

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2011



ENROLLED

**COMMITTEE SUBSTITUTE
FOR**

House Bill No. 2879

(By Mr. Speaker, Mr. Thompson, and Delegate Armstead)
[By Request of the Executive]



Passed March 12, 2011

In Effect From Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2879

(BY MR. SPEAKER, MR. THOMPSON, AND DELEGATE ARMSTEAD)
[BY REQUEST OF THE EXECUTIVE]

[Passed March 12, 2011; in effect from passage.]

AN ACT to repeal §18A-4-5c and §18A-4-5d of the Code of West Virginia, 1931, as amended; to amend and reenact §6-7-2a of said code; to amend and reenact §15-2-5 of said code; to amend and reenact §18A-4-2, §18A-4-5 and §18A-4-8a of said code; to amend and reenact §20-7-1c of said code; to amend and reenact §50-1-3 of said code; to amend and reenact §51-1-10a of said code; to amend and reenact §51-2-13 of said code; and to amend and reenact §51-2A-6 of said code, all relating generally to increasing compensation for certain public officials and public employees.

Be it enacted by the Legislature of West Virginia:

That both houses recede from their respective positions as to the amendment of the Senate striking out everything after the enacting clause and inserting new language, and agree to the same as follows:

That §18A-4-5c and §18A-4-5d of the code of West Virginia, 1931, as amended, be repealed; that §6-7-2a of said code be amended and reenacted; that §15-2-5 of said code be amended and reenacted; that §18A-4-2, §18A-4-5 and §18A-4-8a of said code be amended and reenacted; that §20-7-1c of said code be amended and reenacted; that §50-1-3 of said code be amended and reenacted; that §51-1-10a of said code be amended and reenacted; that §51-2-13 of said code be amended and reenacted; and that §51-2A-6 of said code be amended and reenacted, all to read as follows:

CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.

ARTICLE 7. COMPENSATION AND ALLOWANCES.

§6-7-2a. Terms of certain appointive state officers; appointment; qualifications; powers and salaries of such officers.

1 (a) Each of the following appointive state officers named
2 in this subsection shall be appointed by the Governor, by and
3 with the advice and consent of the Senate. Each of the
4 appointive state officers serves at the will and pleasure of the
5 Governor for the term for which the Governor was elected
6 and until the respective state officers' successors have been
7 appointed and qualified. Each of the appointive state officers
8 are subject to the existing qualifications for holding each
9 respective office and each has and is hereby granted all of the
10 powers and authority and shall perform all of the functions
11 and services heretofore vested in and performed by virtue of
12 existing law respecting each office.

13 Prior to July 1, 2006, each such named appointive state
14 officer shall continue to receive the annual salaries they were
15 receiving as of the effective date of the enactment of this
16 section in 2006 and thereafter, notwithstanding any other
17 provision of this code to the contrary, the annual salary of
18 each named appointive state officer shall be as follows:

19 Commissioner, Division of Highways, \$92,500;
20 Commissioner, Division of Corrections, \$80,000; Director,
21 Division of Natural Resources, \$75,000; Superintendent,
22 State Police, \$85,000; Commissioner, Division of Banking,
23 \$75,000; Commissioner, Division of Culture and History,
24 \$65,000; Commissioner, Alcohol Beverage Control
25 Commission, \$75,000; Commissioner, Division of Motor
26 Vehicles, \$75,000; Chairman, Health Care Authority,
27 \$80,000; members, Health Care Authority, \$75,000; Director,
28 Human Rights Commission, \$55,000; Commissioner,
29 Division of Labor, \$70,000; Director, Division of Veterans'
30 Affairs, \$65,000; Chairperson, Board of Parole, \$55,000;
31 members, Board of Parole, \$50,000; members, Employment
32 Security Review Board, \$17,000; and Commissioner, Bureau
33 of Employment Programs, \$75,000. Secretaries of the
34 departments shall be paid an annual salary as follows: Health
35 and Human Resources, \$95,000; Transportation, \$95,000:
36 *Provided*, That if the same person is serving as both the
37 Secretary of Transportation and the Commissioner of
38 Highways, he or she shall be paid \$120,000; Revenue,
39 \$95,000; Military Affairs and Public Safety, \$95,000;
40 Administration, \$95,000; Education and the Arts, \$95,000;
41 Commerce, \$95,000; and Environmental Protection, \$95,000:
42 *Provided, however*, That any increase in the salary of any
43 current appointive state officer named in this subsection
44 pursuant to the reenactment of this subsection during the
45 regular session of the Legislature in 2006 that exceeds \$5,000
46 shall be paid to such officer or his or her successor beginning
47 on July 1, 2006, in annual increments of \$5,000 per fiscal

48 year, up to the maximum salary provided in this subsection:
49 *Provided further*, That if the same person is serving as both
50 the Secretary of Transportation and the Commissioner of
51 Highways, then the annual increments of \$5,000 per fiscal
52 year do not apply.

53 (b) Each of the state officers named in this subsection
54 shall continue to be appointed in the manner prescribed in
55 this code and, prior to July 1, 2006, each of the state officers
56 named in this subsection shall continue to receive the annual
57 salaries he or she was receiving as of the effective date of the
58 enactment of this section in 2006 and shall thereafter,
59 notwithstanding any other provision of this code to the
60 contrary, be paid an annual salary as follows:

61 Director, Board of Risk and Insurance Management,
62 \$80,000; Director, Division of Rehabilitation Services,
63 \$70,000; Director, Division of Personnel, \$70,000; Executive
64 Director, Educational Broadcasting Authority, \$75,000;
65 Secretary, Library Commission, \$72,000; Director,
66 Geological and Economic Survey, \$75,000; Executive
67 Director, Prosecuting Attorneys Institute, \$70,000; Executive
68 Director, Public Defender Services, \$70,000; Commissioner,
69 Bureau of Senior Services, \$75,000; Director, State Rail
70 Authority, \$65,000; Executive Director, Women's
71 Commission, \$55,000; Director, Hospital Finance Authority,
72 \$35,000; member, Racing Commission, \$12,000; Chairman,
73 Public Service Commission, \$85,000; members, Public
74 Service Commission, \$85,000; Director, Division of Forestry,
75 \$75,000; Director, Division of Juvenile Services, \$80,000;
76 and Executive Director, Regional Jail and Correctional
77 Facility Authority, \$80,000: *Provided*, That any increase in
78 the salary of any current appointive state officer named in
79 this subsection pursuant to the reenactment of this subsection
80 during the regular session of the Legislature in 2006 that
81 exceeds \$5,000 shall be paid to such officer or his or her

82 successor beginning on July 1, 2006, in annual increments of
83 \$5,000 per fiscal year, up to the maximum salary provided in
84 this subsection.

85 (c) Each of the following appointive state officers named
86 in this subsection shall be appointed by the Governor, by and
87 with the advice and consent of the Senate. Each of the
88 appointive state officers serves at the will and pleasure of the
89 Governor for the term for which the Governor was elected
90 and until the respective state officers' successors have been
91 appointed and qualified. Each of the appointive state officers
92 are subject to the existing qualifications for holding each
93 respective office and each has and is hereby granted all of the
94 powers and authority and shall perform all of the functions
95 and services heretofore vested in and performed by virtue of
96 existing law respecting each office.

