WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2001

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2904

(By Delegates Manuel, Pethtel and Faircloth)

Passed April 12, 2001

In Effect Ninety Days from Passage
ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2904

(BY DELEGATES MANUEL, PETHTEL AND FAIRCLOTH)

[Passed April 12, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact sections seventeen, seventeen-a and eighteen, article three, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to allocation of interest or other earnings accrued on certain federal monies received for allocation by the auditor.

Be it enacted by the Legislature of West Virginia:

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

CHAPTER 20. NATURAL RESOURCES.

ARTICLE 3. FOREST AND WILDLIFE AREAS.
§20-3-17. Disposition of proceeds of national forests.

Receipts from any national forest, paid to the state or its proper officers pursuant to directions of acts of Congress, are to be allocated by the auditor to each county which has acreage located in such national forest, in the proportion which the acreage in the county bears to the total acreage of the national forest in this state. Interest or other earnings accrued upon investment of the receipts pending allocation thereof shall be allocated to the recipients of the allocations in proportion to each recipient’s allocation of the receipts. Eighty percent of the funds so allocated to any county are to be paid to the board of education of the county to be expended by the board for the benefit of the public schools of the county. Twenty percent of the funds so allocated to any county are to be paid to the state road commission to be expended for feeder and state local service road purposes in that county.

Notwithstanding any contrary provisions of former law, any sheriff or county court of any county having charge or custody of any unexpended national forest proceeds, received under allocations made pursuant to former provisions of law, shall pay over eighty percent of the unexpended balance to the county board of education, and twenty percent thereof to the state road commission, for expenditure as provided herein.

§20-3-17a. Same — Counties embracing Spruce Knob-Seneca Rocks National Recreation Area.

Notwithstanding the provisions of section seventeen of this article, national forests receipts allocated by the auditor as provided in section seventeen of this article to any county in which is located any part of the Spruce Knob-Seneca Rocks National Recreation Area as established by Public Law 89-207, 89th Congress, are to be paid by the auditor to the county as follows: Sixty-three percent to the board of education of the
county to be expended by the board for the benefit of the public
schools of the county, and thirty-seven percent to the county
court of the county to be expended by the court for general
county purposes. Interest or other earnings accrued upon
investment of the receipts pending allocation thereof shall be
allocated to the recipients of the allocations in proportion to
each recipient's allocation of the receipts.

§20-3-18. Disposition of flood control, navigation and allied funds from the federal government.

Receipts from the treasurer of the United States, paid to the
state or its proper officers pursuant to direction of an act of
Congress relating to disposition of funds received on account of
the leasing of lands for flood control, navigation and allied
purposes, are to be allocated by the state auditor to each county
in accordance with the method of allocation specified by the
federal government. Interest or other earnings accrued upon
investment of the receipts pending allocation thereof shall be
allocated to the recipients of the allocations in proportion to
each recipient's allocation of the receipts. The state auditor
shall transfer to the road commission fifty percent of the funds
so allocated to each county for the purpose of maintenance of
feeder and state local service roads in the area or areas of the
county in which the flooded lands are located. Fifty percent of
the funds so allocated to any county in which the lands are
located are to be paid by the state auditor to the board of
education of that county to be expended by the board for the
benefit of the public schools of the county.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 20th day of April 2001.

Governor