

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 446

(By Mr. LaFon)



PASSED March 13, 1937

In Effect from Passage

**ENROLLED**

**House Bill No. 446**

(BY MR. LAFON)

[Passed March 13, 1937; in effect from passage.]

AN ACT to amend article three by adding thereto section ten-a; to amend and reenact section three, article seven; and to amend article seven by adding thereto sections three-a, three-b and three-c; all of chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as enacted by chapter one, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-six, relating to institutional care under the public welfare law.

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

That section ten-a be added to article three, section three of article seven be amended, and sections three-a, three-b, and three-c be added to article seven, all of chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended by chapter one, acts of the first extraordinary session of one thousand nine hundred thirty-six so as to read as follows:

**Article III.**

Section 10-a. *Temporary Assembly Institutions.* The state  
2 department, upon the approval of the advisory board, may  
3 maintain such temporary assembly institutions as are neces-  
4 sary for the temporary care, maintenance, and training of  
5 children and persons needing institutional protection.

**Article VII.**

Section 3. *Two or More Counties.* The county courts of two  
2 or more adjoining counties may establish jointly an institution  
3 for general relief and contribute to the expense of establishing  
4 and maintaining it in the proportions and under the regula-  
5 tions agreed upon, or a county court of one county may con-  
6 tract for the maintenance of persons eligible for institutional  
7 care with the county court of another county maintaining an  
8 institution.

9 Where an institution is jointly established the management  
10 shall be in the county court of the county where the institu-  
11 tion is situated unless otherwise agreed by the county courts  
12 concerned.

Sec. 3-a. *Assistance by County Council.* If a county court  
2 has complied with the maximum levy requirements of section

3 five of article ten and there is still an insufficient amount to  
4 maintain a county infirmary or institution the county council  
5 may contribute to the support of that institution or infirmary.

Sec. 3-b. *County Council Management.* A county court  
2 and county council may transfer by written agreement the  
3 management and operation of a county infirmary or institu-  
4 tion from the county court to the county council. The trans-  
5 ference of management and operation, however, shall not re-  
6 lieve the county court from the obligation to levy for the  
7 support of such institution or infirmary according to the pro-  
8 visions of section five of article ten of this chapter.

Sec. 3-c. *Maintenance of Institutional Cases in Other*  
2 *Counties.* If the maintenance of persons in a county institu-  
3 tion or infirmary within the county is determined to be un-  
4 economical, undesirable, or impractical by the county council,  
5 the council may contract with the county court or county  
6 council of another county for the institutional care and main-  
7 tenance of such persons.

8 If the state director determines that efficiency and economy  
9 in the administration of the department can be achieved by  
10 the transference of persons from a county infirmary or insti-  
11 tution in one county to an institution in another county he  
12 may order such transference if such transfer does not result  
13 in unreasonable separation of persons.

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

*Charles B. Galt*

Chairman Senate Committee

*Wesley C. Walker*

Chairman House Committee

Originated in the.....

Takes effect..... passage.

*Charles G. Finley*

Clerk of the Senate

*Geo. Stace*

Clerk of the House of Delegates

*Chas. E. Hoyle*

President of the Senate

*J. N. House*

Speaker House of Delegates

The within *Approved* this the *18<sup>th</sup>*

day of *March*, 1937.

*James A. Holt*

Governor.

Filed in the office of the Secretary of State of West Virginia

MAR 19 1937

Wm. S. O'BRIEN, Secretary of State