97 Prior to July 1, 2006, each such named appointive state
98 officer shall continue to receive the annual salaries they were
99 receiving as of the effective date of the enactment of this
100 section in 2006 and thereafter, notwithstanding any other
101 provision of this code to the contrary, the annual salary of
102 each named appointive state officer shall be as follows:

103 Commissioner, State Tax Division, \$92,500;
104 Commissioner, Insurance Commission, \$92,500; Director,
105 Lottery Commission, \$92,500; Director, Division of
106 Homeland Security and Emergency Management, \$65,000;
107 and Adjutant General, \$125,000.

108 (d) No increase in the salary of any appointive state
109 officer pursuant to this section shall be paid until and unless
110 the appointive state officer has first filed with the State
111 Auditor and the Legislative Auditor a sworn statement, on a
112 form to be prescribed by the Attorney General, certifying that
113 his or her spending unit is in compliance with any general

114 law providing for a salary increase for his or her employees.
115 The Attorney General shall prepare and distribute the form to
116 the affected spending units.

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-5. Career progression system; salaries; exclusion from wages and hour law, with supplemental payment; bond; leave time for members called to duty in guard or reserves.

1 (a) The superintendent shall establish within the West
2 Virginia State Police a system to provide for: The promotion
3 of members to the supervisory ranks of sergeant, first
4 sergeant, second lieutenant and first lieutenant; the
5 classification of nonsupervisory members within the field
6 operations force to the ranks of trooper, senior trooper,
7 trooper first class or corporal; the classification of members
8 assigned to the forensic laboratory as criminalist I-VIII; and
9 the temporary reclassification of members assigned to
10 administrative duties as administrative support specialist
11 I-VIII.

12 (b) The superintendent may propose legislative rules for
13 promulgation in accordance with article three, chapter
14 twenty-nine-a of this code for the purpose of ensuring
15 consistency, predictability and independent review of any
16 system developed under the provisions of this section.

17 (c) The superintendent shall provide to each member a
18 written manual governing any system established under the
19 provisions of this section and specific procedures shall be
20 identified for the evaluation and testing of members for
21 promotion or reclassification and the subsequent placement

22 of any members on a promotional eligibility or
23 reclassification recommendation list.

24 (d) Beginning on July 1, 2008, through June 30, 2011,
25 members shall receive annual salaries as follows:

26 **ANNUAL SALARY SCHEDULE (BASE PAY)**
27 **SUPERVISORY AND NONSUPERVISORY RANKS**

28	Cadet During Training.	\$ 2,752 Mo.	\$ 33,024
29	Cadet Trooper After Training.	3,357.33 Mo.	40,288
30	Trooper Second Year.		41,296
31	Trooper Third Year.		41,679
32	Senior Trooper.		42,078
33	Trooper First Class.		42,684
34	Corporal.		43,290
35	Sergeant.		47,591
36	First Sergeant.		49,742
37	Second Lieutenant.		51,892
38	First Lieutenant.		54,043
39	Captain.		56,194
40	Major.		58,344
41	Lieutenant Colonel.		60,495

42 **ANNUAL SALARY SCHEDULE (BASE PAY)**
43 **ADMINISTRATION SUPPORT**
44 **SPECIALIST CLASSIFICATION**

45	I.	\$ 41,679
46	II.	42,078
47	III.	42,684
48	IV.	43,290
49	V.	47,591
50	VI.	49,742
51	VII.	51,892
52	VIII.	54,043

53 **ANNUAL SALARY SCHEDULE (BASE PAY)**
54 **CRIMINALIST CLASSIFICATION**

55	I.	\$ 41,679
56	II.....	42,078
57	III.....	42,684
58	IV.....	43,290
59	V.....	47,591
60	VI.....	49,742
61	VII.....	51,892
62	VIII.....	54,043

63 Beginning on July 1, 2011, and continuing thereafter,
64 members shall receive annual salaries as follows:

65 **ANNUAL SALARY SCHEDULE (BASE PAY)**
66 **SUPERVISORY AND NONSUPERVISORY RANKS**

67	Cadet During Training.....	\$ 2,833 Mo.	\$ 33,994
68	Cadet Trooper After Training.	\$ 3,438 Mo.	\$ 41,258
69	Trooper Second Year.....		42,266
70	Trooper Third Year.		42,649
71	Senior Trooper.....		43,048
72	Trooper First Class.....		43,654
73	Corporal.....		44,260
74	Sergeant.....		48,561
75	First Sergeant.....		50,712
76	Second Lieutenant.....		52,862
77	First Lieutenant.....		55,013
78	Captain.....		57,164
79	Major.....		59,314
80	Lieutenant Colonel.....		61,465

81 **ANNUAL SALARY SCHEDULE (BASE PAY)**
82 **ADMINISTRATION SUPPORT**
83 **SPECIALIST CLASSIFICATION**

84	I.	42,266
----	---------	--------

85	II.....	43,048
86	III.....	43,654
87	IV.....	44,260
88	V.....	48,561
89	VI.....	50,712
90	VII.....	52,862
91	VIII.....	55,013

92 **ANNUAL SALARY SCHEDULE (BASE PAY)**
93 **CRIMINALIST CLASSIFICATION**

94	I.....	42,266
95	II.....	43,048
96	III.....	43,654
97	IV.....	44,260
98	V.....	48,561
99	VI.....	50,712
100	VII.....	52,862
101	VIII.....	55,013

102 Each member of the West Virginia State Police whose
103 salary is fixed and specified in this annual salary schedule is
104 entitled to the length of service increases set forth in
105 subsection (e) of this section and supplemental pay as
106 provided in subsection (g) of this section.

107 (e) Each member of the West Virginia State Police whose
108 salary is fixed and specified pursuant to this section shall
109 receive, and is entitled to, an increase in salary over that set
110 forth in subsection (d) of this section for grade in rank, based
111 on length of service, including that service served before and
112 after the effective date of this section with the West Virginia
113 State Police as follows: At the end of two years of service
114 with the West Virginia State Police, the member shall receive
115 a salary increase of \$400 to be effective during his or her next

116 year of service and a like increase at yearly intervals
117 thereafter, with the increases to be cumulative.

118 (f) In applying the salary schedules set forth in this
119 section where salary increases are provided for length of
120 service, members of the West Virginia State Police in service
121 at the time the schedules become effective shall be given
122 credit for prior service and shall be paid the salaries the same
123 length of service entitles them to receive under the provisions
124 of this section.

125 (g) The Legislature finds and declares that because of the
126 unique duties of members of the West Virginia State Police,
127 it is not appropriate to apply the provisions of state wage and
128 hour laws to them. Accordingly, members of the West
129 Virginia State Police are excluded from the provisions of
130 state wage and hour law. This express exclusion shall not be
131 construed as any indication that the members were or were
132 not covered by the wage and hour law prior to this exclusion.

133 In lieu of any overtime pay they might otherwise have
134 received under the wage and hour law, and in addition to
135 their salaries and increases for length of service, members
136 who have completed basic training and who are exempt from
137 federal Fair Labor Standards Act guidelines may receive
138 supplemental pay as provided in this section.

