



**State of West Virginia**  
OFFICE OF THE STATE TREASURER  
CHARLESTON, WV 25305

**JOHN D. PERDUE**  
STATE TREASURER

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**JERRY SIMPSON**  
ASSISTANT STATE TREASURER

July 11, 1997

Ms. Judy Cooper  
Secretary of State's Office  
State Capitol Complex  
Charleston, West Virginia 25305

Dear Ms. Cooper:

As requested by the Secretary of State's Office, the State Treasurer's Office is asking the emergency rules filed on May 30, 1997 be withdrawn. The series' to be withdrawn are as follows: series 3, 4, 6, 7, 8, 9, and 10. In the event the rules need to be refiled in an emergency based for a specific case, the State Treasurer's Office retains the right to refile these emergency rules at a later date.

If you have any questions please contact me or Jim McMillon at 558-5000.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Simpson".

Jerry Simpson  
Assistant State Treasurer

c: John Perdue, State Treasurer  
Jim McMillon  
file

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

JUL 11 3 04 PM '97

FILED

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Form #7

Filing Date

FILED

MAY 30 5 06 PM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Effective Date

NOTICE OF AN EMERGENCY RULE

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

CITE AUTHORITY: W.V.Code - Section 12-3-1

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: Series 8

TITLE OF RULE BEING FILED AS AN EMERGENCY: Procedures for Processing Payments  
from the State Treasury

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY SECRETARY OF STATE OR 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

See Attached

Use additional sheets if necessary

  
Signature

**DATE:** 5/30/97

**TO:** LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

**FROM:** State Treasurer's Office

**EMERGENCY RULE TITLE:** Procedures for Processing Payments from the State Treasury  
(112CSR8)

1. **Date of Filing** 5/30/97

2. **Statutory authority for promulgating emergency rule:**

W.V.Code - Section 12-3-1

3. **Date of filing of proposed legislative rule:** 5/30/97

4. **Does the emergency rule adopt new language or does it amend or appeal a current legislative rule?**

This rule promulgated via Senate Bill 563 adopts new language

5. **Has the same or similar emergency rule previously been filed and expired?**

N/A

6. **State, with particularity, those facts and circumstances which make the emergency rule necessary for the immediate preservation of public peace, health, safety or welfare.**

N/A

7. If the emergency rule was promulgated in order to comply with a time limit established by the Code or federal statute or regulation, cite the Code provision, federal statute or regulation and time limit established therein.

N/A

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8. State, with particularity, those facts and circumstances which make the emergency rule necessary to prevent substantial harm to the public interest.

This rule is required according to legislation passed in Senate

Bill 563, effective 4/12/97. Substantial harm to the public

interest could result by operating without this rule.

(See Statement of Circumstances of Proposed Rule)

**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.

**SUMMARY OF PROPOSED RULE**

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**APPENDIX B**

**FISCAL NOTE FOR PROPOSED RULES**

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

**Type of Rule:**  **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	HEREAFTER
<b>ESTIMATED TOTAL COST</b>	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>PERSONAL SERVICES</b>					
<b>CURRENT EXPENSE</b>					
<b>REPAIRS &amp; ALTERNATIONS</b>					
<b>EQUIPMENT</b>					
<b>OTHER</b>					

**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**

