

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

## ENROLLED

SENATE BILL NO. 118

(By Mr. Martin)

PASSED Feb 13 1959

In Effect From Passage



Filed in Office of the Secretary of State  
of West Virginia FEB 19 1959

JOE F. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 118**

(By MR. MARTIN)

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[Passed February 13, 1959; in effect from passage.]

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AN ACT to amend and reenact chapter one hundred seventy-nine, acts of the Legislature of West Virginia, regular session, one thousand nine hundred fifty-five, as amended, authorizing the county court of Berkeley county to transfer unexpended funds and surpluses in any funds of said county into a fund to be used and expended by the county court for county fire protection equipment, apparatus and facilities and county courthouse and jail repairs, improvements and additions.

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

That chapter one hundred seventy-nine, acts of the Legislature of West Virginia, regular session, one thousand nine hun-

dred fifty-five, as amended, be amended and reenacted to read as follows:

Section 1. *Berkeley County Unexpended and Surplus Funds; Use and Disposition for Fire Protection and Court-house and Jail Improvements.*—Subject to the use and allocation of available moneys and funds, as provided in section two hereof, the county court of Berkeley county is hereby authorized and empowered to use any unexpended funds of said county and any surplus in any county fund, now or hereafter created, for the purpose of purchasing, operating and maintaining fire apparatus and equipment of all kinds used in furnishing fire protection, and is hereby further authorized and empowered to place or station such equipment and apparatus under the jurisdiction and control of the city council of the city of Martinsburg for the operation thereof. The county court of Berkeley county is also hereby authorized and empowered to use any such unexpended funds and surplus in an amount necessary for the rental of fire hydrants erected and maintained by any municipal corporation and/or sanitary district in said county. The authority hereby granted

20 is in addition to the authority granted by chapter one hun-  
21 dred thirty-seven, acts of the Legislature, regular session,  
22 one thousand nine hundred forty-nine.

Sec. 2. *Use of Funds for Courthouse and Jail Repairs,*  
2 *Improvements and Additions; Apportionment of Funds;*  
3 *Expenditure.*—The county court of Berkeley county may,  
4 in its discretion, allocate the available moneys and funds,  
5 as provided in section one of this chapter, for such fire  
6 protection uses and services as it may find to be expedient  
7 and practicable, and is hereby authorized and empowered  
8 to use and expend the balance of all such available mon-  
9 eys and funds for repairs, improvements and additions to  
10 the courthouse and jail of Berkeley county. Such available  
11 moneys and funds may be used and expended for neces-  
12 sary or emergency repairs or improvements to the court-  
13 house or jail and may be accumulated for other repairs  
14 and improvements and structural additions to the court-  
15 house and jail of Berkeley county: *Provided, however,*  
16 That such moneys and funds may also, in the discretion  
17 of said court, be used or expended for the construction  
18 and/or purchase of an annex to said courthouse or the

19 construction and/or purchase of a new courthouse, which  
20 may include a space for rooms for the county health de-  
21 partment and a public library.

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

*W. M. Jasper*  
 Chairman Senate Committee

*J. F. Teem*  
 Chairman House Committee  
 Member

Originated in the Senate.

Takes effect *from* passage.

*Howard H. Hays*  
 Clerk of the Senate

*C. A. Blankenship*  
 Clerk of the House of Delegates

*Ralph Bean*  
 President of the Senate

*A. R. Bailey*  
 Speaker House of Delegates

The within *approved* this the *19th*  
 day of *February*, 1959.

*W. D. Underwood*  
 Governor