

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 4166

BY DELEGATES WESTFALL, KESSINGER, PAYNTER,
FOSTER, HAMRICK, BUTLER, STATLER, SUMMERS AND
HAMILTON

[Originating in the Committee on Finance;

February 21, 2018.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §19-1-4e, and to amend and reenact §19-12A-6a of said code, all relating to
3 establishing and funding a special revenue fund to be known as the “Capital Improvements
4 Fund — Department of Agriculture Facilities”; identifying expenditures that may be made
5 from the fund; identifying the source of moneys for the fund; eliminating certain deposits
6 in the General Revenue Account; and permitting deposits into certain funds.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

§19-1-4e. Capital Improvements Fund — Department of Agriculture Facilities.

1 The Capital Improvements Fund — Department of Agriculture Facilities is hereby created.
2 The fund shall be administered by the Department of Agriculture and shall consist of all moneys
3 made available for the purposes enumerated in this section transferred into the fund pursuant to
4 §19-12A-6a of this code and any moneys that may be appropriated and designated for the fund
5 by the Legislature and all interest or other return earned from investment of the fund.
6 Expenditures from the fund shall be used exclusively by the Commissioner of Agriculture for the
7 purpose of funding construction and capital improvements to facilities owned or occupied by the
8 Department of Agriculture and are not authorized from collections but are to be made only in
9 accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-
10 1, et seq. of this code and upon the fulfillment of the provisions set forth in §11B-2-1, et seq. Any
11 balance, including accrued interest and other returns, remaining in the fund at the end of each
12 fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be
13 expended as provided by this section.

ARTICLE 12A. LAND DIVISION.

§19-12A-6a. Special revenue account.

1 All funds collected by the ~~commission~~ department pursuant to this article, whether from
2 the sale of food, the disposition of assets other than land, the lease of land or minerals or any

3 other source, shall be paid into a special revenue account to be used for the purposes of this
4 article: *Provided*, That when the aggregate remaining balance at the end of any fiscal year of said
5 the funds so collected and deposited in the special revenue account in any fiscal year total
6 \$2,000,000, the commission shall deposit half of any excess funds collected into the special
7 revenue account, and half into the General Revenue Fund of the state exceeds \$1 million, the
8 Commissioner of Agriculture may transfer a portion of the funds not to exceed \$1 million to the
9 Capital Improvements Fund — Department of Agriculture Facilities established in §19-1-4e of this
10 code.