WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED

House Bill 4155

(By Mr. Speaker (Mr. Armstead) and Delegate Miley)

[By Request of the Executive]

[Passed March 12, 2016; in effect from passage.]
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[By Request of the Executive]

[Passed March 12, 2016; in effect from passage.]
AN ACT making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2016, to the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund, fund 5214, fiscal year 2016, organization 0506, and the Department of Health and Human Resources, Division of Human Services — Medical Services Trust Fund, fund 5185, fiscal year 2016, organization 0511; and expiring funds to the Department of Health and Human Resources, Division of Human Services — Medical Services Trust Fund, fund 5185, organization 0511, 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, The Secretary of the Department of Revenue has submitted a monthly General Revenue Fund Collections Report for the first eight months of fiscal year 2016 as prepared by the State Budget Office; and

Whereas, This report demonstrates that the State of West Virginia has experienced a revenue shortfall of approximately $176 million for the first eight months of fiscal year 2016, as compared to the monthly revenue estimates for the first eight months of 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 revenue collections, and shortfalls in Personal Income Tax and Consumers Sales and Use Tax revenue collections; and

Whereas, 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 is estimated at $354 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 has established that there now remains an unappropriated balance in the Department of Health and Human Resources, Division of Health – West Virginia Birth-to-Three Fund, fund 5214, fiscal year 2016, organization 0506, and in the Department of Health and Human Resources, Division of Human Services — Medical Services Trust Fund, fund 5185, fiscal year 2016, organization 0511, that is available for expenditure during the fiscal year ending June 30, 2016 which is hereby appropriated by the terms of this supplementary appropriation bill; and

Whereas, the Legislature finds it necessary to expire funds to the balance of the Department of Health and Human Resources, Division of Human Services — Medical Services Trust Fund, fund 5185, organization 0511, to be available during the fiscal year ending June 30, 2016; and

Whereas, The Legislature finds that the account balances in the Attorney General – Consumer Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500; the Secretary of State, Motor Voter Registration Fund, fund 1606, fiscal year 2016, organization 1600; the Department of Administration, Risk and Insurance Management Board — Premium Tax Savings Fund, fund 2367, fiscal year 2016, organization 0218; the Department of Health and Human Resources, Division of Health – Infectious Medical Waste Program Fund, fund 5117, fiscal year 2016, organization 0506; the Department of Health and Human Resources, Division of Human Services – Medicaid Fraud Control Fund, fund 5141, fiscal year 2016, organization 0511;
the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations, fund 5156, fiscal year 2016, organization 0506; the Department of Health and Human Resources, Division of Health – Tobacco Control Special Fund, fund 5218, fiscal year 2016, organization 0506; the Department of Health and Human Resources, Division of Health — Department of Health and Human Resources Safety and Treatment Fund, fund 5228, fiscal year 2016, organization 0506; the Department of Health and Human Resources, West Virginia Health Care Authority - Health Care Cost Review Authority Fund, fund 5375, fiscal year 2016, organization 0507; the Department of Health and Human Resources, Division of Human Services – Marriage Education Fund, fund 5490, fiscal year 2016, organization 0511; Miscellaneous Boards and Commissions — Public Service Commission – Public Service Commission Fund, fund 8623, fiscal year 2016, organization 0926; and the West Virginia Economic Development Authority — Economic Development Project Bridge Loan Fund, fund 9066, fiscal year 2016, organization 0944 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 total appropriation for the fiscal year ending June 30, 2016, to fund 5214, fiscal year 2016, organization 0506, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

206 – Division of Health –

West Virginia Birth-to-Three Fund

(WV Code Chapter 16)

Fund 5214 FY 2016 Org 0506
And, That the total appropriation for the fiscal year ending June 30, 2016, to fund 5185, fiscal year 2016, organization 0511, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

213 – Division of Human Services –

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2016 Org 0511

And, That the balance of the funds available for expenditure in the fiscal year ending June 30, 2016, in the Attorney General – Consumer Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500, be decreased by expiring the amount of $5,000,000; the Secretary of State, Motor Voter Registration Fund, fund 1606, fiscal year 2016, organization 1600, be decreased by expiring the amount of $500,000; the Department of Administration, Risk and Insurance Management Board — Premium Tax Savings Fund, fund 2367, fiscal year 2016, organization 0218, be decreased by expiring the amount of $2,527,991.87; the Department of Health and Human Resources, Division of Health – Infectious Medical Waste Program Fund, fund 5117, fiscal year 2016, organization 0506, be decreased by expiring the amount of $500,000; the Department of Health and Human Resources, Division of Human Services, Medicaid Fraud
Control Fund, fund 5141, fiscal year 2016, organization 0511, be decreased by expiring the amount of $500,000; the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations, fund 5156, fiscal year 2016, organization 0506, be decreased by expiring the amount of $4,000,000; the Department of Health and Human Resources, Division of Health – Tobacco Control Special Fund, fund 5218, fiscal year 2016, organization 0506, be decreased by expiring the amount of $50,000; the Department of Health and Human Resources, Division of Health — Department of Health and Human Resources Safety and Treatment Fund, fund 5228, fiscal year 2016, organization 0506, be decreased by expiring the amount of $500,000; the Department of Health and Human Resources, West Virginia Health Care Authority — Health Care Cost Review Authority Fund, fund 5375, fiscal year 2016, organization 0507, be decreased by expiring the amount of $5,000,000; the Department of Health and Human Resources, Division of Human Services – Marriage Education Fund, fund 5490, fiscal year 2016, organization 0511, be decreased by expiring the amount of $50,000; Miscellaneous Boards and Commissions — Public Service Commission – Public Service Commission Fund, fund 8623, fiscal year 2016, organization 0926, be decreased by expiring the amount of $3,000,000 and the West Virginia Economic Development Authority — Economic Development Project Bridge Loan Fund, fund 9066, fiscal year 2016, organization 0944, be decreased by expiring the amount of $1,361,384.62 all to the balance of the Department of Health and Human Resources, Division of Human Services — Medical Services Trust Fund, fund 5185, organization 0511, 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.

[Signatures of Chairman, House Committee and Member, Senate Committee]

Originating in the House.

In effect from passage.

[Signature of Clerk of the House of Delegates]

[Signature of Clerk of the Senate]

[Signature of Speaker of the House of Delegates]

[Signature of President of the Senate]

The within ........................................... this the .................................................... day of ..................................................., 2016.

[Signature of Governor]