WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

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ENROLLED

HOUSE BILL No. 938

(By Mr. Spavasie and Mr. Inghram)

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PASSED Feb. 28, 1969

In Effect Ninety Days After Passage

FILED IN THE OFFICE
JOHN D. ROOKERELLER, IV
SECRETARY OF STATE
THIS DATE ______
AN ACT to establish the Raleigh county public library to serve the residents of the county of Raleigh to create a library board with power to operate the said public library, to provide a stable method of financing the operation of the said public library; and to confer upon the employees of the said public library the benefits of chapter twenty-three and of articles seven and ten of chapter five of the West Virginia code.

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

§1. Public library; created; joint support by board of education and county court.

1 There is hereby created a public library, which shall

2 be known as the "Raleigh County Public Library," which
shall be supported by the board of education of the county of Raleigh and the county court of Raleigh county, as a joint endeavor of the two governing authorities in the manner hereinafter prescribed.

§2. Board of directors; appointment, terms, meetings, powers and duties generally; officers; bylaws, rules and regulations.

There shall be a board of five directors, who shall serve without compensation. Before the first day of July, one thousand nine hundred sixty-nine, the board of education of the county of Raleigh shall appoint two members of the said board of directors, appointing one person for a term of one year, and one person for a term of three years; the county court of Raleigh county shall appoint two members of the said board of directors, appointing one person for a term of two years, and one person for a term of four years; and the city of Beckley shall appoint one member of the said board of directors for a term of five years. Said initial terms of office shall commence July first, one thousand nine hundred sixty-nine. Each successor member of said board of directors shall be appointed by that governing authority which
shall have appointed the predecessor member, and each
such successor member shall be appointed for a term of
five years each, except that any person appointed to
fill a vacancy occurring before the expiration of the term
vacated shall serve only for the unexpired term. A
member shall be eligible for reappointment. The govern-
ing authority which appointed any member may remove
such member for cause. There shall be an annual meet-
ing of the board of directors on the second Friday in
July in each year, and a monthly meeting on the day in
each month which the board may designate in its bylaws.
A special meeting may be called by the president, the
secretary or any two members of the board, and shall
be held only after all the directors are given notice
thereof. At all meetings three members shall constitute
a quorum. At each annual meeting the board of directors
shall elect, from its membership, a president, a vice-

president, a secretary and a treasurer: Provided, how-
ever, That the librarian may be elected secretary and/or
treasurer. The board of directors shall adopt such bylaws,
The board of directors shall have all the powers necessary, convenient and advisable for the proper operation, equipment and management of the said library; and, except as otherwise specially provided in this act, shall have the powers and be subject to the duties which are conferred and imposed, respectively, upon library directors by sections six, seven, eight, nine, ten and eleven of article one of chapter ten of the West Virginia code.

The board of directors shall have the benefits arising out of the creation and continuance of the state library commission of West Virginia.

§3. Same—A body corporate.

1 The board of directors of the public library hereby created shall be a corporation. As such it may contract and be contracted with, sue and be sued, plead and be impleaded, and shall have and use a common seal.

§4. Title to property.

1 The title to all property, both real and personal, now devoted to public library purposes by the board of edu-
operation by it of a public library in the city of Beckley and the county of Raleigh, shall, on July first, one thousand nine hundred sixty-nine, vest in the board of directors of the Raleigh county public library hereby created.

§5. Levies for support, maintenance and operation.

In order to provide for the support, maintenance and operation of the public library hereby created and any and all branches thereof the said supporting governing authorities shall, upon written request by the board of directors of the public library, levy annually as follows within the respective taxing districts of the governing authorities, on each one hundred dollars of assessed valuation of the property taxable in the area served by it according to the last assessment for state and county purposes, amounts not exceeding the following amounts for the fiscal year beginning July first, one thousand nine hundred sixty-nine:

A. The county court of Raleigh county, for the first year of the act and annually thereafter: Class one, one and seven hundredths of a cent; class two, two and four-
teen hundredths of a cent; class three and class four, four and twenty-eight hundredths of a cent.

B. The board of education of the county of Raleigh for the first year of the act and annually thereafter: Class one, one and seven hundredths of a cent; class two, two and fourteen hundredths of a cent; class three and class four, four and twenty-eight hundredths of a cent.

In addition to the aforesaid amounts which, upon written request by said board, the governing authorities shall levy, each such governing authority may support the public library with any other general or special revenues or excess levies. All income realized by the operation of the public library from any sources other than the above levies shall be used by the board of directors for support of the public library.

§6. Deposit and disbursement of funds.

All money collected or appropriated by said two governing authorities for library purposes shall be deposited in a special account of the board of directors of the Raleigh county public library, and shall be disbursed
by that board for the purpose of operating a public
library system.

§7. Workmen's compensation, social security and public em-
ployees retirement benefits for employees.

All employees of the public library hereby created
shall be entitled to the benefits of the provisions of chap-
ter twenty-three and of articles seven and ten of chapter
five of the West Virginia code.

§8. Effect of future amendments of general law.

Amendments to article one, chapter ten of the West
Virginia code, and other general laws shall control this
act only to the extent that they do not conflict with the
special features hereof, or unless the intent to amend
this act is clear and unmistakable.


If any provision hereof is held invalid, such invalidity
shall not affect other provisions hereof which can be
given effect without the invalid provision, 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 Tempo
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. Howard Hogg commander
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Herbert J. Carrow
President of the Senate

Joe F. Barry
Speaker House of Delegates

The within .............................................................. approved this the 11th day of March, 1969.

Arch A. Shaw
Governor