WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

SENATE BILL No. 39

(By Mr.

PASSED March 22, 1939

In Effect Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.
ENROLLED

Senate Bill No. 39

(By Mr. Fleming)

[Passed March 10, 1939; in effect from passage.]

AN ACT to amend article one, chapter ten of the code of West Virginia, nineteen hundred thirty-one, by adding thereto sections sixteen to twenty-one, inclusive, relating to the establishment and maintenance of regional library areas and regional libraries; to the collection and preservation of library data, statistics and surveys and to the availability of the results thereof; and, to provide for the authorization of financial or other aid to public, school, traveling, regional or other libraries by the West Virginia Library Commission.

Be it enacted by the Legislature of West Virginia:

That article one, chapter ten of the code of West Virginia, nine-
teen hundred thirty-one, be amended by adding thereto sections sixteen to twenty-one, inclusive, to read as follows:

**Article I. Public Libraries.**

Section 16. *Regional Libraries; Plan for Establishment and Location.* The West Virginia Library Commission is hereby authorized, to develop a plan for the establishment and location of regional libraries, and library areas throughout the state, based on a detailed survey to be made by the Commission of the needs of the various localities of the state. A region shall include two or more counties.

Sec. 17. *Action by County Courts; Alteration of Plan.*

On completion of the survey of any proposed region, the executive secretary of the commission shall refer the proposal to the county courts of all the counties included in such proposed region. The county courts shall act upon such proposal by resolution, and the votes of a majority of each of the county courts of the counties included in the proposed region shall be necessary for the adoption of such proposal. In case of the rejection of such proposal by the county courts of any of the counties included in such proposed region, the library commission is hereby authorized to alter its plan in
accordance with such action in order to provide for a region in such section of the state. The vote of a majority of each county court in the counties in such altered region shall be necessary for the adoption of such proposal.

Sec. 18. **Powers of West Virginia Library Commission Over Regional Libraries.** The West Virginia Library Commission shall have the following powers for the establishment and maintenance of regional areas and regional libraries:

(a) To establish, maintain, and operate a public library for the region.

(b) To appoint a librarian and the necessary assistants, and to fix their compensation, such appointments to be based upon merit and efficiency as determined by the commission. The librarian shall hold a certificate from an approved school of library science and shall have had not less than three years of practical experience in library work. Said library commission shall also have the power to remove said librarian and other assistants.

(c) To purchase books, periodicals, equipment and supplies.

(d) To purchase sites and erect buildings, and/or to lease
suitable quarters, and to have supervision and control of said property.

(e) To borrow books from and lend books to other libraries.

(f) To enter into contracts to receive service from or give service to libraries within or without the region and to give service to municipalities without the region which have no libraries, or to co-operate with and aid generally without such contracts, public, school, institutional and other libraries.

(g) To make such by-laws, rules and regulations not inconsistent with this act as may be expedient for the government of such regional library areas and the regional libraries therein, and for the purpose of carrying out the provisions of this act.

(h) To accept for the state of West Virginia any appropriations of money that may hereafter be made out of the federal treasury by an act or acts of congress and to disburse such funds for the purpose of carrying out the provisions of this act, in accordance with sections eleven and twelve of article ten of chapter eighteen of the code of nineteen hundred thirty-one as so amended.
Sec. 19. _Contract Rights; Transfers to Regional Libraries._

2 After the establishment of a regional library area or regional library, as provided for in this act, the county court, legislative body of any city or town, the board of education of any county, or any other governing body of any political subdivision of this state, already maintaining a public, school or county library may notify the West Virginia Library Commission and such county, city or town, or other subdivision library may be transferred to, leased to, or used by said library commission for regional library purposes under such terms as may be mutually agreed upon between the said library commission and the respective county courts, legislative bodies of cities or towns, boards of education, or governing bodies of other political subdivisions.

Sec. 20. _Library Commission May Aid Libraries Generally._

2 The West Virginia Library Commission is hereby authorized and empowered to render such aid and assistance, financial advisory and/or otherwise, to public, school, county, or regional libraries, whether established or maintained by said library commission or not, under such conditions and rules as the said commission deems necessary to further the in-
Sec. 21. **Collection and Preservation of Data; Surveys.**

The West Virginia Library Commission is hereby authorized and empowered to collect and preserve statistics and other data, concerning libraries of any sort located within this state; to make surveys relating to the needs or conditions of such libraries or the library conditions of any city, town, county, regional library area, or other subdivision of this state; and to publish the results and findings thereof in accordance with the provisions of section fourteen of this article. The commission may employ all necessary personnel for any of these purposes, such appointments to be based on merit and efficiency as determined by the commission. Such data, surveys, and findings of the Library Commission shall be available to all school, public, institutional, regional and/or other libraries within this state, whether proposed or established.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate

Takes effect from passage

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within

was approved this the 15th day of March, 1939.

[Signature]
Governor

Filed in the office of the Secretary of State of West Virginia MAR 16 1939

Wm. S. O'Brien, Secretary of State