

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2821

By Delegates Householder and Criss

(BY REQUEST OF THE ADJUTANT GENERAL)

[Passed February 25, 2019; in effect ninety days from
passage.]

1 AN ACT to amend and reenact §15-1B-17 of the Code of West Virginia, 1931, as amended,
2 relating to command and clerical pay for certain national guard members; providing for
3 commander pay clerical work 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 is allowed to each commander of a brigade, regiment, air wing, army group or
7 equivalent type organization the sum of \$100 per month and each commander of a battalion, army
8 squadron, air group or corresponding type organization the sum of \$50 per month for clerical
9 services; and to each commander of a company air squadron or corresponding type unit the sum
10 of \$25 per month for like services, payable quarterly. The Commandant of the West Virginia
11 Military Academy is allowed the sum of \$25 a month, payable quarterly, for like services.

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

17 (d) The Adjutant General shall determine the amount of entitlement to command pay and
18 clerical pay, using organizational charts showing chain of command and authorized strengths and
19 defining other equivalent type organizations. Notwithstanding the provisions of subsections (a)

20 and (b) of this section, the Adjutant General may authorize the payment of command and clerical
21 pay above the amounts set in subsections (a) and (b) out of existing funding: *Provided*, That the
22 authorized payment is no more than twice the amounts authorized in subsections (a) and (b) of
23 this section.

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

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

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2019.

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Governor