

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 164

(By Mr. Vickers, Mr. President)



PASSED March, 8, 1947

In Effect Ninety days from Passage



164

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(By MR. VICKERS, MR. PRESIDENT)

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AN ACT to amend and reenact section eight, article nine, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, relating to audits of the accounts of public officers and to the payment of the costs thereof.

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

That section eight, article nine, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 8. *Cost of Services of Chief Inspector; Revolving Fund.* The cost of any service or act performed by the chief inspector under the provisions of this article as to any county or district office, officer or institution, shall be paid by the county court of the county; the cost thereof as to any board of education shall be paid by such board; the cost thereof as to any municipal corporation shall be

8 paid by the authorities thereof: *Provided*, That in munic-  
9 ipalities in which the total revenue from all taxes does  
10 not exceed the sum of two thousand dollars annually,  
11 such cost including the per diem and all actual costs and  
12 expense of such services shall not exceed the sum of fifty  
13 dollars; and the cost thereof as to any state institution  
14 or department may be assessed against and paid by the  
15 proper authority thereof. The cost of this service shall  
16 be the actual cost and expense of the service performed,  
17 including transportation, hotel, meals, materials, per diem  
18 compensation of deputies, assistants, clerical help and  
19 such other costs as may be necessary to enable him to  
20 perform the services required. The chief inspector shall  
21 render to the agency liable for such cost a statement  
22 thereof as soon after the same was incurred as practic-  
23 able, and it shall be the duty of such agency to allow  
24 the same, and cause it to be paid promptly in the manner  
25 that other claims and accounts are allowed and paid, and  
26 such total amount shall constitute a debt against the local  
27 agency due the state. Whenever there is in the state  
28 treasury a sum of money due any such county court,

29 board of education or municipality from any source, upon  
30 the application of the chief inspector, the same shall be  
31 at once applied on the debt aforesaid against the county  
32 court, board of education or municipality, and the fact  
33 of such application of such fund shall be reported by the  
34 auditor to the said county court, board of education or  
35 municipality, which report shall be a receipt for the  
36 amount therein named. All money received by the chief  
37 inspector from this source shall be paid into the state  
38 treasury, shall be deposited to the credit of an account  
39 to be known as chief inspector's fund, and shall be ex-  
40 pended only for the purpose of covering the cost of such  
41 services, unless otherwise directed by the legislature.  
42 The cost of any such examination, service or act by the  
43 chief inspector made necessary, or such part thereof as  
44 was made necessary, by the wilful fault of any officer or  
45 employee, may be recovered by the chief inspector from  
46 such person, on motion, on ten days notice in any court  
47 having jurisdiction.

48 For the purpose of permitting payments to be made at  
49 definite periods to deputy inspectors and assistants for

50 per diem compensation and expenses, there is hereby  
51 created a revolving fund for the chief inspector's office.  
52 The fund shall be accumulated and administered as fol-  
53 lows:

54 (1) There shall be appropriated from state fund gen-  
55 eral revenue the sum of twenty-five thousand dollars to  
56 be transferred to this fund to create a revolving fund  
57 which, together with other payments into this fund as  
58 provided in this article, shall constitute a fund to defray  
59 the cost of this service.

60 (2) Payments received for the cost of services of the  
61 chief inspector's office shall be deposited into this revolv-  
62 ing fund, which shall be known as the chief inspector's  
63 fund.

64 (3) Any appropriations made to this fund shall not be  
65 deemed to have expired at the end of any biennium.

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

Forest L. McNeer  
Chairman Senate Committee

R. L. Matthews  
Chairman House Committee

Originated in the Senate

Takes effect Thirty days from passage.

Howard Meyer  
Clerk of the Senate

J. Rupp  
Clerk of the House of Delegates

Arnold M. Vickers  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within approved this the 13  
day of May, 1947.

Blair M. Hood  
Governor.



Filed In the Office of the Secretary of State  
of West Virginia  
MAY 19 1947  
W. S. O'BRIEN,  
SECRETARY OF STATE