WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 13

(By Mr. [Signature])

PASSED February 21, 1941

In Effect 90 days from Passage
ENROLLED
SENATE SUBSTITUTE
FOR
Senate Bill No. 13
(By Mr. Allen)

[Passed February 21, 1941; in effect 90 days from passage.]

AN ACT to authorize the county court of Pocahontas county, West Virginia, to acquire lands and to erect and maintain a hospital as a memorial to soldiers and sailors of the World War; to provide for raising funds by taxation for the purchase of such lands and the construction, equipment and maintenance of such hospital, and to provide for the maintenance and management of such hospital by a board of directors to be appointed by said county court.
Be it enacted by the Legislature of West Virginia:

Section 1. Memorial to Soldiers and Sailors; Memorial Fund. The county court of Pocahontas county, West Virginia, shall have the power, upon petition of not less than twenty per cent of the voters of such county, based on the number of votes cast for governor at the last general election, to acquire and establish at the county seat, or adjacent thereto, by purchase or otherwise, lands and to erect and maintain thereon a hospital to be used as a memorial in memory of and in recognition of the virtues and sacrifices of the soldiers and sailors from said county in the World War, and to lay a tax for the purpose of acquiring, establishing and operating such hospital, of not more than one cent on Class No. I property; two cents on Class II property; and four cents on Classes III and IV property; which rates of levy may be made up from any unused county-wide rates allocated for county current purposes and not needed for such county current purposes and from any unused county-wide school debt rates not needed for such debt purposes and not now available for school current purposes under the provisions of section
seven, article eight, chapter eleven of the code of West Virginia, as amended by chapters one hundred thirty-two and one hundred thirty-three of the acts of the Legislature, one thousand nine hundred thirty-nine, and such taxes shall be levied and collected in like manner as the general taxes of the county. The taxes derived from said levy shall be kept in a separate fund to be known as the "Memorial Fund."

Whenever such hospital is established under this act, said county court shall appoint a board of directors consisting of one resident from each magisterial district of the county without regard to sex, giving consideration to their fitness of such office. Such directors shall hold office for four years from the first day of July following their appointment, and until their successors are appointed and qualified. Vacancies in the board shall be reported to said county court and filled for the unexpired term by appointment in like manner as the original appointments were made. The said county court may remove any director for misconduct or neglect of duty.

No compensation shall be paid or allowed any director.
The board of directors of any hospital established as a memorial under this act shall, immediately after their appointment, meet and organize by electing one of their number as president and one as secretary; a majority of such board shall constitute a quorum for the transaction of business. They shall make and adopt such by-laws, rules and regulations from time to time, for their own guidance and for the government and use of said hospital, as the board may deem expedient and not inconsistent with this act. Such board shall have authority to contract for the construction or purchase of a hospital established under this act and for repairs thereon and for the maintenance and operation thereof and for the supervision, care and custody of said land, structure or structures.

All contracts shall be approved by said county court and the expenditure of all sums shall be subject to the approval of said county court. All monies belonging to the memorial fund shall be deposited in the treasury of said county court to the credit of the memorial fund and shall be drawn therefrom only on orders issued by the county court. Such orders shall not be drawn except upon
requisition of the memorial board attached to properly authenticated vouchers. The title to all such property shall be vested in the county court. The board shall have power to appoint a suitable custodian and assistants and prescribe rules for their conduct, fix their duties and compensation, and shall have power to remove such appointees and, in general, to carry out the spirit and intention of this act.

Any hospital established under this act shall be free for the use of the inhabitants of said county, subject to such reasonable rules and regulations and charges for hospitalization as the board may adopt, in order to render the use of such hospital of the greatest benefit to the greatest number; and the board may exclude from the use of such hospital any and all persons who shall wilfully violate such rules. The board of directors may extend the use and privileges of such hospital to nonresidents of the county upon such terms and conditions as the board may prescribe.

The board of directors, on or before the first day of July of each year, shall make a report to the county

84 court, showing the condition of the property, the various
85 sums of money received from the memorial fund, and
86 from all other sources, how such money was expended
87 and for what expended; and shall submit an itemized
88 budget estimate of expenses of the hospital for the en-
89 suing year, with such other information and suggestions
90 as they may deem of general interest, or that may be re-
91 quired by said county court.

92 Said county court is empowered to receive from any
93 person, firm or corporation, by deed, gift, devise or
94 bequest, funds and property of any kind for the benefit
95 of such hospital and the title to same shall be vested in
96 said county court, and said county court and board shall
97 hold such funds and property in trust and administer the
98 same according to the terms and for the purposes set forth
99 in such deed, gift, devise or bequest.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 1st
day of March, 1941.

Governor.

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

Secretary of State