

No: 1189

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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-27-83

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

# ENROLLED

Com. Sub. for  
HOUSE BILL No. 1189

(By Mr. Livens + Mr. Yanni)

— ● —

Passed March 12, 1983

In Effect July 1, 1983 ~~Passage~~



**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**

**H. B. 1189**

(By MR. GIVENS and MR. YANNI)

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[Passed March 12, 1983; in effect July 1, 1983.]

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AN ACT to amend article five, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three-a, relating to the payment of salary to school board employees who are subpoenaed as witnesses in any criminal proceeding in any court of law.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 5. AUTHORITY; RIGHTS; RESPONSIBILITY.**

**§18A-5-3a. Answering witness subpoenas.**

1 Any teacher, principal, supervisor, service personnel or  
2 other person employed by a board of education who is sub-  
3 poenaed to appear as a witness but not as a defendant in any  
4 criminal proceeding in any court of law may make such ap-  
5 pearance without any loss of pay. The board shall pay to such  
6 employee the difference between the witness fee, exclusive of  
7 travel allowances, payable for such appearance by the court

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8 and the amount of salary due to the person for the time such  
9 employee is absent from his employment by reason of answer-  
10 ing such subpoena.

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

*Barrett Colburn*  
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Chairman Senate Committee

*Donald Anello*  
-----  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1983.

*Judd C. Nutt*  
-----  
Clerk of the Senate

*Donald L. Dapp*  
-----  
Clerk of the House of Delegates  
*Warner P. McAnaw*  
-----  
President of the Senate

*Walter M. See, Jr.*  
-----  
Speaker House of Delegates

The within *is approved* this the *27*  
day of *March*, 1983.

*John P. Ralston*  
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Governor

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SECY. OF STATE