139 The authority of the superintendent to propose a
140 legislative rule or amendment thereto for promulgation in
141 accordance with article three, chapter twenty-nine-a of this
142 code to establish the number of hours per month which
143 constitute the standard work month for the members of the
144 West Virginia State Police is hereby continued. The rule
145 shall further establish, on a graduated hourly basis, the
146 criteria for receipt of a portion or all of supplemental
147 payment when hours are worked in excess of the standard

148 work month. The superintendent shall certify monthly to the
149 West Virginia State Police's payroll officer the names of
150 those members who have worked in excess of the standard
151 work month and the amount of their entitlement to
152 supplemental payment. The supplemental payment may not
153 exceed \$236 monthly. The superintendent and civilian
154 employees of the West Virginia State Police are not eligible
155 for any supplemental payments.

156 (h) Each member of the West Virginia State Police,
157 except the superintendent and civilian employees, shall
158 execute, before entering upon the discharge of his or her
159 duties, a bond with security in the sum of \$5,000 payable to
160 the State of West Virginia, conditioned upon the faithful
161 performance of his or her duties, and the bond shall be
162 approved as to form by the Attorney General and as to
163 sufficiency by the Governor. (i) In consideration for
164 compensation paid by the West Virginia State Police to its
165 members during those members' participation in the West
166 Virginia State Police Cadet Training Program pursuant to
167 section eight, article twenty-nine, chapter thirty of this code,
168 the West Virginia State Police may require of its members by
169 written agreement entered into with each of them in advance
170 of such participation in the program that, if a member should
171 voluntarily discontinue employment any time within one year
172 immediately following completion of the training program,
173 he or she shall be obligated to pay to the West Virginia State
174 Police a pro rata portion of such compensation equal to that
175 part of such year which the member has chosen not to remain
176 in the employ of the West Virginia State Police.

177 (i) Any member of the West Virginia State Police who is
178 called to perform active duty training or inactive duty
179 training in the National Guard or any reserve component of
180 the armed forces of the United States annually shall be
181 granted, upon request, leave time not to exceed thirty

182 calendar days for the purpose of performing the active duty
183 training or inactive duty training and the time granted may
184 not be deducted from any leave accumulated as a member of
185 the West Virginia State Police.

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-2. State minimum salaries for teachers.

1 (a) Effective July 1, 2007, through June 30, 2008, each
2 teacher shall receive the amount prescribed in the 2007-08
3 State Minimum Salary Schedule as set forth in this section,
4 specific additional amounts prescribed in this section or
5 article and any county supplement in effect in a county
6 pursuant to section five-a of this article during the contract
7 year.

8 Effective July 1, 2008, through June 30, 2011, each
9 teacher shall receive the amount prescribed in the 2008-09
10 State Minimum Salary Schedule as set forth in this section,
11 specific additional amounts prescribed in this section or
12 article and any county supplement in effect in a county
13 pursuant to section five-a of this article during the contract
14 year.

15 Beginning July 1, 2011, and continuing thereafter, each
16 teacher shall receive the amount prescribed in the 2011-12
17 State Minimum Salary Schedule as set forth in this section,
18 specific additional amounts prescribed in this section or
19 article and any county supplement in effect in a county
20 pursuant to section five-a of this article during the contract
21 year.

22

2008-09 STATE MINIMUM SALARY SCHEDULE

23

24
25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Years Exp.	4th Class	3rd Class	2nd Class	A.B. A.B.	A.B. +15	M.A. M.A.	M.A. +15	M.A. +30	M.A. +45	Doc- torate
0	25,651	26,311	26,575	27,827	28,588	30,355	31,116	31,877	32,638	33,673
1	25,979	26,639	26,903	28,345	29,106	30,874	31,635	32,395	33,156	34,191
2	26,308	26,967	27,231	28,864	29,625	31,392	32,153	32,914	33,675	34,710
3	26,636	27,295	27,559	29,383	30,143	31,911	32,672	33,432	34,193	35,228
4	27,208	27,867	28,131	30,145	30,906	32,674	33,435	34,195	34,956	35,991
5	27,536	28,195	28,459	30,664	31,425	33,192	33,953	34,714	35,475	36,510
6	27,864	28,523	28,787	31,182	31,943	33,711	34,472	35,232	35,993	37,028
7	28,192	28,852	29,115	31,701	32,462	34,229	34,990	35,751	36,512	37,547
8	28,520	29,180	29,444	32,219	32,980	34,748	35,509	36,269	37,030	38,065
9	28,848	29,508	29,772	32,738	33,499	35,266	36,027	36,788	37,549	38,584
10	29,177	29,836	30,100	33,258	34,018	35,786	36,547	37,308	38,068	39,103
11	29,505	30,164	30,428	33,776	34,537	36,305	37,065	37,826	38,587	39,622
12	29,833	30,492	30,756	34,295	35,055	36,823	37,584	38,345	39,105	40,140
13	30,161	30,820	31,084	34,813	35,574	37,342	38,102	38,863	39,624	40,659
14	30,489	31,148	31,412	35,332	36,092	37,860	38,621	39,382	40,142	41,177
15	30,817	31,476	31,740	35,850	36,611	38,379	39,139	39,900	40,661	41,696
16	31,145	31,804	32,068	36,369	37,129	38,897	39,658	40,419	41,179	42,214
17	31,473	32,133	32,396	36,887	37,648	39,416	40,177	40,937	41,698	42,733
18	31,801	32,461	32,725	37,406	38,167	39,934	40,695	41,456	42,217	43,252
19	32,129	32,789	33,053	37,924	38,685	40,453	41,214	41,974	42,735	43,770
20	32,457	33,117	33,381	38,443	39,204	40,971	41,732	42,493	43,254	44,289
21	32,786	33,445	33,709	38,961	39,722	41,490	42,251	43,011	43,772	44,807
22	33,114	33,773	34,037	39,480	40,241	42,008	42,769	43,530	44,291	45,326
23	33,442	34,101	34,365	39,999	40,759	42,527	43,288	44,048	44,809	45,844
24	33,770	34,429	34,693	40,517	41,278	43,046	43,806	44,567	45,328	46,363
25	34,098	34,757	35,021	41,036	41,796	43,564	44,325	45,086	45,846	46,881
26	34,426	35,085	35,349	41,554	42,315	44,083	44,843	45,604	46,365	47,400
27	34,754	35,413	35,677	42,073	42,833	44,601	45,362	46,123	46,883	47,918

54	28	35,082	35,742	36,005	42,591	43,352	45,120	45,880	46,641	47,402	48,437
55	29	35,410	36,070	36,334	43,110	43,870	45,638	46,399	47,160	47,920	48,955
56	30	35,738	36,398	36,662	43,628	44,389	46,157	46,917	47,678	48,439	49,474
57	31	36,067	36,726	36,990	44,147	44,908	46,675	47,436	48,197	48,957	49,992
58	32	36,395	37,054	37,318	44,665	45,426	47,194	47,955	48,715	49,476	50,511
59	33	36,723	37,382	37,646	45,184	45,945	47,712	48,473	49,234	49,995	51,030
60	34	37,051	37,710	37,974	45,702	46,463	48,231	48,992	49,752	50,513	51,548
61	35	37,379	38,038	38,302	46,221	46,982	48,749	49,510	50,271	51,032	52,067

