

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**ENROLLED**

## **House Bill 4155**

(BY MR. SPEAKER (MR. ARMSTEAD) AND

DELEGATE MILEY)

[BY REQUEST OF THE EXECUTIVE]

[Passed March 12, 2016; in effect from passage.]



1 AN ACT making a supplementary appropriation of public moneys out of the Treasury from the  
2 balance of moneys remaining unappropriated for the fiscal year ending June 30, 2016, to  
3 the Department of Health and Human Resources, Division of Health – West Virginia Birth-  
4 to-Three Fund, fund 5214, fiscal year 2016, organization 0506, and the Department of  
5 Health and Human Resources, Division of Human Services - Medical Services Trust Fund,  
6 fund 5185, fiscal year 2016, organization 0511; and expiring funds to the Department of  
7 Health and Human Resources, Division of Human Services — Medical Services Trust  
8 Fund, fund 5185, organization 0511, for the fiscal year ending June 30, 2016.

9 Whereas, The Governor submitted to the Legislature the Executive Budget Document,  
10 dated January 13, 2016, which included a Statement of the State Fund, General Revenue, setting  
11 forth therein the cash balance as of July 1, 2015, and further included the estimate of revenues  
12 for the fiscal year 2016, less net appropriation balances forwarded and regular appropriations for  
13 the fiscal year 2016; and

14 Whereas, The Secretary of the Department of Revenue has submitted a monthly General  
15 Revenue Fund Collections Report for the first eight months of fiscal year 2016 as prepared by the  
16 State Budget Office; and

17 Whereas, This report demonstrates that the State of West Virginia has experienced a  
18 revenue shortfall of approximately \$176 million for the first eight months of fiscal year 2016, as  
19 compared to the monthly revenue estimates for the first eight months of the fiscal year 2016; and

20 Whereas, Current economic and fiscal trends are anticipated to result in projected year-  
21 end revenue deficits, including potential significant shortfalls in Severance Tax revenue  
22 collections , and shortfalls in Personal Income Tax and Consumers Sales and Use Tax revenue  
23 collections; and

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

26           Whereas, The total projected year-end revenue deficit for the General Revenue Fund is  
27 estimated at \$354 million; and

28           Whereas, On October 22, 2015, the Governor issued Executive Order 7-15 which directed  
29 a spending reduction for General Revenue appropriations for fiscal year 2016 totaling  
30 \$93,379,526; and

31           Whereas, The Legislature agreed to take voluntary action to effect a four percent spending  
32 reduction of its General Revenue appropriation for fiscal year 2016 totaling \$938,067; and

33           Whereas, The Governor has established that there now remains an unappropriated  
34 balance in the Department of Health and Human Resources, Division of Health – West Virginia  
35 Birth-to-Three Fund, fund 5214, fiscal year 2016, organization 0506, and in the Department of  
36 Health and Human Resources, Division of Human Services - Medical Services Trust Fund, fund  
37 5185, fiscal year 2016, organization 0511, that is available for expenditure during the fiscal year  
38 ending June 30, 2016 which is hereby appropriated by the terms of this supplementary  
39 appropriation bill; and

40           Whereas, the Legislature finds it necessary to expire funds to the balance of the  
41 Department of Health and Human Resources, Division of Human Services - Medical Services  
42 Trust Fund, fund 5185, organization 0511, to be available during the fiscal year ending June 30,  
43 2016; and

44           Whereas, The Legislature finds that the account balances in the Attorney General –  
45 Consumer Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500; the  
46 Secretary of State, Motor Voter Registration Fund, fund 1606, fiscal year 2016, organization 1600;  
47 the Department of Administration, Risk and Insurance Management Board - Premium Tax  
48 Savings Fund, fund 2367, fiscal year 2016, organization 0218; the Department of Health and  
49 Human Resources, Division of Health – Infectious Medical Waste Program Fund, fund 5117, fiscal  
50 year 2016, organization 0506; the Department of Health and Human Resources, Division of  
51 Human Services – Medicaid Fraud Control Fund, fund 5141, fiscal year 2016, organization 0511;

52 the Department of Health and Human Resources, Division of Health – Hospital Services Revenue  
53 Account Special Fund Capital Improvement, Renovation and Operations, fund 5156, fiscal year  
54 2016, organization 0506; the Department of Health and Human Resources, Division of Health –  
55 Tobacco Control Special Fund, fund 5218, fiscal year 2016, organization 0506; the Department  
56 of Health and Human Resources, Division of Health - Department of Health and Human  
57 Resources Safety and Treatment Fund, fund 5228, fiscal year 2016, organization 0506; the  
58 Department of Health and Human Resources, West Virginia Health Care Authority - Health Care  
59 Cost Review Authority Fund, fund 5375, fiscal year 2016, organization 0507; the Department of  
60 Health and Human Resources, Division of Human Services – Marriage Education Fund, fund  
61 5490, fiscal year 2016, organization 0511; Miscellaneous Boards and Commissions - Public  
62 Service Commission – Public Service Commission Fund, fund 8623, fiscal year 2016,  
63 organization 0926; and the West Virginia Economic Development Authority - Economic  
64 Development Project Bridge Loan Fund, fund 9066, fiscal year 2016, organization 0944 exceed  
65 that which is necessary for the purposes for which the accounts were established; therefore

