

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2606**

4 (By Delegates Hartman, Campbell, Evans, A., Rowan, Boggs and
5 Lynch)

6
7 (Originating in the House Committee on Finance)

8 [February 21, 2014]

9
10 A BILL to amend and reenact §6-7-2a of the Code of West Virginia,
11 1931, as amended; and to amend said code by adding thereto a
12 new section, designated §29-18-4a, all relating to having the
13 salary of the executive director of the West Virginia State
14 Rail Authority set by the authority; and limiting such salary.

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

16 That §6-7-2a of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted; and that said code be amended by adding
18 thereto a new section, designated §29-18-4a, all to read as
19 follows:

20 **CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.**

21 **ARTICLE 7. COMPENSATION AND ALLOWANCES.**

22 **§6-7-2a. Terms of certain appointive state officers; appointment;
23 qualifications; powers and salaries of such officers.**

1 (a) 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 is as
13 follows:

14 Commissioner, Division of Highways, \$92,500; Commissioner,
15 Division of Corrections, \$80,000; Director, Division of Natural
16 Resources, \$75,000; Superintendent, State Police, \$85,000;
17 Commissioner, Division of Banking, \$75,000; Commissioner, Division
18 of Culture and History, \$65,000; Commissioner, Alcohol Beverage
19 Control Commission, \$75,000; Commissioner, Division of Motor
20 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;
21 members, Health Care Authority, \$70,000; Director, Human Rights
22 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;
23 prior to July 1, 2011, Director, Division of Veterans Affairs,
24 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of

1 Parole, \$50,000; members, Employment Security Review Board,
2 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.
3 Secretaries of the departments shall be paid an annual salary as
4 follows: Health and Human Resources, \$95,000; Transportation,
5 \$95,000: *Provided*, That if the same person is serving as both the
6 Secretary of Transportation and the Commissioner of Highways, he or
7 she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and
8 Public Safety, \$95,000; Administration, \$95,000; Education and the
9 Arts, \$95,000; Commerce, \$95,000; Veterans' Assistance, \$95,000;
10 and Environmental Protection, \$95,000: *Provided, however*, That any
11 officer specified in this subsection whose salary is increased by
12 more than \$5,000 as a result of the amendment and reenactment of
13 this section during the 2011 regular session of the Legislature
14 shall be paid the salary increase in increments of \$5,000 per
15 fiscal year beginning July 1, 2011 up to the maximum salary
16 provided in this subsection.

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

20 Director, Board of Risk and Insurance Management, \$80,000;
21 Director, Division of Rehabilitation Services, \$70,000; Director,
22 Division of Personnel, \$70,000; Executive Director, Educational
23 Broadcasting Authority, \$75,000; Secretary, Library Commission,
24 \$72,000; Director, Geological and Economic Survey, \$75,000;

1 Executive Director, prosecuting attorneys Institute, \$70,000;
2 Executive Director, Public Defender Services, \$70,000;
3 Commissioner, Bureau of Senior Services, \$75,000; ~~Director, State~~
4 ~~Rail Authority, \$65,000;~~ Executive Director, Women's Commission,
5 \$45,000; Director, Hospital Finance Authority, \$35,000; member,
6 Racing Commission, \$12,000; Chairman, Public Service Commission,
7 \$85,000; members, Public Service Commission, \$85,000; Director,
8 Division of Forestry, \$75,000; Director, Division of Juvenile
9 Services, \$80,000; and Executive Director, Regional Jail and
10 Correctional Facility Authority, \$80,000.

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

22 The annual salary of each named appointive state officer shall
23 be as follows:

24 Commissioner, State Tax Division, \$92,500; Insurance

1 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;
2 Director, Division of Homeland Security and Emergency Management,
3 \$65,000; and Adjutant General, \$125,000.

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

13 **CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.**

14 **ARTICLE 18. WEST VIRGINIA STATE RAIL AUTHORITY.**

15 **§29-18-4a. West Virginia State Rail Authority director's salary**
16 **set by the authority.**

17 (a) Notwithstanding any other provisions of this code to the
18 contrary, the salary of the Executive Director of the State Rail
19 Authority shall be set by the authority: *Provided*, That the salary
20 set by the State Rail Authority for the Executive Director may not
21 be less than \$60,000 and not more than \$70,000 per year.