WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

HOUSE BILL No. 464

(By Mr. Neal)

PASSED March 17, 1937

In Effect from Passage
ENROLLED
House Bill No. 464
(By Mr. Neal)

[Passed March 12, 1937; in effect from passage.]

AN ACT providing financial relief for the county court of Nicholas 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 limitations 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 Nicholas County has been compelled to levy the maximum present authorized levy for current purposes on all classes of property in the fiscal year 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. *Finding of Facts by County Court; Publication.*

The said county court of Nicholas 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 the court shall further find by as accurate an estimate as can
reasonably be made under the circumstances, the probable
amount of overdraft for the fiscal year beginning the first
day of July, one thousand nine hundred thirty-six; and such
court shall also at such time further find the probable amount
of additional funds required yearly for the proper carry-
ing into effect of the recently enacted legislation known as
the "Public Assistance Act"; and the court at such time shall
also further find as a matter of fact that the minimum amount
of levy for current county purposes, including the retirement
of such overdraft during the three succeeding fiscal years, and
the additional amount necessary for the proper carrying into
effect of such "Public Assistance Act", shall be required in
the future for the maintenance of the basic and indispensable
functions of government; which findings shall be entered of
record by said court and a copy of which findings shall be
posted at the front door of said courthouse of said county
within three days after the date thereof.

Sec. 3. County Court Authorized to Lay Levy. Said
county court of Nicholas County shall, at its session on the first
Tuesday in August of each fiscal year thereafter, change and
correct such finding of fact if they ascertain that the same
needs to be corrected in order to accord with facts at such
time ascertained and existing; and such court is hereby au-
thorized and empowered at such session to lay a levy for
current county purposes in the manner now provided by law.
And said court is hereby further authorized and empowered at
such session to lay an additional levy for current county pur-
poses, to be known as "additional county levy", which ad-
ditional county levy shall be supplemental to the county cur-
rent levy and the sum of the two levies shall not exceed the
respective amounts ascertained by such findings of fact for
the respective classes of property: Provided, however, That in
no case shall the sum of both levies on class I property ex-
ceed eleven and twenty-five one-hundredths; on class II prop-
erty exceed twenty-two and five-tenths cents; and on clas-
III and IV property exceed forty-five cents.
The relief provided for in this act shall be cumulative, and
nothing in this act shall repeal any law now existing with
respect to laying and collecting tax levies.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect............ passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

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 19 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 prescribed by the constitution of the state, has become a law without his approval.

This the _______ day of ________, 19__.

[Signature]
SECRETARY OF STATE