



1 the Martinsburg-Berkeley County Public Library.

2 **§2. Board of Directors - Appointment, powers and duties.**

3 There shall be a board of five directors, who shall serve  
4 without compensation. The directors currently serving will serve  
5 until the end of their respective terms. Beginning June 30, 2011,  
6 the Berkeley County Commission shall be responsible for two  
7 appointments, the Berkeley County Board of Education shall be  
8 responsible for two appointments and the city of Martinsburg shall  
9 be responsible for one appointment. The term expiring June 30,  
10 2011, shall be appointed by the Berkeley County Commission; the  
11 term expiring June 30, 2012, shall be appointed by the Berkeley  
12 County Board of Education; the term expiring June 30, 2013 ,shall  
13 be appointed by the city of Martinsburg; the term expiring June 30,  
14 2014, shall be appointed by the Berkeley County Commission; and the  
15 term expiring June 30, 2015, shall be appointed by the Berkeley  
16 County Board of Education.

17 Successive appointments will be filled by the original  
18 appointing authority. The powers and duties of the  
19 Martinsburg-Berkeley County Public Library and the board of  
20 directors shall be defined by the provisions of chapter ten of the  
21 West Virginia Code.

22 **§1 3. Levies by county court, county board of education and city of**  
23 **Martinsburg to support Martinsburg-Berkeley County Public**

1           **Library.**

2           In order to provide for the support, maintenance, and  
3 operation of the Martinsburg-Berkeley County Public Library,  
4 Berkeley County, West Virginia, and any and all branches thereof,  
5 the Berkeley County Board of Education, the Berkeley County court  
6 and the city of Martinsburg, hereinafter described as the  
7 supporting agencies, shall, upon written request by the board of  
8 directors of the Martinsburg-Berkeley County Public Library, levy  
9 annually on each \$100 of assessed valuation of the property taxable  
10 according to the last assessment for state and county purposes,  
11 amounts as follows: By the board of education of the county of  
12 Berkeley, Class I, one-half cent; Class II, one cent; Class III,  
13 two cents; Class IV, two cents; by the county court of Berkeley  
14 County, Class I, one-half cent; Class II, one cent; Class III, two  
15 cents; Class IV, two cents; and by the city of Martinsburg, Class  
16 I, one-half cent; Class II, one cent; Class IV, two cents.

17           Each year the board of directors shall request each of the  
18 three supporting agencies to levy within the above rates on each  
19 \$100 of assessed valuation of property of the same class, and each  
20 of the three supporting agencies shall levy within the rates  
21 aforesaid. In addition, each supporting agency may contribute to  
22 the public library any other general or specific revenues or excess  
23 levies. All income realized by the operation of the public library  
24 from any sources other than the above levies shall be used by the

1 board of directors for the support and maintenance of the public  
2 library.

3 **§2 4. Disbursements.**

4 All money collected or appropriated by the three supporting  
5 agencies for library purposes shall be deposited in a bank account  
6 as directed by the library board of directors and disbursed by if  
7 for salaries, wages, books, other library materials such as  
8 magazines, pamphlets, papers, works of art, records also machinery,  
9 equipment, supply services and other cost and expenses of operation  
10 a public library and maintaining, repairing, improving and  
11 replacing its property as well as acquiring additional property.

12 **§3 5. Status of employees.**

13 All employees of the Martinsburg-Berkeley County Public  
14 Library shall be entitled to the benefits of the provisions of  
15 chapter twenty-three and of articles seven and ten of chapter five  
16 of the Code of West Virginia, 1931, as amended.

17 **§4 6. Effect of future amendments of general law.**

18 Amendments to article one, chapter ten of the Code of West  
19 Virginia, 1931, as amended, and other general laws shall not  
20 control this act except to the extent that they do not conflict  
21 with the special features hereof, or unless the intent to amend  
22 this act is clear, specific and unmistakable.

23 **§5 7. Severability.**

1        If any provision hereof is held invalid, such invalidity shall  
2 not affect other provisions hereof which can be given effect  
3 without the invalid provision, and to this end the provisions of  
4 this act are declared to be severable.

NOTE: The purpose of this bill is to change the Martinsburg Public Library to the Martinsburg-Berkeley County Public Library. Also, to create a library board with the power to operate the public library. Finally, to provide a stable method of financing the operation of the Martinsburg-Berkeley County Public Library.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.