

Rec.
June 2

55

ENROLLED BILL

(EXTRAORDINARY SESSION, 1933)

Committee Substitute for
Senate Bill No. 55

(By ~~Mr.~~ *Committee on Education*)

Passed May 31, 1933

In Effect from Passage

Originating in the..... Takes effect..... Passage.

James L. Smith
Clerk.

Geo. S. Shead
Clerk of the House of Delegates.

CORRECTLY ENROLLED

James L. Smith
Chairman House Committee.

James L. Smith
Chairman Senate Committee.

ENROLLED BILL

(Com. Sub. for S. B. No. 55)

[Passed May 31, 1933; in effect from passage.]

AN ACT to provide for the transfer of the property heretofore known as the Wheeling public library and heretofore owned and operated by the independent school district of the city of Wheeling, to a board of trustees created hereby and to be known as the board of trustees of the Ohio county public library and providing for the ownership, management and operation of the said public library by such board of trustees.

Be it enacted by the Legislature of West Virginia:

Section 1. Title to the public library of the city of Wheeling
2 heretofore owned and operated by the independent school dis-

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D. D. Johnson

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James L. Smith

Chairman House Committee.

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3 trict of said city, is hereby vested in a board of trustees to be
4 known as the board of trustees of the Ohio county public
5 library, which board is hereby created. Said board is hereby
6 made a body corporate and by that name may sue and be sued,
7 plead and be impleaded, contract and be contracted with. Said
8 board shall consist of five citizens of the county of Ohio, and
9 shall be appointed in the manner hereinafter set out and shall
10 serve without compensation, and shall hold no remunerative
11 political office, either state, county or municipal; no member
12 of the board shall be eligible to appointment to any remunera-
13 tive office or position under the jurisdiction of said board.

Sec. 2. Before the first day of July, one thousand nine
2 hundred thirty-three, the judges of the circuit court of Ohio
3 county shall appoint the members of said board; one person
4 shall be appointed for one year; one for two years; one for three
5 years; one for four years; and one for five years, respectively,
6 as designated by the said judges, the term of office commencing
7 July first, one thousand nine hundred thirty-three. Their re-
8 spective successors, however, shall be appointed for the term of
9 five years each, excepting that any person appointed to fill a
10 vacancy occurring before the expiration of the term vacated,

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D. Hyra,

Chairman Senate Committee.

James L. Smith

Chairman House Committee.

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11 shall serve only for the unexpired term, and a member shall be
12 eligible for reappointment; *Provided, however,* That any
13 vacancy created, except by the expiration of a term, shall be
14 filled by the said board of trustees. Upon the appointment of
15 said board the members thereof shall elect from among their
16 number a chairman and a secretary-treasurer, who shall hold
17 office for one year and be eligible for reelection, and annually
18 thereafter said board shall organize by the election of a chair-
19 man and secretary-treasurer. Members of the board may be
20 removed from office in the same manner as provided for the re-
21 moval of county officers under section six, article six, chapter
22 seven of the code of West Virginia, one thousand nine hundred
23 thirty-one.

Sec. 3. Title to said library property, including real estate,
2 equipment, books, and all other property of whatsoever nature
3 is hereby vested as of July first, one thousand nine hundred
4 thirty-three, in said board of trustees and their successors. Said
5 board shall have all and sole power necessary, convenient and
6 advisable for the proper operation, equipment and management
7 of said library, and any and all other public libraries or branch
8 libraries established or acquired by the said board, either by gift

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D. H. Hays

Chairman Senate Committee.

James L. Smith

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9 or purchase, and shall make such rules and regulations as it
10 shall deem expedient for the care and management thereof.

Sec. 4. In order to provide for the maintenance and operation
2 of said public library and any and all other branches thereof,
3 the board of education of Ohio county shall levy annually not
4 to exceed three cents upon request by the said board of trustees,
5 on each one hundred dollars of the assessed valuation of the
6 property within the limits of Ohio county, according to the last
7 assessment thereof for state and county purposes. The proceeds
8 of this levy will be for the exclusive use of said public library
9 or any branches thereof or any other public libraries acquired
10 by purchase or otherwise by said board of trustees, and shall be
11 disbursed only upon order of the said board of trustees evi-
12 denced by warrants drawn on the sheriff of Ohio county and
13 signed by the chairman and secretary-treasurer of said board.
14 Said levy shall be included within the limits and be a part of
15 the levy or levies authorized by law to be laid by said board of
16 education of Ohio county.

17 All income realized by the operation of said public library or
18 other libraries or branches thereof, from the rental of books or
19 otherwise other than as proceeds of the levy hereinbefore men-

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James D. Hyman

Chairman Senate Committee.

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tioned, shall be paid direct to said board of trustees, and by it
used in the purchase of new books for any public library or
branch and for the maintenance and operation thereof in the
discretion of said board.

All acts or parts of acts inconsistent herewith are hereby re-
pealed.

Anna O. Hays
Chairman Senate Committee.

B. M. Shriver

Speaker of the House of Delegates.

Geo. S. Hall

Clerk of the House of Delegates.

Wm. S. O'Brien

President of the Senate.

Samuel A. Smith

Clerk of the Senate.

CORRECTLY ENROLLED

James J. Smith
Chairman House Committee.

The within is.....

this.....day of....., 1933.

.....
Governor.

Filed in the office of the Governor of the State of West Virginia. JUN 7 1933

Wm. S. O'BRIEN,
Secretary of State