

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 3105**

BY DELEGATE LOVEJOY

[Introduced March 12, 2021; Referred to the  
Committee on Finance]

1 A BILL to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating  
2 to increasing the salary of the Secretary of the West Virginia Library Commission.

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

**ARTICLE 7. COMPENSATION AND ALLOWANCES.**

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

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

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

10 Commissioner, Division of Highways, \$92,500; Commissioner, Division of Corrections and  
11 Rehabilitation, \$90,000; Director, Division of Natural Resources, \$75,000; Superintendent, State  
12 Police, \$85,000; Commissioner, Division of Financial Institutions, \$75,000; Commissioner,  
13 Division of Culture and History, \$65,000; Commissioner, Alcohol Beverage Control Commission,  
14 \$75,000; Commissioner, Division of Motor Vehicles, \$75,000; Director, Human Rights  
15 Commission, \$55,000; Commissioner, Division of Labor, \$70,000; Chairperson, Board of Parole,  
16 \$55,000; members, Board of Parole, \$50,000; members, Employment Security Review Board,  
17 \$17,000; and Commissioner, Workforce West Virginia, \$75,000. Secretaries of the departments  
18 shall be paid an annual salary as follows: Health and Human Resources, \$95,000: *Provided*, That  
19 effective July 1, 2013, the Secretary of the Department of Health and Human Resources shall be  
20 paid an annual salary not to exceed \$175,000; Transportation, \$95,000: *Provided, however*, That

21 if the same person is serving as both the Secretary of Transportation and the Commissioner of  
22 Highways, he or she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and Public Safety,  
23 \$95,000; Administration, \$95,000; ~~Education and the Arts, \$95,000~~ Commerce, \$95,000;  
24 Veterans' Assistance, \$95,000; and Environmental Protection, \$95,000: *Provided further*, That  
25 any officer specified in this subsection whose salary is increased by more than \$5,000 as a result  
26 of the amendment and reenactment of this section during the 2011 regular session of the  
27 Legislature shall be paid the salary increase in increments of \$5,000 per fiscal year beginning  
28 July 1, 2011, up to the maximum salary provided in this subsection.

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

31 Director, Board of Risk and Insurance Management, \$80,000; Director, Division of  
32 Rehabilitation Services, \$70,000; Director, Division of Personnel, \$70,000; Executive Director,  
33 Educational Broadcasting Authority, \$75,000; Secretary, Library Commission, ~~\$72,000~~ \$82,000;  
34 Director, Geological and Economic Survey, \$75,000; Executive Director, Prosecuting Attorneys  
35 Institute, \$80,000; Executive Director, Public Defender Services, \$70,000; Commissioner, Bureau  
36 of Senior Services, \$75,000; Executive Director, Women's Commission, \$45,000; Director,  
37 Hospital Finance Authority, \$35,000; member, Racing Commission, \$12,000; Chairman, Public  
38 Service Commission, \$85,000; members, Public Service Commission, \$85,000; Director, Division  
39 of Forestry, \$75,000; and Executive Director of the Health Care Authority, \$80,000: *Provided*,  
40 That effective July 1, 2022, the Secretary, Library Commission, shall be paid an annual salary not  
41 to exceed \$92,000: and *Provided, however*, That effective July 1, 2023, the Secretary, Library  
42 Commission, shall be paid an annual salary not to exceed \$102,000.

43 (c) Each of the following appointive state officers named in this subsection shall be  
44 appointed by the Governor, by and with the advice and consent of the Senate. Each of the  
45 appointive state officers serves at the will and pleasure of the Governor for the term for which the  
46 Governor was elected and until the respective state officers' successors have been appointed

47 and qualified. Each of the appointive state officers are subject to the existing qualifications for  
48 holding each respective office and each has and is hereby granted all of the powers and authority  
49 and shall perform all of the functions and services heretofore vested in and performed by virtue  
50 of existing law respecting each office.

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

52 Commissioner, State Tax Division, \$92,500; Insurance Commissioner, \$92,500; Director,  
53 Lottery Commission, \$92,500; Director, Division of Homeland Security and Emergency  
54 Management, \$65,000; and Adjutant General, \$125,000.

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

61 (e) The annual salary of each appointive state officer named in this section shall continue  
62 in the amount as set forth in this section from the effective date of the amendments to this section  
63 enacted in 2020, whichever occurs first. After the vacancy or after July 1, 2020, whichever occurs  
64 first, unless otherwise prohibited by law, the annual salary of each appointed state officer named  
65 in this section shall be fixed by the Governor within the current budget allocation. In the event the  
66 annual salary fixed by the Governor for an appointed state officer named in this section exceeds  
67 the amount set forth in this section for the appointed state officer, the amount of the annual salary  
68 for the appointed state officer shall be set forth in a line-item in the budget bill, and payment of an  
69 annual salary to the appointed state officer may not exceed that amount but may be lower than  
70 the salary approved in the budget bill or established in this section. The salary of a newly  
71 appointed state officer named in this section shall be included in the appointment letter for the  
72 position.

NOTE: The purpose of this bill is to increase the annual salary of the Secretary of the West Virginia Library Commission.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.