



Jim Justice
Governor of West Virginia

March 10, 2022

The Honorable Craig Blair
President of the Senate
State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

The Honorable Roger Hanshaw
Speaker of the House of Delegates
State Capitol, Building 1, Room 228-M
Charleston, West Virginia 25305

Dear President Blair and Speaker Hanshaw:

After submission of my recommended FY 2023 Executive Budget on January 12, 2022, there are areas that require adjustment.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2023 Budget Bill for the following sections:

TITLE II – APPROPRIATIONS

Section 1. Appropriations from general revenue.

Executive

Governor's Office – Civil Contingent Fund, Fund 0105, Fiscal Year 2023, Org 0100

(To add a new item of appropriation.)

- Insert a new item of appropriation: "Court Improvement" Appropriation xxxxx for \$5,000,000.

(To add reappropriation language.)

- Insert into the reappropriation language after Civil Contingent Fund - Surplus (fund 0105, appropriation 26300), "...Local Economic Development Assistance - Surplus (fund 0105, appropriation 26600),..."

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Department of Commerce

Department of Commerce – Office of the Secretary, Fund 0606, Fiscal Year 2023, Org 0327

(To reflect 5% pay raise transferred from Department of Economic Development.)

- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$60,318.

Division of Natural Resources, Fund 0265, Fiscal Year 2023, Org 0310

(To continue funding positions provided by supplemental appropriation SB 628/HB 4740.)

- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$184,162.

Department of Economic Development

Department of Economic Development – Office of the Secretary, Fund 0256, Fiscal Year 2023, Org 0307

(To move pay raise to correct fund under Department of Commerce.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$60,318.

(To add directive language only to reflect fund transfer.)

- Amend the directive language for appropriation 13000 to read as follows: “From the above appropriation for Current Expenses (fund 0256, appropriation 13000), \$50,000 shall be used for the Western Potomac Economic Partnership, \$100,000 shall be used for Advantage Valley, \$548,915 for West Virginia University, and \$298,915 for Southern West Virginia Community and Technical College for the Mine Training and Energy Technologies Academy.”

(To remove Directed Transfer language from lines 12-13.)

- Remove the language “The above appropriation for Directed Transfer (fund 0256, appropriation 70000) shall be transferred to the Broadband Enhancement Fund (fund 3013).”

Department of Education

State Board of Education – State Department of Education, Fund 0313, Fiscal Year 2023, Org 0402

(To adjust Teachers’ Retirement Savings Realized per CPRB actuarial requirement.)

- Decrease “Teachers’ Retirement Savings Realized” Appropriation 09500 by \$15,814,000.

(To include HOPE Scholarship funding in accordance with §18-9A-25 of the West Virginia Code.)

- Insert a new item of appropriation: “Hope Scholarship Program” Appropriation 30401 for \$23,350,520.

State Board of Education – State Aid to Schools, Fund 0317, Fiscal Year 2023, Org 0402

(To adjust School Aid Formula based on the certified property valuations and actuarial requirement from the West Virginia Consolidated Public Retirement Board.)

- Decrease “Less Local Share” adjustment by \$682,295 (it should now be -\$474,379,513).
- Decrease “Adjustments” adjustment by \$97,293 (it should now be -\$2,495,004).
- Amend “Total Basic State Aid” to reflect the sum of all appropriations and adjustments that precede it. It should now read as “\$1,207,845,815”.
- Decrease “Teachers’ Retirement System” Appropriation 01900 by \$3,976,760.
- Decrease “Retirement Systems – Unfunded Liability” Appropriation 77500 by \$25,072,240.

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Department of Health and Human Resources

Division of Health – Consolidated Medical Services Fund, Fund 0525, Fiscal Year 2023, Org 0506

(To include reappropriation language.)

- On page 47, line 12, before the word “and” insert the following: “...Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200),...”.

Department of Homeland Security

West Virginia State Police, Fund 0453, Fiscal Year 2023, Org 0612

(To adjust the Trooper Retirement Fund appropriation based on the actuarial requirement from the West Virginia Consolidated Public Retirement Board.)

- Increase “Retirement Systems – Unfunded Liability” Appropriation 77500 by \$12,000.

Department of Transportation

Division of Public Transit, Fund 0510, Fiscal Year 2023, Org 0805

(To provide support to the Sistersville Ferry.)

- On page 63, after line 9, insert the following: “From the above appropriation for Current Expenses (fund 0510, appropriation 13000), \$30,000 shall be transferred to the City of Sistersville to support the Sistersville Ferry.”

Higher Education Policy Commission

Higher Education Policy Commission – Administration – Control Account, Fund 0589, Fiscal Year 2023, Org 0441

(To adjust reappropriation language.)

- On page 69, line 19, insert the letter “H” in front of “EAPS Grant Program”.

Department of Veterans’ Assistance

Division of Veterans’ Affairs, Fund 0456, Fiscal Year 2023, Org 0613

(To match state construction costs for the new Beckley facility.)

- Insert a new item of appropriation: “Buildings” Appropriation 25800 for \$8,181,000.

Section 2. Appropriations from state road fund.

Department of Transportation

Division of Highways, Fund 9017, Fiscal Year 2023, Org 0803

(To realign state road spending authority.)

