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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**

*Regular Session, 2002*

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**ENROLLED**

*Committee Substitute for*

**SENATE BILL NO. 690**

(By Senator Bowman et al)

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**PASSED March 9, 2002**

**In Effect 90 days from Passage**

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

## ENROLLED

COMMITTEE SUBSTITUTE

FOR

### Senate Bill No. 690

(SENATORS BOWMAN, HELMICK, CRAIGO, EDGELL, JACKSON,  
PLYMALE, SNYDER, BAILEY, SHARPE, ROSS, MITCHELL, ROWE  
AND FANNING, *original sponsors*)

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[Passed March 9, 2002; in effect ninety days from passage.]

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AN ACT to amend and reenact section two-a, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section four, article one, chapter twenty-two-c of said code, all relating generally to salary increases for public officials; and increasing the salary of members of the West Virginia racing commission and water development authority board members from five thousand dollars to twelve thousand dollars a year.

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

That section two-a, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section four, article one, chapter twenty-two-c of said code be amended and reenacted, all to read as follows:

**CHAPTER 6. MISCELLANEOUS PROVISIONS.**

**ARTICLE 7. COMPENSATION AND ALLOWANCES.**

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

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

13 Prior to the first day of July, two thousand one, each  
14 such named appointive state officer shall continue to  
15 receive the annual salaries they were receiving as of the  
16 effective date of the enactment of this section in two  
17 thousand one, and thereafter, notwithstanding any other  
18 provision of this code to the contrary, the annual salary of  
19 each named appointive state officer shall be as follows:

20 Administrator, division of highways, ninety thousand  
21 dollars; administrator, state tax division, sixty-five  
22 thousand dollars; administrator, division of corrections,  
23 seventy-five thousand dollars; administrator, division of  
24 natural resources, seventy thousand dollars; superinten-  
25 dent, state police, seventy-five thousand dollars; adminis-

26 trator, lottery division, seventy-five thousand dollars;  
27 director, public employees insurance agency, seventy-five  
28 thousand dollars; administrator, division of banking, sixty  
29 thousand dollars; administrator, division of insurance,  
30 sixty thousand dollars; administrator, division of culture  
31 and history, fifty-five thousand dollars; administrator,  
32 alcohol beverage control commission, seventy thousand  
33 dollars; administrator, division of motor vehicles, seventy  
34 thousand dollars; director, division of personnel, fifty-five  
35 thousand dollars; adjutant general, seventy-five thousand  
36 dollars; chairman, health care authority, seventy thousand  
37 dollars; members, health care authority, sixty thousand  
38 dollars; director, human rights commission, forty-five  
39 thousand dollars; administrator, division of labor, sixty  
40 thousand dollars; administrator, division of veterans'  
41 affairs, forty-five thousand dollars; administrator, division  
42 of emergency services, forty-five thousand dollars; mem-  
43 bers, board of parole, forty-five thousand dollars; mem-  
44 bers, employment security review board, seventeen  
45 thousand dollars; members, workers' compensation appeal  
46 board, seventeen thousand eight hundred dollars; adminis-  
47 trator, bureau of employment programs, seventy thousand  
48 dollars; administrator, bureau of commerce, seventy  
49 thousand dollars; administrator, bureau of environment,  
50 seventy thousand dollars; and director, office of miner's  
51 health, safety and training, sixty-five thousand dollars.  
52 Secretaries of the departments shall be paid an annual  
53 salary as follows: Health and human resources, ninety  
54 thousand dollars; transportation, seventy-five thousand  
55 dollars; tax and revenue, seventy-five thousand dollars;  
56 military affairs and public safety, seventy-five thousand  
57 dollars; administration, seventy-five thousand dollars;  
58 education and the arts, seventy-five thousand dollars; and  
59 environmental protection, seventy-five thousand dollars.

60 (b) Each of the state officers named in this subsection  
61 shall continue to be appointed in the manner prescribed in  
62 this code and, prior to the first day of July, two thousand  
63 two, each of the state officers named in this subsection

64 shall continue to receive the annual salaries he or she was  
65 receiving as of the effective date of the enactment of this  
66 section in two thousand two, and shall thereafter, notwith-  
67 standing any other provision of this code to the contrary,  
68 be paid an annual salary as follows:

69 Administrator, division of risk and insurance manage-  
70 ment, fifty-five thousand dollars; director, division of  
71 rehabilitation services, sixty thousand dollars; executive  
72 director, educational broadcasting authority, sixty thou-  
73 sand dollars; secretary, library commission, sixty-seven  
74 thousand dollars; director, geological and economic  
75 survey, fifty-two thousand five hundred dollars; executive  
76 director, prosecuting attorneys institute, sixty thousand  
77 dollars; executive director, public defender services, sixty  
78 thousand dollars; commissioner, bureau of senior services,  
79 seventy thousand dollars; director, state rail authority,  
80 fifty-five thousand dollars; executive secretary, women's  
81 commission, thirty-one thousand dollars; director, hospital  
82 finance authority, twenty-six thousand dollars; member,  
83 racing commission, twelve thousand dollars; chairman,  
84 public service commission, seventy thousand dollars; and  
85 members, public service commission, seventy thousand  
86 dollars.

