WEST VIRGINIA LEGISLATURE 2017 REGULAR SESSION

ENROLLED

Committee Substitute

For

OFFICE WEST VIRGINIA SECRETARY OF STATE

House Bill 2801

BY DELEGATE MILEY

(BY REQUEST OF THE EXECUTIVE)

[Passed April 8, 2017; in effect from passage.]

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[Passed April 8, 2017; in effect from passage.]

1 AN ACT expiring funds to the unappropriated balance in the State Fund, General Revenue, for 2 the fiscal year ending June 30, 2017, in the amount of \$2,000,000 from the Legislative, 3 Senate, fund 0165, fiscal year 2012, organization 2100, appropriation 02100, in the 4 amount of \$1,000,000 from the Legislative, Senate, fund 0165, fiscal year 2012, 5 organization 2100, appropriation 06400, in the amount of \$500,000 from the Legislative, 6 House of Delegates, fund 0170, fiscal year 2015, organization 2200, appropriation 00500, 7 in the amount of \$1,500,000 from the Legislative, House of Delegates, fund 0170, fiscal 8 year 2015, organization 2200, appropriation 02100, in the amount of \$500,000 from the 9 Legislative, Joint Expenses, fund 0175, fiscal year 2015, organization 2300, appropriation 10 10400, in the amount of \$2,000,000 from the Executive, Governor's Office, fund 0101, 11 fiscal year 2005, organization 0100, appropriation 66500, in the amount of \$800,000 from 12 the Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2005, 13 organization 0100, appropriation 08400, in the amount of \$200,000 from the Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2008, organization 0100, 14 appropriation 11400, in the amount of \$400,000 from the Department of Commerce, West 15 16 Virginia Development Office, fund 0256, fiscal year 2009, organization 0307, appropriation 13100, in the amount of \$400,000 from the Department of Commerce, West Virginia 17 18 Development Office, fund 0256, fiscal year 2011, organization 0307, appropriation 13100, in the amount of \$200,000 from the Department of Commerce, West Virginia Development 19 Office, fund 0256, fiscal year 2012, organization 0307, appropriation 13100, in the amount 20 of \$500,000 from the Department of Commerce, West Virginia Development Office, fund 21 0256, fiscal year 2007, organization 0307, appropriation 81900, in the amount of \$500,000 22 from the Department of Commerce, West Virginia Development Office, fund 0256, fiscal 23 year 2008, organization 0307, appropriation 81900, in the amount of \$500,000 from the 24 Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2009, 25 organization 0307, appropriation 81900, in the amount of \$1,600,000 from the Department 26

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Control Account, fund 0589, fiscal year 2012, organization 0441, appropriation 09700, in the amount of \$1,000,000 from the Higher Education Policy Commission – Administration - Control Account, fund 0589, fiscal year 2012, organization 0441, appropriation 66100. in the amount of \$40,404,684.31 from the Department of Revenue, Office of the Secretary - Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2017, organization 0701, in the amount of \$20,000,000 from the Department of Revenue, Insurance Commissioner -Insurance Commission Fund, fund 7152, fiscal year 2017, organization 0704, in the amount of \$100,000 from the State Board of Education, fund 3951, fiscal year 2007, organization 0402, appropriation 09900, in the amount of \$300,000 from the State Board of Education, fund 3951, fiscal year 2008, organization 0402, appropriation 09900, in the amount of \$500,000 from the State Board of Education, fund 3951, fiscal year 2012, organization 0402, appropriation 09900, in the amount of \$500,000 from the State Board of Education, fund 3951, fiscal year 2013, organization 0402, appropriation 39600, in the amount of \$500,000 from the State Board of Education, fund 3951, fiscal year 2014, organization 0402, appropriation 39600, in the amount of \$1,000,000 from the State Board of Education, fund 3951, fiscal year 2014, organization 0402, appropriation 93300, in the amount of \$150,000 from the Division of Culture and History - Lottery Education Fund, fund 3534, fiscal year 2003, organization 0432, appropriation 86500, in the amount of \$40,000 from the Division of Culture and History - Lottery Education Fund, fund 3534, fiscal year 2012, organization 0432, appropriation 62400, in the amount of \$150,000 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2011, organization 0433, appropriation 62500, in the amount of \$250,000 from the Library Commission – Lottery Education Fund, fund 3559, fiscal year 2012, organization 0433, appropriation 62500, in the amount of \$150,000 from the Bureau of Senior Services-Lottery Senior Citizens Fund, fund 5405, fiscal year 2011, organization 0508. appropriation 46200, in the amount of \$350,000 from the Bureau of Senior Services-

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Whereas, The Governor submitted to the Legislature the Executive Budget Document, dated February 8, 2017, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2016, and further included the estimate of revenues

131	for the fiscal year 2017, less net appropriation balances forwarded and regular appropriations for
132	the fiscal year 2017; and
133	Whereas, The Secretary of the Department of Revenue has submitted a monthly General
134	Revenue Fund Collections Report for the first nine months of fiscal year 2017 as prepared by the
135	State Budget Office; and
136	Whereas, This report demonstrates that the State of West Virginia has experienced a
137	revenue shortfall of approximately \$79 million for the first nine months of fiscal year 2017, as
138	compared to the monthly revenue estimates for the first nine months of the fiscal year 2017; and
139	Whereas, Current economic and fiscal trends are anticipated to result in projected year-
140	end revenue deficits, including potential significant shortfalls in Personal Income Tax, Consumers
141	Sales and Use Tax, and Corporation Net Income Tax; and
142	Whereas, Projected year-end revenue surpluses in various other General Revenue
143	sources will only offset a small portion of these deficits; and
144	Whereas, The total projected year-end revenue deficit for the General Revenue Fund is
145	estimated at \$192 million; and
146	Whereas, On November 4, 2016, the Governor issued Executive Order 8-16 which
147	redirected certain revenues pursuant to the terms of SB 419 for fiscal year 2017 of approximately
148	\$25.5 million; and
149	Whereas, On November 15, 2016, the Governor issued Executive Order 9-16 which
15 0	directed a spending reduction for General Revenue appropriations for fiscal year 2017 of
151	approximately \$59.8 million; and
152	Whereas, On December 30, 2016, the remaining balance of \$5,000,000 in the Personal
153	Income Tax Reserve Fund was utilized to ensure timely payment of tax refunds; and
154	Whereas, The Governor finds that the account balances in the listed accounts exceed that
155	which is necessary for the purposes for which the accounts were established; and

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Whereas, The Revenue Shortfall Reserve Fund may be drawn on in the event of a revenue shortfall in lieu of imposing additional reductions in appropriations; therefore

Be it enacted by the Legislature of West Virginia:

That the balance of the funds available for expenditure in the fiscal year ending June 30, 2017, in the Legislative, Senate, fund 0165, fiscal year 2012, organization 2100, appropriation 02100, be decreased by expiring the amount of \$2,000,000, in the Legislative, Senate, fund 0165, fiscal year 2012, organization 2100, appropriation 06400, be decreased by expiring the amount of \$1,000,000, in the Legislative, House of Delegates, fund 0170, fiscal year 2015, organization 2200, appropriation 00500, be decreased by expiring the amount of \$500,000, in the Legislative, House of Delegates, fund 0170, fiscal year 2015, organization 2200, appropriation 02100, be decreased by expiring the amount of \$1,500,000, in the Legislative, Joint Expenses, fund 0175, fiscal year 2015, organization 2300, appropriation 10400, be decreased by expiring the amount of \$500,000, in the Executive, Governor's Office, fund 0101, fiscal year 2005, organization 0100, appropriation 66500, be decreased by expiring the amount of \$2,000,000, in the Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2005, organization 0100, appropriation 08400, be decreased by expiring the amount of \$800,000, in the Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2008, organization 0100, appropriation 11400, be decreased by expiring the amount of \$200,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2009, organization 0307, appropriation 13100, be decreased by expiring the amount of \$400,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2011, organization 0307, appropriation 13100, be decreased by expiring the amount of \$400,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2012, organization 0307, appropriation 13100, be decreased by expiring the amount of \$200,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2007, organization 0307, appropriation 81900, be decreased by expiring the amount of \$500,000, in the Department of

