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OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



# ENROLLED

SENATE BILL NO. 558

(By Senator HELUICK, ET AL)



PASSED APRIL 10<sup>10</sup> 1997 <sup>OIC  
KEL</sup>

In Effect JULY 1, 1997 Passage

**ENROLLED**

**Senate Bill No. 558**

(BY SENATORS HELMICK, BAILEY, OLIVERIO, WOOTON, KIMBLE,  
BUCKALEW, DITTMAR, PREZIOSO AND HUNTER)

OK/KCL

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10  
[Passed April ~~11~~, 1997; to take effect July 1, 1997.]  
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AN ACT to amend and reenact sections sixteen and seventeen,  
article one-b, chapter fifteen of the code of West Virginia,  
one thousand nine hundred thirty-one, as amended, all  
relating to pay allowances for the national guard; and  
increasing the pay for the national guard.

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

That sections sixteen and seventeen, article one-b, chapter  
fifteen of the code of West Virginia, one thousand nine hundred  
thirty-one, as amended, be amended and reenacted, all to read  
as follows:

**ARTICLE 1B. NATIONAL GUARD.**

**§15-1B-16. Pay and allowances.**

1 (a) Pay and allowances for officers and enlisted person-  
2 nel of the national guard for drill, encampment or other  
3 duty for training prescribed or ordered by the federal  
4 government, shall be such as are provided by the laws of  
5 the United States.

6 (b) Officers and enlisted personnel of the national guard  
7 in active service of the state shall receive the same pay and  
8 allowances, in accordance with their rank and service, as  
9 are prescribed for the armed forces of the United States:  
10 *Provided*, That no member of the national guard shall  
11 receive base pay of less than seventy-five dollars per day  
12 while he or she is in active service of the state.

13 (c) Notwithstanding any of the provisions of this article,  
14 members of the national guard, may, with their consent,  
15 perform without pay, or without pay and allowances, any  
16 duties prescribed by section thirteen of this article pursu-  
17 ant to competent orders therefor: *Provided*, That neces-  
18 sary expenses may be furnished such personnel within the  
19 discretion of the adjutant general.

**§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,  
2 regiment, air wing, army group or other corresponding  
3 type organization, one hundred dollars per month and to  
4 each commander of a battalion, army squadron, air group  
5 or other equivalent type organization, fifty dollars per  
6 month, and to each commander of a company, air squad-  
7 ron or other equivalent type organization, twenty-five  
8 dollars per month, payable quarterly, to be known as  
9 command pay.

10 (b) There shall be allowed to each headquarters of a  
11 brigade, regiment, air wing, army group or equivalent type  
12 organization the sum of one hundred dollars per month  
13 and each headquarters of a battalion, army squadron, air  
14 group or corresponding type organization, the sum of fifty  
15 dollars per month for clerical services; and to each com-  
16 pany air squadron or corresponding type unit, the sum of  
17 twenty-five dollars per month for like services, payable  
18 quarterly. The commandant of the West Virginia military

19 academy shall be allowed the sum of twenty-five dollars  
20 a month, payable quarterly, for like services.

21 (c) At the discretion of the adjutant general, there may  
22 be paid to the enlisted man or woman who is directly  
23 responsible for the care and custody of the federal and  
24 state property of each organization or unit, the sum of ten  
25 dollars per month, payable quarterly, upon the certificate  
26 of his or her commanding officer, that he or she has  
27 faithfully and satisfactorily performed the duties assigned  
28 him or her and accounted for all property entrusted to his  
29 or her care.

30 (d) The adjutant general shall determine the amount of  
31 entitlement to command pay and clerical pay, not to  
32 exceed the amounts set forth in subsections (a) and (b) of  
33 this section, using organizational charts showing chain of  
34 command and authorized strengths and defining other  
35 equivalent type organizations.

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

*Randy Schoonover*  
.....  
Chairman Senate Committee

*Nick Fantasia*  
.....  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1997.

*Harrell E. Hobbes*  
.....  
Clerk of the Senate

*Gregory M. Davis*  
.....  
Clerk of the House of Delegates

*Carl Roy Tomblin*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* this the *2nd*  
day of *April* ....., 1997.

*[Signature]*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/17/97

Time 3:40 pm