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(By Delegate Fleischauer, Phillips, L., Marshall, Phillips, R.,
Manypenny, Rowan, Moore, Barill, Guthrie, Reynolds and Stephens)

[Introduced February 13, 2013; referred to the
Committee on Government Organization then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §6-7-2a of the Code of West Virginia,
1931, as amended, relating to the appointment and salary of
the Executive Director of the Women's Commission.

Be it enacted by the Legislature of West Virginia:

That §6-7-2a of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 7. COMPENSATION AND ALLOWANCES.

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

1 of the appointive state officers are subject to the existing
2 qualifications for holding each respective office and each has and
3 is hereby granted all of the powers and authority and shall perform
4 all of the functions and services heretofore vested in and
5 performed by virtue of existing law respecting each office.

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

8 Commissioner, Division of Highways, \$92,500; Commissioner,
9 Division of Corrections, \$80,000; Director, Division of Natural
10 Resources, \$75,000; Superintendent, State Police, \$85,000;
11 Commissioner, Division of Banking, \$75,000; Commissioner, Division
12 of Culture and History, \$65,000; Commissioner, Alcohol Beverage
13 Control Commission, \$75,000; Commissioner, Division of Motor
14 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;
15 members, Health Care Authority, \$70,000; Director, Human Rights
16 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;
17 prior to July 1, 2011, Director, Division of Veterans Affairs,
18 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of
19 Parole, \$50,000; members, Employment Security Review Board,
20 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.

21 Secretaries of the departments shall be paid an annual salary as
22 follows: Health and Human Resources, \$95,000; Transportation,
23 \$95,000: *Provided*, That if the same person is serving as both the
24 Secretary of Transportation and the Commissioner of Highways, he or

1 she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and
2 Public Safety, \$95,000; Administration, \$95,000; Education and the
3 Arts, \$95,000; Commerce, \$95,000; Veterans' Assistance, \$95,000;
4 and Environmental Protection, \$95,000: *Provided, however,* That any
5 officer specified in this subsection whose salary is increased by
6 more than \$5,000 as a result of the amendment and reenactment of
7 this section during the 2011 regular session of the Legislature
8 shall be paid the salary increase in increments of \$5,000 per
9 fiscal year beginning July 1, 2011, up to the maximum salary
10 provided in this subsection.

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

14 Director, Board of Risk and Insurance Management, \$80,000;
15 Director, Division of Rehabilitation Services, \$70,000; Director,
16 Division of Personnel, \$70,000; Executive Director, Educational
17 Broadcasting Authority, \$75,000; Secretary, Library Commission,
18 \$72,000; Director, Geological and Economic Survey, \$75,000;
19 Executive Director, Prosecuting Attorneys Institute, \$70,000;
20 Executive Director, Public Defender Services, \$70,000;
21 Commissioner, Bureau of Senior Services, \$75,000; Director, State
22 Rail Authority, \$65,000; ~~Executive Director, Women's Commission,~~
23 ~~\$45,000;~~ Director, Hospital Finance Authority, \$35,000; member,
24 Racing Commission, \$12,000; Chairman, Public Service Commission,

1 \$85,000; members, Public Service Commission, \$85,000; Director,
2 Division of Forestry, \$75,000; Director, Division of Juvenile
3 Services, \$80,000; and Executive Director, Regional Jail and
4 Correctional Facility Authority, \$80,000.

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

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

18 Commissioner, State Tax Division, \$92,500; Insurance
19 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;
20 Director, Division of Homeland Security and Emergency Management,
21 \$65,000; and Adjutant General, \$125,000.

22 (d) No increase in the salary of any appointive state officer
23 pursuant to this section may be paid until and unless the
24 appointive state officer has first filed with the State Auditor and

1 the Legislative Auditor a sworn statement, on a form to be
2 prescribed by the Attorney General, certifying that his or her
3 spending unit is in compliance with any general law providing for
4 a salary increase for his or her employees. The Attorney General
5 shall prepare and distribute the form to the affected spending
6 units.

NOTE: The purpose of the bill is to remove the statutory reference to the salary of the Executive Director of the Women's Commission.

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

This bill was recommended for introduction and passage during the Regular Session of the Legislature by the Equal Pay Commission.