62

2011-12 STATE MINIMUM SALARY SCHEDULE

63	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
64	Years	4th	3rd	2nd		A.B.		M .A.	M.A.	M.A.	Doc-
65	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	torate
66	0	26,917	27,606	27,872	29,315	30,076	31,843	32,604	33,365	34,126	35,161
67	1	27,245	27,934	28,200	29,833	30,594	32,362	33,123	33,883	34,644	35,679
68	2	27,574	28,262	28,528	30,352	31,113	32,880	33,641	34,402	35,163	36,198
69	3	27,902	28,590	28,856	30,871	31,631	33,399	34,160	34,920	35,681	36,716
70	4	28,474	29,162	29,428	31,633	32,394	34,162	34,923	35,683	36,444	37,479
71	5	28,802	29,490	29,756	32,152	32,913	34,680	35,441	36,202	36,963	37,998
72	6	29,130	29,818	30,084	32,670	33,431	35,199	35,960	36,720	37,481	38,516
73	7	29,458	30,147	30,412	33,189	33,950	35,717	36,478	37,239	38,000	39,035
74	8	29,786	30,475	30,741	33,707	34,468	36,236	36,997	37,757	38,518	39,553
75	9	30,114	30,803	31,069	34,226	34,987	36,754	37,515	38,276	39,037	40,072
76	10	30,443	31,131	31,397	34,746	35,506	37,274	38,035	38,796	39,556	40,591
77	11	30,771	31,459	31,725	35,264	36,025	37,793	38,553	39,314	40,075	41,110
78	12	31,099	31,787	32,053	35,783	36,543	38,311	39,072	39,833	40,593	41,628
79	13	31,427	32,115	32,381	36,301	37,062	38,830	39,590	40,351	41,112	42,147
80	14	31,755	32,443	32,709	36,820	37,580	39,348	40,109	40,870	41,630	42,665
81	15	32,083	32,771	33,037	37,338	38,099	39,867	40,627	41,388	42,149	43,184
82	16	32,411	33,099	33,365	37,857	38,617	40,385	41,146	41,907	42,667	43,702

83	17	32,739	33,428	33,693	38,375	39,136	40,904	41,665	42,425	43,186	44,221
84	18	33,067	33,756	34,022	38,894	39,655	41,422	42,183	42,944	43,705	44,740
85	19	33,395	34,084	34,350	39,412	40,173	41,941	42,702	43,462	44,223	45,258
86	20	33,723	34,412	34,678	39,931	40,692	42,459	43,220	43,981	44,742	45,777
87	21	34,052	34,740	35,006	40,449	41,210	42,978	43,739	44,499	45,260	46,295
88	22	34,380	35,068	35,334	40,968	41,729	43,496	44,257	45,018	45,779	46,814
89	23	34,708	35,396	35,662	41,487	42,247	44,015	44,776	45,536	46,297	47,332
90	24	35,036	35,724	35,990	42,005	42,766	44,534	45,294	46,055	46,816	47,851
91	25	35,364	36,052	36,318	42,524	43,284	45,052	45,813	46,574	47,334	48,369
92	26	35,692	36,380	36,646	43,042	43,803	45,571	46,331	47,092	47,853	48,888
93	27	36,020	36,708	36,974	43,561	44,321	46,089	46,850	47,611	48,371	49,406
94	28	36,348	37,037	37,302	44,079	44,840	46,608	47,368	48,129	48,890	49,925
95	29	36,676	37,365	37,631	44,598	45,358	47,126	47,887	48,648	49,408	50,443
96	30	37,004	37,693	37,959	45,116	45,877	47,645	48,405	49,166	49,927	50,962
97	31	37,333	38,021	38,287	45,635	46,396	48,163	48,924	49,685	50,445	51,480
98	32	37,661	38,349	38,615	46,153	46,914	48,682	49,443	50,203	50,964	51,999
99	33	37,989	38,677	38,943	46,672	47,433	49,200	49,961	50,722	51,483	52,518
100	34	38,317	39,005	39,271	47,190	47,951	49,719	50,480	51,240	52,001	53,036
101	35	38,645	39,333	39,599	47,709	48,470	50,237	50,998	51,759	52,520	53,555

102 (b) Six hundred dollars shall be paid annually to each
 103 classroom teacher who has at least twenty years of teaching
 104 experience. The payments: (i) Shall be in addition to any
 105 amounts prescribed in the applicable state minimum salary
 106 schedule; (ii) shall be paid in equal monthly installments; and
 107 (iii) shall be considered a part of the state minimum salaries
 108 for teachers.

§18A-4-5. Salary equity among the counties; state salary supplement.

1 (a) For the purposes of this section, salary equity among
 2 the counties means that the salary potential of school

3 employees employed by the various districts throughout the
4 state does not differ by greater than ten percent between those
5 offering the highest salaries and those offering the lowest
6 salaries. In the case of professional educators, the difference
7 shall be calculated utilizing the average of the professional
8 educator salary schedules, degree classifications B.A.
9 through doctorate and the years of experience provided for in
10 the most recent state minimum salary schedule for teachers,
11 in effect in the five counties offering the highest salary
12 schedules compared to the lowest salary schedule in effect
13 among the fifty-five counties. In the case of school service
14 personnel, the difference shall be calculated utilizing the
15 average of the school service personnel salary schedules, pay
16 grades "A" through "H" and the years of experience provided
17 for in the most recent state minimum pay scale pay grade for
18 service personnel, in effect in the five counties offering the
19 highest salary schedules compared to the lowest salary
20 schedule in effect among the fifty-five counties. Effective
21 July 1, 2013, for both professional educators and school
22 service personnel, the differences shall be calculated as
23 otherwise required by this subsection except that the ten
24 counties offering the highest salary schedules shall be
25 compared to the lowest salary schedule in effect among the
26 fifty-five counties.

27 (b) To assist the state in meeting its objective of salary
28 equity among the counties, as defined in subsection (a) of this
29 section, on and after July 1, 1984, subject to available state
30 appropriations and the conditions set forth herein, each
31 teacher and school service personnel shall receive a
32 supplemental amount in addition to the amount from the state
33 minimum salary schedules provided for in this article.

34 (c) State funds for this purpose shall be paid within the
35 West Virginia public school support plan in accordance with
36 article nine-a, chapter eighteen of this code. The amount

37 allocated for salary equity shall be apportioned between
38 teachers and school service personnel in direct proportion to
39 that amount necessary to support the professional salaries and
40 service personnel salaries statewide under sections four, five
41 and eight, article nine-a, chapter eighteen of this code.

42 (d) Pursuant to this section, each teacher and school
43 service personnel shall receive the amount indicated on the
44 applicable State Equity Supplement Schedule or Pay Scale
45 for 2010-11, maintained by the West Virginia Department of
46 Education, reduced by any amount provided by the county as
47 a salary supplement for teachers and school service personnel
48 on January 1, 1984: *Provided*, That effective July 1, 2011, the
49 amounts indicated on the State Equity Supplement Pay Scale
50 for service personnel is increased by \$37 across-the-board.

51 (e) The amount received pursuant to this section shall not
52 be decreased as a result of any county supplement increase
53 instituted after January 1, 1984: *Provided*, That any amount
54 received pursuant to this section may be reduced
55 proportionately based upon the amount of funds appropriated
56 for this purpose. No county may reduce any salary
57 supplement that was in effect on January 1, 1984, except as
58 permitted by sections five-a and five-b of this article.

