ENROLLED
COMMITTEE SUBSTITUTE
FOR
House Bill No. 307
(Originating in the Committee on Political Subdivisions)

[Passed February 8, 1968; in effect July 1, 1968.]

AN ACT to amend and reenact sections five-(four), (five-(fourteen), five-(sixteen), five-(twenty-three), five-(thirty-three), five-(thirty-five), five-(forty-two) and five-(fifty-four), article one; sections one-(four), one-(fourteen), one-(fifteen), one-(sixteen), one-(twenty-two), one-(twenty-three), one-(twenty-eight), one-(forty-three), one-(forty-six), one-(forty-nine), one-(fifty), one-(fifty-five), two-(four), two-(nine), two-(ten), two-(thirteen), two-(fourteen), two-(twenty), two-(twenty-one), two-(twenty-seven), two-(forty), two-(forty-three), two-(forty-seven), two-(fifty-one), two-(fifty-two), three-
Be it enacted by the Legislature of West Virginia:

That sections five-(four), five-(fourteen), five-(sixteen), five-(twenty-three), five-(thirty-three), five-(thirty-five), five-(forty-six), five-(fifty), five-(fifty-four), five-(fifty-five), and five-(fifty-nine) article two, chapter eleven of said code, all relating to salaries of certain county officers and assistants, and providing a severability clause.
(forty-two) and five-(fifty-four), article one; sections one-(four), one-(fourteen), one-(fifteen), one-(sixteen), one-(twenty-two), one-(twenty-three), one-(twenty-eight), one-(forty-three), one-(forty-six), one-(forty-nine), one-(fifty), one-(fifty-five), two-(four), two-(nine), two-(ten), two-(thirteen), two-(fourteen), two-(twenty), two-(twenty-one), two-(twenty-seven), two-(forty), two-(forty-three), two-(forty-seven), two-(fifty-one), two-(fifty-two), three-(four), three-(ten), three-(thirteen), three-(fourteen), three-(twenty), three-(twenty-one), three-(twenty-seven), three-(twenty-nine), three-(forty), three-(forty-three), three-(forty-seven), three-(fifty-two), four, five, five-(four), five-(ten), five-(fourteen), five-(sixteen), five-(twenty-two), five-(twenty-three), five-(twenty-nine), five-(forty-three), five-(forty-six), five-(fifty), five-(fifty-five), six, six-(four), six-(ten), six-(fourteen), six-(fifteen), six-(twenty-two), six-(twenty-three), six-(forty), six-(forty-three), six-(forty-nine) and six-(fifty), article seven, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and that sections five-(four), five-(ten), five-(fourteen), five-(sixteen), five-(twenty-two), five-(twenty-three), five-(twenty-nine), five-
(thirty-one), five-(forty-three), five-(forty-six), five-(fifty),
five-(fifty-four) and five-(fifty-five), article two, chapter
eleven of said code, be amended and reenacted, all to read as
follows:

CHAPTER 7. COUNTY COURTS AND OFFICERS.

ARTICLE 1. COUNTY COURTS GENERALLY.

§7-1-5(4). Compensation of county commissioners—Braxton
county.

1 For the county of Braxton, the president of the court
2 one hundred twenty-five dollars and the other members
3 of the court one hundred dollars per month.

§7-1-5(14). Same—Hampshire county.

1 For the county of Hampshire, the president of the
2 court one hundred seventy-five dollars and the other
3 members of the court one hundred fifty dollars per month.

§7-1-5(16). Same—Hardy county.

1 For the county of Hardy, one hundred thirty-five dol-
2 lars per month.

§7-1-5(23). Same—Logan county.

1 For the county of Logan, the president of the court
2 three hundred fifty dollars and the other members of
3 the court three hundred dollars per month.
§7-1-5(33). Same—Monongalia county.

1 For the county of Monongalia, not to exceed four hundred dollars per month.

§7-1-5(35). Same—Pendleton county.

1 For the county of Pendleton, the president of the court one hundred dollars and the other members of the court eighty-five dollars per month.

§7-1-5(42). Same—Ritchie county.

1 For the county of Ritchie, not less than one hundred twenty-five dollars per month nor more than one hundred fifty dollars per month.

§7-1-5(54). Same—Wyoming county.

1 For the county of Wyoming, the president of the court three hundred dollars and the other members of the court two hundred seventy-five dollars per month.

