

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 1002**

4 (By Senators Kessler (Mr. President) and M. Hall,

5 By Request of the Executive)

6 \_\_\_\_\_  
7 [Originating in the Committee on Finance;

8 reported March 14, 2014.]  
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12  
13 A BILL expiring funds to the unappropriated balance in the State  
14 Fund, General Revenue, for the fiscal year ending June 30,  
15 2014, in the amount of \$10,000,000 from the Joint Expenses,  
16 fund 0175, fiscal year 2006, organization 2300, activity 642,  
17 in the amount of \$10,000,000 from the Joint Expenses, fund  
18 0175, fiscal year 2007, organization 2300, activity 642, in  
19 the amount of \$5,293,000 from the Joint Expenses, fund 0175,  
20 fiscal year 2008, organization 2300, activity 642, in the  
21 amount of \$20,000,000 from Joint Expenses, Joint Expense  
22 Lottery Fund, fund 1736, fiscal year 2014, organization 2300,  
23 in the amount of \$5,707,000 from Joint Expenses, Tax Reduction  
24 and Federal Funding Increased Compliance, fund 1732, fiscal

1 year 2014, organization 2300, in the amount of \$9,000,000 from  
2 the Attorney General, Consumer Protection Fund, fund 1509,  
3 fiscal year 2014, organization 1500, and in the amount of  
4 \$10,000,000 from the Department of Revenue, Insurance  
5 Commissioner, Insurance Commission fund, fund 7152, fiscal  
6 year 2014, organization 0704, and making a supplementary  
7 appropriation of public moneys out of the Treasury from the  
8 balance of moneys remaining as an unappropriated balance in  
9 the State Fund, General Revenue, to the Department of Military  
10 Affairs and Public Safety, Division of Corrections -  
11 Correctional Units, and to the Department of Military Affairs  
12 and Public Safety, Division of Juvenile Services, by  
13 supplementing and amending the appropriations for the fiscal  
14 year ending June 30, 2014.

15 WHEREAS, the Governor finds that the account balances in Joint  
16 Expense, fund 0175, fiscal year 2006, organization 2300, activity  
17 642, Joint Expenses, fund 0175, fiscal year 2007, organization  
18 2300, activity 642, Joint Expenses, fund 0175, fiscal year 2008,  
19 organization 2300, activity 642, Joint Expenses, Joint Expense  
20 Lottery Fund, fund 1736, fiscal year 2014, organization 2300, Joint  
21 Expenses, Tax Reduction and Federal Funding Increased Compliance,  
22 fund 1732, fiscal year 2014, organization 2300, the Attorney  
23 General, Consumer Protection Fund, fund 1509, fiscal year 2014,  
24 organization 1500, and the Department of Revenue, Insurance

1 Commissioner, Insurance Commission fund, fund 7152, fiscal year  
2 2014, organization 0704, exceed that which is necessary for the  
3 purposes for which the accounts were established; and

4 WHEREAS, The Governor submitted to the Legislature the  
5 Executive Budget Document, dated January 8, 2014, which included a  
6 statement of the State Fund, General Revenue, setting forth therein  
7 the cash balance as of July 1, 2013, and further included the  
8 estimate of revenues for fiscal year 2014, less net appropriation  
9 balances forwarded and regular appropriations for the fiscal year  
10 2014; and

11 WHEREAS, The Secretary of the Department of Revenue has  
12 submitted a monthly General Revenue Fund Collections Report for the  
13 first seven months of fiscal year 2014 as prepared by the State  
14 Budget Office; and

15 WHEREAS, This report demonstrates that the State of West  
16 Virginia has experienced a revenue shortfall of approximately \$73.1  
17 million for the first seven months of fiscal year 2014, as compared  
18 to the monthly revenue estimates for the first seven months of the  
19 fiscal year 2014; and

20 WHEREAS, Current economic and fiscal trends will result in  
21 projected year-end revenue deficits, including projected shortfalls  
22 in Personal Income Tax, Consumer Sales and Use Tax, and Interest  
23 Income; and

