

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 154

(By Mr. McCombs)

PASSED March 12, 1965

In Effect thirty days from Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65

4-91 #

ENROLLED
Senate Bill No. 154
(By MR. McCOURT)

[Passed March 12, 1965; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article one, chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to appointment, qualification and compensation of jury commissioners.

Be it enacted by the Legislature of West Virginia:

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

Section 3. Appointment, Qualification and Compensation of Jury Commissioners.—There shall be two jury commissioners of the circuit court of each county. They shall be of opposite politics, citizens of good standing,

5 residents in the county for which they are appointed, and
6 well-known members of the principal political parties
7 thereof; but the chairman of any political party shall be
8 ineligible to appointment, and no jury commissioner shall
9 be eligible to reappointment after he shall have served
10 four consecutive years. They shall be appointed by the
11 circuit court, or the judge thereof in vacation, of their
12 respective counties. Their term of office shall be four
13 years, and shall commence on the first day of June next
14 after their appointment. The jury commissioners ap-
15 pointed by the circuit court or the judge thereof, in office
16 when this code takes effect, shall continue in office, unless
17 removed, until the expiration of their respective terms
18 of office, and their successors shall be appointed, as afore-
19 said, alternately, so that a period of two years shall inter-
20 vene between the dates when the terms of office of the
21 two commissioners shall begin and expire. They may be
22 removed from office by the court or judge having the
23 power of appointment, for official misconduct, incompe-
24 tency, habitual drunkenness, neglect of duty or gross
25 immorality. Vacancies caused by death, resignation or

26 otherwise, shall be filled for the unexpired term in the
27 same manner as the original appointments. They shall
28 receive as compensation for their services, while neces-
29 sarily employed as such jury commissioners, an amount
30 to be fixed by the judge of the circuit court, which amount
31 for each jury commissioner shall not exceed one hundred
32 fifty dollars per year and be payable out of the county
33 treasury upon the order of the circuit court. Before enter-
34 ing upon the discharge of his duties, a jury commissioner
35 shall take and subscribe, before the clerk of the circuit
36 court, who is hereby authorized to administer the same,
37 an oath, to be filed and preserved by him in his office,
38 to the following effect:

39 State of West Virginia,

40 County of _____, to-wit:

41 I, A _____ B _____, do solemnly
42 swear that I will support the Constitution of the United
43 States and the Constitution of this State and will faith-
44 fully discharge the duties of jury commissioner to the
45 best of my skill and judgment, and that I will not place

46 any person upon the jury list in violation of law, or out
47 of fear, favor or affection.

48 There shall be two jury commissioners for every court
49 of limited jurisdiction, who shall be appointed by such
50 courts, or the judges thereof in vacation, respectively,
51 and whose terms of office and compensation shall be the
52 same as jury commissioners of the circuit courts. The
53 same powers conferred and duties imposed by this article
54 upon the circuit courts, or the judges thereof in vacation,
55 and upon the clerks and jury commissioners of the circuit
56 courts, are hereby conferred and imposed upon every
57 court of limited jurisdiction and the judges thereof re-
58 spectively, and upon the clerks and jury commissioners
59 of such courts of limited jurisdiction.

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

O. Ray Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* Passage.
J. Thomas Myer
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard W. Gason
President of the Senate

H. Lebau White
Speaker House of Delegates

The within *approved* this the *18*
day of *March*, 1965.

Alvete C. Smith
Governor



Presented to Governor's Office

3/17/65

3:50 P.M.