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

1 That the total appropriation for the fiscal year ending June 30, 2016, to fund 5214, fiscal  
2 year 2016, organization 0506, be supplemented and amended by increasing an existing item of  
3 appropriation as follows:

4 **TITLE II – APPROPRIATIONS.**

5 **Sec. 3. Appropriations from other funds.**

6 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

7 *206 – Division of Health –*

8 *West Virginia Birth-to-Three Fund*

9 (WV Code Chapter 16)

10 Fund 5214 FY 2016 Org 0506

11		<b>Appro-</b>		<b>Other</b>
12		<b>priation</b>		<b>Funds</b>
13	4 Current Expenses .....	13000	\$	3,200,000

14 And, That the total appropriation for the fiscal year ending June 30, 2016, to fund 5185,  
 15 fiscal year 2016, organization 0511, be supplemented and amended by increasing an existing  
 16 item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Sec. 3. Appropriations from other funds.**

**DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

*213 – Division of Human Services –*

*Medical Services Trust Fund*

(WV Code Chapter 9)

Fund 5185 FY 2016 Org 0511

24		<b>Appro-</b>		<b>Other</b>
25		<b>priation</b>		<b>Funds</b>
26	1 Medical Services .....	18900	\$	4,000,000

27 And, That the balance of the funds available for expenditure in the fiscal year ending June  
 28 30, 2016, in the Attorney General – Consumer Protection Recovery Fund, fund 1509, fiscal year  
 29 2016, organization 1500, be decreased by expiring the amount of \$5,000,000; the Secretary of  
 30 State, Motor Voter Registration Fund, fund 1606, fiscal year 2016, organization 1600, be  
 31 decreased by expiring the amount of \$500,000; the Department of Administration, Risk and  
 32 Insurance Management Board - Premium Tax Savings Fund, fund 2367, fiscal year 2016,  
 33 organization 0218, be decreased by expiring the amount of \$2,527,991.87; the Department of  
 34 Health and Human Resources, Division of Health – Infectious Medical Waste Program Fund, fund  
 35 5117, fiscal year 2016, organization 0506, be decreased by expiring the amount of \$500,000; the  
 36 Department of Health and Human Resources, Division of Human Services, Medicaid Fraud

37 Control Fund, fund 5141, fiscal year 2016, organization 0511, be decreased by expiring the  
38 amount of \$500,000; the Department of Health and Human Resources, Division of Health –  
39 Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and  
40 Operations, fund 5156, fiscal year 2016, organization 0506, be decreased by expiring the amount  
41 of \$4,000,000; the Department of Health and Human Resources, Division of Health – Tobacco  
42 Control Special Fund, fund 5218, fiscal year 2016, organization 0506, be decreased by expiring  
43 the amount of \$50,000; the Department of Health and Human Resources, Division of Health -  
44 Department of Health and Human Resources Safety and Treatment Fund, fund 5228, fiscal year  
45 2016, organization 0506, be decreased by expiring the amount of \$500,000; the Department of  
46 Health and Human Resources, West Virginia Health Care Authority - Health Care Cost Review  
47 Authority Fund, fund 5375, fiscal year 2016, organization 0507, be decreased by expiring the  
48 amount of \$5,000,000; the Department of Health and Human Resources, Division of Human  
49 Services – Marriage Education Fund, fund 5490, fiscal year 2016, organization 0511, be  
50 decreased by expiring the amount of \$50,000; Miscellaneous Boards and Commissions - Public  
51 Service Commission – Public Service Commission Fund, fund 8623, fiscal year 2016,  
52 organization 0926, be decreased by expiring the amount of \$3,000,000 and the West Virginia  
53 Economic Development Authority - Economic Development Project Bridge Loan Fund, fund 9066,  
54 fiscal year 2016, organization 0944, be decreased by expiring the amount of \$1,361,384.62 all to  
55 the balance of the Department of Health and Human Resources, Division of Human Services -  
56 Medical Services Trust Fund, fund 5185, organization 0511, to be available during the fiscal year  
57 ending June 30, 2016.





The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....  
*Chairman, House Committee*

.....  
*Chairman, Senate Committee*

Originating in the House.

In effect from passage.

.....  
*Clerk of the House of Delegates*

.....  
*Clerk of the Senate*

.....  
*Speaker of the House of Delegates*

.....  
*President of the Senate*

\_\_\_\_\_

The within ..... this the.....  
day of ....., 2016.

.....  
*Governor*