

WEST VIRGINIA LEGISLATURE
2016 FIRST EXTRAORDINARY SESSION

Enrolled

Senate Bill 1010

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed June 14, 2016; in effect from passage]

SB 1010

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2016 JUN 16 P 4:40

FILED

1 AN ACT making a supplementary appropriation of public moneys out of the Treasury from the
2 balance of moneys remaining as an unappropriated balance in the State Fund, General
3 Revenue, to the Department of Education, State Board of Education – State Department
4 of Education, fund 0313, fiscal year 2016, organization 0402, by supplementing and
5 amending the appropriations for the fiscal year ending June 30, 2016.

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

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

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

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

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

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

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

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

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

26 Whereas, This report, which includes approximately \$110 million of additional revenue
27 collected due to previous legislative actions in SB 364, SB 352 and SB 419 during the 2016
28 regular session, demonstrates that the State of West Virginia has experienced a revenue shortfall
29 of approximately \$218.7 million for the first ten months of fiscal year 2016, as compared to the
30 monthly revenue estimates for the first ten months of fiscal year 2016; and

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

33 Whereas, The Boone County Board of Education has an estimated \$2.2 million deficit as
34 a result of bankruptcy proceedings and unpaid property taxes for fiscal year 2016; and


35 Whereas, The Boone County Board of Education will be required to reimburse the General
36 Revenue Fund of the state for any property taxes recovered as a result of ongoing proceedings
37 in bankruptcy court pursuant to W. Va. Code §18-9A-12(b)(3); and

38 Whereas, There still remains an estimated deficit of \$113 million that must be addressed;
39 and

40 Whereas, During the 2016 first extraordinary session, the Governor recommended, and
41 the Legislature amended and passed, SB 1002, which expired \$63,781,089 million to the State
42 Fund, General Revenue to address the current year deficit; and

43 Whereas, The Governor intends to issue an additional Executive Order to reduce
44 spending from General Revenue appropriation for the Department of Health and Human
45 Resources for fiscal year 2016 totaling up to \$47.9 million; and

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

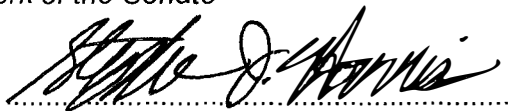

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Member ~~Chairman~~, Senate Committee

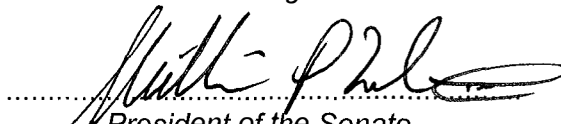

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Chairman, House Committee

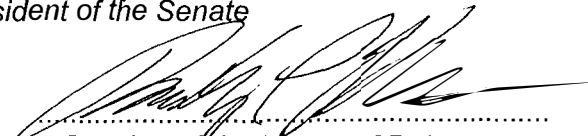
Originated in the Senate.

In effect from passage.



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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within *is approved* this the *16th*
Day of *June*, 2016.


.....
Governor

PRESENTED TO THE GOVERNOR

JUN 16 2016

Time 11:09 AM