59 (f) During its 2011 interim meetings, the Legislative
60 Oversight Commission on Education Accountability shall
61 conduct a study on whether a recommendation should be
62 made to the Legislature for establishing the State Equity
63 Supplement Schedule and the State Equity Supplement Pay
64 Scale in statute.

§18A-4-8a. Service personnel minimum monthly salaries.

1 (a) The minimum monthly pay for each service employee
2 shall be as follows:

3 (1) Effective July 1, 2010, through June 30, 2011, the
 4 minimum monthly pay for each service employee whose
 5 employment is for a period of more than three and one-half
 6 hours a day shall be at least the amounts indicated in the
 7 2010-2011 State Minimum Pay Scale Pay Grade and the
 8 minimum monthly pay for each service employee whose
 9 employment is for a period of three and one-half hours or less
 10 a day shall be at least one-half the amount indicated in the
 11 2010-2011 State Minimum Pay Scale Pay Grade set forth in
 12 this subdivision.

13 Beginning July 1, 2011, and continuing thereafter, the
 14 minimum monthly pay for each service employee whose
 15 employment is for a period of more than three and one-half
 16 hours a day shall be at least the amounts indicated in the
 17 2011-2012 State Minimum Pay Scale Pay Grade and the
 18 minimum monthly pay for each service employee whose
 19 employment is for a period of three and one-half hours or less
 20 a day shall be at least one-half the amount indicated in the
 21 2011-2012 State Minimum Pay Scale Pay Grade set forth in
 22 this section subdivision.

23 2010-2011 STATE MINIMUM PAY SCALE PAY GRADE

24 Years	25 Pay Grade							
	Exp.	A	B	C	D	E	F	G
26 0	1,577	1,598	1,639	1,691	1,743	1,805	1,836	1,908
27 1	1,609	1,630	1,671	1,723	1,775	1,837	1,868	1,940
28 2	1,641	1,662	1,703	1,755	1,807	1,869	1,900	1,972
29 3	1,673	1,694	1,735	1,787	1,839	1,901	1,932	2,004
30 4	1,705	1,726	1,767	1,819	1,871	1,933	1,964	2,037
31 5	1,737	1,758	1,799	1,851	1,903	1,965	1,996	2,069
32 6	1,769	1,790	1,832	1,883	1,935	1,997	2,028	2,101
33 7	1,802	1,822	1,864	1,915	1,967	2,029	2,060	2,133
34 8	1,834	1,854	1,896	1,947	1,999	2,061	2,092	2,165
35 9	1,866	1,886	1,928	1,980	2,031	2,093	2,124	2,197
36 10	1,898	1,919	1,960	2,012	2,063	2,126	2,157	2,229
37 11	1,930	1,951	1,992	2,044	2,095	2,158	2,189	2,261
38 12	1,962	1,983	2,024	2,076	2,128	2,190	2,221	2,293

39	13	1,994	2,015	2,056	2,108	2,160	2,222	2,253	2,325
40	14	2,026	2,047	2,088	2,140	2,192	2,254	2,285	2,357
41	15	2,058	2,079	2,120	2,172	2,224	2,286	2,317	2,389
42	16	2,090	2,111	2,152	2,204	2,256	2,318	2,349	2,422
43	17	2,122	2,143	2,185	2,236	2,288	2,350	2,381	2,454
44	18	2,154	2,175	2,217	2,268	2,320	2,382	2,413	2,486
45	19	2,187	2,207	2,249	2,300	2,352	2,414	2,445	2,518
46	20	2,219	2,239	2,281	2,333	2,384	2,446	2,477	2,550
47	21	2,251	2,271	2,313	2,365	2,416	2,478	2,509	2,582
48	22	2,283	2,304	2,345	2,397	2,448	2,511	2,542	2,614
49	23	2,315	2,336	2,377	2,429	2,481	2,543	2,574	2,646
50	24	2,347	2,368	2,409	2,461	2,513	2,575	2,606	2,678
51	25	2,379	2,400	2,441	2,493	2,545	2,607	2,638	2,710
52	26	2,411	2,432	2,473	2,525	2,577	2,639	2,670	2,742
53	27	2,443	2,464	2,505	2,557	2,609	2,671	2,702	2,774
54	28	2,475	2,496	2,537	2,589	2,641	2,703	2,734	2,807
55	29	2,507	2,528	2,570	2,621	2,673	2,735	2,766	2,839
56	30	2,540	2,560	2,602	2,653	2,705	2,767	2,798	2,871
57	31	2,572	2,592	2,634	2,685	2,737	2,799	2,830	2,903
58	32	2,604	2,624	2,666	2,718	2,769	2,831	2,862	2,935
59	33	2,636	2,656	2,698	2,750	2,801	2,863	2,895	2,967
60	34	2,668	2,689	2,730	2,782	2,833	2,896	2,927	2,999
61	35	2,700	2,721	2,762	2,814	2,866	2,928	2,959	3,031
62	36	2,732	2,753	2,794	2,846	2,898	2,960	2,991	3,063
63	37	2,764	2,785	2,826	2,878	2,930	2,992	3,023	3,095
64	38	2,796	2,817	2,858	2,910	2,962	3,024	3,055	3,127
65	39	2,828	2,849	2,890	2,942	2,994	3,056	3,087	3,159
66	40	2,860	2,881	2,922	2,974	3,026	3,088	3,119	3,192

		2011-2012 STATE MINIMUM PAY SCALE PAY GRADE							
67	Years								
68	Exp.	Pay Grade							
69		A	B	C	D	E	F	G	H
70	0	1,627	1,648	1,689	1,741	1,793	1,855	1,886	1,958
71	1	1,659	1,680	1,721	1,773	1,825	1,887	1,918	1,990
72	2	1,691	1,712	1,753	1,805	1,857	1,919	1,950	2,022
73	3	1,723	1,744	1,785	1,837	1,889	1,951	1,982	2,054
74	4	1,755	1,776	1,817	1,869	1,921	1,983	2,014	2,087
75	5	1,787	1,808	1,849	1,901	1,953	2,015	2,046	2,119
76	6	1,819	1,840	1,882	1,933	1,985	2,047	2,078	2,151
77	7	1,852	1,872	1,914	1,965	2,017	2,079	2,110	2,183
78	8	1,884	1,904	1,946	1,997	2,049	2,111	2,142	2,215
79	9	1,916	1,936	1,978	2,030	2,081	2,143	2,174	2,247