87 (c) No increase in the salary of any appointive state  
88 officer pursuant to this section shall be paid until and  
89 unless the appointive state officer has first filed with the  
90 state auditor and the legislative auditor a sworn state-  
91 ment, on a form to be prescribed by the attorney general,  
92 certifying that his or her spending unit is in compliance  
93 with any general law providing for a salary increase for his  
94 or her employees. The attorney general shall prepare and  
95 distribute the form to the affected spending units.

## **CHAPTER 22C. ENVIRONMENTAL RESOURCES; BOARDS, AUTHORITIES, COMMISSIONS AND COMPACTS.**

### **ARTICLE 1. WATER DEVELOPMENT AUTHORITY.**

**§22C-1-4. Water development authority; water development board; organization of authority and board; appointment of board members; their term of office, compensation and expenses; director of authority; compensation.**

1 (a) The water development authority is continued. The  
2 authority is a governmental instrumentality of the state  
3 and a body corporate. The exercise by the authority of the  
4 powers conferred by this article and the carrying out of its  
5 purposes and duties are essential governmental functions  
6 and for a public purpose.

7 (b) The authority is controlled, managed and operated by  
8 the seven-member board known as the water development  
9 board. The director of the division of environmental  
10 protection, the commissioner of the bureau for public  
11 health and the state officer or employee who, in the  
12 judgment of the governor, is most responsible for economic  
13 or community development are members ex officio of the  
14 board. The governor shall designate annually the member  
15 who is the state officer or employee most responsible for  
16 economic or community development. The other four  
17 members of the board are appointed by the governor, by  
18 and with the advice and consent of the Senate, for terms of  
19 two, three, four and six years, respectively. The successor  
20 of each such appointed member shall be appointed for a  
21 term of six years in the same manner the original appoint-  
22 ments were made, except that any person appointed to fill  
23 a vacancy occurring prior to the expiration of the term for  
24 which his or her predecessor was appointed shall be  
25 appointed only for the remainder of such term. Each  
26 board member serves until the appointment and qualifica-  
27 tion of his or her successor. No more than two of the  
28 appointed board members shall at any one time belong to  
29 the same political party. Appointed board members may  
30 be reappointed to serve additional terms.

31 (c) All members of the board shall be citizens of the  
32 state. Each appointed member of the board, before

33 entering upon his or her duties, shall comply with the  
34 requirements of article one, chapter six of this code and  
35 give bond in the sum of twenty-five thousand dollars in  
36 the manner provided in article two of said chapter. The  
37 governor may remove any board member for cause as  
38 provided in article six of said chapter.

39 (d) Annually the board shall elect one of its appointed  
40 members as chair and another as vice chair and shall  
41 appoint a secretary-treasurer, who need not be a member  
42 of the board. Four members of the board is a quorum and  
43 the affirmative vote of four members is necessary for any  
44 action taken by vote of the board. No vacancy in the  
45 membership of the board impairs the rights of a quorum  
46 by such vote to exercise all the rights and perform all the  
47 duties of the board and the authority. The person ap-  
48 pointed as secretary-treasurer, including a board member  
49 if he or she is appointed, shall give bond in the sum of fifty  
50 thousand dollars in the manner provided in article two,  
51 chapter six of this code.

52 (e) The secretary of the division of environmental  
53 protection, the commissioner of the bureau of public  
54 health and the state officer or employee most responsible  
55 for economic or community development shall not receive  
56 any compensation for serving as board members. Each of  
57 the four appointed members of the board shall receive an  
58 annual salary of twelve thousand dollars, payable in  
59 monthly installments. Each of the seven board members  
60 shall be reimbursed for all reasonable and necessary  
61 expenses actually incurred in the performance of his or her  
62 duties as a member of the board. All expenses incurred by  
63 the board are payable solely from funds of the authority or  
64 from funds appropriated for that purpose by the Legisla-  
65 ture and no liability or obligation shall be incurred by the  
66 authority beyond the extent to which moneys are available  
67 from funds of the authority or from such appropriations.

68 (f) There shall also be a director of the authority ap-  
69 pointed by the board. The compensation of the director  
70 shall be fixed by the board.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Carly M. Orr*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Darrell R. Thomas*  
.....  
Clerk of the Senate

*Barry M. Boy*  
.....  
Clerk of the House of Delegates

*Carl Roy Tomblin*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is* approved this the *3rd*  
Day of *April*, 2002.

*[Signature]*  
.....  
Governor



PRESENTED TO THE

CASE NO.

Date 3/25/02

Time 11:30am