



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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8/26/2016 3:06:29 PM

OFFICE OF  
WEST VIRGINIA SECRETARY OF STATE

**FORM 3 -- NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE  
LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY **Treasurer**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **112-**

RULE NAME **Procedures for Processing Payments from the State Treasury** **08**

CITE AUTHORITY **§12-3-1**

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
**Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 112-08



Rule Id: 10248



Document: 28907



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**FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 1)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

**PRIMARY CONTACT**

Diana Stout  
1900 Kanawha Blvd., E.  
Bldg. 1, Room E-145  
Charleston, STATE ZIP

**SECONDARY CONTACT**

Wilma Harrison  
1900 Kanawha Blvd., E.  
Bldg. 1, RoomE-145  
Charleston, STATE SECONDARY ZIP SECONDARY

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**FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 1)**

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RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

AUTHORIZING STATUTE(S) CITATION  
§12-3-1

DATE FILED IN STATE REGISTER WITH NOTICE OF HEARING OR PUBLIC COMMENT PERIOD  
Wednesday, July 27, 2016

**WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?**

The rule was posted on the State Treasurer's website: [www.wvsto.gov/Legislative-Rules](http://www.wvsto.gov/Legislative-Rules). Notices were sent to all State of West Virginia elected officials and Cabinet Secretaries offices with a request they be forwarded to interested parties within their agencies. Additionally, notices were sent to BB&T, Bowles Rice, City National Bank, United Bank, Wesbanco, West Virginia Association of Community Bankers and the West Virginia Bankers Association.

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED  
Friday, August 26, 2016

Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 2)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

ATTACH LIST OF PERSONS WHO APPEARED AT HEARING, COMMENTS RECEIVED, AMENDMENTS, REASONS FOR AMENDMENTS.

No comments received

DATE YOU FILED IN STATE REGISTER THE AGENCY APPROVED PROPOSED LEGISLATIVE RULE FOLLOWING PUBLIC HEARING: (BE EXACT)

Friday, August 26, 2016

Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 3)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

IF THE STATUTE UNDER WHICH YOU PROMULGATED THE SUBMITTED RULES REQUIRES CERTAIN FINDINGS AND DETERMINATIONS TO BE MADE AS A CONDITION PRECEDENT TO THE PROMULGATION. GIVE THE DATE UPON WHICH YOU FILED IN THE STATE REGISTER A NOTICE OF THE TIME AND PLACE OF A HEARING FOR THE TAKING OF EVIDENCE AND A GENERAL DESCRIPTION OF THE ISSUES TO BE DECIDED.

Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 10 -- LEGISLATIVE QUESTIONNAIRE (Page 4)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

DATE OF HEARING OR COMMENT PERIOD

ON WHAT DATE DID YOU FILE IN THE STATE REGISTER THE FINDINGS AND DETERMINATIONS REQUIRED TOGETHER WITH THE REASONS THEREFOR?

ATTACH FINDINGS AND DETERMINATIONS AND REASONS  
**None**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

**PRIMARY CONTACT**

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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

**Revisions to the current rule will have no impact on the costs and revenues of state government.**

**Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 112-08



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)

AGENCY      Treasurer  
 RULE TYPE    Legislative                      AMENDMENT TO EXISTING RULE    Yes    TITLE-SERIES    112-  
 RULE NAME    Procedures for Processing Payments from the State Treasury                      08

CITE AUTHORITY    §12-3-1

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
ESTIMATED TOTAL COST	0	0	0
PERSONAL SERVICES	0	0	0
CURRENT EXPENSES	0	0	0
REPAIRS AND ALTERATIONS	0	0	0
ASSETS	0	0	0
OTHER	0	0	0
ESTIMATED TOTAL REVENUES	0	0	0

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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

The Treasurer's Office does not believe there will be any costs or revenues associated with the revisions to this rule.

Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)**

AGENCY	Treasurer				
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RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

**None.**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

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**FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)**

AGENCY	Treasurer				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	112-
RULE NAME	Procedures for Processing Payments from the State Treasury				08

CITE AUTHORITY §12-3-1

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

Rule modified from Notice version to correct a minor typo/display error. Rule revisions delete the general purpose and add a sunset provision, clarify reconciliation of accounts, and make technical clean ups.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
Diana Stout -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 112-08



Rule Id: 10248



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TITLE 112  
LEGISLATIVE RULE  
STATE TREASURY'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. -- ~~May 6, 1998.~~

1.4. Effective Date. -- ~~May 7, 1998.~~

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.~~ Sunset Provision. - This rule remains in effect for five years after the effective date.

**§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~~ or his or her designee from the Treasurer's office.

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 warrants 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.~~