80	10	1,948	1,969	2,010	2,062	2,113	2,176	2,207	2,279
81	11	1,980	2,001	2,042	2,094	2,145	2,208	2,239	2,311
82	12	2,012	2,033	2,074	2,126	2,178	2,240	2,271	2,343
83	13	2,044	2,065	2,106	2,158	2,210	2,272	2,303	2,375
84	14	2,076	2,097	2,138	2,190	2,242	2,304	2,335	2,407
85	15	2,108	2,129	2,170	2,222	2,274	2,336	2,367	2,439
86	16	2,140	2,161	2,202	2,254	2,306	2,368	2,399	2,472
87	17	2,172	2,193	2,235	2,286	2,338	2,400	2,431	2,504
88	18	2,204	2,225	2,267	2,318	2,370	2,432	2,463	2,536
89	19	2,237	2,257	2,299	2,350	2,402	2,464	2,495	2,568
90	20	2,269	2,289	2,331	2,383	2,434	2,496	2,527	2,601
91	21	2,301	2,321	2,363	2,415	2,466	2,528	2,559	2,634
92	22	2,333	2,354	2,395	2,447	2,498	2,561	2,593	2,666
93	23	2,365	2,386	2,427	2,479	2,531	2,594	2,625	2,699
94	24	2,397	2,418	2,459	2,511	2,563	2,627	2,658	2,732
95	25	2,429	2,450	2,491	2,543	2,596	2,659	2,691	2,764
96	26	2,461	2,482	2,523	2,576	2,629	2,692	2,723	2,797
97	27	2,493	2,514	2,555	2,608	2,661	2,724	2,756	2,829
98	28	2,525	2,546	2,588	2,641	2,694	2,757	2,789	2,863
99	29	2,557	2,579	2,621	2,673	2,726	2,790	2,821	2,896
100	30	2,591	2,611	2,654	2,706	2,759	2,822	2,854	2,928
101	31	2,623	2,644	2,687	2,739	2,792	2,855	2,887	2,961
102	32	2,656	2,676	2,719	2,772	2,824	2,888	2,919	2,994
103	33	2,689	2,709	2,752	2,805	2,857	2,920	2,953	3,026
104	34	2,721	2,743	2,785	2,838	2,890	2,954	2,986	3,059
105	35	2,754	2,775	2,817	2,870	2,923	2,987	3,018	3,092
106	36	2,787	2,808	2,850	2,903	2,956	3,019	3,051	3,124
107	37	2,819	2,841	2,883	2,936	2,989	3,052	3,083	3,157
108	38	2,852	2,873	2,915	2,968	3,021	3,084	3,116	3,190
109	39	2,885	2,906	2,948	3,001	3,054	3,117	3,149	3,222
110	40	2,917	2,939	2,980	3,033	3,087	3,150	3,181	3,256

111 (2) Each service employee shall receive the amount
 112 prescribed in the Minimum Pay Scale in accordance with the
 113 provisions of this subsection according to their class title and
 114 pay grade as set forth in this subdivision:

115	CLASS TITLE	PAY GRADE
116	Accountant I.	D
117	Accountant II.	E
118	Accountant III.	F
119	Accounts Payable Supervisor.	G

120	Aide I.	A
121	Aide II.	B
122	Aide III.	C
123	Aide IV.	D
124	Audiovisual Technician.	C
125	Auditor.	G
126	Autism Mentor.	F
127	Braille or Sign Language Specialist.	E
128	Bus Operator.	D
129	Buyer.	F
130	Cabinetmaker.	G
131	Cafeteria Manager.	D
132	Carpenter I.	E
133	Carpenter II.	F
134	Chief Mechanic.	G
135	Clerk I.	B
136	Clerk II.	C
137	Computer Operator.	E
138	Cook I.	A
139	Cook II.	B
140	Cook III.	C
141	Crew Leader.	F
142	Custodian I.	A
143	Custodian II.	B
144	Custodian III.	C
145	Custodian IV.	D
146	Director or Coordinator of Services.	H
147	Draftsman.	D
148	Electrician I.	F
149	Electrician II.	G
150	Electronic Technician I.	F
151	Electronic Technician II.	G
152	Executive Secretary.	G
153	Food Services Supervisor.	G
154	Foreman.	G
155	General Maintenance.	C

156	Glazier.	D
157	Graphic Artist.	D
158	Groundsman.	B
159	Handyman.	B
160	Heating and Air Conditioning Mechanic I.	E
161	Heating and Air Conditioning Mechanic II.	G
162	Heavy Equipment Operator.	E
163	Inventory Supervisor.	D
164	Key Punch Operator.	B
165	Licensed Practical Nurse.	F
166	Locksmith.	G
167	Lubrication Man.	C
168	Machinist.	F
169	Mail Clerk.	D
170	Maintenance Clerk.	C
171	Mason.	G
172	Mechanic.	F
173	Mechanic Assistant.	E
174	Office Equipment Repairman I.	F
175	Office Equipment Repairman II.	G
176	Painter.	E
177	Paraprofessional.	F
178	Payroll Supervisor.	G
179	Plumber I.	E
180	Plumber II.	G
181	Printing Operator.	B
182	Printing Supervisor.	D
183	Programmer.	H
184	Roofing/Sheet Metal Mechanic.	F
185	Sanitation Plant Operator.	G
186	School Bus Supervisor.	E
187	Secretary I.	D
188	Secretary II.	E
189	Secretary III.	F
190	Supervisor of Maintenance.	H
191	Supervisor of Transportation.	H

192 Switchboard Operator-Receptionist. D
193 Truck Driver. D
194 Warehouse Clerk. C
195 Watchman. B
196 Welder. F
197 WVEIS Data Entry and Administrative Clerk. B

198 (b) An additional \$12 per month shall be added to the
199 minimum monthly pay of each service employee who holds
200 a high school diploma or its equivalent.

201 (c) An additional \$11 per month also shall be added to
202 the minimum monthly pay of each service employee for each
203 of the following:

204 (1) A service employee who holds twelve college hours
205 or comparable credit obtained in a trade or vocational school
206 as approved by the state board;

207 (2) A service employee who holds twenty-four college
208 hours or comparable credit obtained in a trade or vocational
209 school as approved by the state board;

210 (3) A service employee who holds thirty-six college
211 hours or comparable credit obtained in a trade or vocational
212 school as approved by the state board;

213 (4) A service employee who holds forty-eight college
214 hours or comparable credit obtained in a trade or vocational
215 school as approved by the state board;

216 (5) A service employee who holds sixty college hours or
217 comparable credit obtained in a trade or vocational school as
218 approved by the state board;

219 (6) A service employee who holds seventy-two college
220 hours or comparable credit obtained in a trade or vocational
221 school as approved by the state board;

222 (7) A service employee who holds eighty-four college
223 hours or comparable credit obtained in a trade or vocational
224 school as approved by the state board;

225 (8) A service employee who holds ninety-six college
226 hours or comparable credit obtained in a trade or vocational
227 school as approved by the state board;

228 (9) A service employee who holds one hundred eight
229 college hours or comparable credit obtained in a trade or
230 vocational school as approved by the state board;

231 (10) A service employee who holds one hundred twenty
232 college hours or comparable credit obtained in a trade or
233 vocational school as approved by the state board;

234 (d) An additional \$40 per month also shall be added to
235 the minimum monthly pay of each service employee for each
236 of the following:

237 (1) A service employee who holds an associate's degree;

238 (2) A service employee who holds a bachelor's degree;

239 (3) A service employee who holds a master's degree;

240 (4) A service employee who holds a doctorate degree.

241 (e) An additional \$11 per month shall be added to the
242 minimum monthly pay of each service employee for each of
243 the following:

244 (1) A service employee who holds a bachelor's degree
245 plus fifteen college hours;

246 (2) A service employee who holds a master's degree plus
247 fifteen college hours;

248 (3) A service employee who holds a master's degree plus
249 thirty college hours;

250 (4) A service employee who holds a master's degree plus
251 forty-five college hours; and

252 (5) A service employee who holds a master's degree plus
253 sixty college hours.

