

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 2825**

5 (By Delegates Perdue, Perry, Ferns, Morgan, Poling, M.,  
6 Stagers, White and Williams)

7  
8 [Passed April 13, 2013; in effect ninety days from passage.]

9  
10 AN ACT to amend and reenact §6-7-2a of the Code of West Virginia,  
11 1931, as amended, relating to certain appointive state  
12 officers salaries.

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  
24 state officers' successors have been appointed and qualified. Each  
25 of the appointive state officers are subject to the existing  
26 qualifications for holding each respective office and each has and

1 is hereby granted all of the powers and authority and shall perform  
2 all of the functions and services heretofore vested in and  
3 performed by virtue of existing law respecting each office.

4 The annual salary of each named appointive state officer is as  
5 follows:

6 Commissioner, Division of Highways, \$92,500; Commissioner,  
7 Division of Corrections,\$80,000; Director, Division of Natural  
8 Resources, \$75,000; Superintendent, State Police, \$85,000;  
9 Commissioner, Division of Banking, \$75,000; Commissioner, Division  
10 of Culture and History, \$65,000; Commissioner, Alcohol Beverage  
11 Control Commission, \$75,000; Commissioner, Division of Motor  
12 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;  
13 members, Health Care Authority, \$70,000; Director, Human Rights  
14 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;  
15 prior to July 1, 2011, Director, Division of Veterans Affairs,  
16 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of  
17 Parole, \$50,000; members, Employment Security Review Board,  
18 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.

19 Secretaries of the departments shall be paid an annual salary as  
20 follows: Health and Human Resources, \$95,000: *Provided*, That  
21 effective July 1, 2013, the Secretary of the Department of Health  
22 and Human Resources shall be paid an annual salary not to exceed  
23 \$175,000; Transportation, \$95,000: *Provided*, That if the same  
24 person is serving as both the Secretary of Transportation and the  
25 Commissioner of Highways, he or she shall be paid \$120,000;  
26 Revenue, \$95,000; Military Affairs and Public Safety, \$95,000;

1 Administration, \$95,000; Education and the Arts, \$95,000; Commerce,  
2 \$95,000; Veterans' Assistance, \$95,000; and Environmental  
3 Protection, \$95,000: *Provided, however,* That any officer specified  
4 in this subsection whose salary is increased by more than \$5,000 as  
5 a result of the amendment and reenactment of this section during  
6 the 2011 regular session of the Legislature shall be paid the  
7 salary increase in increments of \$5,000 per fiscal year beginning  
8 July 1, 2011 up to the maximum salary provided in this subsection.

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

12 Director, Board of Risk and Insurance Management, \$80,000;  
13 Director, Division of Rehabilitation Services, \$70,000; Director,  
14 Division of Personnel, \$70,000; Executive Director, Educational  
15 Broadcasting Authority, \$75,000; Secretary, Library Commission,  
16 \$72,000; Director, Geological and Economic Survey, \$75,000;  
17 Executive Director, prosecuting attorneys Institute, \$70,000;  
18 Executive Director, Public Defender Services, \$70,000;  
19 Commissioner, Bureau of Senior Services, \$75,000; Director, State  
20 Rail Authority, \$65,000; Executive Director, Women's Commission,  
21 \$45,000; Director, Hospital Finance Authority, \$35,000; member,  
22 Racing Commission, \$12,000; Chairman, Public Service Commission,  
23 \$85,000; members, Public Service Commission, \$85,000; Director,  
24 Division of Forestry, \$75,000; Director, Division of Juvenile  
25 Services, \$80,000; and Executive Director, Regional Jail and  
26 Correctional Facility Authority, \$80,000.

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

12 The annual salary of each named appointive state officer shall  
13 be as follows:

14 Commissioner, State Tax Division, \$92,500; Insurance  
15 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;  
16 Director, Division of Homeland Security and Emergency Management,  
17 \$65,000; and Adjutant General, \$125,000.

18 (d) No increase in the salary of any appointive state officer  
19 pursuant to this section may be paid until and unless the  
20 appointive state officer has first filed with the State Auditor and  
21 the Legislative Auditor a sworn statement, on a form to be  
22 prescribed by the Attorney General, certifying that his or her  
23 spending unit is in compliance with any general law providing for  
24 a salary increase for his or her employees. The Attorney General  
25 shall prepare and distribute the form to the affected spending  
26 units.