

FILED

2008 MAR 20 PM 12:07

OLIVER W. S. JENKINS  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2008**

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**ENROLLED**

**Senate Bill No. 337**

(By SENATORS KESSLER, WHITE AND YODER)

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[Passed March 5, 2008; in effect ninety days from passage.]

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2008 MAR 20 PM 12:08

CLERK OF THE  
SECRETARY OF STATE

**ENROLLED**

**Senate Bill No. 337**

(BY SENATORS KESSLER, WHITE AND YODER)

[Passed March 5, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §51-1-11 of the Code of West Virginia, 1931, as amended, relating to the removal of obsolete language concerning the Clerk of the Supreme Court of Appeals.

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

That §51-1-11 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 1. SUPREME COURT OF APPEALS.**

**§51-1-11. Appointment and compensation of the clerk and employees of the clerks' office; compensation.**

1     The justices of the Supreme Court of Appeals may  
2     appoint a clerk, who shall post bond as required by  
3     article two, chapter six of this code. The annual  
4     compensation of the clerk shall be established by the  
5     court. The justices of the Supreme Court of Appeals  
6     may appoint any other full-time and part-time  
7     professional and clerical assistants necessary to  
8     efficiently perform the functions and duties of the office  
9     of the clerk. Such employees shall serve at the will and  
10    pleasure of the justices of the Supreme Court of  
11    Appeals. The salary of any person employed to staff the  
12    office of the clerk shall be established by the justices of  
13    the Supreme Court of Appeals and paid out of the  
14    appropriations made by the Legislature, personal  
15    service account, for the spending unit of the Supreme  
16    Court of Appeals, by requisitions drawn against the  
17    Auditor of the State of West Virginia according to law.

18    If the position of clerk shall become vacant while the  
19    Supreme Court of Appeals is in vacation, the position  
20    may be filled by appointment, in writing, issued by the  
21    justices of the Supreme Court of Appeals.

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

*Randy White*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Harrell Holmes*  
.....  
Clerk of the Senate

*Seeger D. Smith*  
.....  
Clerk of the House of Delegates

*Carl Key Smith*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is disapproved* ..... this  
the *20th* Day of *March* ....., 2008.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 17 2008

Time 11:10am