

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 88

(By Mr. Bowles)



PASSED March 14 1953

In Effect July 1, 1953 Passage



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**House Bill No. 88**

(By MR. BOWLES)

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[Passed March 14, 1953; in effect July 1, 1953.]

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AN ACT to amend and reenact section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to compensation of members of public service commission.

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

That section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 2. *Appointment, Qualification and Disqualification of Commissioners; Removal from Office; Terms of Office; Salaries.*—There shall be a public service commission of West Virginia which by that name may sue and be sued. The commission shall consist of three members who shall be appointed by the governor with the advice and consent of the senate. The commissioners shall be citizens and residents of this state and at least

9 one of them shall be a lawyer of not less than ten years'  
10 actual experience at the bar. The commissioners in office  
11 when this code becomes affective shall, unless sooner  
12 removed, continue to serve until their respective terms  
13 expire and until their successors have been appointed and  
14 qualified. A commissioner shall be appointed to take office  
15 on the first day of June, nineteen hundred and thirty-one,  
16 and on the first day of June of every alternate year there-  
17 after. The term of office shall be six years, except that an  
18 appointment to fill a vacancy shall be for the unexpired  
19 term only. Each commissioner shall, before entering upon  
20 the duties of his office, take and subscribe to the oath pro-  
21 vided by section five, article four of the constitution,  
22 which oath shall be filed in the office of the secretary of  
23 state. The governor shall annually designate one of the  
24 commissioners as chairman, and may remove any com-  
25 missioner for incompetency, neglect of duty, gross im-  
26 morality or malfeasance in office.

27 No person while in the employ of, or holding any  
28 official relation to, any public utility subject to the pro-  
29 visions of this chapter, or holding any stocks or bonds

30 thereof, or who is pecuniarily interested therein, shall  
31 serve as a member of the commission. Nor shall any of  
32 such commissioners be a candidate for or hold public  
33 office, or be a member of any political committee, while  
34 acting as such commissioner; nor shall any commissioner  
35 or employee of said commission receive any pass, free  
36 transportation or other thing of value, either directly or  
37 indirectly, from any public utility subject to the pro-  
38 visions of this chapter. In case any of such commissioners  
39 shall become a candidate for any public office or shall  
40 become a member of any political committee, his office  
41 as commissioner shall be ipso facto vacated.

42 For the administration of this chapter each commission-  
43 er shall receive a salary of seven thousand five hundred  
44 dollars per annum to be paid in monthly installments from  
45 the special fund collected from public utilities under the  
46 provisions of section six-a, article three, chapter twenty-  
47 four of the code of West Virginia.

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

*William C. Kinley*  
Chairman Senate Committee

*W. H. Hubler*  
Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1953 passage.

*Joseph M. Muen*  
Clerk of the Senate

*Joseph M. Muen*  
Clerk of the House of Delegates

*Ralph Bean*  
President of the Senate

*W. E. Flannery*  
Speaker House of Delegates

The within approved this the 20th  
day of March, 1953.

*William C. Marland*  
Governor



FILED IN THE OFFICE OF THE SECRETARY OF STATE  
OF THE COMMONWEALTH OF VIRGINIA  
**MAR 20 1953**  
**D. PITT O'BRIEN,**  
SECRETARY OF STATE