

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #4

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

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

CITE AUTHORITY W.Va.Code - Section 12-3-1

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

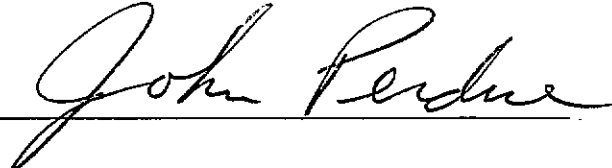
IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

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

TITLE OF RULE BEING PROPOSED: 112 - Procedures for Processing
Payments from the State Treasury

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.



**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. -- This rule implements the provisions of W.Va. Code §12-3-1 et seq., which require the Treasurer's Office 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 this rule is to carry out the legislative intent as stated in W.Va. Code §12-3-1, so that all warrants issued by the State Auditor on the Treasury are processed by the Treasurer in accordance with the requirements of W. Va. Code §12-3-1.

§112-8-2. Definitions.

For purposes of this rule, 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 Treasurer 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. "Treasurer" means the West Virginia State Treasurer; and

2.5. "Warrant" means an authorization by the State Auditor authorizing the 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 there are sufficient funds in the treasury to pay that warrant. If the Treasurer finds there are sufficient funds in the treasury to pay the warrant, he or she shall endorse the warrant. 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 any 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. The disbursement bank shall provide the Treasurer a daily listing of all checks paid. 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 or her receipt account, an amount sufficient to cover 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, the disbursement bank shall provide the Treasurer with a list of all outstanding checks.



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WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

State Capitol - Room MB-49
Charleston, West Virginia 25305
(304) 347-4840

Senator: Mike Ross, Co-Chairman
Delegate: Mark Hunt, Co-Chairman
Counsel: Debra A. Graham

Joseph A. Altizer, Associate Counsel
Rita Pauley, Associate Counsel
Audrey R. Ross, Admin. Assistant

August 22, 1997

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Ken Hechler, Secretary of State, State Register

TO: Anoop K. Bhasin
State Treasurer's Office
State Capitol Complex
Building 1, Room E-122
Charleston, WV 25303

FROM: Legislative Rule-Making Review Committee

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

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
 - (a) as originally filed
 - (b) as modified by the agency
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached.
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached.

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.