

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2821**

BY DELEGATES HOUSEHOLDER AND CRISS

(BY REQUEST OF THE ADJUTANT GENERAL)

[Introduced February 1, 2019; Referred  
to the Committee on Finance.]

1 A BILL to amend and reenact §15-1B-17 of the Code of West Virginia, 1931, as amended, relating  
 2 to updating provisions for command, clerical and other pay.

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

**ARTICLE 1B. NATIONAL GUARD.**

**§15-1B-17. Command pay; inspections; compensation for clerical services and care of property.**

1 (a) There may be paid to each commander of a brigade, regiment, air wing, army group  
 2 or other corresponding type organization \$100 per month and to each commander of a battalion,  
 3 army squadron, air group or other equivalent type organization \$50 per month and to each  
 4 commander of a company, air squadron or other equivalent type organization \$25 per month,  
 5 payable quarterly, to be known as command pay.

6 (b) There ~~shall be~~ is allowed to each ~~headquarters~~ commander of a brigade, regiment, air  
 7 wing, army group or equivalent type organization the sum of \$100 per month and each  
 8 ~~headquarters~~ commander of a battalion, army squadron, air group or corresponding type  
 9 organization the sum of \$50 per month for clerical services; and to each commander of a company  
 10 air squadron or corresponding type unit the sum of \$25 per month for like services, payable  
 11 quarterly. The Commandant of the West Virginia Military Academy ~~shall be~~ is allowed the sum of  
 12 \$25 a month, payable quarterly, for like services.

13 (c) At the discretion of the Adjutant General, there may be paid to the enlisted man or  
 14 woman who is directly responsible for the care and custody of the federal and state property of  
 15 each organization or unit the sum of \$10 per month, payable quarterly, upon the certificate of his  
 16 or her commanding officer that he or she has faithfully and satisfactorily performed the duties  
 17 assigned him or her and accounted for all property entrusted to his or her care.

18 (d) The Adjutant General shall determine the amount of ~~entitlement to command pay and~~  
 19 ~~clerical pay, not to exceed~~ any entitlements under this section, according to the amounts set forth  
 20 in ~~subsections (a) and (b) of this section, using organizational charts showing chain of command~~

21 ~~and authorized strengths and defining other equivalent type organizations~~ which may include an  
22 annual increase, as approved by the Governor.

23 (e) Notwithstanding any other provision of this code, there shall be paid to the command  
24 administrative officer of the headquarters of the West Virginia Army National Guard and to the  
25 executive staff support officer of the headquarters of the West Virginia Air National Guard, or to  
26 the officer occupying a similar position, regardless of title, \$100 per month, payable quarterly, to  
27 be known as an administrative allowance.

28 (f) The state command sergeant of the West Virginia army National Guard and the  
29 command chief master sergeant of the West Virginia Air National Guard shall receive a monthly  
30 administrative allowance of \$100 per month. The command sergeant major or command chief  
31 master sergeant of a unit authorized under the command of a commander in the rank of colonel  
32 shall receive a monthly administrative allowance of \$75 per month. The command sergeant major  
33 or command chief master sergeant of a unit authorized under the command of a commander in  
34 the rank of lieutenant colonel shall receive a monthly administrative allowance of \$45 per month.

NOTE: The purpose of this bill is to clarify the recipient of command and clerical pay and to allow for an appropriate annual adjustment.

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