Enrolled

Senate Bill 1002

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed May 27, 2016; in effect from passage]
WEST VIRGINIA LEGISLATURE

2016 FIRST EXTRAORDINARY SESSION

Enrolled

Senate Bill 1002

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed May 27, 2016; in effect from passage]
AN ACT expiring funds to the unappropriated balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2016, in the amount of $1,000,000 from the Governor’s Office, Civil Contingent Fund, fund 0105, fiscal year 2004, organization 0100, appropriation 61400; in the amount of $1,000,000 from the Governor’s Office, Civil Contingent Fund, fund 0105, fiscal year 2005, organization 0100, appropriation 23800; in the amount of $1,000,000 from the Governor’s Office, Civil Contingent Fund, fund 0105, fiscal year 2006, organization 0100, appropriation 61400; $3,150,000 from the Joint Expenses, Tax Reduction and Federal Funding Increased Compliance (TRAFFIC), fund 0175, fiscal year 2009, organization 2300, appropriation 64200; in the amount of $3,000,000 from the Treasurer’s Office, Personal Income Tax Reserve Fund, fund 1313, fiscal year 2016, organization 1300; in the amount of $8,500,000 from the Attorney General, Consumer Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500; in the amount of $2,500,000 from the Department of Health and Human Resources, West Virginia Health Care Authority – Health Care Costs Review Fund, fund 5375, fiscal year 2016, organization 0507; in the amount of $32,000,000 from the Department of Revenue, Office of the Secretary – Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2016, organization 0701; in the amount of $5,000,000 from the Department of Revenue, Insurance Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2016, organization 0704; in the amount of $4,631,089.49 from the Department of Revenue, Lottery Commission, Operating and Expenses Fund, fund 7200, fiscal year 2016, organization 0705; and in the amount of $2,000,000 from the Public Service Commission, fund 8623, fiscal year 2016, organization 0926.

Whereas, The Governor submitted to the Legislature the Executive Budget document, dated January 13, 2016, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2015, and further included the estimate of revenues
for the fiscal year 2016, less net appropriation balances forwarded and regular appropriations for
the fiscal year 2016; and

Whereas, Current economic and fiscal trends are anticipated to result in projected year-end revenue deficits, including potential significant shortfalls in Severance Tax, and shortfalls in Personal Income Tax and Consumers Sales and Use Tax; and

Whereas, Unappropriated balances and projected year-end revenue surpluses in various other General Revenue sources will only offset a small portion of these deficits; and

Whereas, The total projected year-end revenue deficit for the General Revenue Fund prior to any budget or revenue adjustments was estimated at $464.5 million; and

Whereas, On October 22, 2015, the Governor issued Executive Order 7-15 which directed a spending reduction for General Revenue appropriations for fiscal year 2016 totaling $93,379,526; and

Whereas, The Legislature agreed to take voluntary action to effect a four percent spending reduction of its General Revenue appropriation for fiscal year 2016 totaling $938,067; and

Whereas, The Governor recommended and the Legislature passed SB 342, that reduced General Revenue appropriations to the Department of Health and Human Resources and the Bureau of Senior Services by $53,900,000; and

Whereas, During the 2016 regular session the Legislature passed HB 4155, which expired $22,989,375 to the Medical Services Trust Fund from various special revenue balances; and

Whereas, The Secretary of the Department of Revenue has submitted a monthly General Revenue Fund Collections Report for the first ten months of fiscal year 2016 as prepared by the State Budget Office; and

Whereas, This report, which includes approximately $110 million of additional revenue collected due to previous legislative actions in SB 364 and SB 419 during the 2016 regular session, demonstrates that the State of West Virginia has experienced a revenue shortfall of
approximately $218.7 million for the first ten months of fiscal year 2016, as compared to the
monthly revenue estimates for the first ten months of the fiscal year 2016; and

Whereas, An additional $63 million is anticipated to be collected in May and June due to
legislative action in SB 419; and

