

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 27

(By Mr. Carson, Mr. President
and Mr. Barnett)

PASSED February 16, 1965

In Effect from Passage



FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-24-65

#27

ENROLLED

Senate Bill No. 27

(By MR. CARSON, MR. PRESIDENT, and MR. BARNETT)

[Passed February 16, 1965; in effect from passage.]

AN ACT to amend and reenact section six, article three, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to provide for the re-evaluation of the state road commission's construction and reconstruction program for the fiscal year one thousand nine hundred sixty-four—sixty-five, and to change from the first day of July of each year to the first day of January of each year the time for the state road commissioner to ascertain and determine the total amount of funds available for road construction and reconstruction for the next succeeding fiscal year; and for the submission of a budget to the appropriate authority by the state road commissioner.

Be it enacted by the Legislature of West Virginia:

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

Section 6. Apportionment of State Road Fund for Con-

struction and Reconstruction Purposes; Reserve Fund.—

2 On or before the first day of January of each year the
3 state road commissioner shall ascertain and determine
4 the total amount of available funds for expenditure in
5 the whole state for the construction and reconstruction
6 of state roads for the succeeding fiscal year, and shall
7 also submit such determination of available funds to-
8 gether with the proposed expenditure thereof as a part
9 of his budget request for such succeeding fiscal year:
10 *Provided*, That for the fiscal year one thousand nine hun-
11 dred sixty-four—sixty-five the commissioner may re-eval-
12 uate the funds available for expenditure for the building
13 and construction of state roads and may present such
14 re-evaluation to the board of public works for inclusion
15 in the budget of the state road commission as a supple-
16 mental and deficiency appropriation. Of the amount so
17

18 ascertained the commissioner may set aside as a “reserve
19 fund” not to exceed twenty per cent thereof, to be used
20 and expended by him in his discretion in making desirable
21 connections or economizing in construction.

22 All moneys received from the federal government for
23 road construction shall be expended as provided, or as
24 may hereafter be provided by act of congress.

25 If at the end of any annual period, any money in the
26 reserve fund remains unexpended or unappropriated, it
27 shall be placed in the general fund for reserve and dis-
28 tribution during the next annual period.

29 The remaining eighty per cent, or, if such reserve fund
30 is not set aside, then all the funds shall be appropriated
31 in the following order and preference:

32 (1) For the construction, reconstruction, maintenance
33 of the primary roads, and to comply with the require-
34 ments for the receipt of aid from the federal government;

35 (2) For the maintenance of all secondary roads, as pro-
36 vided in section six-a of this article;

37 (3) For the construction and reconstruction of the sec-
38 ondary roads as prescribed in section six-a of this article.

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

O. Roy Parker

Chairman Senate Committee

James E. Loop
Chairman House Committee

Originated in the Senate.

Takes effect from _____ Passage.

Howard Myers
Clerk of the Senate

O. A. Blankenship
Clerk of the House of Delegates

Howard Carson
President of the Senate

H. Laban White
Speaker House of Delegates

The within approved this the 24th
day of February, 1965.

Archie C. Smith
Governor



Presented to the Governor's Office
Feb. 19, 1965
11:00 a.m.