WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

ENROLLED

HOUSE BILL No. 232

(By Mr. Bates)

PASSED February 8th, 1968

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68
AN ACT to authorize the county court of Gilmer County, in
view of the special, individual, unusual and peculiar cir-
cumstances pertaining in Gilmer county, to make appro-
priations to the nonstock, nonprofit corporation, "The
Gilmer County Medical Center, Inc.,” for a public purpose,
subject to certain limitations and restrictions.

Be it enacted by the Legislature of West Virginia:

§1. Legislative findings; authority of Gilmer county court to
make contributions to “The Gilmer County Medical Center,
Inc.,” for a public purpose; limitations and restrictions.

1 (a) The Legislature hereby finds that in Gilmer
2 county there is an urgent need for the building, furnish-
3 ing and maintaining of medical facilities and for the
attraction of medical personnel; that because of the lack of medical facilities and medical personnel, the students and faculty at Glenville State College, located at Glenville, Gilmer county, are without medical care; that by virtue of the concentration of persons at said Glenville State College, the need for medical facilities and medical personnel is special, individual, unusual and peculiar to Gilmer county; that a nonstock, nonprofit corporation, "The Gilmer county Medical Center, Inc.," has been established for the purpose of building, furnishing and maintaining medical facilities and for the purpose of attracting medical personnel to Gilmer county; that said corporation has by contributions from private persons, firms and corporations, acquired land for the erection of medical facilities; that the county court of Gilmer county desires to make contributions to such nonstock, nonprofit corporation so that the land may be used for the building, furnishing and maintaining of medical facilities and for the attraction of medical personnel; and that the support of such nonstock, nonprofit corporation for the general public is
for the general welfare of the people of Gilmer county
and is a public purpose. This act is enacted in view
of these findings and shall be liberally construed in the
light thereof.

(b) The county court of Gilmer county is hereby
authorized and empowered, subject to the provisions
and limitations set forth in subsections (c) and (d)
of this act, to appropriate funds to the said “The Gilmer
County Medical Center, Inc.,” for such public purpose,
if and only if such corporation (1) remains organized
under the laws of this state as a nonstock, nonprofit
corporation for the building, furnishing and maintaining
of medical facilities and for the attraction of medical
personnel, and contains in its charter a provision to
the effect that its buildings, furnishings and facilities
shall be devoted to the furnishing of medical services
to the public, (2) contains in its charter a provision to
the effect that no member, trustee or member of the
board of directors (by whatever name the same may
be called) of the corporation shall receive any com-
pensation, gain or profit from such corporation, and
(3) is operated in compliance with such charter provisions as aforesaid: Provided, That such funds may be expended and otherwise utilized only within Gilmer county. In any such case, the county court of Gilmer county and such corporation may agree for the appointment of additional members of the board of directors of such corporation (by whatever name the same may be called) by such county court, either as regular members or in an ex officio capacity.

(c) No funds appropriated by the county court of Gilmer county under the authority of this act shall be disbursed by such nonstock, nonprofit corporation unless and until the expenditure thereof has been approved by such county court, and such corporation shall upon demand at any time make a full and complete accounting of all such funds to such county court, and shall in every event without demand make to such county court an annual accounting thereof.

(d) Under no circumstances whatever shall any action taken by the county court of Gilmer county under the authority of this act give rise to or create any indebted-
ness on the part of the county, such county court, any
member of the county court or any county official or
employee.
(e) If any provision of this act or the application
thereof to any person or circumstance is held unconstitu-
tional or invalid, such unconstitutionality or invalidity
shall not affect other provisions or applications of this
act, and to this end the provisions of this act are declared
to be severable.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Temps
Chairman Senate Committee

Clayton B. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

J. Harrell Hays
Clerk of the Senate

C.A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Robert White
Speaker of the House of Delegates

The within approvethis the 14th day of February, 1968.

Hulet C. Smith
Governor
PRESENTED TO THE
GOVERNOR
Date  2/13/68
Time   2:20 P.M.

RECEIVED
Feb 13 1 at 21 00

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA