,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 643, Removing residency requirement of members appointed to county airport authority,

And reports the same back with the recommendation that it do pass.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 643) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Ellington, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 268, Creating exemption from compulsory school attendance for child who participates in learning pod or micro school,

And,

S. B. 711, Establishing alternative educational opportunities for elective course credit,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 610, Relating to duties, powers and responsibilities of DOT Secretary,

And,

Com. Sub. for S. B. 662, Relating to creation, expansion, and authority of resort area district,

And reports the same back with the recommendation that they each do pass.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 463, Best Interests of Child Protection Act of 2022,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 441, Providing confidentiality of video and other records of correctional juvenile facilities,

And reports the same back with the recommendation that it do pass.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 476, Relating to imposition of minimum severance tax on coal,

And reports the same back with the recommendation that it do pass.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 476) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

S. B. 726, Relating to pre-trial diversion agreements and deferred prosecution agreements,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 647, Prohibiting discrimination in organ donation process,

And reports the same back with the recommendation that it do pass.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 2, Relating to unemployment benefits program,

S. B. 172, Increasing compensation of elected county officials,

Com. Sub. for S. B. 261, Requiring video cameras in certain special education classrooms,

S. B. 442, Relating to WV Public Employee Retirement System,

Com. Sub. for S. B. 487, Relating to Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B,

Com. Sub. for S. B. 533, Relating to funding for health sciences and medical schools in state,

Com. Sub. for S. B. 574, Relating to WV PEIA,

And,

S. B. 686, Clarifying use of notes and bonds of WV Housing Development Fund,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective requests of Delegate Summers, and by unanimous consent, the bills (S. B. 172, Com. Sub. for S. B. 261 and Com. Sub. for S. B. 487) were each taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Jeffries, 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 8th day of March, 2022, 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. 499, Authorizing legislative rules for School Building Authority,

And,

S. B. 713, Removing statutory limit for Environmental Laboratory Certification Fund.

Miscellaneous Business

Pursuant to House Rule 132, consent was obtained to print the following remarks in the Appendix to the Journal:

- Delegate Gearheart regarding Com. Sub. for S. B. 250

At 8:07 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, March 09, 2022.

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470

SPECIAL CALENDAR

Wednesday, March 9, 2022

57th Day

11:00 A. M.

UNFINISHED BUSINESS

- Com. Sub. for S. C. R. 29 - Nitro WW I Memorial Bridge
- S. C. R. 37 - Harrison County Veterans Memorial Bridge
- Com. Sub. for S. C. R. 38 - Cox Brothers' Veteran Memorial Bridge
- Com. Sub. for S. C. R. 45 - US Army CPL John D. Doyle, Sr. Memorial Road
- H. C. R. 97 - U.S. Army Air Corps Private Albert J. Sutphin Memorial Highway
- H. C. R. 99 - Lt. Col. Mitchell M. Mickel Memorial Bridge

THIRD READING

- S. B. 135 - Relating to acquisition and disposition of property by urban development authority (CAPITO) (REGULAR)
- S. B. 440 - Establishing Uniform Commercial Real Estate Receivership Act (CAPITO) (REGULAR)
- Com. Sub. for S. B. 470 - Relating generally to health care decisions (CAPITO) (REGULAR)
- Com. Sub. for S. B. 508 - Requiring certain attire for deer hunters with muzzleloaders (CAPITO) (REGULAR)
- Com. Sub. for S. B. 535 - Providing for revocation of school personnel certification or licensure in certain circumstances (CAPITO) (REGULAR)
- S. B. 591 - Relating to process for filling vacancies in state Legislature (CAPITO) (REGULAR)
- Com. Sub. for S. B. 595 - Relating to Dangerousness Assessment Advisory Board (CAPITO) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 616 - Relating to confidentiality of court files and law-enforcement records of certain enumerated offenses (CAPITO) (REGULAR)
- Com. Sub. for S. B. 694 - Relating to oil and gas conservation (ANDERSON) (REGULAR)

SECOND READING

- S. B. 1 - Creating Mining Mutual Insurance Company (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]

- Com. Sub. for S. B. 5 - Creating WV Unmanned Aircraft Systems Advisory Council (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 6 - Establishing common law “veil piercing” claims not be used to impose personal liability (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 172 - Increasing compensation of elected county officials (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 231 - Relating generally to broadband connectivity (CAPITO) (REGULAR)
- Com. Sub. for S. B. 245 - Revising wage payment and collection (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 253 - Relating to voting precincts and redistricting (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 261 - Requiring video cameras in certain special education classrooms (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 443 - Including police and firefighter as electors of trustees for certain pension funds (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 476 - Relating to imposition of minimum severance tax on coal (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 478 - Relating to Neighborhood Investment Program (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 486 - Allowing PERS retirees to designate special needs trust as beneficiary (CAPITO) (REGULAR)
- Com. Sub. for S. B. 487 - Relating to Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]
- S. B. 492 - Relating to electronic collection of tolls (STEELE) (EFFECTIVE FROM PASSAGE) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 518 - Allowing nurses licensed in another state to practice in WV (ROHRBACH) (EFFECTIVE FROM PASSAGE) [HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 528 - Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]

- S. B. 529 - Encouraging additional computer science education in WV schools (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 543 - Creating Unemployment Compensation Insurance Fraud Unit within Workforce WV (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 546 - Expanding uses of fees paid by students at higher education institutions (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 550 - Relating to funding for higher education institutions (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- S. B. 570 - Establishing training for law-enforcement in handling individuals with Alzheimer's and dementias (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 571 - Declaring certain claims to be moral obligations of state (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 584 - Relating to WV Infrastructure and Jobs Development Council (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 585 - Creating administrative medicine license for physicians not practicing clinical medicine (ROHRBACH) (REGULAR)
- S. B. 624 - Making supplementary appropriation to DHHR, Division of Health, Laboratory Services (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 625 - Making supplementary appropriation to DHHR, Division of Health, Vital Statistics Account (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 633 - Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 634 - Making supplementary appropriation to DHHR, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 641 - Requiring Consolidated Public Retirement Board to set contributions to Deputy Sheriff's Retirement System (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]

- Com. Sub. for S. B. 643 - Removing residency requirement of members appointed to county airport authority (STEELE) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 698 - Relating to number and selection of members for Governor's Veterans Council STEELE) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 704 - Allowing parents, grandparents, and guardians to inspect instructional materials in classroom (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- S. B. 715 - Decreasing and increasing existing items of appropriations from State Fund, General Revenue (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 716 - Supplemental appropriation to DOE, WV BOE, Strategic Staff Development (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 717 - Supplemental appropriation to Miscellaneous Boards and Commissions, Board of Medicine, Medical Licensing Board (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 718 - Supplemental appropriation to Department of Administration, Travel Management, Aviation Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 719 - Supplemental appropriation to DHS, Fire Commission, Fire Marshal Fees (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 720 - Supplementing and amending appropriations to Executive, Governor's Office, Civil Contingent Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 722 - Expiring funds to DEP, Division of Environmental Protection, Reclamation of Abandoned and Dilapidated Property Program Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 723 - Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 724 - Making supplementary appropriation to DHS, Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 725 - Supplementing and amending appropriations to DHS, WV State Police (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

FIRST READING

- Com. Sub. for S. B. 2 - Relating to unemployment benefits program (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]

- Com. Sub. for S. B. 138 - Relating to Board of Medicine composition (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 205 - Expanding PEIA Finance Board membership (STEELE) (REGULAR)
- S. B. 228 - Providing tuition and fee waivers at state higher education institutions for volunteers who have completed service in AmeriCorps programs in WV (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 230 - Relating generally to public employees grievance procedure (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 232 - Relating to punishment for third offense felony (CAPITO) (REGULAR)
- Com. Sub. for S. B. 242 - Restricting authority to prevent or limit owner's use of natural resources or real property in certain agricultural operations (CAPITO) (REGULAR)
- Com. Sub. for S. B. 246 - Requiring newly constructed public schools and public schools with major improvements to have water bottle filling stations (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 262 - Relating generally to financial institutions engaged in boycotts of energy companies (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 264 - Relating to conservation districts law of WV (STEELE) (REGULAR)
- Com. Sub. for S. B. 268 - Creating exemption from compulsory school attendance for child who participates in learning pod or micro school (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 312 - Authorization for Department of Revenue to promulgate legislative rules (STEELE) (EFFECTIVE FROM PASSAGE) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 334 - Authorizing miscellaneous agencies and boards to promulgate rules (STEELE) (EFFECTIVE FROM PASSAGE) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 424 - Relating generally to 2022 Farm Bill (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 434 - Updating authority to airports for current operations (CAPITO) (REGULAR)
- Com. Sub. for S. B. 438 - Relating generally to WV Security for Public Deposits Act (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]

- Com. Sub. for S. B. 441 - Providing confidentiality of video and other records of correctional juvenile facilities (CAPITO) (REGULAR)
- S. B. 442 - Relating to WV Public Employee Retirement System (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 463 - Best Interests of Child Protection Act of 2022 (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 530 - Encouraging public-private partnerships in transportation (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 533 - Relating to funding for health sciences and medical schools in state (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- S. B. 548 - Authorizing Workforce WV employers to obtain employment classifications and work locations (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 552 - Relating to tax sale process (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 568 - Relating to health insurance loss ratio information (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 574 - Relating to WV PEIA (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 582 - Creating WV Workforce Resiliency Act (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 588 - Relating to WV Rails to Trails Program (STEELE) (REGULAR)
- Com. Sub. for S. B. 606 - Relating to WV Medical Practice Act (CAPITO) (REGULAR)
- Com. Sub. for S. B. 609 - Allowing DOH Commissioner to accept ownership of rented and leased equipment (STEELE) (REGULAR)
- Com. Sub. for S. B. 610 - Relating to duties, powers and responsibilities of DOT Secretary (CAPITO) (REGULAR)
- Com. Sub. for S. B. 611 - Removing cap on bidder's contract bond (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- S. B. 617 - Relating to qualifications for members of boards, commissions, and other entities (STEELE) (REGULAR)
- Com. Sub. for S. B. 647 - Prohibiting discrimination in organ donation process (CAPITO) (REGULAR)

- Com. Sub. for S. B. 653 - Relating to public higher education governance (ELLINGTON) (EFFECTIVE FROM PASSAGE) [EDUCATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 659 - Relating to nonintoxicating beer, wine, and liquor licenses and requirements (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 662 - Relating to creation, expansion, and authority of resort area district (CAPITO) (REGULAR)
- Com. Sub. for S. B. 668 - Clarifying eligibility for probation and parole conditions for sex offenses (CAPITO) (REGULAR)
- S. B. 685 - Relating to WV Real Estate License Act (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- S. B. 686 - Clarifying use of notes and bonds of WV Housing Development Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE AMENDMENT PENDING]
- S. B. 693 - Clarifying meeting voting requirements for political party executive committees (CAPITO) (REGULAR)
- S. B. 711 - Establishing alternative educational opportunities for elective course credit (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- S. B. 714 - Relating to tie votes by Coal Mine Safety and Technical Review Committee (STEELE) (EFFECTIVE FROM PASSAGE)
- S. B. 726 - Relating to pre-trial diversion agreements and deferred prosecution agreements (CAPITO) (EFFECTIVE FROM PASSAGE) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 728 - Requiring registered sex offenders pay annual fee (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]

HOUSE CALENDAR

Wednesday, March 9, 2022

57th Day

11:00 A. M.

UNFINISHED BUSINESS

H. C. R. 42 - Urging U.S. universities to relocate Chinese language programs from mainland China to Taiwan

THIRD READING

Com. Sub. for H. B. 4066 - Distracted Driving Act (CAPITO) (REGULAR)

Com. Sub. for H. B. 4089 - Require certain coverage and reimbursement for a person diagnosed with hypertension (HOUSEHOLDER) (REGULAR)

H. B. 4314 - Exclude Solicitor from the definition of Investment Advisor (CAPITO) (REGULAR)

Com. Sub. for H. B. 4370 - Clarifying that the Statewide Interoperability Executive Committee is responsible to develop, update, and implement policies regarding the Statewide Interoperable Radio Network (HOUSEHOLDER) (REGULAR)

H. B. 4482 - Relating to removing the statutory limit of \$300,000.00 for the Environmental Laboratory Certification Fund (STEELE) (REGULAR)

Com. Sub. for H. B. 4691 - Provide a 45 day waiting period before a water and sewer rate increase may go into effect for any locally rate regulated municipality (STEELE) (REGULAR)

Com. Sub. for H. B. 4753 - Prohibiting locating certain homeless facilities near schools and certain daycares (CAPITO) (REGULAR)

H. B. 4761 - Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule (ROHRBACH) (EFFECTIVE FROM PASSAGE)

H. B. 4840 - Relating to Office of Miners Health, Safety and Training (STEELE) (REGULAR) [RIGHT TO AMEND]

SECOND READING

Com. Sub. for S. B. 25 - Updating provisions of Medical Professional Liability Act (CAPITO) (REGULAR)

S. B. 493 - Requiring county BOE make meetings available to public in-person and through internet (CAPITO) (JULY 1, 2022) [JUDICIARY COMMITTEE AMENDMENT PENDING]

- Com. Sub. for H. B. 2092 - Requiring each high school student to complete a full credit course of study in personal finance (ELLINGTON) (REGULAR)
- H. B. 2882 - Relating to repealing a ban on construction of nuclear power plants (STEELE) (REGULAR)
- Com. Sub. for H. B. 4473 - To provide certain members of the State Police with locality pay to offset the high cost of living in certain counties (HOUSEHOLDER) (REGULAR)
- H. B. 4623 - Uniform Common Interest Ownership Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4625 - To remove Medicare or Medicaid-certified facilities from COVID-19 immunization exemption requirements (ROHRBACH) (EFFECTIVE FROM PASSAGE)
- H. B. 4843 - Relating to locality pay for correctional officers (HOUSEHOLDER) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 4483 - Relating to establishing term limits to certain real property interests and registration requirements associated with carbon offset agreements (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 4595 - Create camera assisted enforcement of speeding in active work zones (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4731 - To establish the Occupational Therapy Licensure Compact (STEELE) (REGULAR)
- H. B. 4841 - Relating to open captioning for motion pictures (STEELE) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

WEDNESDAY, MARCH 9, 2022

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON RULES
10:45 A.M. – BEHIND CHAMBER**

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470