

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Committee Substitute**

**for**

**House Bill 2821**

DELEGATES HOUSEHOLDER AND CRISS

(BY REQUEST OF THE ADJUTANT GENERAL)

[Originating in the Committee on Finance;

February 11, 2019.]



1 A BILL to amend and reenact §15-1B-17 of the Code of West Virginia, 1931, as amended, relating  
2 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 ~~shall be~~ is allowed to each ~~headquarters~~ commander of a brigade, regiment, air  
7 wing, army group or equivalent type organization the sum of \$100 per month and each  
8 ~~headquarters~~ commander of a battalion, army squadron, air group or corresponding type  
9 organization the sum of \$50 per month for clerical services; and to each commander of a company  
10 air squadron or corresponding type unit the sum of \$25 per month for like services, payable  
11 quarterly. The Commandant of the West Virginia Military Academy ~~shall be~~ is allowed the sum of  
12 \$25 a month, payable quarterly, for like services.

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

18 (d) The Adjutant General shall determine the amount of entitlement to command pay and  
19 clerical pay, ~~not to exceed the amounts set forth in subsections (a) and (b) of this section,~~ using

20 organizational charts showing chain of command and authorized strengths and defining other  
21 equivalent type organizations. Notwithstanding the provisions of subsections (a) and (b) of this  
22 section, the Adjutant General may authorize the payment of command and clerical pay above the  
23 amounts set in subsections (a) and (b) out of existing funding: *Provided*, That the authorized  
24 payment is no more than twice the amounts authorized in subsections (a) and (b) of this section.

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

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