

1                                   **Senate Bill No. 214**

2                                    (By Senator Miller)

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4           [Introduced January 8, 2014; referred to the Committee on

5           Government Organization; and then to the Committee on the

6                                    Judiciary.]

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11 A BILL to amend the Code of West Virginia, 1931, as amended, by

12       adding thereto a new section, designated §7-7-1a, relating to

13       creating the Citizens Elected County Officials Compensation

14       Commission; membership of the commission; terms of the

15       members; powers and duties of the commission; and procedures

16       for enacting the salaries of the elected county officials.

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

18       That the Code of West Virginia, 1931, as amended, be amended

19 by adding thereto a new section, designated §7-7-1a, to read as

20 follows:

21 **ARTICLE 7.    COMPENSATION OF ELECTED COUNTY OFFICIALS.**

22 **§7-7-1a.       Citizens   Elected   County   Officials   Compensation**

23                                   **Commission.**

1 (a) There is hereby created the Citizens Elected County  
2 Officials Compensation Commission which shall have seven members  
3 appointed by the Governor, no more than four of whom shall be of  
4 the same political party. The members shall:

5 (1) Have been residents of this state for at least ten years  
6 prior to the date of appointment;

7 (2) Broadly represent the public at-large; and

8 (3) Not be:

9 (A) Members of the Legislature;

10 (B) Officers or employees of the state, or both; or

11 (C) Officers or employees of any county, municipality or  
12 political subdivision of the state, or both.

13 (b) The members of the Citizens Elected County Officials  
14 Compensation Commission may be the same as the Citizens Legislative  
15 Compensation Commission.

16 (c) The original appointments of the members shall be  
17 staggered and thereafter the terms shall be seven years.

18 (d) A member may be removed from the commission by the  
19 Governor for:

20 (1) Official misconduct;

21 (2) Incompetency; or

22 (3) Neglect of duty.

23 (e) The Governor shall designate one member of the commission

1 as chairperson.

2 (f) The members of the commission shall serve without  
3 compensation, but shall be entitled to reimbursement for all  
4 reasonable and necessary expenses actually incurred in the  
5 performance of their duties.

6 (g) Commencing July 1, 2014, the commission may meet as often  
7 as necessary to determine the salaries for the elected county  
8 officials.

9 (h) Within fifteen days after the beginning of the regular  
10 session of the Legislature in the year 2015 and every four years  
11 thereafter, the commission shall submit, by resolution, to the  
12 Legislature its determination for the salaries for the elected  
13 county officials. The resolution determining the salaries for the  
14 elected county officials must have been adopted by at least four  
15 members of the commission.

16 (I) The Legislature may enact the salaries for the elected  
17 county officials determined by the commission into general law  
18 subject to the requirements and conditions prescribed in the  
19 general law: *Provided*, That the Legislature may only reduce the  
20 salaries as determined by the commission, but may not increase the  
21 salaries.

22 (j) The salaries for the elected county officials enacted by  
23 the Legislature shall be paid on and after the effective date of

1 the general law.

NOTE: The purpose of this bill is to create the Citizens Elected County Officials Compensation Commission, determine membership of the commission, terms of the members, powers and duties of the commission, and procedures for enacting the salaries of the elected county officials.

§7-7-1a is new; therefore, strike-throughs and underscoring have been omitted.