ARTICLE 7. SALARIES; DEPUTIES AND ASSISTANTS AND THEIR SALARIES.

§7-7-1(4). Salary of sheriff—Braxton county.

1 For the county of Braxton, five thousand eight hundred dollars.

§7-7-1(14). Same—Hampshire county.

1 For the county of Hampshire, five thousand two hundred dollars.
§7-7-1-(15). Same—Hancock county.
1 For the county of Hancock, six thousand dollars.

§7-7-1(16). Same—Hardy county.
1 For the county of Hardy, four thousand eight hundred dollars.

§7-7-1(22). Same—Logan county.
1 For the county of Logan, eight thousand six hundred dollars.

§7-7-1(23). Same—Lincoln county.
1 For the county of Lincoln, six thousand four hundred dollars.

§7-7-1(28). Same—Mineral county.
1 For the county of Mineral, not less than six thousand nor more than seven thousand dollars.

§7-7-1(43). Same—Ritchie county.
1 For the county of Ritchie, not less than four thousand eight hundred dollars nor more than six thousand dollars.

§7-7-1(46). Same—Taylor county.
1 For the county of Taylor, not less than five thousand nor more than five thousand five hundred dollars.
§7-7-1(49). Same—Upshur county.

1 For the county of Upshur, five thousand four hundred
2 dollars.

§7-7-1(50). Same—Wayne county.

1 For the county of Wayne, seven thousand two hundred
2 dollars.

§7-7-1(55). Same—Wyoming county.

1 For the county of Wyoming, eight thousand dollars.

§7-7-2(4). Salary of county clerk—Braxton county.

1 For the county of Braxton, five thousand six hundred
2 dollars.

§7-7-2(9). Same—Doddridge county.

1 For the county of Doddridge, four thousand two hun-
2 dred dollars.

§7-7-2(10). Same—Fayette county.

1 For the county of Fayette, eight thousand five hun-
2 dred dollars.

§7-7-2(13). Same—Hampshire county.

1 For the county of Hampshire, five thousand two hun-
2 dred dollars.
§7-7-2(14). Same—Hancock county.

1 For the county of Hancock, not less than six thousand five hundred dollars nor more than eight thousand dollars.

§7-7-2(20). Same—Lincoln county.

1 For the county of Lincoln, six thousand dollars.

§7-7-2(21). Same—Logan county.

1 For the county of Logan, eight thousand six hundred dollars.

§7-7-2(27). Same—Mineral county.

1 For the county of Mineral, not less than six thousand nor more than seven thousand dollars.

§7-7-2(40). Same—Ritchie county.

1 For the county of Ritchie, not less than four thousand eight hundred dollars nor more than six thousand dollars.

§7-7-2(43). Same—Taylor county.

1 For the county of Taylor, not less than four thousand two hundred nor more than four thousand eight hundred dollars.

§7-7-2(47). Same—Wayne county.

1 For the county of Wayne, seven thousand two hundred dollars.
§7-7-2(51). Same—Wood county.

1. For the county of Wood, seven thousand six hundred dollars.

§7-7-2(52). Same—Wyoming county.

1. For the county of Wyoming, eight thousand dollars.

§7-7-3(4). Salary of circuit clerk—Braxton county.

1. For the county of Braxton, five thousand two hundred dollars.

§7-7-3(10). Same—Fayette county.

1. For the county of Fayette, eight thousand five hundred dollars.

§7-7-3(13). Same—Hampshire county.

1. For the county of Hampshire, three thousand six hundred dollars.

§7-7-3(14). Same—Hancock county.

1. For the county of Hancock, not less than six thousand five hundred dollars nor more than eight thousand dollars.

§7-7-3(20). Same—Lincoln county.

1. For the county of Lincoln, six thousand dollars.

§7-7-3(21). Same—Logan county.

1. For the county of Logan, eight thousand six hundred dollars.
§7-7-3(27). Same—Mineral county.
1 For the county of Mineral, not less than six thousand two hundred fifty dollars nor more than seven thousand dollars.

§7-7-3(29). Same—Monongalia county.
1 For the county of Monongalia, seven thousand two hundred dollars.

§7-7-3(40). Same—Ritchie county.
1 For the county of Ritchie, not less than four thousand two hundred dollars nor more than four thousand eight hundred dollars.

§7-7-3(43). Same—Taylor county.
1 For the county of Taylor, not less than four thousand two hundred nor more than four thousand eight hundred dollars.

