WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3105

BY DELEGATE LOVEJOY

[Introduced March 12, 2021; Referred to the Committee on Finance]
A BILL to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating 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.

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

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

Commissioner, Division of Highways, $92,500; Commissioner, Division of Corrections and Rehabilitation, $90,000; Director, Division of Natural Resources, $75,000; Superintendent, State Police, $85,000; Commissioner, Division of Financial Institutions, $75,000; Commissioner, Division of Culture and History, $65,000; Commissioner, Alcohol Beverage Control Commission, $75,000; Commissioner, Division of Motor Vehicles, $75,000; Director, Human Rights Commission, $55,000; Commissioner, Division of Labor, $70,000; Chairperson, Board of Parole, $55,000; members, Board of Parole, $50,000; members, Employment Security Review Board, $17,000; and Commissioner, Workforce West Virginia, $75,000. Secretaries of the departments shall be paid an annual salary as follows: Health and Human Resources, $95,000: Provided, That effective July 1, 2013, the Secretary of the Department of Health and Human Resources shall be paid an annual salary not to exceed $175,000; Transportation, $95,000: Provided, however, That
if the same person is serving as both the Secretary of Transportation and the Commissioner of Highways, he or she shall be paid $120,000; Revenue, $95,000; Military Affairs and Public Safety, $95,000; Administration, $95,000; Education and the Arts, $95,000; Commerce, $95,000; Veterans' Assistance, $95,000; and Environmental Protection, $95,000: Provided further, That any officer specified in this subsection whose salary is increased by more than $5,000 as a result of the amendment and reenactment of this section during the 2011 regular session of the Legislature shall be paid the salary increase in increments of $5,000 per fiscal year beginning July 1, 2011, up to the maximum salary provided in this subsection.

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

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

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

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

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

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

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