254 (f) When any part of a school service employee's daily
255 shift of work is performed between the hours of six o'clock
256 p.m. and five o'clock a.m. the following day, the employee
257 shall be paid no less than an additional \$10 per month and
258 one half of the pay shall be paid with local funds.

259 (g) Any service employee required to work on any legal
260 school holiday shall be paid at a rate one and one-half times
261 the employee's usual hourly rate.

262 (h) Any full-time service personnel required to work in
263 excess of their normal working day during any week which
264 contains a school holiday for which they are paid shall be
265 paid for the additional hours or fraction of the additional
266 hours at a rate of one and one-half times their usual hourly
267 rate and paid entirely from county board funds.

268 (i) No service employee may have his or her daily work
269 schedule changed during the school year without the
270 employee's written consent and the employee's required
271 daily work hours may not be changed to prevent the payment
272 of time and one-half wages or the employment of another
273 employee.

274 (j) The minimum hourly rate of pay for extra duty
275 assignments as defined in section eight-b of this article shall
276 be no less than one seventh of the employee's daily total

277 salary for each hour the employee is involved in performing
278 the assignment and paid entirely from local funds: *Provided,*
279 That an alternative minimum hourly rate of pay for
280 performing extra duty assignments within a particular
281 category of employment may be used if the alternate hourly
282 rate of pay is approved both by the county board and by the
283 affirmative vote of a two-thirds majority of the regular
284 full-time employees within that classification category of
285 employment within that county: *Provided, however,* That the
286 vote shall be by secret ballot if requested by a service
287 personnel employee within that classification category within
288 that county. The salary for any fraction of an hour the
289 employee is involved in performing the assignment shall be
290 prorated accordingly. When performing extra duty
291 assignments, employees who are regularly employed on a
292 one-half day salary basis shall receive the same hourly extra
293 duty assignment pay computed as though the employee were
294 employed on a full-day salary basis.

295 (k) The minimum pay for any service personnel
296 employees engaged in the removal of asbestos material or
297 related duties required for asbestos removal shall be their
298 regular total daily rate of pay and no less than an additional
299 \$3 per hour or no less than \$5 per hour for service personnel
300 supervising asbestos removal responsibilities for each hour
301 these employees are involved in asbestos related duties.
302 Related duties required for asbestos removal include, but are
303 not limited to, travel, preparation of the work site, removal of
304 asbestos decontamination of the work site, placing and
305 removal of equipment and removal of structures from the
306 site. If any member of an asbestos crew is engaged in
307 asbestos related duties outside of the employee's regular
308 employment county, the daily rate of pay shall be no less than
309 the minimum amount as established in the employee's
310 regular employment county for asbestos removal and an
311 additional \$30 per each day the employee is engaged in

312 asbestos removal and related duties. The additional pay for
313 asbestos removal and related duties shall be payable entirely
314 from county funds. Before service personnel employees may
315 be used in the removal of asbestos material or related duties,
316 they shall have completed a federal Environmental Protection
317 Act approved training program and be licensed. The
318 employer shall provide all necessary protective equipment
319 and maintain all records required by the Environmental
320 Protection Act.

321 (l) For the purpose of qualifying for additional pay as
322 provided in section eight, article five of this chapter, an aide
323 shall be considered to be exercising the authority of a
324 supervisory aide and control over pupils if the aide is
325 required to supervise, control, direct, monitor, escort or
326 render service to a child or children when not under the direct
327 supervision of certified professional personnel within the
328 classroom, library, hallway, lunchroom, gymnasium, school
329 building, school grounds or wherever supervision is required.
330 For purposes of this section, “under the direct supervision of
331 certified professional personnel” means that certified
332 professional personnel is present, with and accompanying the
333 aide.

CHAPTER 20. NATURAL RESOURCES.

ARTICLE 7. LAW ENFORCEMENT, MOTORBOATING, LITTER.

§20-7-1c. Natural resources police officer, ranks, salary schedule, base pay, exceptions.

1 (a) Notwithstanding any provision of this code to the
2 contrary, the ranks within the law-enforcement section of the
3 Division of Natural Resources are colonel, lieutenant colonel,
4 major, captain, lieutenant, sergeant, corporal, natural

5 resources police officer first class, senior natural resources
6 police officer, natural resources police officer and natural
7 resources police officer-in-training. Each officer while in
8 uniform shall wear the insignia of rank as provided by the
9 chief natural resources police officer.

10 (b) Beginning on July 1, 2002, through June 30, 2011,
11 natural resources police officers shall be paid the minimum
12 annual salaries based on the following schedule:

13 ANNUAL SALARY SCHEDULE (BASE PAY)
14 SUPERVISORY AND NONSUPERVISORY RANKS

15	Natural Resources Police Officer In Training	
16	(first year until end of probation).	\$26,337
17	Natural Resources Police Officer (second year). . .	\$29,768
18	Natural Resources Police Officer (third year).	\$30,140
19	Senior Natural Resources Police Officer	
20	(fourth and fifth year).	\$30,440
21	Senior Natural Resources Police Officer First Class	
22	(after fifth year).	\$32,528
23	Senior Natural Resources Police Officer	
24	(after tenth year).	\$33,104
25	Senior Natural Resources Police Officer	
26	(after fifteenth year).	\$33,528
27	Corporal (after sixteenth year).	\$36,704
28	Sergeant.	\$40,880
29	First Sergeant.	\$42,968
30	Lieutenant.	\$47,144
31	Captain.	\$49,232
32	Major.	\$51,320
33	Lieutenant Colonel.	\$53,408
34	Colonel.	

35
36 Beginning July 1, 2011, and continuing thereafter, natural
37 resources police officers shall be paid the minimum annual
38 salaries based on the following schedule:

39 ANNUAL SALARY SCHEDULE (BASE PAY)
40 SUPERVISORY AND NONSUPERVISORY RANKS

41	Natural Resources Police Officer In Training	
42	(first year until end of probation).	\$31,222
43	Natural Resources Police Officer (second year). . .	\$34,881
44	Natural Resources Police Officer (third year).	\$35,277
45	Senior Natural Resources Police Officer	
46	(fourth and fifth year)..	\$35,601
47	Senior Natural Resources Police Officer First Class	
48	(after fifth year).	\$37,797
49	Senior Natural Resources Police Officer	
50	(after tenth year)..	\$38,397
51	Senior Natural Resources Police Officer	
52	(after fifteenth year)	\$38,833
53	Corporal (after sixteenth year).	\$42,105
54	Sergeant.	\$46,401
55	First Sergeant.	\$48,549
56	Lieutenant.	\$52,857
57	Captain.	\$55,005
58	Major.	\$57,153
59	Lieutenant Colonel.	\$59,301
60	Colonel.	

61 Natural resources police officers in service at the time the
62 amendment to this section becomes effective shall be given
63 credit for prior service and shall be paid salaries the same
64 length of service entitles them to receive under the provisions
65 of this section.

66 (c) This section does not apply to special or emergency
67 natural resources police officers appointed under the
68 authority of section one of this article.

