

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

Committee Substitute for
HOUSE BILL No. 984

(By Mr. Carr)



PASSED March 13, 1965

In Effect July 1, 1965 Passage

#984

FILED IN THE OFFICE OF
LEE S. HENNING
SECRETARY OF STATE
3-19-65

ENROLLED
COMMITTEE SUBSTITUTE
FOR
House Bill No. 984

(Originating in the Committee on Counties, Districts
and Municipalities.)

[Passed March 13, 1965; in effect July 1, 1965.]

AN ACT to amend article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto three new sections, designated sections three-j, three-k and three-l; to amend and reenact sections five, five-(thirteen), five-(twenty) and five-(twenty-four), article one, chapter seven of said code; and to amend and reenact sections two-(six), two-(twelve), two-(twenty-nine), two-(fifty-two), three-(two), three-(six), three-(twelve), three-(fifty-two), six-(six), six-

(twelve), six-(twenty), six-(twenty-seven) and six-(thirty-one), article seven, chapter seven of said code, all relating to duties of certain county officers and the salaries of certain county officers and their assistants.

Be it enacted by the Legislature of West Virginia:

That article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto three new sections, designated sections three-j, three-^{gish}k, three-l; that sections five, five-(thirteen), five-(twenty) and five-(twenty-four), article one, chapter seven of said code be amended and reenacted; that sections two-(six), two-(twelve), two-(twenty-nine), two-(fifty-two), three-(two), three-(six), three-(twelve), three-(fifty-two), six-(six), six-(twelve), six-(twenty), six-(twenty-seven) and six-(thirty-one), article seven, chapter seven of said code be amended and reenacted, all to read as follows:

CHAPTER 7. COUNTY COURTS AND OFFICERS.

Article 1. County Courts Generally.

Section 3-j. Authority of County Court to Establish a
2 County Coordinating Council.—In addition to all other
3 powers and duties now conferred by law upon county

4 courts, such courts are hereby authorized and empowered
5 to establish a county coordinating council for the pur-
6 pose of coordinating county improvement programs with
7 state and federal programs designed for this purpose.
8 The council hereby created shall gather necessary facts
9 and data and formulate needed local programs. The coun-
10 cil shall submit the foregoing facts, data and plans to the
11 county court for its guidance. The council shall act only
12 in an advisory capacity. The county clerk is hereby des-
13 igned the secretary of the council. The clerk shall at-
14 tend all meetings of the council. He shall keep a record
15 of all proceedings and shall transmit a copy of all such
16 proceedings to the county court. The clerk shall also
17 perform such other reasonable duties as may be required
18 of ^{him} ~~her~~ by the council.

Sec. 3-k. Authority of County Court to Establish Coun-

2 **ty Law Library.**—In addition to all other powers and
3 duties now conferred by law upon county courts, such
4 courts are hereby authorized and empowered to estab-
5 lish county law libraries which shall be wholly under
6 the control and management of the circuit clerk under

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7 rules and regulations promulgated by the judge of the
8 local judicial circuit. The county court may expend funds
9 for the purchase of books or other expenses necessary to
10 the operation of the county law library.

Sec. 3-1. Authority of County Court to Establish a
2 **County Appraisal-Assessment Board.**—In addition to all
3 other powers and duties now conferred by law upon
4 county courts, such courts are hereby authorized and em-
5 powered to establish a county appraisal-assessment ad-
6 visory board. The purpose for which this board is cre-
7 ated is to enable the county court, acting as the board
8 of review and equalization, to better perform its duties
9 in reviewing property assessments and to better inform
10 the public with regard to assessments generally. The
11 board is hereby authorized to review all appraisals made
12 by the state tax commissioner under the provisions of
13 section four, article nine-a, chapter eighteen of the code
14 and all assessments made by the assessor and to submit
15 to the county court all pertinent data and information
16 gathered by the appraisal-assessment advisory board. The
17 county assessor is hereby designated the secretary of the

18 board. The assessor shall attend all meetings of the
19 board. He shall keep record of all proceedings and shall
20 transmit a copy of all such proceedings to the county
21 court. The assessor shall also perform such other reason-
22 able duties as may be required of him by the board.