- Decrease “Maintenance” Appropriation 23700 by \$21,200,000.
- Increase “General Operations” Appropriation 27700 by \$21,200,000.

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Section 3. Appropriations from other funds.

Department of Administration

Department of Administration – Office of the Secretary – Employee Pension and Health Care Benefit Fund, Fund 2044, Fiscal Year 2023, Org 0201

(To adjust spending authority to match the appropriation for Teachers' Retirement Savings Realized.)

- Decrease "Current Expenses" Appropriation 13000 by \$15,814,000.

Miscellaneous Boards and Commissions

Hospital Finance Authority – Hospital Finance Authority Fund, Fund 5475, Fiscal Year 2023, Org 0509

(To carry-forward spending authority established by supplemental appropriation SB 732/HB 4852.)

- Insert a new item of appropriation: "Personal Services and Employee Benefits" Appropriation 00100 for \$10,000.

Section 6. Appropriations of federal funds.

Executive

Department of Agriculture, Fund 8736, Fiscal Year 2023, Org 1400

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: "Federal Coronavirus Pandemic" Appropriation 89101 for \$1,098,839.

Insert a new budget item as follows:

"Department of Tourism"

"342a - Department of Tourism – Tourism Workforce Development Fund, Fund 8903, Fiscal Year 2023, Org 0304"

(To add Federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: "Federal Coronavirus Pandemic" Appropriation 89101 for \$5,148,017.

Department of Arts, Culture, and History

Division of Culture and History, Fund 8718, Fiscal Year 2023, Org 0432

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: "Federal Coronavirus Pandemic" Appropriation 89101 for \$765,400.

Commission for National and Community Service, Fund 8841, Fiscal Year 2023, Org 0432

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: "Federal Coronavirus Pandemic" Appropriation 89101 for \$1,960,558.

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Library Commission, Fund 8720, Fiscal Year 2023, Org 0433

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: “Federal Coronavirus Pandemic” Appropriation 89101 for \$2,388,880.

Educational Broadcasting Authority, Fund 8721, Fiscal Year 2023, Org 0439

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: “Federal Coronavirus Pandemic” Appropriation 89101 for \$710,176.

Bureau of Senior Services

Bureau of Senior Services, Fund 8724, Fiscal Year 2023, Org 0508

(To carry-forward federal spending authority for American Rescue Plan [ARPA] funds.)

- Insert a new item of appropriation: “Federal Coronavirus Pandemic” Appropriation 89101 for \$16,400,000.

Section 9. Appropriations from general revenue fund surplus accrued.

Department of Economic Development

Department of Economic Development - Office of the Secretary, Fund 0256, Fiscal Year 2023, Org 0307

(To amend directive language to correct fund.)

- Amend the language to read as follows: “The above appropriation for Directed Transfer (fund 0256, appropriation 70099) shall be transferred to the Broadband Enhancement Fund (fund 3013).”

Executive

Governor’s Office – Civil Contingent Fund, Fund 0105, Fiscal Year 2023, Org 0100

(To add an item of surplus appropriation for federal maintenance of effort.)

- Insert a new item of appropriation: “Congressional Earmark Maintenance of Effort - Surplus” Appropriation xxxxx for \$100,000,000.

Section 10. Appropriations from lottery net profits surplus accrued.

Bureau of Senior Services

Bureau of Senior Services, Fund 5405, Fiscal Year 2023, Org 0508

(To restore state matching portion for Title XIX Waiver Program.)

- Increase “Senior Services Medicaid Transfer – Lottery Surplus” Appropriation 76500 by \$750,000.

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Insert a new budget item as follows:

“Department of Arts, Culture, and History”

“401a – Division of Culture and History, Fund 3534, Fiscal Year 2023, Org 0432”

(To add new items of appropriation.)

- Insert “Save the Music – Lottery Surplus” Appropriation xxxxx for \$100,000.
- Insert “Capital Outlay and Maintenance – Lottery Surplus” Appropriation 76099 for \$3,000,000.

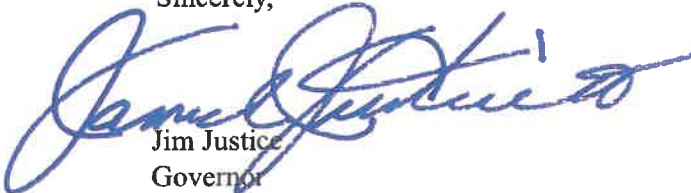
Section 11. Appropriations from state excess lottery revenue surplus accrued.

(To correct section numbering.)

- On page 188, line 1, replace “Sec. 10” with “Sec. 11”.

Thank you for your prompt attention to this matter. Note also that while my introduced budget bill accounted for additional General and Lottery revenue appropriations for salary increases, to avoid additional base budget growth, any agency specific legislation relating to salaries passed after my introduced budget bill could potentially be addressed within existing Personal Services and Employee Benefits appropriations through the elimination and/or realignment of vacant positions, as available and appropriate. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,



Jim Justice
Governor

cc: The Honorable Eric Tarr, Senate Finance Chairman
The Honorable Eric Householder, House of Delegates Finance Chairman
State Budget Office