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Commerce, West Virginia Development Office, fund 0256, fiscal year 2008, organization 0307, appropriation 81900, be decreased by expiring the amount of \$500,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2009, organization 0307, appropriation 81900, be decreased by expiring the amount of \$500,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2010, organization 0307. appropriation 81900, be decreased by expiring the amount of \$1,600,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2011, organization 0307, appropriation 81900, be decreased by expiring the amount of \$1,500,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2012, organization 0307, appropriation 81900, be decreased by expiring the amount of \$640,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2014, organization 0307, appropriation 81900, be decreased by expiring the amount of \$628,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2015, organization 0307, appropriation 81900, be decreased by expiring the amount of \$932,000, in the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2012, organization 0307, appropriation 94100, be decreased by expiring the amount of \$650,000, in the Department of Education, State Board of Education – State Department of Education, fund 0313, fiscal year 2011, organization 0402, appropriation 16100, be decreased by expiring the amount of \$150,000, in the Department of Education, State Board of Education - State Department of Education, fund 0313, fiscal year 2012, organization 0402, appropriation 16100, be decreased by expiring the amount of \$400,000, in the Department of Education, State Board of Education – State Department of Education, fund 0313, fiscal year 2013, organization 0402, appropriation 16100, be decreased by expiring the amount of \$400,000, in the Department of Education, State Board of Education – State Department of Education, fund 0313, fiscal year 2014, organization 0402. appropriation 16100, be decreased by expiring the amount of \$150,000, in the Department of Education, State Board of Education - State Department of Education, fund 0313, fiscal year

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2014, organization 0402, appropriation 88600, be decreased by expiring the amount of \$500,000, in the Department of Health and Human Resources – Office of the Secretary, fund 0400, fiscal year 2015, organization 0501, appropriation 19100, be decreased by expiring the amount of \$40,000, in the Department of Health and Human Resources – Office of the Secretary, fund 0400, fiscal year 2016, organization 0501, appropriation 19100, be decreased by expiring the amount of \$60,000, in the Department of Health and Human Resources, Consolidated Medical Services Fund, fund 0525, fiscal year 2014, organization 0506, appropriation 21900, be decreased by expiring the amount of \$1,000,000, in the Department of Military Affairs and Public Safety, Division of Corrections – Correctional Units, fund 0450, fiscal year 2011, organization 0608, appropriation 09700, be decreased by expiring the amount of \$200,000, in the Department of Military Affairs and Public Safety, Division of Corrections – Correctional Units, fund 0450, fiscal year 2012, organization 0608, appropriation 09700, be decreased by expiring the amount of \$200,000, in the Department of Military Affairs and Public Safety, Division of Corrections - Correctional Units, fund 0450, fiscal year 2012, organization 0608, appropriation 66100, be decreased by expiring the amount of \$480,000, in the Department of Military Affairs and Public Safety, Division of Corrections - Correctional Units, fund 0450, fiscal year 2012, organization 0608, appropriation 67700, be decreased by expiring the amount of \$1,000,000, in the Department of Military Affairs and Public Safety, Division of Justice and Community Services, fund 0546, fiscal year 2014, organization 0620, appropriation 56100, be decreased by expiring the amount of \$500,000, in the Department of Military Affairs and Public Safety, Division of Juvenile Services, fund 0570, fiscal year 2011, organization 0621, appropriation 75500, be decreased by expiring the amount of \$100,000, in the Department of Revenue, State Budget Office, fund 0595, fiscal year 2009, organization 0703, appropriation 09900, be decreased by expiring the amount of \$80,000, in the Department of Transportation, Aeronautics Commission, fund 0582, fiscal year 2013, organization 0807, appropriation 13000, be decreased by expiring the amount of \$300,000, in the Department of Veterans' Assistance, fund 0456, fiscal year 2013, organization 0613,

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The Joint Committee on Enrolled Bills hereby certifies that the correctly enrolled.	foregoi	ng bill i	S
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