



Jim Justice
Governor of West Virginia

March 29, 2021

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 2022 Executive Budget on February 10, 2021, 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 2022 Budget Bill for the following sections:

TITLE I – GENERAL PROVISIONS

Section 3. Classification of Appropriations.

In the language describing terms of agency transfer authority beginning on line 65, page 4 that reads "...no funds from other appropriations shall be transferred to the "personal services and employee benefits" or the "unclassified" appropriation..." add the following:

"...except that during Fiscal Year 2022, and upon approval from the State Budget Office, agencies with the appropriation "Salary and Benefits of Cabinet Secretary and Agency Heads" may transfer between this appropriation and the appropriation "Personal Services and Employee Benefits" an amount to cover annualized salaries and employee benefits for the fiscal year ending June 30, 2022, as provided by W.V. Code §6-7-2a."

TITLE II – APPROPRIATIONS

Amend the ORDER OF SECTIONS after "SECTION 8. Awards for claims against the state." as follows:

- SECTION 9. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 10. Special revenue appropriations.
- SECTION 11. State improvement fund appropriations.

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The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 2

- SECTION 12. Specific funds and collection accounts.
- SECTION 13: Appropriations for refunding erroneous payment.
- SECTION 14. Sinking fund deficiencies.
- SECTION 15. Appropriations for local governments.
- SECTION 16. Total appropriations.
- SECTION 17. General school fund.

Section 1. Appropriations from general revenue.

Executive

Governor's Office, Fund 0101, Fiscal Year 2022, Org 0100

(To adjust funding to reflect anticipated expenditures.)

- Add "Equipment" Appropriation 07000 for \$100.
- Add "Unclassified" Appropriation 09900 for \$63,129.
- Decrease "Current Expenses" Appropriation 13000 by \$63,229.

(To add reappropriation language.)

- Add an "(R)" to indicate reappropriation on the line item "Office of Resiliency".
- Insert into the reappropriation language after Current Expenses (fund 0101, appropriation 13000), "...", and Office of Resiliency (fund 0101, appropriation 18600),..."

Governor's Office – Civil Contingent Fund, Fund 0105, Fiscal Year 2022, Org 0100

(To add reappropriation language.)

- Add an "(R)" to indicate reappropriation on the line item "Public Health Emergency Response Fund".
- Insert into the reappropriation language after 2012 Natural Disasters - Surplus (fund 0105, appropriation 13500), "...Public Health Emergency Response Fund (fund 0105, appropriation 21201),..."

(To add reappropriation language.)

- Insert into the reappropriation language after Milton Flood Wall (fund 0105, appropriation 75701), "...Milton Flood Wall - Surplus (fund 0105, appropriation 75799),..."

Department of Commerce

Department of Commerce - Office of the Secretary, Fund 0606, Fiscal Year 2022, Org 0327

(To realign funding to reflect departmental reorganization.)

- Increase "Personal Services and Employee Benefits" Appropriation 00100 by \$685,792.
- Increase "Current Expenses" Appropriation 13000 by \$121,300.

Department of Economic Development

Department of Economic Development - Office of the Secretary, Fund 0256, Fiscal Year 2022, Org 0307

(To realign funding to reflect departmental reorganization.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$685,792.
- Decrease "Current Expenses" Appropriation 13000 by \$121,300.

(To remove onetime funding and directive language from Current Expenses lines 22 and 24.)

- Decrease "Current Expenses" Appropriation 13000 by \$1,800,000.

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 3

- Remove the language “\$1,800,000 shall be used for the Eastern West Virginia Regional Airport;”.
- Remove the language “, and \$100,000 shall be used for Advantage Valley”.
(To add funding and directive language for the High Technology Foundation.)
- Increase “Current Expenses” Appropriation 13000 by \$250,000.
- Insert into directive language after “...\$100,00 shall be used for Techconnect West Virginia,”
“ and \$250,000 shall be used for the High Technology Foundation.”

Department of Education

State Board of Education – State Department of Education, Fund 0313, Fiscal Year 2022, Org 0402
(To add reappropriation language.)

- Add an “(R)” to indicate reappropriation on the line item “Attendance Incentive Bonus”.
- Insert into the reappropriation language after Center for Professional Development (fund 0313, appropriation 11500), “...Attendance Incentive Bonus (fund 0313, appropriation 15001),...”

State Board of Education – State Aid to Schools, Fund 0317, Fiscal Year 2022, Org 0402
(To adjust School Aid Formula based on final state aid to schools calculations.)

- Decrease “Other Current Expenses” Appropriation 02200 by \$1,575.
- Decrease “Professional Educators” Appropriation 15100 by \$63,000.
- Decrease “Fixed Charges” Appropriation 15300 by \$5,248.
- Decrease “Transportation” Appropriation 15400 by \$155,514.
- Decrease “Improved Instructional Programs” Appropriation 15600 by \$673,026.
- Decrease “21st Century Strategic Technology Learning Growth” Appropriation 93600 by \$1,346,052.
- Decrease “Teacher and Leader Induction” Appropriation 93601 by \$1,346,052.
- Increase “Less Local Share” line by \$6,730,258 from (\$482,991,001) to (\$476,260,743).
- Decrease “Adjustments” line by \$510,365 from (\$2,744,479) to (\$3,254,844).

