

**WEST VIRGINIA LEGISLATURE**  
**2016 FIRST EXTRAORDINARY SESSION**

**Introduced**

**Senate Bill 1010**

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Introduced June 2, 2016]

1 A BILL 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 Consumer 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  
22 expired \$22,989,375 to the Medical Services Trust Fund from various special revenue balances;  
23 and

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

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

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

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

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

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

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

44           Whereas, It appears from the statement of the State Fund, General Revenue and actions  
45 described herein, there now remains an unappropriated balance in the State Treasury which is  
46 available for appropriation during the fiscal year ending June 30, 2016; therefore

*Be it enacted by the Legislature of West Virginia:*

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

4 **TITLE II – APPROPRIATIONS.**

5 **Section 1. Appropriations from general revenue.**

6 **DEPARTMENT OF EDUCATION**

7 *47 – State Board of Education –*  
8 *State Department of Education*

9 (WV Code Chapters 18 and 18A)

10 Fund 0313 FY 2016 Org 0402

| 11<br>12<br>13 |   | <b>Appro-<br/>prium</b> |    | <b>General<br/>Revenue<br/>Fund</b> |
|----------------|---|-------------------------|----|-------------------------------------|
| 14             | 18a Adjustment for Unpaid Property Taxes..... | 35301                   | \$ | 2,174,591                           |

NOTE: The purpose of this supplemental appropriation bill is to supplement, amend, and add an item of appropriation in the aforesaid account for the designated spending unit for expenditure during the fiscal year 2016.