§7-7-3(47). Same—Wayne county.
1 For the county of Wayne, seven thousand two hundred dollars.

§7-7-3(52). Same—Wyoming county.
1 For the county of Wyoming, eight thousand dollars.
§7-7-4. Salaries of joint clerks of county and circuit courts.

1. The annual compensation of the clerks of the courts in the counties where both the office of the clerk of the county court and the clerk of the circuit court are held by the same person shall be as follows: Hardy county, six thousand five hundred dollars; Grant county, six thousand dollars; Pendleton county, six thousand five hundred dollars.

§7-7-5. Salaries of prosecuting attorneys.

1. The annual compensation of the prosecuting attorney in each county, including the compensation provided by law for his services as attorney for boards of education and other administrative boards and officers in the county, shall, on and after January one, one thousand nine hundred sixty-five, be in the amounts set forth in sections five-(one), to five-(fifty-five), inclusive, of this article: Provided, That such prosecuting attorney shall not serve as attorney for any other political subdivisions of this state for compensation to be paid therefor.
§7-7-5(4). Same—Braxton county.

1 For the county of Braxton, four thousand eight hundred dollars.

§7-7-5(10). Same—Fayette county.

1 For the county of Fayette, nine thousand dollars.

§7-7-5(14). Same—Hampshire county.

1 For the county of Hampshire, three thousand six hundred dollars.

§7-7-5(16). Same—Hardy county.

1 For the county of Hardy, three thousand dollars.

§7-7-5(22). Same—Lincoln county.

1 For the county of Lincoln, six thousand dollars.

§7-7-5(23). Same—Logan county.

1 For the county of Logan, ten thousand dollars.

§7-7-5(29). Same—Mineral county.

1 For the county of Mineral, not less than six thousand nor more than seven thousand dollars.

§7-7-5(43). Same—Ritchie county.

1 For the county of Ritchie, not less than three thousand six hundred nor more than five thousand dollars.
§7-7-5(46). Same—Taylor county.

1. For the county of Taylor, not less than five thousand
2. nor more than five thousand five hundred dollars.

§7-7-5(50). Same—Wayne county.

1. For the county of Wayne, eight thousand one hundred
2. dollars.

§7-7-5(55). Same—Wyoming county.

1. For the county of Wyoming, eight thousand dollars.

§7-7-6. Assistants, stenographers and clerks for prosecuting attorney—Appointment and salaries; when court may appoint attorney to prosecute.

1. The prosecuting attorneys of the several counties of
2. the state may, with the assent of the county courts
3. of their respective counties, entered of record, appoint
4. to assist them in the discharge of their official duties
5. for and during their respective terms of office, the num-
6. ber of practicing attorneys, stenographers and clerks
7. set forth in sections six-(one) through six-(fifty-five),
8. inclusive, of this article. Each such assistant prose-
9. cuting attorney shall take the same oath and may
10. perform the same duties as his principal. Each
11. assistant shall serve at the will and pleasure of
his principal and may be removed from office by
the circuit court of the county in which he is appointed
for any cause for which his principal might be removed.
If in any case the prosecuting attorney and his assistant be unable to act, or if in the opinion of the court
it would be improper for him or his assistant to act,
the court shall appoint some competent practicing attorney to act in such case. The court shall certify to the
county court the performance of such service when completed and recommend to the county court a reasonable
allowance for such attorney for such service, and such sum, when allowed by the county court, shall be paid
out of the county treasury. No provision of this section shall be construed to prohibit the employment by
any person of a competent attorney or attorneys to assist in the prosecution of any person or corporation charged
with crime.
The county courts of the several counties shall compensate the assistant prosecuting attorneys, stenographers
and clerks of their respective counties in accordance with the following annual salary provisions:
(1) In counties for which definite salaries are fixed by provisions of section six-(one) through six-(fifty-five), inclusive, of this article, such definite salaries shall be paid.

(2) In counties for which minimum and maximum salary limits are fixed by provisions of sections six-(one) through six-(fifty-five), inclusive, of this article, the salaries shall be fixed and paid within such limits.

(3) In the counties for which salaries are not fixed and limited by provisions of sections six-(one) through six-(fifty-five), inclusive, of this article, reasonable salaries shall be fixed and paid by the respective county courts.

