

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 270

(By Mr. Carrigano & Mr Martin)

PASSED March 8 1963

In Effect July 1, 1963 Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE

270

ENROLLED

Senate Bill No. 270

(By MR. CARRIGAN and MR. MARTIN)

[Passed March 8, 1963; in effect July 1, 1963.]

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 appointment, qualification and disqualification of commissioners; removal from office; terms of office and salaries.

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

6 who shall be appointed by the governor with the advice
7 and consent of the senate. The commissioners shall be
8 citizens and residents of this state and at least one of them
9 shall be a lawyer of not less than ten years' actual ex-
10 perience at the bar. The commissioners in office when this
11 code becomes effective shall, unless sooner removed, con-
12 tinue to serve until their respective terms expire and until
13 their successors have been appointed and qualified. A
14 commissioner shall be appointed to take office on the first
15 day of June, one thousand nine hundred thirty-one, and
16 on the first day of June of every alternate year thereafter.
17 The term of office shall be six years, except that an ap-
18 pointment 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
21 provided 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 offi-
28 cial relation to, any public utility subject to the provisions
29 of this chapter, or holding any stocks or bonds thereof, or
30 who is pecuniarily interested therein, shall serve as a
31 member of the commission. Nor shall any of such com-
32 missioners be a candidate for or hold public office, or be
33 a member of any political committee, while acting as such
34 commissioner; nor shall any commissioner or employee
35 of said commission receive any pass, free transportation
36 or other thing of value, either directly or indirectly, from
37 any public utility subject to the provisions of this chap-
38 ter. In case any of such commissioners shall become a
39 candidate for any public office or shall become a member
40 of any political committee, his office as commissioner shall
41 be ipso facto vacated.

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

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

C. Ray Parker
Chairman Senate Committee

Edel L. Brandee
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1963 passage.

Howard Thayer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard Robinson
President of the Senate

Julius W. Riegler
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. Bann
Governor

