ENROLLED BILL

Second Extraordinary Session

SENATE BILL NO. 123

By Mr. Hodge

PASSED March 2nd, 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:
Section 1. There shall be a state road fund, which shall consist of the proceeds of all state license taxes imposed upon automobiles or other motor or steam driven vehicles; the registration fees imposed upon all owners, chauffeurs, operators and dealers in automobiles or other motor driven vehicles; all sums of money which may be donated to such fund; all proceeds derived from the sale of state bonds issued pursuant to any resolution or act of the legislature carrying into effect the "road amendment" to the constitution of this state, adopted in the month of November, one thousand nine hundred twenty and the "road amendment" to the constitution of this state, adopted in the month of November, one thousand nine hundred twenty-eight; all moneys and funds appropriated to it by the legislature; all moneys and funds allotted or appropriated by the federal government to this state for road construction and maintenance pursuant to any act of the congress of the United States; the proceeds of all taxes imposed upon and collected from any person, firm or corporation and of all taxes or charges imposed upon and collected from any county, district or municipality for the benefit of such fund; the proceeds of all judgments, decrees or awards recovered and collected from any
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:

Provided, however, That from any money credited to said
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 tracts 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.
Corrrectly enrolled

A. B. Affled
Chairman Senate Committee.

B. M. Shies
Speaker of the House of Delegates

Geo. H. Force
Clerk of the House of Delegates

B. M. Maner
President of the Senate

Cliny. E. Smith
Chairman House Committee.

The within is approved

this 5th day of March, 1934.

Filed in the office of the Secretary of State of West Virginia, MAR 6 1934
Wm. S. O'Brien, Secretary of State

Governor