Such salaries and compensation shall be paid monthly, semi-monthly or otherwise as provided by law. In any case wherein provision is not made in this article for payment of the salary of an assistant prosecuting attorney, the principal shall pay and compensate such assistant for services rendered. The compensation and salaries to be paid assistant attorneys as provided in this article shall include compensation provided by law for
such assistant's services as attorney for the county board of education and other administrative boards and officers of his county: Provided, That no such assistant prosecuting attorney shall serve as attorney for any other political subdivisions of this state for compensation to be paid therefor.

§7-7-6(4). Same—Braxton county.

1. For the county of Braxton, one assistant attorney; one stenographer, not more than three thousand six hundred dollars.

§7-7-6(10). Same—Fayette county.

1. For the county of Fayette, one assistant attorney, eight thousand five hundred dollars; one stenographer at a salary to be fixed by the county court.

§7-7-6(14). Same—Hampshire county.

1. For the county of Hampshire, one assistant attorney, two thousand four hundred dollars; one stenographer, two thousand four hundred dollars.

§7-7-6(15). Same—Hancock county.

1. For the county of Hancock, one assistant attorney, five thousand four hundred dollars; one stenographer,
§7-7-6(22). Same—Lincoln county.

1 For the county of Lincoln, one assistant attorney or one stenographer or one clerk, four thousand dollars; one stenographer or one clerk, not more than four thousand two hundred dollars.

§7-7-6(23). Same—Logan county.

1 For the county of Logan, first assistant attorney, at eight thousand dollars; second assistant attorney, at six thousand five hundred dollars; one stenographer, not more than four thousand eight hundred dollars; second stenographer, not more than four thousand eight hundred dollars.

§7-7-6(40). Same—Putnam county.

1 For the county of Putnam, one assistant attorney, not more than three thousand dollars; one stenographer, not less than three thousand six hundred dollars nor more than four thousand dollars.

§7-7-6(43). Same—Ritchie county.

1 For the county of Ritchie, one assistant attorney,
2 less than one thousand six hundred dollars nor more
3 than three thousand six hundred dollars; one stenogra-
4 pher, not less than one thousand six hundred dollars nor
5 more than three thousand six hundred dollars.

§7-7-6(49). Same—Upshur county.
1 For the county of Upshur, one assistant attorney, not
2 more than one thousand two hundred dollars; one stenog-
3 rapher, not more than one thousand eight hundred dol-
4 lars.

§7-7-6(50). Same—Wayne county.
1 For the county of Wayne, one assistant attorney, six
2 thousand dollars; one stenographer, four thousand five
3 hundred dollars.

CHAPTER 11. TAXATION.

ARTICLE 2. ASSESSORS.

1 For the county of Braxton, five thousand dollars.

§11-2-5(10). Same—Fayette county.
1 For the county of Fayette, eight thousand five hun-
2 dred dollars.

1. For the county of Hampshire, four thousand five hundred dollars.

§11-2-5(16). Same—Hardy county.

1. For the county of Hardy, four thousand five hundred dollars.

§11-2-5(22). Same—Lincoln county.

1. For the county of Lincoln, six thousand dollars.

§11-2-5(23). Same—Logan county.

1. For the county of Logan, eight thousand six hundred dollars.


1. For the county of Mineral, not less than six thousand nor more than seven thousand dollars.


1. For the county of Monongalia, seven thousand two hundred dollars.

§11-2-5(43). Same—Ritchie county.

1. For the county of Ritchie, not less than four thousand, six hundred dollars nor more than six thousand dollars.

1 For the county of Taylor, not less than four thousand two hundred nor more than four thousand eight hundred dollars.


1 For the county of Wayne, seven thousand two hundred dollars.

§11-2-5(54). Same—Wood county.

1 For the county of Wood, six thousand dollars.


1 For the county of Wyoming, eight thousand dollars.

Severability.

If any section, provision, clause or phrase of this act or the application thereof to any person or circumstance is held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect other sections, provisions, clauses or phrases or applications of the act, and to this end each and every section, provision, clause or phrase is declared to be severable.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tempar
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect July 1, 1968.

J. Howard Nile
Clerk of the Senate

C. Blakenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Leland White
Speaker of the House of Delegates

The within approved this the 1st

day of February, 1968.

Hulet E. Smith
Governor
PRESENTED TO THE
GOVERNOR

Date  2/14/68
Time  3:50 P.M.