WEST VIRGINIA LEGISLATURE
FIRST EXTRAORDINARY SESSION, 1986

ENROLLED

SENATE BILL NO. 20

(By Senator [Signature]

PASSED [Signature] May 26, 1986

In Effect [Signature] Passage
AN ACT to provide a stable method of financing the operation of the Hamlin-Lincoln county public libraries, Lincoln County, West Virginia, organized under article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended.

Be it enacted by the Legislature of West Virginia:

HAMLIN-LINCOLN COUNTY PUBLIC LIBRARIES.

§1. Legislative findings and purpose.

The Legislature finds: (1) That in the year one thousand nine hundred seventy-two the governing authority of the town of Hamlin located in Lincoln County, West Virginia, pursuant to authority granted to it in section two, article one, chapter ten of the code of West Virginia, one thousand nine hundred thirty-one, as amended, created the Hamlin Public Library; (2) that this library is operated by a board of directors appointed by the governing authority of the town of Hamlin, as provided in section five of said article one, which board is a public corporation under section nine of said article one, having all the powers and duties vested in library boards by article one of said chapter ten; (3) that the county commission and the county board of education, both of Lincoln County, have entered into contracts with this library board, as permitted under section four of said article one, for the library board to make its library materials and
services available without charge to all persons living in Lincoln County; (4) that branch libraries have been established in Alum Creek and Branchland, both located in Lincoln County; and (5) that other areas of Lincoln County have expressed interest in having branches of this library established in their area. The Legislature further finds and declares it to be in the public interest to provide for the Hamlin-Lincoln county public library a stable method of financing its operation to better serve persons in Lincoln County.

§2. Levies by county commission, county board of education and city of Hamlin to support Hamlin-Lincoln county public libraries.

(a) In order to provide for the support, maintenance and operation of the Hamlin-Lincoln County public libraries, Lincoln County, West Virginia, and any and all branches thereof, the Lincoln County board of education, the county commission of Lincoln County and the city of Hamlin, hereinafter described as the supporting agencies, shall, upon written request by the board of directors of the Hamlin-Lincoln County public libraries, levy annually on each one hundred dollars of assessed valuation of the property taxable by it according to the last assessment for state and county purposes, amounts as follows, for the fiscal year beginning the first day of July, one thousand nine hundred eighty-six, and each succeeding fiscal year:

(1) By the board of education of Lincoln County, from special and excess levies available to the board: On Class I property, seven tenths (7/10) of one cent per hundred; on Class II property, one and four-tenths (1.4) cents per hundred; on Class III property, two and eight-tenths (2.8) cents per hundred; and on Class IV property, two and eight-tenths (2.8) cents per hundred.

(2) By the county commission of Lincoln County: On Class I property, four tenths (4/10) of one cent per hundred; on Class II property, eight tenths (8/10) of one cent per hundred; on Class III property, one and six-tenths (1.6) cents per hundred; and on Class IV property, one and six-tenths (1.6) cents per hundred.

(3) By the city of Hamlin: On Class I property, one and two-tenths (1.2) cents per hundred; on Class II property,
two and four-tenths (2.4) cents per hundred; and on Class IV
property, four and eight-tenths (4.8) cents per hundred.

(b) Each year the board of directors of the Hamlin-
Lincoln County public libraries may request each of the
three supporting agencies to levy within the rates
prescribed in subsection (a), at the rate specified by the
board, on each one hundred dollars of assessed value of
property of the same class; and each of the three supporting
agencies shall levy as aforesaid and appropriate the revenue
derived from such levies to the Hamlin-Lincoln County
public libraries. In addition, each supporting agency may
appropriate to the public library any other general or
specific revenues or excess levies.

§3. Deposit and disbursement of funds.

(a) All money collected or appropriated by the three
supporting agencies for library purposes shall be deposited
as directed by the board of directors of the Hamlin-Lincoln
County public libraries in a bank or savings account
specified by the board.

(b) Disbursement of funds.—All monies appropriated to
the Hamlin-Lincoln County public libraries and all income
realized by the operation of the public libraries shall be
used by the board of directors for the support, maintenance
and operation of the public libraries, and disbursed by it for
payment of: salaries and wages; books and other library
materials such as periodicals, pamphlets, papers, works of
art, records and tapes; machinery, equipment and
furnishings; supplies and services; other costs and expenses
of operating and maintaining public libraries, including the
cost of maintaining, repairing, improving and replacing its
properties; and costs of acquiring additional property:
Provided, That all money appropriated by the city of
Hamlin shall be used only for the public library, or branches
thereof, located within the corporate limits of the city of
Hamlin.

(c) Accumulated surplus.—The board is hereby vested
with authority to accumulate a surplus from year to year
over and above the amount currently required for the
proper operation, maintenance and management of present
library facilities. Such accumulated surplus may be used
for the purchase or lease of new library facilities or
additions to existing library facilities, including the
equipping of such new facilities or additions to existing
facilities for library purposes; and to pledge by the
execution and delivery of appropriate legal instruments,
any real estate the board of directors may now own or which
it may hereafter acquire for the repayment of borrowed
funds; and the principal thereof and the interest thereon
may be paid out of the proceeds of the levies hereinbefore
authorized.


All employees of the Hamlin-Lincoln County public
library system shall be entitled to the benefits of the
provisions of chapter twenty-three and of article seven,
chapter five of the code of West Virginia, one thousand nine
hundred thirty-one, as amended.

§5. Effect of future amendments of general law.

Amendments to article one of said chapter ten and to
other general laws shall not control this act except to the
extent that such amendments do not conflict with the
provisions of this act, unless the intent to amend this act is
expressly stated.


If any provision hereof is held to be invalid by a court of
competent jurisdiction, such invalidities shall not affect
other provisions of this act 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.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ......................... this the 28th
day of ......................... 1986.

Governor
D R E A M E D TO T H E
GOVERNOR

Date 2/22/66
Time 3:20 p.m.