

WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2014



ENROLLED

Senate Bill No. 2003

(BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,
BY REQUEST OF THE EXECUTIVE)

[PASSED MAY 21, 2014; IN EFFECT FROM PASSAGE.]

E N R O L L E D

Senate Bill No. 2003

(BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,
BY REQUEST OF THE EXECUTIVE)

[Passed May 21, 2014; in effect from passage.]

AN ACT making a supplementary appropriation from the State Fund, State Excess Lottery Revenue Fund, by supplementing and amending chapter thirteen, Acts of the Legislature, regular session, 2014, known as the Budget Bill, by supplementing and amending Title II, section five.

WHEREAS, The passage of House Bill No. 101 during the 2014 First Extraordinary Session increased the revenues available for appropriation from the State Excess Lottery Revenue Fund during the fiscal year ending June 30, 2015; and

WHEREAS, The Governor submitted to the Legislature an Executive Message on May 19, 2014, which included a revised Statement of the State Excess Lottery Revenue Fund, setting forth therein the estimated unappropriated cash balance as of July 1, 2014, and further included the revised estimate of revenue for the fiscal year 2015, less regular appropriations and other adjustments for the fiscal year 2015; and

WHEREAS, It appears from the Governor's Statement of the State Excess Lottery Revenue Fund there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2015; therefore

Be it enacted by the Legislature of West Virginia:

That chapter thirteen, Acts of the Legislature, regular session, 2014, known as the Budget Bill, be supplemented and amended by amending Title II, section five, to read as follows:

TITLE II—APPROPRIATIONS.

1 **Sec. 5. Appropriations from State Excess Lottery**
2 **Revenue Fund.**— In accordance with W.Va. Code
3 §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and
4 §29-25-22b, the following appropriations shall be deposited
5 and disbursed by the Director of the Lottery to the following
6 accounts in this section in the amounts indicated.

7 After first funding the appropriations required by W.Va.
8 Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a
9 and §29-25-22b, the Director of the Lottery shall provide
10 funding from the State Excess Lottery Revenue Fund for the
11 remaining appropriations in this section to the extent that
12 funds are available. In the event that revenues to the State
13 Excess Lottery Revenue Fund are not sufficient to meet all
14 the appropriations made pursuant to this section, then the
15 Director of the Lottery shall first provide the necessary funds
16 to meet fund 7208, appropriation 70011 of this section; next,
17 to provide the funds necessary for fund 3517, appropriation
18 09500 of this section; next, to provide the funds necessary for
19 fund 5365, appropriation 18900. Allocation of the funds for
20 each appropriation shall be allocated in succession before any
21 funds are provided for the next subsequent appropriation.

*298—Lottery Commission-
Refundable Credit*

Fund 7207 FY 2015 Org 0705

	Appropriation	Excess Lottery Funds
1 Directed Transfer	70000	\$ 10,000,000

2 The above appropriation shall be transferred to the General
3 Revenue Fund to provide reimbursement for the refundable
4 credit allowable under W.Va. Code §11-21-21. The amount of
5 the required transfer shall be determined solely by the State
6 Tax Commissioner and shall be completed by the Director of
7 the Lottery upon the commissioner's request.

*299–Lottery Commission-
General Purpose Account*

Fund 7206 FY 2015 Org 0705

1 General Revenue Fund -		
2 Transfer	70011	\$ 65,000,000

3 The above appropriation shall be transferred to the
4 General Revenue Fund as determined by the Director of the
5 Lottery in accordance with W.Va. Code §29-22-18a.

*300–Higher Education Policy Commission-
Education Improvement Fund*

Fund 4295 FY 2015 Org 0441

1 PROMISE Scholarship -		
2 Transfer	80000	\$ 29,000,000

3 The above appropriation shall be transferred to the
4 PROMISE Scholarship Fund (fund 4296, org 0441)
5 established by W.Va. Code §18C-7-7.

6 The Legislature has explicitly set a finite amount of
7 available appropriations and directed the administrators of the
8 program to provide for the award of scholarships within the
9 limits of available appropriations.

*301-Economic Development Authority-
Economic Development Project Fund*

Fund 9065 FY 2015 Org 0944

1 Debt Service - Total 31000 \$ 19,000,000

2 Pursuant to W.Va. Code §29-22-18a, subsection (f),
3 excess lottery revenues are authorized to be transferred to the
4 lottery fund as reimbursement of amounts transferred to the
5 Economic Development Project Fund pursuant to section four
6 of this title and W.Va. Code §29-22-18, subsection (f).