Whereas, There still remains an estimated deficit of $111 million that must be addressed;
and

Whereas, The Governor intends to issue an additional Executive Order to reduce
spending from General Revenue appropriation for the Department of Health and Human
Resources for fiscal year 2016 totaling up to $45,797,000; and

Whereas, The Revenue Shortfall Reserve Fund may be drawn on in the event of a revenue
shortfall in lieu of imposing additional reductions in appropriations; and

Whereas, The Legislature finds that the account balances in the Governor’s Office, Civil
Contingent Fund, fund 0105, fiscal year 2004, organization 0100, appropriation 61400; in the
Governor’s Office, Civil Contingent Fund — Total Surplus, fund 0105, fiscal year 2005,
organization 0100, appropriation 23800; in the Governor’s Office, Civil Contingent Fund, fund-
0105, fiscal year 2006, organization 0100, appropriation 61400; in the Joint Expenses, Tax
Reduction and Federal Funding Increased Compliance (TRAFFIC), fund 0175, fiscal year 2009,
organization 2300, appropriation 64200; in the Treasurer’s Office, Personal Income Tax Reserve
Fund, fund 1313, fiscal year 2016, organization 1300; in the Attorney General, Consumer
Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500; in the Department of
Health and Human Resources, West Virginia Health Care Authority – Health Care Costs Review
Fund, fund 5375, fiscal year 2016, organization 0507; in the Department of Revenue, Office of
the Secretary - Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2016, organization 0701;
in the Department of Revenue, Insurance Commissioner – Insurance Commission Fund, fund
7152, fiscal year 2016, organization 0704; in the Department of Revenue, Lottery Commission,
Operating and Expenses Fund, fund 7200, fiscal year 2016, organization 0705; and in the Public
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Service Commission, fund 8623, fiscal year 2016, organization 0926, exceed that which is necessary for the purposes for which the accounts were established; therefore

Be it enacted by the Legislature of West Virginia:

That the balance of the funds available for expenditure in the fiscal year ending June 30, 2016, in the Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2016, organization 0100, appropriation 61400, be decreased by expiring the amount of $1,000,000; in the Governor's Office, Civil Contingent Fund, Total Surplus, fund 0105, fiscal year 2005, organization 0100, appropriation 23800, be decreased by expiring the amount of $1,000,000; in the Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2006, organization 0100, appropriation 61400, be decreased by expiring the amount of $1,000,000; Joint Expenses, Tax Reduction and Federal Funding Increased Compliance (TRAFFIC), fund 0175, fiscal year 2009, organization 2300, appropriation 64200, be decreased by expiring the amount of $3,150,000; in the Treasurer's Office, Personal Income Tax Reserve Fund, fund 1313, fiscal year 2016, organization 1300, be decreased by expiring the amount of $3,000,000; in the Attorney General, Consumer Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500, be decreased by expiring the amount of $8,500,000; in the Department of Health and Human Resources, West Virginia Health Care Authority – Health Care Costs Review Fund, fund 5375, fiscal year 2016, organization 0507, be decreased by expiring the amount of $2,500,000; in the Department of Revenue, Office of the Secretary - Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2016, organization 0701, be decreased by expiring the amount of $32,000,000; in the Department of Revenue, Insurance Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2016, organization 0704, be decreased by expiring the amount of $5,000,000; in the Department of Revenue, Lottery Commission, Operating and Expenses Fund, fund 7200, fiscal year 2016, organization 0705, be decreased by expiring the amount of $4,631,089.49; and in the Public Service Commission, fund 8623, fiscal year 2016, organization 0926, be decreased by expiring the amount of $2,000,000, all to the unappropriated balance of the State Fund, General Revenue, to be available during the fiscal year ending June 30, 2016.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, Senate Committee

Chairman, House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within was approved with suggestions and the Day of June, 2016.

Governor
PRESENTED TO THE GOVERNOR

JUN 01 2016

Time 1:00 pm