WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

HOUSE BILL No. 657

(By Mr. )

PASSED March 12, 1965

In Effect from Passage

FILED IN THE OFFICE OF
JOE F. BENDERT
SECRETARY OF STATE
WES DATES 3-17-65
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 the appointment, qualification and disqualification of members of the public service commission; the removal from office of such members; and their terms 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 Disquali-
Enr. H. B. No. 657]

2 2 2 2 fication of Commissioners; Removal from Office; Terms of

3 3 Office; Salaries.—There shall be a public service com-

4 mission of West Virginia which by that name may sue

5 and be sued. The commission shall consist of three mem-

6 bers who shall be appointed by the governor with the

7 advice and consent of the senate. The commissioners

8 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 terms of each of said

11 commissioners in effect when this act becomes effective

12 are hereby abolished. On said date the governor shall

13 appoint a commissioner to serve for a period of two years,

14 another commissioner to serve for a period of four years,

15 and another commissioner to serve for a period of six

16 years. Every appointment of a commissioner thereafter

17 shall be for a period of six years, except that an appoint-

18 ment to fill a vacancy shall be for the unexpired term

19 only. Each commissioner shall, before entering upon the

20 duties of his office, take and subscribe to the oath provided

21 by section five, article four of the constitution, which oath

22 shall be filed in the office of the secretary of state. The
governor shall annually designate one of the commissioners as chairman, and may remove any commissioner only for incompetency, neglect of duty, gross immorality or malfeasance in office.

No person while in the employ of, or holding any official relation to, any public utility subject to the provisions of this chapter, or holding any stock or bonds thereof, or who is pecuniarily interested therein, shall serve as a member of the commission or as an employee thereof. Nor shall any such commissioners be a candidate for or hold public office, or be a member of any political committee, while acting as such commissioner; nor shall any commissioner or employee of said commission receive any pass, free transportation or other thing of value, either directly or indirectly, from any public utility subject to the provisions of this chapter. In case any of such commissioners shall become a candidate for any public office or a member of any political committee, his office as commissioner shall be ipso facto vacated.

For the administration of this chapter each commissioner shall receive a salary of fourteen thousand dollars
per annum to be paid in monthly installments from the special fund collected from public utilities under the provisions of section six-a, article three, chapter twenty-four of the code of West Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 19th day of March, 1965.

Governor