*302-Economic Development Authority-
Cacapon and Beech Fork State Parks
Lottery Revenue Debt Service Fund*

Fund 9067 FY 2015 Org 0944

1 Debt Service 04000 \$ 0

303-School Building Authority

Fund 3514 FY 2015 Org 0402

1 Debt Service - Total 31000 \$ 19,000,000

304-West Virginia Infrastructure Council

Fund 3390 FY 2015 Org 0316

1 Directed Transfer 70000 \$ 26,000,000

2 The above appropriation shall be allocated pursuant to
3 W.Va. Code §29-22-18d and §31-15-9.

*305-Higher Education Policy Commission-
Higher Education Improvement Fund*

Fund 4297 FY 2015 Org 0441

1 Directed Transfer 70000 \$ 15,000,000

2 The above appropriation shall be transferred to fund
3 4903, org 0442 as authorized by Senate Concurrent
4 Resolution No. 41.

*306-Division of Natural Resources
State Park Improvement Fund*

Fund 3277 FY 2015 Org 0310

1	Current Expenses (R)	13000	\$ 2,438,300
2	Repairs and Alterations (R)	06400	2,161,200
3	Equipment (R)	07000	200,000
4	Buildings (R)	25800	100,000
5	Other Assets (R)	69000	<u>100,500</u>
6	Total		\$ 5,000,000

7 Any unexpended balances remaining in the above
8 appropriations for Repairs and Alterations (fund 3277,
9 appropriation 06400), Equipment (fund 3277, appropriation
10 07000), Unclassified – Total (fund 3277, appropriation
11 09600), Unclassified (fund 3277, appropriation 09900),
12 Current Expenses (fund 3277, appropriation 13000),
13 Buildings (fund 3277, appropriation 25800), and Other
14 Assets (fund 3277, appropriation 69000) at the close of the

15 fiscal year 2014 are hereby reappropriated for expenditure
16 during the fiscal year 2015.

307-Racing Commission

Fund 7308 FY 2015 Org 0707

1	Special Breeders Compensation		
2	(WVC §29-22-18a,		
3	subsection (1))	21800	\$ 2,000,000

*307a-Lottery Commission-
Distributions to Statutory Funds and Purposes*

Fund FY 2015 Org 0705

1	Parking Garage Fund - Transfer . . .	70001	\$ 500,000
2	2004 Capitol Complex Parking		
3	Garage Fund - Transfer	70002	279,461
4	Capitol Dome and Improvements		
5	Fund- Transfer	70003	2,471,387
6	Capitol Renovation and Improve-		
7	ment Fund - Transfer	70004	3,074,079
8	Development Office Promotion		
9	Fund- Transfer	70005	1,676,770
10	Research Challenge Fund -		
11	Transfer	70006	2,235,694
12	Tourism Promotion Fund -		
13	Transfer	70007	6,232,286
14	Cultural Facilities and Capitol		
15	Resources Matching Grant		
16	Program Fund - Transfer	70008	1,500,000
17	Workers' Compensation Debt		
18	Reduction Fund - Transfer	70009	11,000,000
19	State Debt Reduction Fund -		
20	Transfer	70010	20,119,104

21	General Revenue Fund -		
22	Transfer	70011	1,794,761
23	West Virginia Racing Commission		
24	Racetrack Video		
25	Lottery Account	70012	4,471,387
26	Historic Resort Hotel Fund	70013	34,200
27	Licensed Racetrack Regular		
28	Purse Fund	70014	<u>14,581,522</u>
29	Total		\$ 69,970,651

*308-Lottery Commission-
Excess Lottery Revenue Fund Surplus*

Fund 7208 FY 2015 Org 0705

1	General Revenue Fund -		
2	Transfer	70011	\$ 27,600,000

3 The above appropriation for General Revenue Fund -
4 Transfer (fund 7208, appropriation 70011) shall be
5 transferred to the General Revenue Fund.

309-Governor’s Office

(WV Code Chapter 5)

Fund 1046 FY 2015 Org 0100

1 Any unexpended balance remaining in the appropriation
2 for Publication of Papers and Transition Expenses – Lottery
3 Surplus (fund 1046, appropriation 06600) at the close of the
4 fiscal year 2014 is hereby reappropriated for expenditure
5 during the fiscal year 2015.

