

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977

FIRST EXTRAORDINARY SESSION, 1977

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ENROLLED

SENATE BILL NO. 20

(By Mr. Beatherton, Mr. President, Mr. Lanning & Mr. Staul)

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PASSED May 12, 1977

In Effect from Passage



ENROLLED
Senate Bill No. 10

(By MR. BROTHERTON, MR. PRESIDENT, MR. FANNING and
MR. WARD)

[Passed May 13, 1977; in effect from passage.]

AN ACT making a supplementary appropriation of public money out of the treasury from the balance of all general revenue remaining unappropriated for the fiscal year ending June thirtieth, one thousand nine hundred seventy-seven, to the Governor's Office— Emergency Flood Disaster Relief, Account No. 131, supplementing chapter seven, acts of the Legislature, regular session, one thousand nine hundred seventy-six, known as the "Budget Bill."

WHEREAS, The Legislature hereby finds and declares that an emergency flood disaster has occurred in southern West Virginia, affecting the counties of Cabell, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Raleigh, Summers, Wayne and Wyoming, to the great detriment of such area and of the state of West Virginia, as a whole; and with it being the primary responsibility of the state to respond to such emergency with prompt aid, relief and assistance to its citizens; and

WHEREAS, Such flood disaster has, among other things, destroyed or rendered uninhabitable large numbers of residential housing units, thus depriving and dispossessing persons and families of needed shelter and decent and safe residential housing in such areas and posing a present and continuing danger to such persons' and families' health, safety and welfare; that other governmental programs and aid and that of private enterprise, without prompt and immediate expenditure of public moneys by the state, will be unable to provide the financing and other assistance required for prompt replacement of such residential housing in the affected areas within the time and

in the manner which the interest of the state and of its citizens require, and that a direct consequence thereof will be that the citizens of this state and inhabitants of such areas have been and will continue to be forced to relocate to other areas, within or without this state, resulting in (a) loss of employment to our citizens in such areas, (b) a severe, prolonged disruption and decline in the economy of such areas, (c) a substantial and prolonged impairment of the ability of business, industry and governmental units in such areas to recover from the effects of such disaster because of the loss of key employees and their families, customers and taxpayers forced to relocate elsewhere because of their inability to obtain sanitary, decent and safe replacement residential housing in such areas, and (d) a prolonged erosion of the property tax base and the excise tax base of such areas, all to the great detriment of the direct safety, health and welfare of the citizens of such areas and of this state; thus necessitating expenditure of public moneys in aid thereof and for such public purpose. Relief and assistance to be provided by an appropriation of public moneys of the state will clearly and markedly contribute to the prompt and timely replacement of such residential housing and to the correction and alleviation of the other undesirable human and community conditions, as described, with such appropriation of public moneys to be, in all respects for the benefit of the people and citizens of the state of West Virginia, for a public purpose of promoting their health, welfare and safety, and for a meeting of the public policy and a public necessity of this state; and

WHEREAS, The Governor heretofore submitted to the Legislature his Executive Budget Document, dated February 16, 1977, which included a statement of the state fund, general revenue; and

WHEREAS, It appears from such budget that there now remains unappropriated a balance in the state fund, general revenue, available for further appropriation during the fiscal year 1976-77, a part of which balance is hereby appropriated by the terms of this supplementary appropriation bill; therefore,

Be it enacted by the Legislature of West Virginia:

Title II, section one, chapter seven, acts of the Legislature, regular session, one thousand nine hundred seventy-six, known

as the Budget Bill, is hereby supplemented by adding thereto the following new account, line item and language of appropriation:

EXECUTIVE

Governor's Office—Emergency Flood Disaster Relief

Account No. 131

1 Emergency Flood Disaster Assistance for Re-
2 placement Residential Housing, Site Acquisi-
3 tion, or both, in the Counties of Cabell,
4 Greenbrier, Lincoln, Logan, McDowell, Mer-
5 cer, Mingo, Raleigh, Summers, Wayne and
6 Wyoming, State of West Virginia\$ 10,000,000

7 This supplementary appropriation is to be expended
8 through monetary grants or other means, in amounts
9 determined by the Governor, to or for the benefit of
10 persons or families actually deprived or dispossessed
11 from residential housing in their capacity as owner
12 or occupant thereof, which residential housing was des-
13 troyed or rendered uninhabitable by the flood disaster
14 in the aforesaid counties of this state in the spring of
15 1977, for the purpose of aiding in the acquisition and con-
16 struction in such areas of replacement residential hous-
17 ing, including mobile homes, site acquisition, or both,
18 relating to prior residential housing destroyed or damaged
19 to the point of uninhabitability, with such funds to be
20 further useable for improvements incidental or appur-
21 tenant thereto.

22 All or any part of this appropriation may be expended
23 in conjunction with federal funds, to match or maximize
24 grants-in-aid from the federal government or moneys
25 from any source. Any part of this appropriation may be
26 transferred to any account in the governor's office or
27 to any other department of state government for such
28 purposes and for disbursement therefrom.

29 This appropriation shall be available for expenditure
30 immediately upon the effective date of this bill, with
31 any unexpended balance remaining in the appropriation
32 at the close of fiscal year 1976-77 being hereby reappro-
33 priated for expenditure during the subsequent fiscal year
34 of 1977-78.

35 Following the effective date of this bill, a monthly
36 report shall be submitted by the Governor to the Legisla-
37 tive Auditor, detailed and itemized, in nature, of all
38 transfers and expenditures made hereunder and for such
39 purposes during the preceding month.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christian, Jr.
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. C. Dillon, Jr.
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

W. F. Smith
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within is approved this the 20
day of May, 1977.

John D. Rhyne
Governor

RECEIVED

APPROVED AND SIGNED BY THE GOVERNOR

MAY 16 2 44 PM '77

OFFICE OF THE GOVERNOR

Date May 20, 1977

Time 11:00 A.M.

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OFFICE
ECY. OF STATE