

COMMITTEE SUBSTITUTE

FOR

H. B. 2825

(BY DELEGATE(S) PERDUE, PERRY, FERNS, MORGAN, POLING, M.,
STAGGERS, WHITE AND WILLIAMS)

(Originating in the Committee on Finance)

[March 29, 2013]

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

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

12 The annual salary of each named appointive state officer is
13 as follows:

14 Commissioner, Division of Highways, \$92,500;
15 Commissioner, Division of Corrections, \$80,000; Director,
16 Division of Natural Resources, \$75,000; Superintendent, State
17 Police, \$85,000; Commissioner, Division of Banking, \$75,000;
18 Commissioner, Division of Culture and History, \$65,000;

19 Commissioner, Alcohol Beverage Control Commission,
20 \$75,000; Commissioner, Division of Motor Vehicles, \$75,000;
21 Chairman, Health Care Authority, \$80,000; members, Health
22 Care Authority, \$70,000; Director, Human Rights Commission,
23 \$55,000; Commissioner, Division of Labor, \$70,000; prior to
24 July 1, 2011, Director, Division of Veterans Affairs, \$65,000;
25 Chairperson, Board of Parole, \$55,000; members, Board of
26 Parole, \$50,000; members, Employment Security Review Board,
27 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.
28 Secretaries of the departments shall be paid an annual salary as
29 follows: Health and Human Resources, \$95,000; *Provided, That*
30 the next person appointed to this position following the
31 reenactment of this section in 2013 shall be paid an annual salary
32 not to exceed \$175,000 at the discretion of the governor as
33 provided in the budget; Transportation, \$95,000; *Provided, That*
34 if the same person is serving as both the Secretary of
35 Transportation and the Commissioner of Highways, he or she
36 shall be paid \$120,000; Revenue, \$95,000; Military Affairs and
37 Public Safety, \$95,000; Administration, \$95,000; Education and
38 the Arts, \$95,000; Commerce, \$95,000; Veterans' Assistance,

39 \$95,000; and Environmental Protection, \$95,000: *Provided,*
40 *however,* That any officer specified in this subsection whose
41 salary is increased by more than \$5,000 as a result of the
42 amendment and reenactment of this section during the 2011
43 regular session of the Legislature shall be paid the salary
44 increase in increments of \$5,000 per fiscal year beginning July
45 1, 2011 up to the maximum salary provided in this subsection.

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

49 Director, Board of Risk and Insurance Management,
50 \$80,000; Director, Division of Rehabilitation Services, \$70,000;
51 Director, Division of Personnel, \$70,000; Executive Director,
52 Educational Broadcasting Authority, \$75,000; Secretary, Library
53 Commission, \$72,000; Director, Geological and Economic
54 Survey, \$75,000; Executive Director, prosecuting attorneys
55 Institute, \$70,000; Executive Director, Public Defender Services,
56 \$70,000; Commissioner, Bureau of Senior Services, \$75,000;
57 Director, State Rail Authority, \$65,000; Executive Director,
58 Women's Commission, \$45,000; Director, Hospital Finance

59 Authority, \$35,000; member, Racing Commission, \$12,000;
60 Chairman, Public Service Commission, \$85,000; members,
61 Public Service Commission, \$85,000; Director, Division of
62 Forestry, \$75,000; Director, Division of Juvenile Services,
63 \$80,000; and Executive Director, Regional Jail and Correctional
64 Facility Authority, \$80,000.

65 (c) Each of the following appointive state officers named in
66 this subsection shall be appointed by the Governor, by and with
67 the advice and consent of the Senate. Each of the appointive state
68 officers serves at the will and pleasure of the Governor for the
69 term for which the Governor was elected and until the respective
70 state officers' successors have been appointed and qualified.
71 Each of the appointive state officers are subject to the existing
72 qualifications for holding each respective office and each has
73 and is hereby granted all of the powers and authority and shall
74 perform all of the functions and services heretofore vested in and
75 performed by virtue of existing law respecting each office.

76 The annual salary of each named appointive state officer
77 shall be as follows:

78 Commissioner, State Tax Division, \$92,500; Insurance
79 Commissioner, \$92,500; Director, Lottery Commission,

80 \$92,500; Director, Division of Homeland Security and
81 Emergency Management, \$65,000; and Adjutant General,
82 \$125,000.

83 (d) No increase in the salary of any appointive state officer
84 pursuant to this section may be paid until and unless the
85 appointive state officer has first filed with the State Auditor and
86 the Legislative Auditor a sworn statement, on a form to be
87 prescribed by the Attorney General, certifying that his or her
88 spending unit is in compliance with any general law providing
89 for a salary increase for his or her employees. The Attorney
90 General shall prepare and distribute the form to the affected
91 spending units.

