WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974

ENROLLED

SENATE BILL NO. 258

(By Mr. Huffman)

PASSED March 9, 1974

In Effect ninety days from Passage

FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 3-18-74
ENROLLED

Senate Bill No. 258
(By Mr. Huffman)

[Passed March 9, 1974; in effect ninety days from passage]

AN ACT to amend and reenact section three-m, article one, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the authority of the county court to employ, fix compensation for and discharge personnel including a county administrator.

Be it enacted by the Legislature of West Virginia:

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

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

1 In addition to all other powers and duties now conferred 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 and including a county administrator, to coordinate the court’s activities and to do such other things as the court may direct: 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 rea­
sonable 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 provisions
of this section, the time for which employed and the
monthly compensation. Such courts shall have authority
to discharge at their will and pleasure, any such personnel
by filing with their clerks a statement in writing showing
such action, to be entered in, and made a part of, their
order book or other daily record book. All statements re­
quired 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 members making
said affidavit, and that nothing has heretofore been paid
or promised any of such members making said affidavit
on that account, and that if any of such members 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 pay­
ments shall be made by the county courts for personnel.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ________________ this the ____________ day of ________________ , 1974.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/14/74
Time 2:15 p.m.