24 WHEREAS, Projected year-end revenue surpluses in various other

1 General Revenue sources will only offset a small portion of these  
2 deficits; and

3 WHEREAS, The total projected year-end revenue deficit for the  
4 General Revenue Fund is now projected to be higher than the  
5 previous estimated deficit of \$60 million; and

6 WHEREAS, The Constitution of the State of West Virginia  
7 requires that there be a balance between the State's revenues and  
8 expenditures for each fiscal year; and

9 WHEREAS, On December 17, 2013, the Governor issued a  
10 memorandum to Cabinet Secretaries implementing temporary  
11 restrictions on general revenue funded hiring to help reduce  
12 expenditures and close the anticipated budget gap in fiscal year  
13 2014; and

14 WHEREAS, On January 3, 2014, the Governor, after careful  
15 analysis of fiscal year 2014 spending trends to date, issued  
16 Executive Order 1-14 to effect a spending reduction of targeted  
17 appropriation to aid in the balancing of the fiscal year 2014  
18 budget; and

19 WHEREAS, This spending reduction is expected to generate a  
20 savings of approximately \$33 million; and

21 WHEREAS, There are other possible spending reductions  
22 available to the Governor should the need arise; and

23 WHEREAS, There is remaining an expected deficit in the budget  
24 that must be balanced; therefore

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

2       That the balance of the funds available for expenditure in the  
3 fiscal year ending June 30, 2014, to the Joint Expenses, fund 0175,  
4 fiscal year 2006, organization 2300, activity 642, be decreased by  
5 expiring the amount of \$10,000,000, and to the Joint Expenses, fund  
6 0175, fiscal year 2007, organization 2300, activity 642, be  
7 decreased by expiring the amount of \$10,000,000, and to the Joint  
8 Expenses, fund 0175, fiscal year 2008, organization 2300, activity  
9 642, be decreased by expiring the amount of \$5,293,000, and to the  
10 Joint Expenses, Joint Expense Lottery Fund, fund 1736, fiscal year  
11 2014, organization 2300, be decreased by expiring the amount of  
12 \$20,000,000, and to the Joint Expenses, Tax Reduction and Federal  
13 Funding Increased Compliance, fund 1732, fiscal year 2014,  
14 organization 2300, be decreased by expiring the amount of  
15 \$5,707,000, and to the Attorney General, Consumer Protection Fund,  
16 fund 1509, fiscal year 2014, organization 1500, be decreased by  
17 expiring the amount of \$9,000,000, and to the Department of  
18 Revenue, Insurance Commissioner, Insurance Commission fund, fund  
19 7152, fiscal year 2014, organization 0704, be decreased by expiring  
20 the amount of \$10,000,000, all to the unappropriated balance of the  
21 State Fund, General Revenue, to be available during the fiscal year  
22 ending June 30, 2014.

23       And, That the total appropriation for the fiscal year ending  
24 June 30, 2014, to fund 0570, fiscal year 2014, organization 0621,

1 be supplemented and amended by decreasing existing items of  
2 appropriation as follows:

3 TITLE II - APPROPRIATIONS.

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

5 **DEPARTMENT OF MILITARY AFFAIRS**

6 **AND PUBLIC SAFETY**

7 *78-Division of Juvenile Services*

8 (WV Code Chapter 49)

9 Fund 0570 FY 2014 Org 0621

				<b>General</b>
			<b>Act-</b>	<b>Revenue</b>
			<b>ivity</b>	<b>Fund</b>
13	3	Robert L. Shell Juvenile Center. . .	267	\$ 50,653
14	10	Kenneth Honey Rubenstein		
15	11	Juvenile Center (R). . . . .	980	106,445

16 And, That the total appropriation for the fiscal year ending  
17 June 30, 2014, to fund 0450, fiscal year 2014, organization 0608,  
18 be supplemented and amended by adding a new item of appropriation  
19 as follows:

20 TITLE II - APPROPRIATIONS.

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

22 **DEPARTMENT OF MILITARY AFFAIRS**

23 **AND PUBLIC SAFETY**

24 *74-Division of Corrections -*

