WEST VIRGINIA LEGISLATURE
Regular Session, 2004

ENROLLED

SENATE BILL NO. 160

(By Senators Tomblin, Mr. President, and Sarnoski, by Request of the Executive)

PASSED March 11, 2004

In Effect ninety days from Passage
AN ACT to amend and reenact §5A-2-14a of the code of West Virginia, 1931, as amended, relating to appropriation in certain fiscal years of moneys to the bureau for medical services of the department of health and human resources from funds held in reserve for the public employees insurance agency.

Be it enacted by the Legislature of West Virginia:

That §5A-2-14a of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. FINANCE DIVISION.
§5A-2-14a. Reserves for the public employees insurance programs.

1 (a) There is hereby continued a special revenue account in the state treasury, designated the "Public Employees
Insurance Reserve Fund”, which is an interest-bearing account and may be invested in accordance with the provisions of article six, chapter twelve of this code, with the interest income a proper credit to the fund.

(b) The fund shall consist of moneys appropriated by the Legislature and moneys transferred annually pursuant to the provisions of subsection (c) of this section. These moneys shall be held in reserve and appropriated by the Legislature only for the support of the programs provided by the public employees insurance agency: Provided, That in only the fiscal year beginning the first day of July, two thousand two, and in each of the next five fiscal years thereafter, and ending on the thirtieth day of June, two thousand eight, the moneys held in the fund may be appropriated to the bureau for medical services of the department of health and human resources.

(c) Annually each state agency, except for the higher education central office created in article four, chapter eighteen-b of this code; the higher education governing boards as defined in articles two and three of said chapter; and the state institutions of higher education as defined in section two, article one of said chapter shall transfer one percent of its annualized expenditures from state funds, excluding federal funds based on filled full-time equivalents as determined by the state budget office as of the first day of April for that fiscal year, to the public employees insurance reserve fund. The secretary may exempt that transfer only upon a showing by the requesting agency that the continued operation of that agency is dependent upon receipt of the exemption.

(d) Annually the secretary shall provide a report to the governor and the Legislature on the amount of reserves established pursuant to the provisions of this section, the number of exemptions granted and the agencies receiving those exemptions.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Greg Butler

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is disapproved this the

Day of April, 2004.

Governor