WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

HOUSE BILL No. 873

(By Mr. [Signature])

PASSED March 11, 1967

In Effect [Number days from Passage]

FILED IN THE OFFICE
ROBERT D. DAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
ENROLLED
House Bill No. 873
(By Mr. Galperin)

[Passed March 11, 1967; in effect ninety days from passage.]

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 a new section, designated
section three-n, relating to the employment of personnel
by county courts.

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 amend-
ed by adding thereto a new section, designated section three-n,
to read as follows:

ARTICLE 1. COUNTY COURTS GENERALLY.
§7-1-3n. Authority to employ, fix compensation for and
discharge personnel.

1 In addition to all other powers and duties now con-
ferred by law upon county courts or tribunals in lieu thereof, hereinafter referred to as county courts or courts, such courts are hereby empowered to employ, fix compensation for and discharge such clerical, stenographic, technical, professional and other personnel, including specialists and consultants, as may from time to time be necessary to aid such courts in exercising their powers or discharging their duties as provided by law: Provided, That such courts shall not have the power to employ any such personnel to perform powers and duties that are performed by such courts through their clerks pursuant to law.

The county courts shall, not later than March twenty-eight of each year, take up and consider the probable amount necessary to be expended for such personnel in the following fiscal year; shall determine and fix an aggregate sum to be expended during the following fiscal year for the compensation of such personnel, which shall be reasonable and proper, taking into account the amount of labor and services necessary to be performed by those
who are to receive the compensation; and shall make and
enter an order stating any action taken in this regard.
The county courts shall file with their clerks a state-
ment in writing showing such action and setting forth
the name of each person employed pursuant to the pro-
visions of this section, the time for which employed and
the monthly compensation. Such courts shall have au-
thority to discharge at their will and pleasure, any such
personnel by filing with their clerks a statement in writ-
ing showing such action, to be entered in, and made a part
of, their order book or other daily record book. All state-
ments required to be filed by this section shall be verified
by the affidavit of a majority of the members of the county
court making them, and among other things contained in
the affidavit shall be the statement that the amounts
shown therein were the amounts actually paid or
intended to be paid to each person employed without
rebates, or any agreement, understanding and expectation
that any part thereof shall be repaid to any of such mem-
bers making said affidavit, and that nothing has hereto-
fore been paid or promised any of such members making
said affidavit on that account, and that if any of such mem-
bers making said affidavit shall thereafter receive any
money, or thing of value, on account thereof, the same
will be accounted for and paid to the county. Until the
statements required by this section shall have been filed,
no allowance or payments shall be made by the county
courts for personnel.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tempo  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. Howard Negre  
Clerk of the Senate

O.A. Blankenship  
Clerk of the House of Delegates

Howard C. Conner  
President of the Senate

W. R. Law White  
Speaker House of Delegates

The within approved this the 17 day of March, 1967.

Hulet C. Smith  
Governor
PRESENTED TO THE GOVERNOR

Date 3/10/67
Time 4:00 PM