

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2825**

4 (By Delegates Perdue, Perry, Ferns, Morgan, Poling, M.,
5 Stagers, White and Williams)

6 (Originating in the Committee on Finance)

7 [March 29, 2013]

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10 A BILL to amend and reenact §6-7-2a of the Code of West Virginia,
11 1931, as amended, relating to certain appointive state
12 officers salaries.

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

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

16 **ARTICLE 7. COMPENSATION AND ALLOWANCES.**

17 **§6-7-2a. Terms of certain appointive state officers; appointment;
18 qualifications; powers and salaries of such officers.**

19 (a) Each of the following appointive state officers named in
20 this subsection shall be appointed by the Governor, by and with the
21 advice and consent of the Senate. Each of the appointive state
22 officers serves at the will and pleasure of the Governor for the
23 term for which the Governor was elected and until the respective
24 state officers' successors have been appointed and qualified. Each
25 of the appointive state officers are subject to the existing
26 qualifications for holding each respective office and each has and

1 is hereby granted all of the powers and authority and shall perform
2 all of the functions and services heretofore vested in and
3 performed by virtue of existing law respecting each office.

4 The annual salary of each named appointive state officer is as
5 follows:

6 Commissioner, Division of Highways, \$92,500; Commissioner,
7 Division of Corrections,\$80,000; Director, Division of Natural
8 Resources, \$75,000; Superintendent, State Police, \$85,000;
9 Commissioner, Division of Banking, \$75,000; Commissioner, Division
10 of Culture and History, \$65,000; Commissioner, Alcohol Beverage
11 Control Commission, \$75,000; Commissioner, Division of Motor
12 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;
13 members, Health Care Authority, \$70,000; Director, Human Rights
14 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;
15 prior to July 1, 2011, Director, Division of Veterans Affairs,
16 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of
17 Parole, \$50,000; members, Employment Security Review Board,
18 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.

19 Secretaries of the departments shall be paid an annual salary as
20 follows: Health and Human Resources, \$95,000: Provided, That the
21 next person appointed to this position following the reenactment of
22 this section in 2013 shall be paid an annual salary not to exceed
23 \$175,000 at the discretion of the governor as provided in the
24 budget; Transportation, \$95,000: *Provided, That if the same person*
25 *is serving as both the Secretary of Transportation and the*
26 *Commissioner of Highways, he or she shall be paid \$120,000;*

1 Revenue, \$95,000; Military Affairs and Public Safety, \$95,000;
2 Administration, \$95,000; Education and the Arts, \$95,000; Commerce,
3 \$95,000; Veterans' Assistance, \$95,000; and Environmental
4 Protection, \$95,000: *Provided, however,* That any officer specified
5 in this subsection whose salary is increased by more than \$5,000 as
6 a result of the amendment and reenactment of this section during
7 the 2011 regular session of the Legislature shall be paid the
8 salary increase in increments of \$5,000 per fiscal year beginning
9 July 1, 2011 up to the maximum salary provided in this subsection.

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

13 Director, Board of Risk and Insurance Management, \$80,000;
14 Director, Division of Rehabilitation Services, \$70,000; Director,
15 Division of Personnel, \$70,000; Executive Director, Educational
16 Broadcasting Authority, \$75,000; Secretary, Library Commission,
17 \$72,000; Director, Geological and Economic Survey, \$75,000;
18 Executive Director, prosecuting attorneys Institute, \$70,000;
19 Executive Director, Public Defender Services, \$70,000;
20 Commissioner, Bureau of Senior Services, \$75,000; Director, State
21 Rail Authority, \$65,000; Executive Director, Women's Commission,
22 \$45,000; Director, Hospital Finance Authority, \$35,000; member,
23 Racing Commission, \$12,000; Chairman, Public Service Commission,
24 \$85,000; members, Public Service Commission, \$85,000; Director,
25 Division of Forestry, \$75,000; Director, Division of Juvenile
26 Services, \$80,000; and Executive Director, Regional Jail and

1 Correctional Facility Authority, \$80,000.

2 (c) Each of the following appointive state officers named in
3 this subsection shall be appointed by the Governor, by and with the
4 advice and consent of the Senate. Each of the appointive state
5 officers serves at the will and pleasure of the Governor for the
6 term for which the Governor was elected and until the respective
7 state officers' successors have been appointed and qualified. Each
8 of the appointive state officers are subject to the existing
9 qualifications for holding each respective office and each has and
10 is hereby 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 The annual salary of each named appointive state officer shall
14 be as follows:

15 Commissioner, State Tax Division, \$92,500; Insurance
16 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;
17 Director, Division of Homeland Security and Emergency Management,
18 \$65,000; and Adjutant General, \$125,000.

19 (d) No increase in the salary of any appointive state officer
20 pursuant to this section may be paid until and unless the
21 appointive state officer has first filed with the State Auditor and
22 the Legislative Auditor a sworn statement, on a form to be
23 prescribed by the Attorney General, certifying that his or her
24 spending unit is in compliance with any general law providing for
25 a salary increase for his or her employees. The Attorney General
26 shall prepare and distribute the form to the affected spending

1 units.