Department of Arts, Culture, and History

Educational Broadcasting Authority, Fund 0300, Fiscal Year 2022, Org 0439
(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$120,106.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$120,106.

Department of Health and Human Resources

Division of Health – Central Office, Fund 0407, Fiscal Year 2022, Org 0506
(To remove directive language for Current Expenses line 51.)

- Remove the language, “\$50,000 is for Hospital Hospitality House of Huntington;”.

Division of Human Services, Fund 0403, Fiscal Year 2022, Org 0511
(To realign funding for the Medicaid program.)

- Increase “Medical Services” Appropriation 18900 by \$278,574.

Department of Homeland Security

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 4

Department of Homeland Security – Office of the Secretary, Fund 0430, Fiscal Year 2022, Org 0601
(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$168,000.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$168,000.

Division of Corrections and Rehabilitation – West Virginia Parole Board, Fund 0440, Fiscal Year 2022, Org 0608

(To add language to allow for transfers between Personal Services and Employee Benefits and Salaries of Members of West Virginia Parole Board.)

- Add the following language after line 9, “The Director of the State Budget Office shall have the authority to approve transfers between Personal Services and Employee Benefits (fund 0440, appropriation 00100) and Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) as provided by W.V. Code §6-7-2a.”

Division of Corrections and Rehabilitation – Central Office, Fund 0446, Fiscal Year 2022, Org 0608
(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$200,000.

Division of Corrections and Rehabilitation – Correctional Units, Fund 0450, Fiscal Year 2022, Org 0608
(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Huttonsville Correctional Center” Appropriation 51400 by \$222,972.
- Decrease “Northern Correctional Center” Appropriation 53400 by \$118,720.
- Decrease “Pruntytown Correctional Center” Appropriation 54300 by \$35,206.
- Decrease “Parole Services” Appropriation 68600 by \$75,000.
- Decrease “Special Services” Appropriation 68700 by \$783,009.
- Decrease “Salem Correctional Center” Appropriation 77400 by \$150,000.
- Decrease “Mt. Olive Correctional Complex” Appropriation 88800 by \$60,206.

(To revise language to allow for transfers.)

- Strike language on lines 41 through 44 on page 57 and replace with the following:
“The Commissioner of Corrections and Rehabilitation shall have the authority to transfer between appropriations.”

Division of Corrections and Rehabilitation – Bureau of Juvenile Services, Fund 0570, Fiscal Year 2022, Org 0608

(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Statewide Reporting Centers” Appropriation 26200 by \$600,000.
- Decrease “Central Office” Appropriation 70100 by \$454,029.
- Decrease “Gene Spadaro Juvenile Center” Appropriation 79300 by \$33,515.
- Decrease “Kenneth Honey Rubenstein Juvenile Center” Appropriation 98000 by \$90,811.

West Virginia State Police, Fund 0453, Fiscal Year 2022, Org 0612
(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$139,300.

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 5

- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$139,300.
(To adjust the Trooper Retirement Fund appropriation based on the actuarial requirement from the West Virginia Consolidated Public Retirement Board.)
- Decrease “Retirement Systems – Unfunded Liability” Appropriation 77500 by \$1,358,000.

Division of Justice and Community Services, Fund 0546, Fiscal Year 2022, Org 0623

(To add reappropriation language.)

- Add an “(R)” to indicate reappropriation on the line item “Justice Reinvestment Initiative”
- Insert into the reappropriation language after “Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200), “...Justice Reinvestment Initiative (fund 0546, appropriation 89501)...”
(To remove reappropriation language.)
- Remove reappropriation language after Justice Reinvestment Initiative (fund 0546, appropriation 89501), “...Law Enforcement Training – Surplus (fund 0546, appropriation 83899)...”

Division of Administrative Services, Fund 0619, Fiscal Year 2022, Org 0623

(To transfer positions to Division of Administrative Services under correct organization.)

- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$2,523,468.
- Increase “Current Expenses” Appropriation 13000 by \$300,000.

Department of Revenue

Office of the Secretary, Fund 0465, Fiscal Year 2022, Org 0701

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$168,000.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$168,000.

Section 2. Appropriations from state road fund.

Department of Transportation

Division of Motor Vehicles, Fund 9007, Fiscal Year 2022, Org 0802

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$129,500.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$129,500.
(To add a new DMV Regional Office in the Eastern Panhandle.)
- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$1,000,000.
- Increase “Current Expenses” Appropriation 13000 by \$400,000.
(To add spending authority for new E-Title system.)
- Increase “Other Assets” Appropriation 69000 by \$5,554,000.

Division of Highways, Fund 9017, Fiscal Year 2022, Org 0803

(To comply with W.V. Code §6-7-2a.)

