Enrolled

Senate Bill 1010

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed June 14, 2016; in effect from passage]
Enr. SB 1010

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

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, SB 352 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 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, The Boone County Board of Education has an estimated $2.2 million deficit as a result of bankruptcy proceedings and unpaid property taxes for fiscal year 2016; and

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

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

Whereas, During the 2016 first extraordinary session, the Governor recommended, and the Legislature amended and passed, SB 1002, which expired $63,781,089 million to the State Fund, General Revenue to address the current year deficit; 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 $47.9 million; and
Whereas, it appears from the statement of the State Fund, General Revenue and actions described herein, there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2016; therefore

Be it enacted by the Legislature of West Virginia:

That the total appropriation for the fiscal year ending June 30, 2016, to fund 0313, fiscal year 2016, organization 0402, be supplemented and amended by adding a new item of appropriation as follows:

**Title II – Appropriations.**

Section 1. Appropriations from General Revenue.

**Department of Education**

47 – State Board of Education – State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2016 Org 0402

<table>
<thead>
<tr>
<th>Appropriation Description</th>
<th>Appropriation</th>
<th>General Revenue Fund</th>
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<tbody>
<tr>
<td>18a Adjustment for Unpaid Property Taxes</td>
<td>35301</td>
<td>$2,174,591</td>
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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Enr. SB 1010

Originated in the Senate.

In effect from passage.

The within bill approved this the 16th Day of July, 2016.

Governor
PRESENTED TO THE GOVERNOR

JUN 16 2016

Time 11:09 AM.