Sec. 5. Duties of County Commissioners and Payment

2 **for Services Other Than Services in Court.**—It shall be
3 the duty of the county commissioners of each county to
4 visit each quarter and inspect institutions within their
5 county for housing and caring for the poor, to inspect the
6 jails, and to arrange for the feeding and care of the pris-
7 oners therein, and to investigate the conditions of the poor
8 within their county, not housed within such institutions,
9 to visit detention homes for children within the¹⁷ coun-
10 ties, if any, and to visit and inspect bridges and bridge
11 approaches under their control; to provide for and have
12 general supervision over the repair and maintenance of
13 the county courthouse, jails, houses for the poor and other
14 county property, so as to prevent the undue deterioration
15 thereof; to supervise and control the maintenance and
16 operation of airport or airports owned and/or operated

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17 by the county court; and to supervise and control the pur-
18 chase, erection and maintenance of airport facilities; to
19 supervise and control the purchase of furniture, fixtures
20 and equipment, and janitors' and other supplies, for their
21 county; to attend the annual meeting of county assessors,
22 and such district meetings as may be called by the state
23 tax commissioner, on matters pertaining to the work of
24 the county assessors and the county courts as boards of
25 review and equalization; to review and equalize the as-
26 sessments made by the assessors; to inspect and review
27 the lists of property, both real and personal, made up by
28 the assessor and his deputies for taxable purposes, and
29 to point out to the assessor any property, real or personal,
30 which the said assessors of their respective counties may
31 have overlooked or omitted to place on said tax lists; to
32 call to the attention of the assessor all real estate or per-
33 sonal property belonging to churches, lodges, schools or
34 other charitable institutions which may have been over-
35 looked or omitted by the assessor or his deputies in mak-
36 ing up his lists of property for entry on the land and per-
37 sonal property books; to cooperate with the county pub-

38 lic assistance council and supervise the general manage-
39 ment of the fiscal affairs and business of each county; and
40 as a further part of their duties they shall be empowered
41 to purchase, lease, rent, control, supervise, inspect, main-
42 tain and erect public parks, playgrounds and recreational
43 facilities, to purchase, lease or rent equipment therefor,
44 and to employ qualified recreational directors and per-
45 sonnel; to construct new four-H camps on county prop-
46 erty; to operate stone quarries and sand deposits on
47 county-owned or leased property; to construct buildings
48 for or aid in constructing and/or equipping civilian de-
49 fense buildings on sites approved by state office of civil-
50 ian defense; and to operate dog pounds for county-munic-
51 ipalities and to purchase, lease, rent, control, supervise,
52 inspect, maintain and erect public markets and to pur-
53 chase, rent or lease equipment therefor, and to employ
54 qualified personnel to operate such public markets; and as
55 a further part of their duties they shall be empowered to
56 purchase, lease, rent, control, supervise, inspect, main-
57 tain, and erect county mental health clinics and engage
58 in any program designed for the betterment of the men-

59 tal and physical well-being of the residents of their county,
60 and to cooperate with any public or private agency for
61 these purposes.

62 Compensation shall be allowed and paid out of the
63 county treasury, in the same manner as salaries are paid,
64 to each county commissioner of each county (except as
65 otherwise provided by law for the county of Ohio), for
66 services performed for such county concerning the vis-
67 iting of the poor, inspection of jails, bridges and bridge
68 approaches, and for visiting detention homes for children;
69 and for providing for and supervising the repair and
70 maintenance of the county courthouse, jails, houses for
71 the poor and other county property; for supervising and
72 ~~and~~ controlling the maintenance and operation of airport
73 or airports owned and/or operated by the county courts,
74 and supervising and controlling the purchase, erection
75 and maintenance of airport facilities; and for supervising
76 and controlling the purchase of furniture, fixtures and
77 equipment and janitors' and other supplies of their
78 county; and for attending the annual meeting of assessors
79 and such district meetings as may be called by the state

80 tax commissioner, on matters pertaining to the work of
81 assessors and county courts as boards of review and equal-
82 ization; for reviewing and equalizing the assessments
83 made by the assessors; for inspecting and reviewing the
84 lists of property, both real and personal, made up by the
85 assessor and his deputies for taxable purposes, and for
86 pointing out to the assessor any property, real or per-
87 sonal, which the said assessors of their respective counties
88 may have overlooked or omitted to place on said tax lists;
89 for calling to the attention of the assessor all real estate
90 or personal property belonging to churches, lodges,
91 schools or other charitable institutions which may have
92 been overlooked or omitted by the assessor or his deputies
93 in making up his lists of property for entry on the land
94 and personal property books; and for duties of the county
95 commissioners in cooperating with the county public as-
96 sistance council; for purchasing, leasing, renting, control-
97 ling, supervising, inspecting, maintaining and erecting
98 public parks, playgrounds and recreational facilities, and
99 the purchasing, leasing or renting the equipment there-
100 for, and employing qualified recreational directors and

