

Rec., Feb. 8, 1934

97

# ENROLLED BILL

Second Extraordinary Session

SENATE BILL NO. 97

By Mr. Nodges

PASSED February 7, 1934

IN EFFECT From PASSAGE

Originating in the Senate Takes effect from Passage.  
Samuel Smith Clerk. W. H. H. H. H. Clerk House of Delegates.

CORRECTLY ENROLLED

James L. Smith  
Chairman House Committee.

W. H. H. H.  
Chairman Senate Committee.

## ENROLLED BILL

(S. B. No. 97)

[Passed February 7, 1934; in effect from passage.]

AN ACT to authorize and empower the board of education of Monongalia 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. The board of education of Monongalia county,

CORRECTLY ENROLLED

*Chairman Senate Committee.**Chairman House Committee.*

2 West Virginia, is hereby authorized and empowered to convey  
3 to the United States government or any federal agency any  
4 lot, lots, parcel or parcels of land owned by it, which the said  
5 board may see fit to convey for the purposes hereinafter  
6 expressed; and to contract with the United States government  
7 or any federal agency to the end that said government or  
8 agency, its or any of its agencies, or agents, thereunto duly  
9 authorized, may build, erect, construct, equip and/or furnish  
10 upon said property, any building or buildings to be used for  
11 public school purposes; and to contract with said government  
12 or any federal agency for the yearly lease or rental of said  
13 building or buildings, with the privilege of renewing said  
14 lease from year to year, for a period of years, not exceeding  
15 thirty, with the right to purchase said building or buildings  
16 and land on which the same is or are situated and to apply  
17 toward the purchase price thereof any and all rentals paid to  
18 said government or agency under the provisions of this act;  
19 and the said board shall pay to the said United States govern-  
20 ment or any federal agency said yearly rental or rentals, for  
21 the use and occupancy of said building or buildings if and  
22 when the same are constructed, which said yearly rental or

CORRECTLY ENROLLED

*Henry A. Hyatt*

Chairman Senate Committee.

*James L. Smith*

Chairman House Committee.

Enrolled S. B. No. 97]

3

23 rentals, in the aggregate, shall not exceed the total amount,  
24 and interest thereon, expended by said government or agency  
25 on said project or projects, and the said yearly rentals shall  
26 be paid out of levies laid within the constitutional debt  
27 limitations; and to do any and all other things required by  
28 said United States government or any federal agency which  
29 are necessary and proper to effectuate the purpose of this  
30 act.

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

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

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

*Monangela Cornett:*  
*Charles Lively,*  
*clerk by*  
*M. S. Hodge*

CORRECTLY ENROLLED

*James L. Smith*

*Chairman House Committee.*

*Lucas A. McGraw*

*Chairman Senate Committee.*

6 after.

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

*James L. Smith*  
Chairman Senate Committee.

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

*Geo. S. Hall*  
Clerk of the House of Delegates

*P. H. Mainwaring*  
President of the Senate

CORRECTLY ENROLLED

*James L. Smith*  
Chairman House Committee.

*Samuel D. Smith*  
Clerk of the Senate

The within is.....

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

.....  
Governor

Filed in the office of the Secretary of State  
of West Virginia. **FEB 14 1934**

Wm. S. O'BRIEN,  
Secretary of State