

## Appropriations - Supplemental

**House Bill 417** makes a supplementary appropriation to the West Virginia Conservation Agency, Department of Health and Human Resources, Division of Human Services, Department of Education, Division of Veterans' Affairs and other state agencies for expenditure during Fiscal Year 2006.

**House Bill 422** makes a supplementary appropriation of public money out of the State Treasury from the balance of money remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration - Consolidated Public Retirement Board.

**Senate Bill 4014** makes a supplementary appropriation of public money out of the State Treasury from the balance of money remaining as an unappropriated balance in the State Excess Lottery Revenue Fund, to the Lottery Commission, Excess Lottery Revenue Fund Surplus.

**Senate Bill 4015** supplements, amends, reduces and increases items of existing appropriation from the Department of Agriculture, Agriculture Fees Fund for the fiscal year ending on June 30, 2006.

**Senate Bill 4016** is a supplemental appropriation bill that transfers \$50,000 from the state's General Revenue Fund to the West Virginia Agricultural Land Protection Authority.

**Senate Bill 4017** supplements, amends, reduces and increases items of the existing appropriations from the State Fund, General Revenue, to the Department of Health and Human Resources - Division of Human Services, and the Higher Education - Higher Education Policy Commission - System - Control Account.

## Education

**Senate Bill 4010** revises certain provisions of State Code pertaining to the proposed merger of the Teachers' Defined Contribution Retirement System (TDC) with State Teachers Retirement System (TRS). This legislation ensures that teachers' salaries are calculated accurately for benefit determinations and that any fees associated with the merger are paid.

Among other provisions, this bill clarifies loan eligibility; establishes the date on which money must be in a member's account to be eligible to vote in the merger election; and, clarifies that a member may choose either periodic payments or a lump sum distribution of his or her total vested account at the time of the merger, provided that certain conditions are met.

## Elections

**House Bill 402** requires the disclosure of electioneering communications and prohibits corporate disbursements for electioneering communications. The bill defines "electioneering communications" as any attempt to influence a candidate's election. The electioneering communication must include a candidate's name and has to take place within 60 days of the general election or 30 days of the primary. The bill also requires so called 527 groups and others to tell the Secretary of State who gave them money and how they spent it. The bill limits contributions to such groups to \$2,000 per election cycle.

**Senate Bill 4002** allows local levying bodies to hold levy elections in conjunction with primary elections. This legislation also removes statutory language that was in conflict with a specific article of the West Virginia Constitution.

## Gaming

**House Bill 411** relates to amending certain provisions of the State Code involving horse and dog racing and the distribution of certain proceeds. The bill also provides for special funds, to be established by the Racing Commission, which will be used for the payment of breeders' awards, restrictive races and stakes purses.

The bill also makes technical corrections and provides for a reversion of racetrack video lottery excess net terminal income which was diverted from the Racetrack Purse Funds to the Workers' Compensation Debt Reduction Fund pursuant to Enrolled Senate Bill 1004. These funds will revert back to the racetrack purse after a total amount of \$11 million dollars of net terminal income and excess net terminal income has been diverted each fiscal year from the purse funds to the Workers' Compensation debt.

## Government Agencies

**House Bill 407** provides power and authority of department secretaries to transfer employees between departments.

## Holidays

**House Bill 406** provides that the fourth Thursday and Friday of November are "Thanksgiving Holidays", and combines Lincoln's Birthday and Washington's Birthday into a single holiday known as Presidents' Day to match the federal holiday.

## Law Enforcement

**House Bill 403** makes a technical correction to State Code relating to benefits of spouses and children of state troopers who die in the line of duty. These benefits were amended by the Legislature in 2003; however, during the 2005 Regular Session, House Bill 2984 unintentionally repealed those changes. This legislation restores the 2003 provisions.

## Salaries

**House Bill 413** provides an increase in the annual base salaries of members of the West Virginia State Police to take place beginning on November 1, 2005. This legislation addresses the base pays of all sworn State Police personnel, including those in supervisory and non-supervisory ranks, as well as individuals working in administrative support.

**House Bill 414** directs the funding to provide salary increases for state employees. The measure, which is a supplemental appropriation bill, details the funding allocations for the \$900 salary increases for public employees, school service personnel and the salary supplement for Department of Health and Human Resources employees, as well as the \$1,350 in salary increases for teachers, State Troopers, conservation officers, protective services and other targeted groups.

**Senate Bill 4008** relates to increasing salaries for teachers and school service personnel. This bill provides a \$1,350 per year salary increase to teachers beginning with the first day of the second quarter of the teacher's employment term during this present school year.

The bill also gradually fills in the years of experience in which teachers receive a salary increment so that beginning July 1, 2008 all teachers receive a salary increment with each additional year of experience through 35 years. This gradual filling in of the years of experience in which teachers receive the salary increment is achieved through the implementation of a new salary schedule this year and during each of the next three years.

The bill also provides a \$90 per month salary increase to service personnel beginning with the first day of the second quarter of the service employee's employment term during this school year.

## State Funds

**House Bill 420** is a supplemental appropriation bill that transfers \$28 million from the state's General Revenue Fund to the West Virginia Department of Public Safety Death, Disability and Retirement Fund.

**Senate Bill 4006** relates to the accountability of persons receiving state funds or grants. The bill requires reports on grants of \$50,000

or more and sworn statements of expenditures on grants less than \$50,000. The bill also excludes formula distributions of insurance tax proceeds to volunteer and part-volunteer fire departments from the definition of state grants while still requiring the departments to submit an annual statement of expenditures or a report. In addition, the measure provides authority for the Secretary of the Department of Administration to institute legislative rules concerning this issue.

## Taxation

**House Bill 401** relates generally to the consumers sales and use taxes on food and food ingredients intended for human consumption. This measure reduces the sales tax of food to 5 percent beginning January 1, 2006. This 1 percent reduction will not be applicable to the sales, purchases and uses by consumers of prepared foods. In addition, the Tax Commissioner may promulgate legislative rules and emergency rules explaining and implementing this measure.

## Unemployment Compensation

**House Bill 405** changes West Virginia's Unemployment Compensation law to conform it to federally-mandated legislation. Specifically, the legislation clarifies that the term "employment" in this section does not include election officials appointed to serve during any municipal, county or state election, provided that the amount of compensation received during one year of service is less than \$1,000.

## Workers' Compensation

**House Bill 412** provides a flexible funding mechanism, authorized by the Governor, to ensure that the company which takes over for the Workers' Compensation Commission will have sufficient assets to successfully provide Workers' Compensation insurance while at the same time maximizing the amount of moneys ultimately available to satisfy the unfunded liabilities of the Old Fund. In addition, the measure allows the use of derivative products to reduce debt service costs and manage interest rate exposure.

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