

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



ENROLLED

HOUSE BILL No. 657

(By Mr. Speaker, Mr. White)



PASSED March 12, 1965

In Effect from Passage



FILED IN THE OFFICE OF  
JOE F. BURGESS  
SECRETARY OF STATE  
THIS DATE 3-19-65

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**ENROLLED**  
**House Bill No. 657**  
(By MR. SPEAKER, MR. WHITE)

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

AN ACT <sup>to</sup> 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:

**Article 1. General Provisions.**

**Section 2. Appointment, Qualification and Disquali-**

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

23 governor shall annually designate one of the commis-  
 24 sioners as chairman, and may remove any commissioner  
 25 only for incompetency, neglect of duty, gross immorality  
 26 or malfeasance in office.

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 established  
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27 No person while in the employ of, or holding any official  
 28 relation to, any public utility subject to the provisions of  
 29 this chapter, or holding any stock or bonds thereof, or  
 30 who is pecuniarily interested therein, shall serve as a  
 31 member of the commission or as an employee thereof.  
 32 Nor shall any such commissioners be a candidate for  
 33 or hold public office, or be a member of any political com-  
 34 mittee, while acting as such commissioner; nor shall any  
 35 commissioner or employee of said commission receive  
 36 any pass, free transportation or other thing of value,  
 37 either directly or indirectly, from any public utility sub-  
 38 ject to the provisions of this chapter. In case any of such  
 39 commissioners shall become a candidate for any public  
 40 office or a member of any political committee, his office  
 41 as commissioner shall be ipso facto vacated.

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42 For the administration of this chapter each commis-  
 43 sioner shall receive a salary of fourteen thousand dollars

44 per annum to be paid in monthly installments from the  
45 special fund collected from public utilities under the pro-  
46 visions of section six-a, article three, chapter twenty-four  
47 of the code of West Virginia.

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

*A. Ray Parker*  
 Chairman Senate Committee

*James W. Loop*  
 Chairman House Committee

Originated in the House.

Takes effect from passage.

*J. Thomas Keyes*  
 Clerk of the Senate

*C. Blankenship*  
 Clerk of the House of Delegates

*Howard E. Hanson*  
 President of the Senate

*H. Caban White*  
 Speaker House of Delegates

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

*Hullett C. Smith*  
 Governor

