

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

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ENROLLED

HOUSE BILL No. 775

(By Mr. McManus)
Mr. Seibert

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PASSED April 14, 1973

In Effect July 1, 1973 Passage



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FILED IN THE OFFICE
EDGAR F. HE'SKELL III
SECRETARY OF STATE
THIS DATE 5/3/73

775

ENROLLED

House Bill No. 775

(By MR. SPEAKER, MR. McMANUS, and MR. SEIBERT)

[Passed April 14, 1973; in effect July 1, 1973.]

AN ACT to repeal section four, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend and reenact section two, article seven, chapter six of said code; to amend article one, chapter fifty-one of said code by adding thereto a new section, designated section ten-a; and to amend article two, chapter fifty-one of said code by adding thereto a new section, designated section thirteen, all relating to salaries of certain state officers; salaries of judges of the supreme court of appeals; and salaries of judges of circuit courts, the manner of computing the amount thereof, limitation of such salaries and on salaries of judges of statutory courts of record.

Be it enacted by the Legislature of West Virginia:

That section four, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; that section two, article seven, chapter six of said code be amended and reenacted; that article one, chapter fifty-one of said code be amended by adding thereto a new section, designated section ten-a; and that article two, chapter fifty-one of said code be amended by adding thereto a new section, designated section thirteen, all to read as follows:

**CHAPTER 6. GENERAL PROVISIONS
RESPECTING OFFICERS.**

ARTICLE 7. COMPENSATION AND ALLOWANCES.

§6-7-2. Salaries of certain state officers.

1 Effective on and after the first Monday after the second
2 Wednesday in January, one thousand nine hundred sixty-nine,
3 the salary of the governor shall be thirty-five thousand dollars
4 per year.

5 The salary of the attorney general, the auditor, the state
6 treasurer, the secretary of state and the commissioner of
7 agriculture shall each be twenty-two thousand five hundred
8 dollars per year.

CHAPTER 51. COURTS AND THEIR OFFICERS.

ARTICLE 1. SUPREME COURT OF APPEALS.

§51-1-10a. Salary of judges.

1 The salary of each of the justices (judges) of the supreme
2 court of appeals shall be thirty-two thousand five hundred
3 dollars per year.

4 Nothing herein contained shall be construed to permit pay-
5 ment of any compensation in excess of the amount which can
6 be paid state officers under the rules and regulations of the
7 pay board established by the president of the United States
8 by virtue of the authority vested in him by the Economic
9 Stabilization Act of 1970, as from time to time amended.

**ARTICLE 2. CIRCUIT COURTS; CIRCUIT, CRIMINAL AND INTER-
MEDIATE JUDGES.**

**§51-2-13. Salaries of judges of circuit courts; manner of comput-
ing amount thereof; limitation on such salaries and
on salaries of judges of statutory courts of record.**

1 The salaries of the judges of the various circuit courts shall
2 be paid solely out of the state treasury. No county, county
3 court, board of commissioners or other political subdivision
4 shall supplement or add to such salaries.

5 The annual salary of all circuit judges shall be twenty-six
6 thousand dollars per year, except as follows:

7 (1) For each circuit in which the circuit court serves as an
8 appellate court for a statutory court of record the salary of the
9 circuit judge shall be twenty-six thousand five hundred dollars
10 per year.

11 (2) For each circuit in which the circuit court serves as
12 appellate court for two statutory courts of record the salary of
13 the circuit judge shall be twenty-seven thousand dollars per
14 year.

15 (3) For each circuit in which the circuit court serves as
16 appellate court for three statutory courts of record the salary
17 shall be twenty-seven thousand five hundred dollars per year.

18 (4) For each circuit in which the circuit court serves as
19 appellate court for four statutory courts of record the salary
20 shall be twenty-eight thousand dollars per year.

21 (5) For each circuit in which the circuit court serves as
22 appellate court for five or more statutory courts of record the
23 salary shall be twenty-eight thousand five hundred dollars per
24 year.

25 For the purpose of this section, county courts, justice of the
26 peace courts and administrative boards and agencies exercising
27 limited judicial functions shall not be considered courts of
28 record.

29 When any statutory court of record has more than one
30 judge or one division, each such judge or division shall be
31 treated, considered and counted, for the purpose of this
32 section only, as a separate statutory court of record.

33 For the purpose of this section, in those circuits where there
34 is more than one circuit judge and one or more statutory courts
35 of record, the number of statutory courts of record shall be
36 divided among the circuit judges and their annual salary paid
37 accordingly.

38 No circuit judge shall be paid an annual salary that exceeds
39 the annual salary paid to any one of the judges of the supreme
40 court of appeals.

41 No judges of a statutory court of record in West Virginia
42 shall be paid a salary by the county court of the county in
43 which the statutory court exists in excess of the minimum
44 annual salary paid to a circuit judge as herein provided.

45 Nothing herein contained shall be construed to permit the
46 compensation of any judge in excess of the amount (taking

47 into consideration the compensation he now receives as
48 supplemental compensation from any county, county court,
49 or other political subdivision) which can be paid under the
50 rules and regulations of the pay board established by the
51 President of the United States by virtue of the authority vested
52 in him by the Economic Stabilization Act of 1970, as from
53 time to time amended; nor shall this section be construed to
54 permit the annual salary of a circuit judge to be reduced to
55 a sum below that which he was being paid by the State of
56 West Virginia and any county, county court, or other political
57 subdivision on June thirty, one thousand nine hundred seventy-
58 two.

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

N. Darrel Darby
Chairman Senate Committee

Clarence C. Christian Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1973.

Hawaii Watson
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

W. T. Brotherton, Jr.
President of the Senate

Louis T. McManus
Speaker House of Delegates

The within approved this the 25th
April, 1973.

Archie A. Kane Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 4/25/73

Time 3:35 p.m.

RECEIVED

MAY 3 2 17 PM '73

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA