

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-26-81

Time 11:00 AM

No: 1186

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981



ENROLLED

HOUSE BILL No. 1186

(By Mr. Hutchinson)



Passed March 17, 1981

In Effect From Passage



ENROLLED

H. B. 1186

(By MR. HUTCHINSON)

[Passed March 17, 1981; in effect from passage.]

AN ACT to amend article one, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine-b, relating to the salaries of magistrate court clerks, magistrate assistants and magistrate court deputy clerks in the Counties of Putnam and Raleigh; establishing such salaries effective the first day of January, one thousand nine hundred eighty-one, and declaring legislative findings and intent with respect thereto.

Be it enacted by the Legislature of West Virginia:

That article one, chapter fifty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section nine-b, to read as follows:

ARTICLE 1. COURTS AND THEIR OFFICERS.

§50-1-9b. The salaries of magistrate court clerks, magistrate assistants and magistrate court deputy clerks for Putnam and Raleigh counties; effective date of such salaries; legislative findings; purposes and intent.

1 The Legislature finds and declares:

2 (1) That during the regular session of the Legislature, one
3 thousand nine hundred eighty, it adopted certain amendments
4 to sections two, three, eight, nine and eleven of this article in
5 an act designated chapter eighty, acts of the Legislature,
6 regular session, one thousand nine hundred eighty;

7 (2) That included within the provisions of that act were
8 provisions specifically increasing the number of magistrates
9 for the Counties of Putnam and Raleigh whereby the Legis-
10 lature provided for the election of three magistrates for the
11 County of Putnam and five magistrates for the County of
12 Raleigh;

13 (3) That it has come to the attention of the Legislature
14 that the fact of increasing the number of magistrates in the
15 Counties of Putnam and Raleigh has been interpreted as
16 necessitating a decrease in the respective salaries of the magis-
17 trate court clerks, magistrate assistants and magistrate court
18 deputy clerks, in those counties effective the first day of
19 January, one thousand nine hundred eighty-one; and

20 (4) That it was not the intent of the Legislature in enacting
21 the provisions of chapter eighty, acts of the Legislature, regular
22 session, one thousand nine hundred eighty, to reduce the
23 salaries of magistrate court clerks, magistrate assistants and
24 magistrate court deputy clerks in the Counties of Putnam and
25 Raleigh.

26 Therefore, in view of the foregoing findings, it is the intent
27 of the Legislature in enacting this section to restore the respec-
28 tive salaries of the magistrate court clerks, magistrate assis-
29 tants and magistrate court deputy clerks in the Counties of
30 Putnam and Raleigh to those sums which were applicable to
31 those various positions prior to the first day of January, one
32 thousand nine hundred eighty-one, retroactively to that date.

33 (b) In view of the foregoing findings and purposes, effec-
34 tive the first day of January, one thousand nine hundred eighty-
35 one, the respective salaries for magistrate court clerks, magis-
36 trate assistants and magistrate court deputy clerks in the
37 Counties of Putnam and Raleigh shall be as follows:

38 (1) The salary for the magistrate court clerk in the County
39 of Putnam shall be up to one thousand twenty-six dollars per
40 month;

41 (2) The salary for the magistrate court clerk in the County
42 of Raleigh shall be up to one thousand two hundred fifty-
43 four dollars per month;

44 (3) The salary for each magistrate assistant in the County
45 of Putnam shall be up to seven hundred forty-one dollars per
46 month;

47 (4) The salary for each magistrate assistant in the County
48 of Raleigh shall be up to eight hundred fifty-five dollars per
49 month, and

50 (5) The salaries of the various magistrate court deputy
51 clerks for the Counties of Putnam and Raleigh shall be in
52 amounts up to and not exceeding the amounts paid to the
53 magistrate assistants in those respective counties.

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

L. T. Bayler

Chairman Senate Committee

Tommy E. Whitlow
Chairman House Committee

Originated in the House.

Takes effect from passage.

Todd C. Wilkins

Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

Walter R. McInaw
President of the Senate

Byrd L. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *26*
day of *March*, 1981.

John R. Rhyne
Governor

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SECY. OF STATE