

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1966

ENROLLED

SENATE BILL NO. 56

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

PASSED February 5, 1966

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-14-66

#56

ENROLLED

Senate Bill No. 56

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

[Passed February 5, 1966; in effect from passage.]

AN ACT to amend and reenact section two-a, article eight, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article eight, chapter twenty-seven, by adding thereto a new section, designated section two-b, all relating to local mental health programs; approval; credits to amount due to state under preceding section; establishment of separate account for receiving and expending gifts, bequests, donations, fees and miscellaneous income.

Be it enacted by the Legislature of West Virginia:

That section two-a, article eight, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one,

as amended, be amended and reenacted, and that said article eight, chapter twenty-seven, be further amended by adding thereto a new section, designated section two-b, to read as follows:

Section 2-a. Local Mental Health Programs; Approval;

2 Credits to Amount Due to State under Preceding Section.

3 —Any county court which elects to establish a local men-
4 tal health program and has a completed comprehensive
5 program ready for implementation, and which program
6 is approved in advance by the state director of mental
7 health, shall be allowed to deduct from its annual debt
8 for the maintenance of resident patients in state mental
9 institutions, as set forth in section two, an amount equal
10 to the sum annually budgeted by said county court for
11 the establishment and maintenance of said approved local
12 mental health program.

13 Any county court which desires to establish a local
14 mental health program may make application for ap-
15 proval of such program to the director of mental health
16 on forms to be provided by the director and in accord-
17 ance with procedures and standards which have been
18 established by the director.

19 On or before the fifteenth day of January of each year
20 the director of the department of mental health shall cer-
21 tify to the auditor a statement of the amount budgeted
22 by each county court for the establishment, operation
23 and maintenance of a local mental health program: *Pro-*
24 *vided*, That for the fiscal year one thousand nine hundred
25 sixty-five—sixty-six the director may add additional coun-
26 ties to the approved list on or before the fifth day of
27 March, one thousand nine hundred sixty-six. The auditor
28 shall deduct such certified sums from the amount deter-
29 mined to be due the state of West Virginia, as provided in
30 section two: *Provided, however*, That on or before the
31 fifth day of July of each year, each county court which
32 has established an approved local mental health program
33 shall certify to the director a detailed statement of its
34 expenditures made for such local programs on a form to
35 be provided by the director and the director shall have
36 authority to delete or refuse to approve any expenditures
37 made by any county court which were not made in ac-
38 cordance with the approved comprehensive plan for that
39 county: *Provided further*, That any sums budgeted by

40 a county court and credited by the auditor as hereinabove
41 provided which are not actually expended by the county
42 court for the establishment of a local mental health pro-
43 gram by the end of the fiscal year for which it was bud-
44 geted shall be charged as a debt against the county due
45 the state for the maintenance of its patients. The director,
46 after determining the amount of such debt, if any, shall
47 immediately certify the same to the auditor, who shall
48 add said sum to the amount determined to be due the
49 state, as provided in section two, for the current year.

Sec. 2-b. Establishment of Separate Account for Re-
2 **ceiving and Expending Gifts, Bequests, Donations, Fees**
3 **and Miscellaneous Income.**—A county court establishing
4 a local mental health program as provided for in this
5 article shall have the power and authority to establish a
6 separate account and to deposit in said separate account
7 all gifts, bequests and donations from any person, cor-
8 poration, firm or association and any fees or other income
9 derived from the operation of such local mental health
10 program and may expend such funds accruing in said
11 separate account for the operation and maintenance of
12 such local program.

13 Any moneys remaining in said separate account at the
14 end of the fiscal year shall not revert to the general fund
15 of the county nor otherwise expire, but shall be carried
16 over from year to year until expended for the operation
17 and maintenance of said local mental health program.

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

O Roy Parker
Chairman Senate Committee

James W. Doop
Chairman House Committee

Originated in the Senate.

Takes effect *from* _____ Passage.
Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Roberson
President of the Senate

H. Lukan White
Speaker House of Delegates

FEB 14 11 54 AM '66
OFFICE OF THE GOVERNOR

The within *approved* this the *14th*
day of *February*, 1966.

Archie C. Smith
Governor



PRESENTED TO THE
GOVERNOR

FILED

Date 2/10/66

FEB 14 11 05 PM '66

Time 11:55 AM

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

RDS