101 personnel therefor; for constructing new four-H camps on
102 county property; operating stone quarries and sand de-
103 posits on county-owned or leased property; constructing
104 buildings for or aiding in construction and/or equipping
105 civilian defense buildings on sites approved by state of-
106 fice of civilian defense; operating dog pounds for county-
107 municipalities; and to purchase, lease, rent, control, su-
108 pervise, inspect, maintain and erect public markets and
109 to purchase, rent or lease equipment therefor, and to em-
110 ploy qualified personnel to operate such public markets;
111 for constructing fall-out shelters and aiding individuals
112 to construct fall-out shelters through furnishing avail-
113 able information; for purchasing, leasing, renting, con-
114 trolling, supervising, inspecting, maintaining and/or
115 erecting county mental health clinics and/or engaging in
116 programs for the betterment of the mental and/or physi-
117 cal well-being of the residents of their county; for con-
118 ducting a survey of all abandoned and dilapidated build-
119 ings or structures within the county and to prepare an
120 inventory thereof which inventory shall be made avail-
121 able to any agency of state or federal government or to

122 local governmental agencies upon request; and for super-
123 vising the general management of the fiscal affairs and
124 business of each county, within their counties, and other
125 business by such commissioners, in addition to compen-
126 sation for services in court, the sums of money herein-
127 after provided in the following sections five- (one) to five-
128 (fifty-four), inclusive.

Sec. 5-(13). Same; Greenbrier County.—For the coun-
2 ty of Greenbrier, one hundred fifty dollars per month.

Sec. 5-(20). Same; Kanawha County.—For the county
2 of Kanawha, eight hundred dollars per month.

Sec. 5-(24). Same; Marion County.—For the county
2 of Marion, four hundred sixty dollars per month.

**Article 7. Salaries; Deputies and Assistants and Their Sal-
aries.**

Section 2-(6). Same; Cabell County.—For the county
2 of Cabell, nine thousand dollars.

Sec. 2-(12). Same; Greenbrier County.—For the county
2 of Greenbrier, six thousand dollars.

Sec. 2-(29). Same; Monongalia County.—For the
2 county of Monongalia, eight thousand five hundred dol-
3 lars.

Sec. 2-(52). Same; Wyoming County.—For the county
2 of Wyoming, seven thousand two hundred dollars.

Sec. 3-(2). Same; Berkeley County.—For the county
2 of Berkeley, five thousand six hundred dollars.

Sec. 3-(6). Same; Cabell County.—For the county of
2 Cabell, nine thousand six hundred dollars.

Sec. 3-(12). Same; Greenbrier County.—For the county
2 of Greenbrier, five thousand three hundred dollars.

Sec. 3-(52). Same; Wyoming County.—For the county
2 of Wyoming, seven thousand two hundred dollars.

Sec. 6-(6). Same; Cabell County.—For the county of
2 Cabell, three assistant attorneys, not more than seven
3 thousand two hundred dollars each; two stenographers
4 not more than four thousand dollars each.

Sec. 6-(12). Same; Grant County.—For the county of
2 Grant, one assistant attorney; one stenographer or clerk,
3 not more than one thousand eight hundred dollars.

Sec. 6-(20). Same; Kanawha County.—For the county
2 of Kanawha, first assistant attorney, not less than six

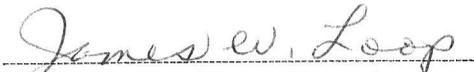
3 thousand nor more than twelve thousand five hundred
4 dollars, three assistant attorneys, not less than six thou-
5 sand nor more than twelve thousand dollars each, and
6 stenographers and clerks at a salary to be fixed by the
7 county court payable out of the county treasury of said
8 county of Kanawha.

Sec. 6-(27). Same; McDowell County.—For the county
2 of McDowell, first assistant attorney, not less than three
3 thousand nor more than five thousand four hundred dol-
4 lars; second assistant attorney, not less than three thou-
5 sand nor more than five thousand dollars; one stenogra-
6 pher, not less than three thousand three hundred nor
7 more than four thousand two hundred dollars.

Sec. 6-(31). Same; Monongalia County.—For the
2 county of Monongalia, one assistant attorney, six thou-
3 sand dollars; one stenographer, not less than two thousand
4 four hundred nor more than three thousand six hundred
5 dollars.

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

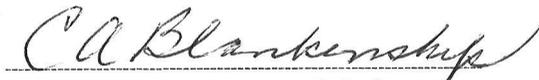

Chairman Senate Committee


Chairman House Committee

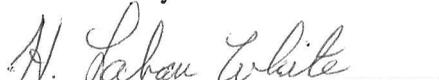
Originated in the House.

Takes effect July 1, 1965.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

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


Governor

Presented to the Governor's Office

March 19, 1965

4:10 P.M.