

WEST VIRGINIA

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

FILED

MAY 30 5 05 PM '97

Form #1

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: State Treasurer's Office TITLE NUMBER: 112CSR8

RULE TYPE: Legislative; CITE AUTHORITY W.V.Code - Section 12-3-1

AMENDMENT TO AN EXISTING RULE: YES ___ NO x

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: Series 8

TITLE OF RULE BEING PROPOSED: Procedures for Processing Payments from
the State Treasury

DATE OF PUBLIC HEARING: June 30, 1997 TIME: 10:00 a.m.

LOCATION OF PUBLIC HEARING: State Capitol Complex, Building 7, Room B
Charleston, West Virginia 25305

COMMENTS LIMITED TO: ORAL ___, WRITTEN ___, BOTH x


COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS: Anoop Bhasin

The Department requests that persons wishing to make
comments at the hearing make an effort to submit written
comments in order to facilitate the review of these comments.

West Virginia State Treasurer's
Office
Capitol Complex, Room E-122
Charleston, West Virginia 2530

The issues to be heard shall be limited to the proposed rule.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL


Authorized Signature

SUMMARY OF PROPOSED RULE

TITLE 112

LEGISLATIVE RULE

STATE TREASURER'S OFFICE

SERIES 8

PROCEDURES FOR PROCESSING PAYMENTS

FROM THE STATE TREASURY

This rule implements the provisions of W. Va. Code §12-3-1 et seq., wherein the State Treasurer's Office is required to develop procedures for processing payments from the State Treasury.

STATEMENT OF CIRCUMSTANCES OF PROPOSED RULE

TITLE 112

LEGISLATIVE RULE

STATE TREASURER'S OFFICE

SERIES 8

PROCEDURES FOR PROCESSING PAYMENTS

FROM THE STATE TREASURY

This agency approved rule is needed to comply with provisions of W. Va. Code embodied in Senate Bill 563, passed during the 1997 Regular Legislative Session, effective from passage on April 12, 1997. Senate Bill 563 expanded some of the State Treasurer's functions and duties and transferred several functions and duties of the West Virginia State Board of Investments to the State Treasurer's Office. Without this rule, the public interest can be substantially harmed by the loss of public moneys, since a lack of procedures could slow payment processing.

This rule implements the provisions of W. Va. Code §12-3-1 et seq., wherein the State Treasurer's Office is required to develop procedures for processing payments from the State Treasury.

This rule carries out the legislative intent as stated in the above mentioned code section, so that all warrants issued by the State Auditor on the Treasurer are processed by the Treasurer in accordance with the requirement of W. Va. Code §12-3-1.

**TITLE 112
LEGISLATIVE RULE
STATE TREASURER'S OFFICE**

**SERIES 8
PROCEDURES FOR PROCESSING PAYMENTS
FROM THE STATE TREASURY**

§112-8-1. General.

1.1. Scope. -- These rules implement the provisions of W. Va. Code §12-3-1 et seq., wherein the State Treasurer's Office is required to develop procedures for processing payments from the State Treasury.

1.2. Authority - W. Va. Code §12-3-1.

1.3. Filing Date. --

1.4. Effective Date. --

1.5. General Purpose - The purpose of these rules is to carry out the legislative intent as stated in the above mentioned code section, so that all warrants issued by the State Auditor on the Treasurer are processed by the Treasurer in accordance with the requirement of W. Va. Code §12-3-1.

§112-8-2. Definitions.

For purposes of these rules, unless a different meaning is clearly required by the context:

2.1. "Auditor" means the State Auditor of West Virginia;

2.2. "Bank" means the disbursement bank selected by the Board to process all checks issued by the State of West Virginia;

2.3. "Check" means a warrant issued by the Auditor and endorsed by the Treasurer directing the Treasurer's disbursement bank to pay money as instructed;

2.4. "Code" means the 1931 Code of West Virginia, as amended;

2.5. "Treasurer" means the West Virginia State Treasurer; and

2.6. "Warrant" means an authorization by the State Auditor authorizing the State Treasurer to pay an obligation of the State.

§112-8-3. Procedures for Processing State Warrants and Checks.

3.1 Check Processing by the Treasurer - Upon receipt by the Treasurer of a warrant issued by the Auditor, the Treasurer shall ascertain whether it has been drawn in pursuance of an appropriation made by law. If this requirement is met, the Treasurer shall endorse the warrant directing the Treasurer's disbursement bank to pay the money as instructed. The Auditor shall provide the Treasurer a daily listing of all checks issued. This listing shall be in paper form, electronic media, or such other form as determined by the Treasurer.

3.2. Check Processing by the Disbursement Bank - The disbursement bank shall process all checks issued by the Treasurer in accordance with the requirements of the contract for the disbursement account to be provided by the disbursement bank. The disbursement bank shall provide the Treasurer a daily listing of all checks paid for the current month up through the current date. Also, the disbursement bank shall provide the Treasurer the total dollar amount of checks paid by the bank each day. Each day the Treasurer shall transfer to the disbursement account from his receipt account an amount sufficient to pay the disbursement bank for all checks paid.

3.3. Reconciliation of the Disbursement Bank Account - The disbursement bank shall reconcile the disbursement account in accordance with the requirements of the disbursement account contract. After the Treasurer has verified the disbursement bank reconciliation, it will provide the Treasurer a list of all outstanding checks.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Procedures for Processing Payments from the State Treasury (112CSR8)

Type of Rule: X **Legislative** **Interpretive** **Procedural**

Agency State Treasurer's Office

Address State Capitol, Room E-145

Charleston, West Virginia 25305

Contact Person: Anoop Bhasin - Telephone (304) 341-0704

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERNATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

Bids are currently the accepted method of procurement and are a part of the normal expense of the office.

3. Objectives of these rules:

Comply with Senate Bill 563 as passed by the Legislature during the 1997 Legislative Session.

Rule Title: Procedures for Processing Payments from the State Treasury (112CSR8)

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

Timely payments and no late fees for the State.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

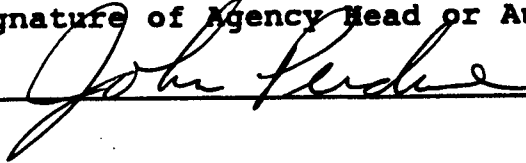
Vendors receive prompt payment of funds.

C. Economic Impact on Citizens/Public at Large.

Citizens will receive efficient payment of tax refunds and other funds they should receive from the State.

Date: 5/30/97

Signature of Agency Head or Authorized Representative



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