

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 345**

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 February 27, 2014.]
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11
12 A BILL expiring funds to the unappropriated balance in the State
13 Fund, General Revenue, for the fiscal year ending June 30,
14 2014, in the amount of \$10,000,000 from the Joint Expenses,
15 fund 0175, fiscal year 2006, organization 2300, activity 642,
16 in the amount of \$10,000,000 from the Joint Expenses, fund
17 0175, fiscal year 2007, organization 2300, activity 642, in
18 the amount of \$9,293,000 from the Joint Expenses, fund 0175,
19 fiscal year 2008, activity 642, in the amount of \$20,000,000
20 from Joint Expenses, Joint Expense Lottery Fund, fund 1736,
21 fiscal year 2014, organization 2300, in the amount of
22 \$5,707,000 from Joint Expenses, Tax Reduction and Federal
23 Funding Increased Compliance, fund 1732, fiscal year 2014,
24 organization 2300, in the amount of \$5,000,000 from the

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

13 Whereas, the Governor finds that the account balances in Joint
14 Expense, fund 0175, fiscal year 2006, activity 642, Joint Expenses,
15 fund 0175, fiscal year 2007, organization 2300, activity 642, Joint
16 Expenses, fund 0175, fiscal year 2008, organization 2300, activity
17 642, Joint Expenses, Joint Expense Lottery Fund, fund 1736, fiscal
18 year 2014, organization 2300, Joint Expenses, Tax Reduction and
19 Federal Funding Increased Compliance, fund 1732, fiscal year 2014,
20 organization 2300, the Attorney General, Consumer Protection Fund,
21 fund 1509, fiscal year 2014, organization 1500, and the Department
22 of Revenue, Insurance Commissioner, Insurance Commission Fund, fund
23 7152, fiscal year 2014, organization 0704, exceed that which is
24 necessary for the purposes for which the accounts were established;

1 and

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

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

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

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

22 Whereas, Projected year-end revenue surpluses in various other
23 General Revenue sources will only offset a small portion of these
24 deficits; and

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

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

7 Whereas, On December 17, 2013, the Governor issued a
8 memorandum to cabinet secretaries implementing temporary
9 restrictions on general revenue funded hiring to help reduce
10 expenditures and close the anticipated budget gap in fiscal year
11 2014; and

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

17 Whereas, This spending reduction is expected to generate a
18 savings of approximately \$33 million; and

19 Whereas, There are other possible spending reductions
20 available to the Governor should the need arise; and

21 Whereas, There is remaining an expected deficit in the budget
22 that must be balanced; therefore

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

24 That the balance of the funds available for expenditure in the

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

21 And, That the total appropriation for the fiscal year ending
22 June 30, 2014, to fund 0570, fiscal year 2014, organization 0621,
23 be supplemented and amended by decreasing existing items of
24 appropriation as follows:

TITLE II - APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

78-Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2014 Org 0621

		Act-		General
		ivity		Revenue
				Fund
11 3	Robert L. Shell Juvenile Center. . .	267	\$	50,653
12 10	Kenneth Honey Rubenstein			
13 11	Juvenile Center (R).	980		106,445

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

TITLE II - APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

74-Division of Corrections -

Correctional Units

(WV Code Chapters 25, 28, 49 and 62)

Fund 0450 FY 2014 Org 0608

			General
		Act-	Revenue
		ivity	Fund
5 18a	Investigative Services..	716	\$ 157,098

6 The purpose of this supplemental appropriation bill is to
7 supplement, amend, decrease, add a new item and expire items of
8 appropriation in the aforesaid accounts for the designated spending
9 units for expenditure during the fiscal year 2014.