

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

SENATE BILL No. 155

(By Mr. PAULL.)



PASSED February 16, 1937

In Effect from Passage

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Senate Bill No. 155

(BY MR. PAULL)

[Passed February 16, 1937; in effect from passage.]

AN ACT authorizing certain special grants for relief made necessary by the recent emergency conditions.

WHEREAS, A flood of unprecedented proportions has created unusual and unforeseen demands for relief upon the department of public assistance and upon certain counties; and

WHEREAS, Adequate funds exist in the department of public assistance but no authority exists for their expenditure, as hereinafter provided; therefore

Be it enacted by the Legislature of West Virginia:

Section. 1. Until the close of the fiscal year terminating
2 June thirty, one thousand nine hundred thirty-seven, the

3 department of public assistance is authorized to make spe-
4 cial grants from the state general relief fund of such
5 sums as are necessary to provide relief in those counties
6 where funds are unavailable either from the county or
7 under the provisions of section eight, article ten, chapter
8 nine of the code of West Virginia, one thousand nine hun-
9 dred thirty-one, as amended, in order to meet these emer-
10 gency conditions.

Sec. 2. If the amount needed for general relief in a
2 county exceeds the amount available under section eight,
3 article ten, chapter nine of the code, as amended, the
4 county council and the county court may apply to the
5 state department of public assistance for a special grant
6 from the state fund. The application shall be in such form
7 and shall be submitted at such times as the state department
8 shall prescribe. The application shall set forth:

9 The conditions which make necessary the request for
10 special grant; the actual cost of general relief in the county
11 for the first six months of the fiscal year one thousand
12 nine hundred thirty-seven, and the estimated cost for the re-
13 mainder of the fiscal year; the levies and expenditures of

14 the county, showing the rate of tax delinquency, amounts
15 provided for various county activities, expenditures made
16 mandatory by law, and amounts allocated to the county
17 relief fund; such other information as the state department
18 or the state board may require.

Sec. 3. Upon receipt of an application for a special grant
2 the director shall examine the application and make such
3 investigations as are necessary to determine the existence
4 of need and compliance with the requirements of this act.
5 The director shall prepare a report and recommendations for
6 submission to the state advisory board.

Sec. 4. The state board shall determine as to each
2 county whether:

3 The special conditions specified by this act exist in respect
4 to the particular county; a special grant from the state fund
5 is necessary to maintain relief until the end of the fiscal
6 year one thousand nine hundred thirty-seven; the estimated
7 cost of relief is reasonable both as to the total cost and the
8 estimated cost per case.

9 If the state board determines that the special grant should
10 be made to a county it shall set the total amount of the grant

11 to be authorized and shall fix the conditions upon which
12 the grant shall be made.

13 The state board may hold a hearing upon the application
14 of a county at which the county council, the county court,
15 citizens of the county, and other interested parties may
16 be heard.

Sec. 5. The state director shall notify the county council
2 and the county court of the action taken by the state board
3 with respect to the matters herein provided.

Sec. 6. The county council shall submit to the state di-
2 rector, at such times as he shall prescribe, reports similar
3 to those required by the public welfare law of one thou-
4 sand nine hundred thirty-six.

Sec. 7. The state director may suspend payments under
2 a special grant if he finds that:

3 There has been a misrepresentation of the need for the
4 special grant; or relief is being granted to ineligible persons;
5 or funds dedicated for relief have not actually been made
6 available for expenditure by the county council or are be-
7 ing diverted for other purposes; or need for the special
8 grant no longer exists.

Sec. 8. Special grants made under the provisions of this
2 act shall be conditioned upon a written undertaking by the
3 county council and the county court to provide within the
4 maximum levies for the fiscal year one thousand nine hun-
5 dred thirty-eight an amount necessary to repay to the de-
6 partment of public assistance the amount of the special
7 grant.

Sec. 9. The authority to make special grants under this
2 act shall expire June thirtieth, one thousand nine hundred
3 thirty-seven, but all rights of the department of public as-
4 sistance to supervise and protect the special grants shall
5 continue thereafter.

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

Carl B. Galbreath

Chairman Senate Committee

Reed B. Baker

Chairman House Committee

Originated in the

Senate

Takes effect

from

passage.

Charles E. Hodges

Clerk of the Senate

Geo. S. Hall

Clerk of the House of Delegates

Chas. E. Hodges

President of the Senate

James Key Thomas

Speaker House of Delegates

The within

approved

this the

25th

day of

February

, 1937.

James A. Holt

Governor

Filed in the office of the Secretary of State
of West Virginia.

FEB 27 1937

Wm. S. O'BRIEN,
Secretary of State

FEB 27 1937