

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

House Bill 4406

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[Originating in the Committee on Finance; Reported

on February 3, 2016]

1 A BILL to amend chapter 64 of the Code of West Virginia, 1931, as amended, by adding thereto
 2 a new article, designated article §64-12-1, relating to reauthorizing, with amendment, the
 3 existing legislative rule contained in title two hundred thirteen, series one, of the code of
 4 state rules, filed and effective April 14, 2015, under the authority of section two, article six-
 5 d, chapter twelve of said Code of West Virginia, authorizing the Enterprise Resource
 6 Planning Board to establish by legislative rule a user fee for the maintenance of the
 7 enterprise resource system.

Be it enacted by the Legislature of West Virginia:

1 That chapter 64 of the Code of West Virginia, 1931, as amended, be amended by adding
 2 thereto a new article, designated article §64-12-1, to read as follows:

ARTICLE 12. AMENDMENTS TO EXISTING LEGISLATIVE RULES.

§64-12-1. Enterprise Resource Planning Board.

1 The legislative rule contained in title two hundred thirteen, series one, of the code of state
 2 rules, filed and effective April 14, 2015, under the authority of section two, article six-d, chapter
 3 twelve of this code, relating to the enterprise resource planning system user fee, [213 CSR 1](#), is
 4 reauthorized, with the amendment set forth below:

5 On page two, subsection 3.2, line 4, following the words “of the ERP system” and the
 6 period, by adding the following: “The amount of the user fee assessed and imposed upon a
 7 spending unit of the state shall not exceed \$200 per FTE per year. The total amount of user fees
 8 that may be assessed in any fiscal year shall not exceed \$8,312,200. The authority of the Board
 9 to assess a user fee expires on and after January 1, 2018.”

NOTE: The purpose of this bill is to amend an existing legislative rule that currently establishes a process for determining a user fee for the maintenance of the Enterprise Resource Planning System. The existing rule gives the West Virginia Enterprise Resource Planning (ERP) Board exclusive authority to assess a user fee to be imposed upon every spending unit of state government utilizing the ERP System (wvOASIS), with no limitation on the amount of the fee nor any opportunity for its review by the Legislature. The amendment to the rule would impose temporary limitations on the amount of the fee and sunset the fee if the rule is not amended by legislative act to extend the fee beyond December 31, 2017.

Strike-throughs indicate language that would be stricken from the present law and underscoring indicates new language that would be added.