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
 The Honorable Roger Hanshaw, Speaker
 March 29, 2021
 Page 6

- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$200,000.
- Decrease “General Operations” Appropriation 27700 by \$200,000.
 (Realign state road spending authority.)
- Increase “Debt Service” Appropriation 04000 by \$35,000,000.
- Decrease “Maintenance” Appropriation 23700 by \$25,567,146.
- Decrease “Equipment Revolving” Appropriation 27600 by \$2,000,000.
- Decrease “General Operations” Appropriation 27700 by \$4,500,000.
- Decrease “Interstate Construction” Appropriation 27800 by \$25,000,000.
- Increase “Other Federal Aid Programs” Appropriation 27900 by \$25,000,000.
 (To add language to allow for transfers between “Salary and Benefits of Cabinet Secretary and Agency Heads” and “General Operations”.)
- Add the following language after line 27, “The Director of the State Budget Office shall have the authority to approve transfers between Salary and Benefits of Cabinet Secretary and Agency Heads (fund 9017, appropriation 00201) and General Operations (fund 9017, appropriation 27700) as provided by W.V. Code §6-7-2a.”

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 2022, Org 0201

(To adjust spending authority to match the appropriation on Teachers’ Retirement Realized Savings.)

- Increase “Current Expenses” Appropriation 13000 by \$1,719,000.

Department of Commerce

Department of Commerce – Office of Secretary – Marketing and Communications Operating Fund, Fund 3002, Fiscal Year 2022, Org 0327

(To reflect departmental reorganization by moving Marketing and Communications Operating Fund 3002 from the Department of Economic Development, Office of the Secretary and adding to the Department of Commerce, Office of the Secretary.)

*xxx – Department of Commerce –
 Office of the Secretary –
 Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2022 Org 0327

| | | | | |
|---|--|-------|----|-----------|
| 1 | Personal Services and Employee Benefits..... | 00100 | \$ | 2,069,353 |
| 2 | Unclassified..... | 09900 | | 30,000 |
| 3 | Current Expenses..... | 13000 | | 1,315,078 |
| 4 | Equipment..... | 07000 | | 36,000 |
| 5 | Total..... | | \$ | 3,450,431 |

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 7

Department of Economic Development

Department of Economic Development – Office of Secretary – Marketing and Communications Operating Fund, Fund 3002, Fiscal Year 2022, Org 0307

(To reflect departmental reorganization by moving Marketing and Communications Operating Fund 3002 from the Department of Economic Development, Office of the Secretary and adding to the Department of Commerce, Office of the Secretary.)

- Delete fund 3002 in its entirety under the Department of Economic Development.

Department of Revenue

Division of Financial Institutions, Fund 3041, Fiscal Year 2022, Org 0303

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$119,000.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$119,000.

Insurance Commissioner – Insurance Commission Fund, Fund 7152, Fiscal Year 2022, Org 0704

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$136,500.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$136,500.

Bureau of Senior Services

Bureau of Senior Services – Community Based Service Fund, Fund 5409, Fiscal Year 2022, Org 0508

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$11,900.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$11,900.

Section 4. Appropriations from lottery net profits.

Division of Culture and History – Lottery Education Fund, Fund 3534, Fiscal Year 2022, Org 0432

Beginning on page 150, line 21 to page 157, line 213.

- Remove all language in its entirety.

Bureau of Senior Services

Bureau of Senior Services – Lottery Senior Citizens Fund, Fund 5405, Fiscal Year 2022, Org 0508

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$65,450.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$65,450.

Section 6. Appropriations of federal funds.

Department of Revenue

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 8

Insurance Commissioner, Fund 8883, Fiscal Year 2022, Org 0704

(To adjust funding to accommodate the Federal Flood Program.)

- Add “Personal Services and Employee Benefits” Appropriation 00100 for \$145,000.
- Add “Equipment” Appropriation 07000 for \$30,000.
- Decrease “Current Expenses” Appropriation 13000 by \$175,000.

Bureau of Senior Services

Bureau of Senior Services, Fund 8724, Fiscal Year 2022, Org 0508

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$5,950.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$5,950.

Section 7. Appropriations from federal block grants.

WorkForce West Virginia – WorkForce Investment Act, Fund 8749, Fiscal Year 2022, Org 0323

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$124,018.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$124,018.

Section 9. Appropriations from general revenue fund surplus accrued.

Delete Section 9 in its entirety.

Section 10. Appropriations from lottery net profits surplus accrued.

Delete Section 10 in its entirety.

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

Amend Section 11 to be Section 9 and rename each subsequent section thereafter.

Division of Human Services, Fund 5365, Fiscal Year 2022, Org 0511

(To correct an error and remove line item of appropriation for Medical Services – Lottery Surplus.)

- Delete fund 5365 in its entirety under Appropriations from state excess lottery revenue surplus accrued.

Section 12. Special revenue appropriations.

Beginning on page 193, line 11 to page 194, line 8.

- Delete all lines in their entirety.

Thank you for your prompt attention of this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

OFFICE OF THE GOVERNOR

The Honorable Craig Blair, President
The Honorable Roger Hanshaw, Speaker
March 29, 2021
Page 9

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice". The signature is stylized and cursive, with a large initial "J" and a long horizontal stroke at the end.

Jim Justice
Governor

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