WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1949

ENROLLED

HOUSE BILL No. 398

(By Mr. Trent)

PASSED March 12, 1949

In Effect Ninety days from Passage
AN ACT to provide for the submission to the voters of the state an amendment to the constitution of the state, to be known as the “Veterans’ Bonus Amendment”.

Be it enacted by the Legislature of West Virginia:

Section 1. Submitting “Veterans’ Bonus Amendment” to the State Constitution.—That the question of the ratification or rejection of an amendment to the constitution of West Virginia, proposed in accordance with the provisions of section two, article fourteen of said constitution, shall be submitted to the voters of the state at the next general election, to be held in the year one thousand nine hundred fifty, which proposed amendment is as follows:

Veterans’ Bonus Amendment

The Legislature shall by law provide for the issuance and sale of state bonds, not to exceed in the aggregate
ninety million dollars, which shall be in addition to all other state bonds heretofore authorized. The proceeds of such additional bonds, or so many thereof as may be necessary for the purpose, shall be used and appropriated solely for the purpose of paying a cash bonus to veterans of World War I and World War II. Such bonus shall be paid to all persons who rendered active service in the armed forces of the United States in World War I between the sixth day of April, one thousand nine hundred seventeen, and the eleventh day of November, one thousand nine hundred eighteen, both dates inclusive, or in World War II between the seventh day of December, one thousand nine hundred forty-one, and the second day of September, one thousand nine hundred forty-five, both dates inclusive, or in both such wars, who were bona fide residents of the State of West Virginia at the time of their entry into such service and for a period of at least six months prior thereto, who were not dishonorably discharged from such forces, and who within the periods specified above actively served in such armed forces for a period of at least ninety days. Such a bonus
shall also be paid to any disabled veteran, otherwise qualified, who was discharged within ninety days after entering the services because of a service connected disability. The amount of such bonus shall be calculated on the basis of ten dollars for each month, or major fraction thereof, served within the territorial limits of the forty-eight states and the District of Columbia, and fifteen dollars for each month, or major fraction thereof, served outside such limits, but such amount shall in no case exceed three hundred dollars for those who served only within the territorial limits specified above, and four hundred dollars for those who served outside such limits. The bonus to which any deceased veteran would be entitled, if living, shall be paid only to the following surviving relatives of such veteran, if such relatives are residents of this State when application for payment is made: Any unmarried widow, or if none, any child or children under the age of sixteen, or if none, any dependent parent or parents.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of this amendment, it
shall at the same time provide for the levy and collection of an additional cigarette tax, or an additional tax on nonintoxicating beer, or an additional charge on the sale of each bottle of wine and liquor, or an additional general consumers sales tax, or a graduated income tax, or any two or more thereof, in such amount as may be required to pay annually the interest on such bonds and the principal thereof within and not exceeding thirty years.

Sec. 2. Amendment to be Known as the "Veterans' Bonus Amendment".—For convenience in referring to said proposed amendment, and in the preparation of the form of the ballot hereinafter provided for, said proposed amendment is hereby designated as the "Veterans Ninety Million Dollars Bonus Amendment".

Sec. 3. Form of Ballot: Election.—For the purpose of enabling the voters of the state to vote on the question of said proposed amendment to the constitution at the said general election to be held in the year one thousand nine hundred fifty, the board of ballot commissioners of each county is hereby required to place upon, and at
the foot of, the official ballot to be voted at that election,
the following:
Ballot on "Veterans' $90,000,000.00 Bonus Amendment".
(The Bonus Bonds to be Retired by Additional Taxes.)
☐ For ratification of Veterans' $90,000,000.00 Bonus Amendment.
☐ Against ratification of Veterans' $90,000,000.00 Bonus Amendment.
The said election on the proposed amendment at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained by the same officers and in the same manner as the election of officers to be voted for at said election, and all the provisions of the law relating to general elections, including all duties to be performed by any officer or board, as far as practicable, and not inconsistent with anything herein contained, shall apply to the election held under the provisions of this act, except when it is herein otherwise provided. The ballots cast on the question of said proposed amendment shall be counted as other ballots cast at said election.
Sec. 4. *Certificates of Election Commissioners; Canvass of Vote; Certifying Result.*—As soon as the result is ascertained, the commissioners, or a majority of them, and the canvassers (if there be any), or a majority of them, at each place of voting, shall make out and sign two certificates thereof in the following form or the following effect:

"We, the undersigned, who acted as commissioners (or canvassers, as the case may be) of the election held at Precinct No. ______, in the district of ____________, in the county of ____________, on the ______ day of ____________________, one thousand nine hundred fifty, upon the question of the ratification or rejection of the proposed constitutional amendment, do hereby certify that the result of said election is as follows:

"For ratification of Veterans' Ninety Million Dollars Bonus Amendment _____ votes.

"Against ratification of Veterans' Ninety Million Dollars Bonus Amendment _____ votes.

"Given under our hands this _____ day of ____________, one thousand nine hundred fifty."
The said two certificates shall correspond with each other in all respects and contain the full and true returns of said election at each place of voting on said question. The said commissioners, or any one of them (or said canvassers or any one of them, as the case may be), shall, within four days, excluding Sunday, after that on which said election was held, deliver one of said certificates to the clerk of the county court of his county, together with the ballots, and the other to the clerk of the circuit court of the county.

The said certificates, together with the ballots cast on the question of said proposed amendment, shall be laid before the commissioners of the county court at the court house at the same time the ballots, poll books, and the certificates of election of the members of the Legislature are laid before them; and as soon as the result of said election in the county upon the question of such ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners as a board of canvassers, in the form or to the following effect:
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43 "We, the board of canvassers of the county of _______________, having carefully and impartially examined
44 the returns of the election held in said county, in each
45 district thereof, on the ___________ day of November, one
46 thousand nine hundred fifty, do certify that the results
47 of the election in said county, on the question of the
48 ratification or rejection of the proposed amendment is
49 as follows:

50 "For ratification of Veterans' Ninety Million Dollars
51 Bonus Amendment __________ votes.
52 "Against ratification of Veterans' Ninety Million Dollar
53 Bonus Amendment __________ votes.
54 "Given under our hands this __________ day of _______________,
55 one thousand nine hundred fifty."
56 One of the certificates shall be filed in the office of the
57 clerk of the county court, and the other forwarded by
58 mail to the secretary of state, who shall file and pre-
59 serve the same until the day on which the result of said
60 election in the state is to be ascertained, as hereinafter
61 stated.

Sec. 5. Proclamation of Result of Election by Gov-
error.—On the twenty-fifth day after the election is held, or as soon thereafter as practicable, the said certificate shall be laid before the governor, whose duty it shall be to ascertain therefrom the result of said election in the state, and declare the same by proclamation published in one or more newspapers printed at the seat of government. If a majority of the votes cast at said election upon said question be for ratification of said amendment, the proposed amendment so ratified shall be in force and effect from and after the time of such ratification, as part of the constitution of the state.

Sec. 6. Publication of Proposed Amendment by Governor.—The governor shall cause the said proposed amendment, with the proper designation for the same as hereinbefore adopted, to be published one time at least three months before such election in some newspaper in every county in which a newspaper is printed, at a price to be agreed upon in advance, in writing, and the cost of such advertising shall in the first instance, if found necessary by him, be paid out of the governor's contingent fund and be afterwards repaid to such fund by appropriation of the Legislature.
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 Ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within Approved this the 18th day of March, 1949.

Governor.

Filed in the Office of the Secretary of State of West Virginia MAR 18 1949

D. Pitt O'Brien, Secretary of State