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WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 309

(SENATORS BOWMAN, PLYMALE, OLIVERIO
AND SYPOLT, *original sponsors*)

[Passed March 8, 2008; to take effect July 1, 2008.]

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CLARENCE D. BOWMAN
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 309

(SENATORS BOWMAN, PLYMALE, OLIVERIO
AND SYPOLT, *original sponsors*)

[Passed March 8, 2008; to take effect July 1, 2008.]

AN ACT to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating to the terms of certain appointed state officers; qualifications; powers and salaries of such officers; and clarifying salary when one person is serving as both the Secretary of Transportation and the Commissioner of Highways.

Be it enacted by the Legislature of West Virginia:

That §6-7-2a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

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

23 Commissioner, Division of Highways, ninety-two
24 thousand five hundred dollars; Commissioner, Division
25 of Corrections, eighty thousand dollars; Director,
26 Division of Natural Resources, seventy-five thousand
27 dollars; Superintendent, State Police, eighty-five
28 thousand dollars; Commissioner, Division of Banking,
29 seventy-five thousand dollars; Commissioner, Division
30 of Culture and History, sixty-five thousand dollars;
31 Commissioner, Alcohol Beverage Control Commission,
32 seventy-five thousand dollars; Commissioner, Division
33 of Motor Vehicles, seventy-five thousand dollars;
34 Chairman, Health Care Authority, eighty thousand
35 dollars; members, Health Care Authority, seventy
36 thousand dollars; Director, Human Rights Commission,
37 fifty-five thousand dollars; Commissioner, Division of

38 Labor, seventy thousand dollars; Director, Division of
39 Veterans' Affairs, sixty-five thousand dollars;
40 Chairperson, Board of Parole, fifty-five thousand
41 dollars; members, Board of Parole, fifty thousand
42 dollars; members, Employment Security Review Board,
43 seventeen thousand dollars; and Commissioner, Bureau
44 of Employment Programs, seventy-five thousand
45 dollars. Secretaries of the departments shall be paid an
46 annual salary as follows: Health and Human Resources,
47 ninety-five thousand dollars; Transportation,
48 ninety-five thousand dollars: *Provided*, That if the same
49 person is serving as both the Secretary of
50 Transportation and the Commissioner of Highways, he
51 or she shall be paid one hundred twenty thousand
52 dollars; Revenue, ninety-five thousand dollars; Military
53 Affairs and Public Safety, ninety-five thousand dollars;
54 Administration, ninety-five thousand dollars;
55 Education and the Arts, ninety-five thousand dollars;
56 Commerce, ninety-five thousand dollars; and
57 Environmental Protection, ninety-five thousand
58 dollars: *Provided, however*, That any increase in the
59 salary of any current appointive state officer named in
60 this subsection pursuant to the reenactment of this
61 subsection during the regular session of the Legislature
62 in two thousand six that exceeds five thousand dollars
63 shall be paid to such officer or his or her successor
64 beginning on the first day of July, two thousand six, in
65 annual increments of five thousand dollars per fiscal
66 year, up to the maximum salary provided in this
67 subsection: *Provided further*, That if the same person is
68 serving as both the Secretary of Transportation and the
69 Commissioner of Highways, then the annual increments
70 of five thousand dollars per fiscal year do not apply.

71 (b) Each of the state officers named in this subsection
72 shall continue to be appointed in the manner prescribed
73 in this code and, prior to the first day of July, two
74 thousand six, each of the state officers named in this
75 subsection shall continue to receive the annual salaries
76 he or she was receiving as of the effective date of the
77 enactment of this section in two thousand six and shall
78 thereafter, notwithstanding any other provision of this
79 code to the contrary, be paid an annual salary as

80 follows:

81 Director, Board of Risk and Insurance Management,
82 eighty thousand dollars; Director, Division of
83 Rehabilitation Services, seventy thousand dollars;
84 Director, Division of Personnel, seventy thousand
85 dollars; Executive Director, Educational Broadcasting
86 Authority, seventy-five thousand dollars; Secretary,
87 Library Commission, seventy-two thousand dollars;
88 Director, Geological and Economic Survey, seventy-five
89 thousand dollars; Executive Director, Prosecuting
90 Attorneys Institute, seventy thousand dollars;
91 Executive Director, Public Defender Services, seventy
92 thousand dollars; Commissioner, Bureau of Senior
93 Services, seventy-five thousand dollars; Director, State
94 Rail Authority, sixty-five thousand dollars; Executive
95 Director, Women's Commission, forty-five thousand
96 dollars; Director, Hospital Finance Authority,
97 thirty-five thousand dollars; member, Racing
98 Commission, twelve thousand dollars; Chairman, Public
99 Service Commission, eighty-five thousand dollars;
100 members, Public Service Commission, eighty-five
101 thousand dollars; Director, Division of Forestry,
102 seventy-five thousand dollars; Director, Division of
103 Juvenile Services, eighty thousand dollars; and
104 Executive Director, Regional Jail and Correctional
105 Facility Authority, eighty thousand dollars: *Provided*,
106 That any increase in the salary of any current
107 appointive state officer named in this subsection
108 pursuant to the reenactment of this subsection during
109 the regular session of the Legislature in two thousand
110 six that exceeds five thousand dollars shall be paid to
111 such officer or his or her successor beginning on the
112 first day of July, two thousand six, in annual
113 increments of five thousand dollars per fiscal year, up
114 to the maximum salary provided in this subsection.

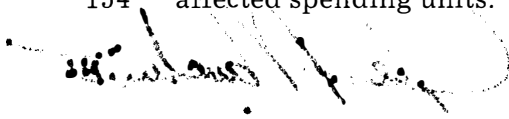
115 (c) Each of the following appointive state officers
116 named in this subsection shall be appointed by the
117 Governor, by and with the advice and consent of the
118 Senate. Each of the appointive state officers serves at
119 the will and pleasure of the Governor for the term for
120 which the Governor was elected and until the respective

121 state officers' successors have been appointed and
122 qualified. Each of the appointive state officers are
123 subject to the existing qualifications for holding each
124 respective office and each has and is hereby granted all
125 of the powers and authority and shall perform all of the
126 functions and services heretofore vested in and
127 performed by virtue of existing law respecting each
128 office.

129 Prior to the first day of July, two thousand six, each
130 such named appointive state officer shall continue to
131 receive the annual salaries they were receiving as of the
132 effective date of the enactment of this section in two
133 thousand six, and thereafter, notwithstanding any other
134 provision of this code to the contrary, the annual salary
135 of each named appointive state officer shall be as
136 follows:

137 Commissioner, State Tax Division, ninety-two
138 thousand five hundred dollars; Commissioner,
139 Insurance Commission, ninety-two thousand five
140 hundred dollars; Director, Lottery Commission,
141 ninety-two thousand five hundred dollars; Director,
142 Division of Homeland Security and Emergency
143 Management, sixty-five thousand dollars; and Adjutant
144 General, ninety-two thousand five hundred dollars;

145 (d) No increase in the salary of any appointive state
146 officer pursuant to this section shall be paid until and
147 unless the appointive state officer has first filed with
148 the State Auditor and the Legislative Auditor a sworn
149 statement, on a form to be prescribed by the Attorney
150 General, certifying that his or her spending unit is in
151 compliance with any general law providing for a salary
152 increase for his or her employees. The Attorney
153 General shall prepare and distribute the form to the
154 affected spending units.



Enr. Com. Sub. for S. B. No. 309] 6

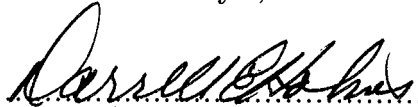
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

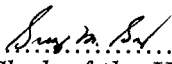

.....
Chairman Senate Committee



.....
Chairman House Committee

Originated in the Senate.

To take effect July 1, 2008.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved this
the 28th Day of March, 2008.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 25 2008

Time 3:40 pm