



State of West Virginia
Joe Manchin III
Governor

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June 5, 2009

The Honorable Natalie E. Tennant
Secretary of State
State of West Virginia
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Dear Secretary Tennant:

Pursuant to the provisions of Section 51, Article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for House Bill No. 2010, passed May 31, 2009, approved with the following objections.

My first objection to the Bill is contained in Item 60, page 64, line 35, which states:

“Health Right Free Clinics 727 4,249,336”

Being acutely aware of the national economy, the budget deficits currently facing the vast majority of states, and the future funding challenges in West Virginia’s Medicaid program, it is imperative that a cautious and prudent approach be taken to avoid building the State’s base budget. The above appropriation of \$4,249,336 is \$500,000 above the funding available in FY 2009. In addition, funding available for this program increased by \$1,000,000 from FY 2008 to FY 2009. Therefore, I am reducing the base building appropriation by the amount of \$500,000, to \$3,749,336. I will, however, submit to the Legislature a request for a one-time supplemental appropriation in the amount of \$300,000 to support this program.

My second objection to the Bill is contained in Item 64, page 71, line 23, which states:

“In-Home Family Education 688 1,250,000”

Being acutely aware of the national economy, the budget deficits currently facing the vast majority of states, and the future funding challenges in West Virginia’s Medicaid program, it is imperative that a cautious and prudent approach be taken to avoid building the State’s base budget. The above appropriation of \$1,250,000 is \$500,000 above the funding available in FY 2009. In addition,

The Honorable Natalie E. Tennant
June 5, 2009
Page 2 of 3

funding available for this program increased by \$145,000 from FY 2008 to FY 2009. Therefore, I am reducing the base building appropriation by the amount of \$500,000, to \$750,000. I will, however, submit to the Legislature a one-time supplemental appropriation for \$300,000 to support this program.

My third objection to the Bill is contained in Item 64, page 72, line 32 through line 33, which states:

**“Grants for Licensed Domestic Violence
Programs and Statewide Prevention 750 2,500,000”**

Being acutely aware of the national economy, the budget deficits currently facing the vast majority of states, and the future funding challenges in West Virginia’s Medicaid program, it is imperative that a cautious and prudent approach be taken to avoid building the State’s base budget. The above appropriation of \$2,500,000 is \$1,000,000 above the funding available in FY 2009. Therefore, I am reducing the base building appropriation by the amount of \$1,000,000, to \$1,500,000. I will, however, submit to the Legislature a one-time supplemental appropriation for \$1,000,000 to support this program.

My fourth objection to the Bill is contained in Item 274, page 204, line 4, which states:

“Technology System Specialists 062 5,000,000”

Being acutely aware of the national economy and of the budget deficits currently facing many other states, it is imperative that a cautious and prudent approach is taken to avoid building the State’s base budget. The above appropriation of \$5,000,000 would start a new program for FY 2010 that has not been fully vetted to determine if there is redundancy with existing programs or a true need. Therefore, I am reducing the appropriation by its full amount, \$5,000,000, to \$0, to prevent base building of the budget.

My fifth objection to the Bill is contained in the language found in Item 274, page 205, line 6 through line 28, which states:

“From the above appropriation for Technology System Specialists (activity 062), the State Department of Education shall make available matching grants of \$40,000 to county boards of education for each *learning technology proficient school* with a minimum net enrollment of 450 students for a full-time Technology System Specialist to be employed within the school. The grants shall be awarded until funds are exhausted. The grants shall be determined on a competitive basis by the West Virginia State Department of Education and report guidelines and procedures to the Legislative Oversight Committee on Education Accountability (LOCEA). The State Department of Education shall enter an agreement with each county board of education receiving a grant specifying a county board matching obligation of at least \$20,000 of the total employment costs represented by each grant-funded position and the Technology System Specialist job description and qualifications. *Learning technology proficient school* is hereby defined as a public school having at least one classroom computer for every five students, at least one digital projector for

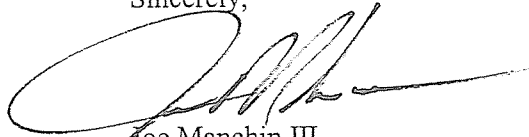
The Honorable Natalie E. Tennant
June 5, 2009
Page 3 of 3

every five classrooms and at least one interactive whiteboard, as evidenced by the West Virginia Department of Education 2008 Digital Divide Survey.”

As fully set forth in my fourth objection herein, I am deleting the funding of \$5,000,000 for Technology System Specialists. Therefore, I am deleting the corresponding language in its entirety contained from line 6 through line 28, on page 205.

For the reasons stated herein, I have approved, with the above objections, Enrolled Committee Substitute for House Bill No. 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Manchin III', with a long horizontal flourish extending to the right.

Joe Manchin III
Governor

JMIII:jr