

1 Committee Substitute

2 for

3 **H. B. 2766**

4  
5 (By Mr. Speaker, (Mr. Armstead) and Delegate Miley)  
6 [By Request of the Executive]  
7

8 [Originating in the Committee on Finance]

9 (March 5, 2015)

10 A BILL expiring funds to the unappropriated balance in the State Fund, General Revenue, for the  
11 fiscal year ending June 30, 2015, in the amount of \$5,650,000 from the Joint Expenses, fund  
12 0175, fiscal year 2008, organization 2300, appropriation 64200, and in the amount of  
13 \$1,850,000 from the Joint Expenses, fund 0175, fiscal year 2009, organization 2300,  
14 appropriation 64200, and in the amount of \$75,365.64 from the Governor's Office - Civil  
15 Contingent Fund, fund 0105, fiscal year 2002, organization 0100, appropriation 11400, and  
16 in the amount of \$67,553.27 from the Governor's Office - Civil Contingent Fund, fund 0105,  
17 fiscal year 2002, organization 0100, appropriation 23800, and in the amount of \$122,113  
18 from the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2003,  
19 organization 0100, appropriation 23800, and in the amount of \$212,500 from the Governor's  
20 Office - Civil Contingent Fund, fund 0105, fiscal year 2003, organization 0100,  
21 appropriation 61400, and in the amount of \$635,179.58 from the Governor's Office - Civil  
22 Contingent Fund, fund 0105, fiscal year 2004, organization 0100, appropriation 23800, and  
23 in the amount of \$346,521.90 from the Governor's Office - Civil Contingent Fund, fund  
24 0105, fiscal year 2004, organization 0100, appropriation 26300, and in the amount of

1 \$1,207,149.67 from the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year  
2 2004, organization 0100, appropriation 61400, and in the amount of \$34,378.53 from the  
3 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2005, organization 0100,  
4 appropriation 11400, and in the amount of \$397,276.39 from the Governor's Office - Civil  
5 Contingent Fund, fund 0105, fiscal year 2005, organization 0100, appropriation 23800, and  
6 in the amount of \$1,272,323.47 from the Governor's Office - Civil Contingent Fund, fund  
7 0105, fiscal year 2006, organization 0100, appropriation 61400, and in the amount of  
8 \$2,227,821.66 from the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year  
9 2008, organization 0100, appropriation 11400, and in the amount of \$901,816.89 from the  
10 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2009, organization 0100,  
11 appropriation 11400, and in the amount of \$7,500,000 from the Treasurer's Office - Special  
12 Income Tax Refund Reserve Fund, fund 1313, fiscal year 2015, organization 1300.

13 WHEREAS, The Governor submitted to the Legislature the Executive Budget Document, dated  
14 January 14, 2015, which included a statement of the State Fund, General Revenue, setting forth  
15 therein the cash balance as of July 1, 2014, and further included the estimate of revenues for fiscal  
16 year 2015, less net appropriation balances forwarded and regular appropriations for the fiscal year  
17 2015; and

18 WHEREAS, The Secretary of the Department of Revenue has submitted a monthly General  
19 Revenue Fund Collections Report for the first six months of fiscal year 2015 as prepared by the State  
20 Budget Office; and

21 WHEREAS, This report demonstrates that the State of West Virginia has experienced a  
22 revenue shortfall of approximately \$34 million for the first six months of fiscal year 2015, as  
23 compared to the monthly revenue estimates for the first six months of the fiscal year 2015; and

1           WHEREAS, Current economic and fiscal trends will result in projected year-end revenue  
2 deficits, including potential significant shortfalls in Severance Tax, and smaller shortfalls in Personal  
3 Income Tax and Consumer Sales and Use Tax; and

4           WHEREAS, Projected year-end revenue surpluses in various other General Revenue sources  
5 will only offset a small portion of these deficits; and

6           WHEREAS, The total projected year-end revenue deficit for the General Revenue Fund is  
7 estimated at \$80 million; and

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

11           WHEREAS, on July 1, 2014, this temporary restriction on general revenue funded hiring was  
12 extended to help close the anticipated budget gap in fiscal year 2015; and

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

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

16           That the balance of the funds available for expenditure in the fiscal year ending June 30,  
17 2015, in the Joint Expenses, fund 0175, fiscal year 2008, organization 2300, appropriation 64200,  
18 be decreased by expiring the amount of \$5,650,000, and in the Joint Expenses, fund 0175, fiscal year  
19 2009, organization 2300, appropriation 64200, be decreased by expiring the amount of \$1,850,000,  
20 and in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2002, organization  
21 0100, appropriation 11400, be decreased by expiring the amount of \$75,365.64, and in the  
22 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2002, organization 0100,  
23 appropriation 23800, be decreased by expiring the amount of \$67,553.27, and in the Governor's

1 Office - Civil Contingent Fund, fund 0105, fiscal year 2003, organization 0100, appropriation 23800,  
2 be decreased by expiring the amount of \$122,113, and in the Governor's Office - Civil Contingent  
3 Fund, fund 0105, fiscal year 2003, organization 0100, appropriation 61400, be decreased by expiring  
4 the amount of \$212,500, and in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal  
5 year 2004, organization 0100, appropriation 23800, be decreased by expiring the amount of  
6 \$635,179.58, and in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2004,  
7 organization 0100, appropriation 26300, be decreased by expiring the amount of \$346,521.90, and  
8 in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2004, organization 0100,  
9 appropriation 61400, be decreased by expiring the amount of \$1,207,149.67, and in the Governor's  
10 Office - Civil Contingent Fund, fund 0105, fiscal year 2005, organization 0100, appropriation 11400,  
11 be decreased by expiring the amount of \$34,378.53, and in the Governor's Office - Civil Contingent  
12 Fund, fund 0105, fiscal year 2005, organization 0100, appropriation 23800, be decreased by expiring  
13 the amount of \$397,276.39, and in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal  
14 year 2006, organization 0100, appropriation 61400, be decreased by expiring the amount of  
15 \$1,272,323.47, and in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2008,  
16 organization 0100, appropriation 11400, be decreased by expiring the amount of \$2,227,821.66, and  
17 in the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2009, organization 0100,  
18 appropriation 11400, be decreased by expiring the amount of \$901,816.89, and in the Treasurer's  
19 Office - Special Income Tax Refund Reserve Fund, fund 1313, fiscal year 2015, organization 1300,  
20 be decreased by expiring the amount of \$7,500,000, all to the unappropriated balance of the State  
21 Fund, General Revenue, to be available during the fiscal year ending June 30, 2015.

22           The purpose of this supplemental appropriation bill is to expire items from the aforesaid  
23 accounts to the General Revenue unappropriated balance for the fiscal year 2015.