

VETO SB 160

FILED

2004 APR -6 P 6:51

SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
Regular Session, 2004

ENROLLED

SENATE BILL NO. 160

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

PASSED March 11, 2004

In Effect ninety days from Passage

FILED

2004 APR -6 P 6:51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 160

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE,
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
- 2 in the state treasury, designated the "Public Employees

3 Insurance Reserve Fund”, which is an interest-bearing
4 account and may be invested in accordance with the
5 provisions of article six, chapter twelve of this code, with
6 the interest income a proper credit to the fund.

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

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

33 (d) Annually the secretary shall provide a report to the
34 governor and the Legislature on the amount of reserves
35 established pursuant to the provisions of this section, the
36 number of exemptions granted and the agencies receiving
37 those exemptions.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within is disapproved this the *6th*.....
Day of *April*....., 2004.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR
DATE 3/22/04
TIME 9:40am