69 (d) Nothing in this section prohibits other pay increases
70 as provided under section two, article five, chapter five of

71 this code: *Provided*, That any across-the-board pay increase
72 granted by the Legislature or the Governor will be added to,
73 and reflected in, the minimum salaries set forth in this
74 section; and that any merit increases granted to an officer
75 over and above the annual salary schedule listed in
76 subsection (b) of this section are retained by an officer when
77 he or she advances from one rank to another: *Provided*,
78 *however*, That any natural resources police officer who
79 receives an increase in compensation pursuant to the
80 amendment and reenactment of this section in 2011 shall not
81 receive any across-the-board pay increase granted by the
82 Legislature or the Governor in 2011.

CHAPTER 50. MAGISTRATE COURTS.

ARTICLE 1. COURTS AND OFFICERS.

§50-1-3. Salaries of magistrates.

1 (a) The Legislature finds and declares that:

2 (1) The West Virginia Supreme Court of Appeals has
3 held that a salary system for magistrates which is based upon
4 the population that each magistrate serves does not violate
5 the equal protection clause of the Constitution of the United
6 States;

7 (2) The West Virginia Supreme Court of Appeals has
8 held that a salary system for magistrates which is based upon
9 the population that each magistrate serves does not violate
10 section thirty-nine, article VI of the Constitution of West
11 Virginia;

12 (3) The utilization of a two-tiered salary schedule for
13 magistrates is an equitable and rational manner by which
14 magistrates should be compensated for work performed;

15 (4) Organizing the two tiers of the salary schedule into
16 one tier for magistrates serving less than eight thousand four
17 hundred in population and the second tier for magistrates
18 serving eight thousand four hundred or more in population is
19 rational and equitable given current statistical information
20 relating to population and caseload; and

21 (5) That all magistrates who fall under the same tier
22 should be compensated equally.

23 (b) The salary of each magistrate shall be paid by the
24 state. Magistrates who serve fewer than eight thousand four
25 hundred in population shall be paid annual salaries of thirty
26 thousand six hundred twenty-five dollars and magistrates
27 who serve eight thousand four hundred or more in population
28 shall be paid annual salaries of thirty-seven thousand dollars:
29 *Provided*, That on and after the first day of July, two
30 thousand three, magistrates who serve fewer than eight
31 thousand four hundred in population shall be paid annual
32 salaries of thirty-three thousand six hundred twenty-five
33 dollars and magistrates who serve eight thousand four
34 hundred or more in population shall be paid annual salaries
35 of forty thousand dollars: *Provided, however*, That on and
36 after the first day of July, two thousand five, magistrates who
37 serve fewer than eight thousand four hundred in population
38 shall be paid annual salaries of forty-three thousand six
39 hundred twenty-five dollars and magistrates who serve eight
40 thousand four hundred or more in population shall be paid
41 annual salaries of fifty thousand dollars. *Provided further*,
42 That on and after the first day of July, 2011, magistrates who
43 serve fewer than eight thousand four hundred in population
44 shall be paid annual salaries of \$51,125 and magistrates who
45 serve eight thousand four hundred or more in population shall
46 be paid annual salaries of \$57,500.

47 (c) For the purpose of determining the population served
48 by each magistrate, the number of magistrates authorized for

49 each county shall be divided into the population of each
50 county. For the purpose of this article, the population of each
51 county is the population as determined by the last preceding
52 decennial census taken under the authority of the United
53 States government.

CHAPTER 51. COURTS AND THEIR OFFICERS.

ARTICLE 1. SUPREME COURT OF APPEALS.

§51-1-10a. Salary of justices.

1 The salary of each of the justices of the Supreme Court
2 of Appeals shall be \$95,000 per year: *Provided*, That
3 beginning July, 1, 2005, the salary of each of the justices of
4 the Supreme Court shall be \$121,000: *Provided, however*,
5 That beginning July 1, 2011, the annual salary of a justice of
6 the Supreme Court shall be \$136,000.

ARTICLE 2. CIRCUIT COURTS; CIRCUIT JUDGES.

§51-2-13. Salaries of judges of circuit courts.

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

5 The annual salary of all circuit judges shall be \$90,000
6 per year: *Provided*, That beginning July 1,2005, the annual
7 salary of all circuit judges shall be \$116,000 per year:
8 *Provided, however*, That beginning July 1, 2011, the annual
9 salary of a circuit court judge shall be \$126,000.

ARTICLE 2A. FAMILY COURTS.

§51-2A-6. Compensation and expenses of family court judges and their staffs.

1 (a) A family court judge is entitled to receive as
2 compensation for his or her services an annual salary of
3 \$62,500: *Provided*, That beginning July 1, 2005, a family
4 court judge is entitled to receive as compensation for his or
5 her services an annual salary of \$82,500: *Provided, however*,
6 That beginning July 1, 2011, the annual salary of a family
7 court judge shall be \$94,500.

8 (b) The secretary-clerk of the family court judge is
9 appointed by the family court judge and serves at his or her
10 will and pleasure. The secretary-clerk of the family court
11 judge is entitled to receive an annual salary of \$27,036:
12 *Provided*, That on and after July 1, 2006, the annual salary of
13 the secretary-clerk shall be established by the administrative
14 director of the Supreme Court of Appeals, but may not
15 exceed \$35,000. In addition, any person employed as a
16 secretary-clerk to a family court judge on the effective date
17 of the enactment of this section during the sixth extraordinary
18 session of the Legislature in the year 2001 who is receiving
19 an additional \$500 per year up to ten years of a certain period
20 of prior employment under the provisions of the prior
21 enactment of section eight of this article during the second
22 extraordinary session of the Legislature in the year 1999 shall
23 continue to receive such additional amount. Further, the
24 secretary-clerk will receive such percentage or proportional
25 salary increases as may be provided by general law for other
26 public employees and is entitled to receive the annual
27 incremental salary increase as provided in article five,
28 chapter five of this code.

29 (c) The family court judge may employ not more than
30 one family case coordinator who serves at his or her will and
31 pleasure. The annual salary of the family case coordinator of

32 the family court judge shall be established by the
33 Administrative Director of the Supreme Court of Appeals but
34 may not exceed \$36,000: *Provided*, That on and after July 1,
35 2006, the annual salary of the family case coordinator of the
36 family court judge may not exceed \$46,060. The family case
37 coordinator will receive such percentage or proportional
38 salary increases as may be provided by general law for other
39 public employees and is entitled to receive the annual
40 incremental salary increase as provided in article five,
41 chapter five of this code.

42 (d) The sheriff or his or her designated deputy shall serve
43 as a bailiff for a family court judge. The sheriff of each
44 county shall serve or designate persons to serve so as to
45 assure that a bailiff is available when a family court judge
46 determines the same is necessary for the orderly and efficient
47 conduct of the business of the family court.

48 (e) Disbursement of salaries for family court judges and
49 members of their staffs are made by or pursuant to the order
50 of the Director of the Administrative Office of the Supreme
51 Court of Appeals.

52 (f) Family court judges and members of their staffs are
53 allowed their actual and necessary expenses incurred in the
54 performance of their duties. The expenses and compensation
55 will be determined and paid by the Director of the
56 Administrative Office of the Supreme Court of Appeals
57 under such guidelines as he or she may prescribe, as
58 approved by the Supreme Court of Appeals.

59 (g) Notwithstanding any other provision of law, family
60 court judges are not eligible to participate in the retirement
61 system for judges under the provisions of article nine of this
62 chapter.

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

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2011.

Governor