

Rec., Feb. 19, 1934

322

**ENROLLED BILL**  
(SECOND EXTRAORDINARY SESSION, 1933)

House Bill No. 322

(By Mr. Hill)

Passed February 16<sup>th</sup> 1934

In Effect From Passage

Passage

Takes effect

Originated in the

Clerk of House of Delegates.

Clerk.

CORRECTLY ENROLLED

Chairman Senate Committee.

Chairman House Committee.

## ENROLLED BILL

(H. B. No. 322)

[Passed February 16, 1934; in effect from passage.]

AN ACT to authorize and empower the board of education of Pocahontas county, West Virginia, to convey land and to enter into a contract and/or lease with the United States government or any federal agency authorized to make or enter into such contract and/or lease for the erection, construction, equipment, leasing and renting of school building or buildings, with an option to purchase same, and to provide for the payment of a yearly rental for such by said board.

*Be it enacted by the Legislature of West Virginia:*

Section 1. That the board of education of Pocahontas county, West Virginia, be and it is hereby authorized and empowered to convey to and/or lease to the United States government or any federal agency any lot, lots, parcel or parcels of land owned by it which the said board may see fit to convey and/or lease for the purposes hereinafter expressed; and to

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*James A. Smith*

*Chairman Senate Committee.*

*James A. Smith*

*Chairman House Committee.*

7 contract with the United States government or any federal  
8 agency to the end that said government or agency, its or any  
9 of their agencies, or agents, thereunto duly authorized, may  
10 build, erect, construct, equip and/or furnish upon said prop-  
11 erty, any building or buildings or additions to present build-  
12 ings to be used for public school purposes; and to contract with  
13 said government or any federal agency for the yearly lease or  
14 rental of said building or buildings, with the privilege of re-  
15 newing said lease from year to year, for a period of years, not  
16 exceeding thirty, with the right to purchase said building or  
17 buildings and land on which the same is or are situated and to  
18 apply toward the purchase price thereof any and all rentals  
19 paid to said government or agency under the provisions of this  
20 act; and the said board shall pay to the said United States  
21 government or any federal agency said yearly rental or rentals,  
22 for the use and occupancy of said building or buildings if and  
23 when the same are constructed, which said yearly rental or  
24 rentals, in the aggregate, shall not exceed the total amount, and  
25 interest thereon, expended by said government or agency on  
26 said project or projects, and the said yearly rentals shall not  
27 exceed the constitutional debt limitations; and to do any and

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James L. Smith  
Chairman House Committee.  
Dennis A. Higgins  
Chairman Senate Committee.

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28 all other things required by said United States government or  
29 any federal agency which are necessary and proper to effectuate  
30 the purpose of this act.

Sec. 2. The said board shall levy and collect annually an  
2 amount sufficient to pay said rental or rentals for that particu-  
3 lar year for the purposes aforesaid in the manner and form as  
4 is provided by law.

Sec. 3. This act being necessary for the health, welfare,  
2 convenience and education of the school children of Pocahontas  
3 county, it should be liberally construed to effectuate the pur-  
4 poses thereof.

Sec. 4. If any clause, sentence, section, provision or part of  
2 this act shall be adjudged to be unconstitutional or invalid for  
3 any reason by any court of competent jurisdiction, such judg-  
4 ment shall not impair, affect or invalidate the remainder of this  
5 act, which shall remain in full force and effect thereafter.

6 All acts and parts of acts inconsistent herewith are hereby  
7 repealed insofar, and only so far, as they are inconsistent with  
8 this particular act.

*Kenna K. Steye*  
 .....  
 Chairman Senate Committee.

*B. M. Shiner*  
 .....  
 Speaker of the House of Delegates.

*Geo. H. Stace*  
 .....  
 Clerk of the House of Delegates.

*P. G. Mainwaring*  
 .....  
 President of the Senate.

*Robert D. Smith*  
 .....  
 Clerk of the Senate.

*James L. Smith*  
 .....  
 Chairman House Committee.

The within is.....

this.....day of....., 1934.

.....  
 Governor.

CORRECTLY ENROLLED

Filed in the office of the Secretary of State  
 of West Virginia. **FEB 24 1934**  
 Wm. S. O'BRIEN,  
 Secretary of State