WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 226

(By Mr. Flint)

PASSED March 9, 1939

In Effect ninety days from Passage
AN ACT providing further 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 levies; 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 by which 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. *Overdraft in General County Fund of Raleigh County.* It is hereby found and ascertained as a matter of fact that notwithstanding the provisions of law now existing, including chapter one hundred fifty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, respecting the financial and fiscal affairs of Raleigh county, and it appearing that further relief in the nature of that afforded by said chapter one hundred fifty-two, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, is necessary, in that, it is further 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-six, the first day of July, one thousand nine hundred thirty-seven, and the first day of July, one thousand nine hundred thirty-eight, in order to maintain the basic and indispensable functions of government for which county courts have prior thereto 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; Posting. 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 forty, to ascertain and find
as a matter of fact the total amount of such overdrafts for
each of the aforesaid three fiscal years, and in such case the
court shall further find as accurate an estimate as can reason-
ably be made under the circumstances, the probable amount
of overdraft for the fiscal year beginning the first day of
July, one thousand nine hundred forty; and such court shall
also at such time further find the probable amount of addi-
tional funds required yearly for the proper carrying into
effect of the "Public Welfare Law of One Thousand Nine
Hundred thirty-six"; which 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 such 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 Additional Levy.

Said county court of Raleigh county shall, after said findings of fact have been made, at its session on the first Tuesday in August of the fiscal year of one thousand nine hundred forty—one thousand nine hundred forty-one, change and correct such findings of fact, if they ascertain that the same needs to be corrected in order to accord with the facts at such times ascertained and existing; and such court, in addition to the levies prescribed by section ten, article eight, chapter eleven, code of West Virginia, one thousand nine hundred thirty-one, as amended, is hereby further authorized and empowered at the session and adjourned session prescribed by said section of the code, and in the manner therein set forth in said section for the laying of the levies therein prescribed, to lay an additional levy for current county purposes to be known as "additional county levy" on each class of property in the county or its subdivisions, according to the last assessment, which additional county levy shall be supplemental to the current county levy authorized under said section ten, and the sum of the levies shall not exceed the respective amounts ascertained by such finding of fact for
the respective classes of property: Provided, however, That in no case shall the sum of both levies per hundred dollars assessed valuation on Class I property exceed eleven and twenty-five one hundredths cents; on Class II property exceed twenty-two and five tenths cents; and on Classes 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 or collecting tax levies.

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 17th day of March, 1839.

[Signature]

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

Chairman Senate Committee

Chairman House Committee

Originated in the

House of Delegates

Takes effect ninetieth from 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 1933.

Governor.