

ENROLLED BILL

Second Extraordinary Session

SENATE BILL NO. 123

By Mr. Hodges

PASSED March 2nd 1934

IN EFFECT from PASSAGE

Originating in the.....	Takes effect.....	Passage.....
<i>Senate</i>	<i>June</i>	<i>June</i>
<i>James D. Smith</i>	<i>James D. Smith</i>	<i>James D. Smith</i>
Clerk.	Clerk House of Delegates.	Chairman House Committee.

CORRECTLY ENROLLED

ENROLLED BILL

(S. B. No. 123)

[Passed March 2, 1934; in effect from passage.]

AN ACT to amend and reenact section one, article three, chapter seventeen, code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, relating to the state road fund, providing for an expenditure therefrom for the relief of destitution.

Be it enacted by the Legislature of West Virginia:

That section one, article three, chapter seventeen, code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter forty, acts of the Legislature, first extraordinary session, one thousand nine hundred thirty-three, be amended and reenacted to read as follows:

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Chairman Senate Committee.



Chairman House Committee.

Section 1. There shall be a state road fund, which shall
 2 consist of the proceeds of all state license taxes imposed upon
 3 automobiles or other motor or steam driven vehicles; the regis-
 4 tration fees imposed upon all owners, chauffeurs, operators
 5 and dealers in automobiles or other motor driven vehicles; all
 6 sums of money which may be donated to such fund; all proceeds
 7 derived from the sale of state bonds issued pursuant to any
 8 resolution or act of the legislature carrying into effect the "road
 9 amendment" to the constitution of this state, adopted in the
 10 month of November, one thousand nine hundred twenty and
 11 the "road amendment" to the constitution of this state, adopted
 12 in the month of November, one thousand nine hundred twenty-
 13 eight; all moneys and funds appropriated to it by the legisla-
 14 ture; all moneys and funds allotted or appropriated by the
 15 federal government to this state for road construction and main-
 16 tenance pursuant to any act of the congress of the United
 17 States; the proceeds of all taxes imposed upon and collected
 18 from any person, firm or corporation and of all taxes or charges
 19 imposed upon and collected from any county, district or munici-
 20 pality for the benefit of such fund; the proceeds of all judg-
 21 ments, decrees or awards recovered and collected from any

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James A. Hyman

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

Enrolled S. B. No. 123]

3

22 person, firm or corporation for damages done to, or sustained
23 by, any of the state roads or parts thereof; all moneys recovered
24 or received by reason of the violation of any contract respecting
25 the building, construction or maintenance of any state road;
26 all penalties and forfeitures imposed, recovered or received by
27 reason thereof; and any and all other moneys and funds ap-
28 propriated to, imposed and collected for the benefit of such fund,
29 or collected by virtue of any statute and payable to such fund.

30 When any money is collected from any of the sources afore-
31 said, it shall be paid into the state treasury by the officers whose
32 duty it is to collect and account for the same, and credited to
33 the state road fund, and shall be used only for the purposes
34 named in this chapter, that is to say: (a) To pay the principal
35 and interest due on all state bonds issued for the benefit of said
36 fund, and set aside and appropriated for that purpose; (b) to
37 pay the expenses of the administration of the road department;
38 (c) to pay the cost of maintenance, construction, reconstruction
39 and improvement of all primary roads; (d) to pay the cost,
40 maintenance, construction, reconstruction and improvement of
41 all secondary roads:

42 *Provided, however,* That from any money credited to said

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James L. Smith

Chairman House Committee.

James L. Smith

James L. Smith

Chairman Senate Committee.

43 state road fund and not required for the purposes of clauses
44 (a) and (b), and not required for the performance of any con-
45 traets heretofore made for the purposes of said clauses (c) and
46 (d), during the fiscal year beginning July first, one thousand
47 nine hundred thirty-three and ending June thirtieth, one thou-
48 sand nine hundred thirty-four, not exceeding two hundred and
49 fifty thousand dollars, may be used for the purpose of aiding
50 in human relief by payment to the governor, or to the depart-
51 ment of public welfare, in the manner provided by law.

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A. B. Abbot
Chairman Senate Committee.

R. M. Shiner
Speaker of the House of Delegates

Geo. S. Hall
Clerk of the House of Delegates

P. S. Mainwaring
President of the Senate

James L. Smith
Chairman House Committee.

Samuel M. Lytle
Clerk of the Senate

The within is *approved*

this *5th* day of *March*, 1934.