

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



# ENROLLED

HOUSE BILL No. 285

(By Mr. Bibb, by request)



PASSED March 3, 1937

In Effect from Passage

**ENROLLED**  
**House Bill No. 285**

(BY MR. BIBB, by request)

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[Passed March 3, 1937; in effect from passage.]

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AN ACT providing financial relief for the county court of Raleigh County; enabling such court to lay a larger levy than the limits now prescribed for levies by county courts for current purposes in order to maintain the basic and indispensable functions of said county; prescribing further limits for such current county levy; finding as a matter of fact that such county cannot maintain the basic and indispensable functions of government within present limitaitons for current levies on the various classes of property; prescribing the method whereby such additional levies may be made and authorizing the laying of the same and prescribing further maximum limits on the various classes of property for the laying of such county levy for current purposes.

*Be it enacted by the Legislature of West Virginia:*

Section 1. *Purpose of Act.* It is hereby found and ascertained as a matter of fact that the county court of Raleigh County has been compelled to levy the maximum present authorized levy for current purposes on all classes of property in the fiscal years commencing on the first day of July, one thousand nine hundred thirty-three, the first day of July, one thousand nine hundred thirty-four, and the first day of July, one thousand nine hundred thirty-five, in order to maintain the basic and indispensable functions of government for which county courts have prior to such years imposed the levies; and has further been compelled to overdraft upon the general county fund of said county for which such levy was made, in order to maintain such basic and indispensable functions of government.

Sec. 2. *Findings of Fact by County Court; Publication.*

The said county court of Raleigh County is therefore hereby authorized and empowered on or before the thirtieth day of June, one thousand nine hundred thirty-seven, to ascertain and find as a matter of fact the total amount of such overdrafts for each of said three fiscal years, and in such case

7 the court shall further find by as accurate an estimate as  
8 can reasonably be made under the circumstances, the prob-  
9 able amount of overdraft for the fiscal year beginning the  
10 first day of July, one thousand nine hundred thirty-six; and  
11 such court shall also at such time further find the probable  
12 amount of additional funds required yearly for the proper  
13 carrying into effect of the recently enacted legislation known  
14 as the "Public Welfare Law of 1936"; and the court at such  
15 time shall also further find as a matter of fact that the mini-  
16 mum amount of levy for current county purposes, including  
17 the retirement of such overdraft during the three succeeding  
18 fiscal years, and the additional amount necessary for the  
19 proper carrying into effect of such "Public Welfare Law of  
20 1936"; shall be required in the future for the maintenance of  
21 the basic and indispensable functions of government; which  
22 findings shall be entered of record by said court and a copy of  
23 which findings shall be posted at the front door of said court-  
24 house of said county within three days after the date thereof.

Sec. 3. *County Court Authorized to Lay Levy.* Said county  
2 court of Raleigh County shall, at its session on the first Tues-  
3 day in August of each fiscal year thereafter, change and

4 correct such finding of fact if they ascertain that the same  
5 needs to be corrected in order to accord with facts at such  
6 time ascertained and existing; and such court is hereby au-  
7 thorized and empowered at such session to lay a levy for  
8 current county purposes in the manner now provided by law.

9 And said court is hereby further authorized and empowered  
10 at such session to lay an additional levy for current county  
11 purposes, to be known as "additional county levy"; which  
12 additional county levy shall be supplemental to the county  
13 current levy and the sum of the two levies shall not exceed  
14 the respective amounts ascertained by such finding of fact  
15 for the respective classes of property: *Provided, however,*  
16 That in no case shall the sum of both levies on class I prop-  
17 erty exceed eleven and twenty-five one-hundredths; on class  
18 II property exceed twenty-two and five-tenths cents; and on  
19 classes III and IV property exceed forty-five cents.

20 The relief provided for in this act shall be cumulative and  
21 nothing in this act shall repeal any law now existing with  
22 respect to laying and collecting tax levies.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Car B Galbraith*

Chairman Senate Committee

*Ree G Walker*

Chairman House Committee

Originated in the.....

Takes effect..... passage.

*Charles Wiley*

Clerk of the Senate

*Mo. S. Hace*

Clerk of the House of Delegates

*Chs. E. Hodge*

President of the Senate

*James Ray Thomas*

Speaker House of Delegates

The within.....this the.....

day of....., 1937.

.....  
Governor.

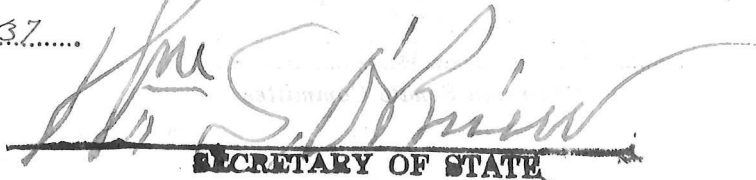
Filed in the office of the Secretary of State  
of West Virginia. **MAR 15 1937**

Wm. S. O'BRIEN,  
Secretary of State

I certify that the foregoing act,  
having been presented to the Governor for  
his approval, and not having been returned  
by him to the House of the Legislature in  
which it originated within the time pre-  
scribed by the constitution of the state, has  
become a law without his approval.

This the 15<sup>th</sup> day of March,

1937.....

  
**SECRETARY OF STATE**