

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943

ENROLLED

SENATE BILL No. 195

(By Mr. Williams)

PASSED March 12 1943

In Effect Thirty days from Passage



195

ENROLLED

Senate Bill No. 195

(By MR. WILLIAMS)

[Passed March 12, 1943; in effect ninety days from passage.]

AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new article designated as article nineteen, consisting of sections one to five, inclusive, providing educational opportunities for the children of deceased soldiers, sailors and marines who served in the armed forces of the United States during World War I and World War II; to repeal chapter forty-eight, acts of the Legislature, one thousand nine hundred thirty-five, and all other acts or parts of acts inconsistent herewith.

Be it enacted by the Legislature of West Virginia:

That chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, is hereby amended, by adding thereto a new article designated as article nineteen, consisting of sections one to five, inclusive, to read as follows:

Article 19.

Section 1. For the purpose of providing educational opportunities for the children of those who served in the army, navy or marine corps of the United States during the world war from April sixth, one thousand nine hundred seventeen, to July second, one thousand nine hundred twenty-one, or served or may serve in the armed forces of the United States of America at any time between December first, one thousand nine hundred forty-one, and the declaration of peace by the Congress of the United States or as may be provided by law, all dates inclusive, and who were killed in action or have died or may hereafter die from disease or disability resulting from such war service, there shall be appropriated from the State Fund General Revenue the sum of at least five

15 thousand dollars for each fiscal year commencing July first
16 and ending on July thirty of each year of the next bien-
17 nium to be used for the benefit of such children while at-
18 tending state educational or training institutions.

Sec. 2. To be eligible for the benefits of this act, said
2 children must be at least sixteen and not more than
3 twenty-two years of age and have had their domiciles in
4 this state for at least twelve months preceding their ap-
5 plication for said benefits. Such application shall be
6 made to, and upon forms provided by, the department of
7 public assistance of West Virginia, which department
8 shall determine the eligibility of those who make such
9 application and the yearly amount to be allotted each
10 applicant, which amount, in the discretion of the depart-
11 ment, may vary from year to year, but shall not exceed
12 the sum of three hundred dollars in any one year. In
13 selecting those to receive the benefits of this act, prefer-
14 ence shall be given those who are otherwise financially
15 unable to secure said educational opportunities and to
16 those whose parent was domiciled in this state during
17 the period of such parent's war service.

Sec. 3. No tuition fee shall be charged such applicants
2 attending any state educational or training institution
3 and the funds herein appropriated shall be expended by
4 said department of public assistance only for matricu-
5 lation fees, board, room rent, books, supplies and other
6 necessary living expenses of such children. Said de-
7 partment is charged with the duty of disbursing the
8 funds herein provided and shall draw its requisitions
9 upon the auditor for that purpose. In the discretion of
10 said department, such requisitions may be made payable
11 to said educational or training institutions or to those
12 furnishing to said children board, room rent, books, sup-
13 plies and other necessary living expenses, the depart-
14 ment being first satisfied as to the correctness and amounts
15 of such expenditures. Should any child withdraw from
16 any such institution, all allowances to such child shall
17 cease. No member or employee of said department shall
18 receive any additional compensation for the services
19 herein required.

Sec. 4. Balances in this fund remaining at the end of
2 any fiscal year shall not revert to the treasury but shall

3 be available for use during the subsequent fiscal years, ex-
4 cept that any balance accruing and remaining at the
5 end of the fiscal year beginning July first, one thousand
6 nine hundred sixty-two, shall revert to the treasury.

Sec. 5. Chapter forty-eight, acts of the Legislature of
2 West Virginia, regular session, one thousand nine hun-
3 dred thirty-five, and all other acts or parts of acts incon-
4 sistent herewith, are hereby repealed.

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

Ray H. Jimison
Chairman Senate Committee

Fred L. Rotkoff
Chairman House Committee

Originated in the Senate

Takes effect Thirty days from passage

Fred B. Watkins
Clerk of the Senate

Jackieff
Clerk of the House of Delegates

James Paul
President of the Senate

John E. Bruce
Speaker House of Delegates

The within approved this the 19th
day of March, 1943.

Matthew M. Neely
Governor.

Filed in the office of the Secretary of State
of West Virginia MAR 19 1943

Wm. S. O'BRIEN,
Secretary of State