310-West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2015 Org 0307

1 Any unexpended balances remaining in the
2 appropriations for Unclassified – Total (fund 3170,
3 appropriation 09600), Recreational Grants or Economic
4 Development Loans (fund 3170, appropriation 25300), and
5 Connectivity Research and Development – Lottery Surplus
6 (fund 3170, appropriation 92300) at the close of the fiscal
7 year 2014 are hereby reappropriated for expenditure during
8 the fiscal year 2015.

311-State Department of Education

(WV Code Chapters 18 and 18A)

Fund 3517 FY 2015 Org 0402

1	Teachers' Retirement Savings		
2	Realized	09500	\$ 4,051,000
3	Retirement Systems - Unfunded		
4	Liability	77500	<u> 0</u>
5	Total		\$ 4,051,000

6 The above appropriation for Teachers' Retirement
7 Savings Realized (fund 7208, appropriation 09500) shall be
8 transferred to the Employee Pension and Health Care Benefit
9 Fund (fund 2044).

*312-Higher Education Policy Commission-
Administration-
Control Account*

(WV Code Chapter 18B)

Fund 4932 FY 2015 Org 0441

1 Any unexpended balance remaining in the appropriation
 2 for Advanced Technology Centers (fund 4932, appropriation
 3 02800) at the close of the fiscal year 2014 is hereby
 4 reappropriated for expenditure during the fiscal year 2015.

*313-Division of Health-
 Central Office*

(WV Code Chapter 16)

Fund 5219 FY 2015 Org 0506

1 Any unexpended balance remaining in the appropriation
 2 for Capital Outlay and Maintenance (fund 5219,
 3 appropriation 75500) at the close of the fiscal year 2014 is
 4 hereby reappropriated for expenditure during the fiscal year
 5 2015.

313a-Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2015 Org 0511

1	Medical Services	18900	\$ 26,228,418
2	Family Resource Networks	27400	150,464
3	Domestic Violence Legal Services		
4	Fund	38400	30,000
5	In-Home Family Education	68800	250,000
6	Grants for Licensed Domestic		
7	Violence Programs and		
8	Statewide Prevention	75000	357,900
9	Children’s Trust Fund -		
10	Transfer	95100	<u>80,000</u>
11	Total		\$ 27,096,782

12 The above appropriation for Domestic Violence Legal
13 Services Fund (fund 5365, appropriation 38400) shall be
14 transferred to the Domestic Violence Legal Services Fund
15 (fund 5455). From the above appropriation for the Grants for
16 Licensed Domestic Violence Programs and Statewide
17 Prevention (fund 5365, appropriation 75000), fifty percent of
18 the total shall be divided equally and distributed among the
19 fourteen (14) licensed programs and the West Virginia
20 Coalition Against Domestic Violence (WVCADV). The
21 balance remaining in the appropriation for Grants for
22 Licensed Domestic Violence Programs and Statewide
23 Prevention (fund 5365, appropriation 75000), shall be
24 distributed according to the formula established by the
25 Family Protection Services Board.

26 The above appropriation for Children's Trust Fund -
27 Transfer (fund 5365, appropriation 95100), shall be
28 transferred to the Children's Fund (fund 5469, org 0511).

*314-Division of Corrections-
Correctional Units*

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

Fund 6238 FY 2015 Org 0608

1 Any unexpended balance remaining in the appropriation
2 for Capital Outlay and Maintenance (fund 6283,
3 appropriation 75500) at the close of the fiscal year 2014 is
4 hereby reappropriated for expenditure during the fiscal year
5 2015.

314a-Division of Justice and Community Services-

(WV Code Chapter 15)

Fund__ FY 2015 Org 0620

1	Child Advocacy Centers	45800	\$	200,000
2	Total TITLE II, Section 5 –			
3	Excess Lottery Funds		\$	<u>318,918,433</u>

4 The purpose of this supplementary appropriation bill is to
5 supplement and amend Title II, section five, chapter thirteen,
6 Acts of the Legislature, regular session, 2014, known as the
7 Budget Bill, for the appropriations ending June 30, 2015.

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

.....
Chairman Senate Committee

.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

.....
President of the Senate

.....
Speaker of the House of Delegates

The within this
the Day of, 2014.

.....
Governor