

1 **Senate Bill No. 511**

2 (By Senators Yost, Wells and Klempa)

3 \_\_\_\_\_  
4 [Introduced February 3, 2012; referred to the Committee on  
5 Government Organization; and then to the Committee on Finance.]

6 \_\_\_\_\_  
7 **FISCAL**  
8 **NOTE**

9  
10 A BILL to amend and reenact §6-7-2a of the Code of West Virginia,  
11 1931, as amended, relating to the compensation of the  
12 Secretary of the Department of Veterans' Assistance.

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

14 That §6-7-2a of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 7. COMPENSATION AND ALLOWANCES.**

17 **§6-7-2a. Terms of certain appointive state officers; appointment;  
18 qualifications; powers and salaries of such officers.**

19 (a) Each of the following appointive state officers named in  
20 this subsection shall be appointed by the Governor, by and with the  
21 advice and consent of the Senate. Each of the appointive state  
22 officers serves at the will and pleasure of the Governor for the  
23 term for which the Governor was elected and until the respective

1 state officers' successors have been appointed and qualified. Each  
2 of the appointive state officers are subject to the existing  
3 qualifications for holding each respective office and each has and  
4 is hereby granted all of the powers and authority and shall perform  
5 all of the functions and services heretofore vested in and  
6 performed by virtue of existing law respecting each office.

7 The annual salary of each named appointive state officer is as  
8 follows:

9 Commissioner, Division of Highways, \$92,500; Commissioner,  
10 Division of Corrections, \$80,000; Director, Division of Natural  
11 Resources, \$75,000; Superintendent, State Police, \$85,000;  
12 Commissioner, Division of Banking, \$75,000; Commissioner, Division  
13 of Culture and History, \$65,000; Commissioner, Alcohol Beverage  
14 Control Commission, \$75,000; Commissioner, Division of Motor  
15 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;  
16 members, Health Care Authority, \$70,000; Director, Human Rights  
17 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;  
18 ~~prior to July 1, 2011, Director, Division of Veterans Affairs,~~  
19 ~~\$65,000;~~ Chairperson, Board of Parole, \$55,000; members, Board of  
20 Parole, \$50,000; members, Employment Security Review Board,  
21 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.  
22 Secretaries of the departments shall be paid an annual salary as  
23 follows: Health and Human Resources, \$95,000; Transportation,  
24 \$95,000: *Provided*, That if the same person is serving as both the

1 Secretary of Transportation and the Commissioner of Highways, he or  
2 she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and  
3 Public Safety, \$95,000; Administration, \$95,000; Education and the  
4 Arts, \$95,000; Commerce, \$95,000; Veterans' Assistance, \$95,000;  
5 and Environmental Protection, \$95,000: *Provided, however,* That any  
6 officer specified in this subsection whose salary is increased by  
7 more than \$5,000 as a result of the amendment and reenactment of  
8 this section during the 2011 regular session of the Legislature  
9 shall be paid the salary increase in increments of \$5,000 per  
10 fiscal year beginning July 1, 2011, up to the maximum salary  
11 provided in this subsection: *Provided further,* That effective July  
12 1, 2012, the Secretary of the Department Veterans' Assistance shall  
13 be paid an annual salary of \$95,000.

14 (b) Each of the state officers named in this subsection shall  
15 continue to be appointed in the manner prescribed in this code, and  
16 shall be paid an annual salary as follows:

17 Director, Board of Risk and Insurance Management, \$80,000;  
18 Director, Division of Rehabilitation Services, \$70,000; Director,  
19 Division of Personnel, \$70,000; Executive Director, Educational  
20 Broadcasting Authority, \$75,000; Secretary, Library Commission,  
21 \$72,000; Director, Geological and Economic Survey, \$75,000;  
22 Executive Director, Prosecuting Attorneys Institute, \$70,000;  
23 Executive Director, Public Defender Services, \$70,000;  
24 Commissioner, Bureau of Senior Services, \$75,000; Director, State

1 Rail Authority, \$65,000; Executive Director, Women's Commission,  
2 \$45,000; Director, Hospital Finance Authority, \$35,000; member,  
3 Racing Commission, \$12,000; Chairman, Public Service Commission,  
4 \$85,000; members, Public Service Commission, \$85,000; Director,  
5 Division of Forestry, \$75,000; Director, Division of Juvenile  
6 Services, \$80,000; and Executive Director, Regional Jail and  
7 Correctional Facility Authority, \$80,000.

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

19 The annual salary of each named appointive state officer ~~shall~~  
20 ~~be~~ is as follows:

21 Commissioner, State Tax Division, \$92,500; Insurance  
22 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;  
23 Director, Division of Homeland Security and Emergency Management,  
24 \$65,000; and Adjutant General, \$125,000.

1           (d) No increase in the salary of any appointive state officer  
2 pursuant to this section may be paid until and unless the  
3 appointive state officer has first filed with the State Auditor and  
4 the Legislative Auditor a sworn statement, on a form to be  
5 prescribed by the Attorney General, certifying that his or her  
6 spending unit is in compliance with any general law providing for  
7 a salary increase for his or her employees. The Attorney General  
8 shall prepare and distribute the form to the affected spending  
9 units.

NOTE: The purpose of this bill is to provide that the Secretary of the Department of Veterans' Assistance is paid the same salary as the secretaries of the other departments of state government.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.