

1 **H. B. 2825**

2  
3 (By Delegates Perdue, Perry, Ferns, Morgan,  
4 M. Poling, Staggers, White and Williams)

5 [Introduced March 5, 2013; referred to the  
6 Committee on Government Organization then Finance.]  
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10 A BILL to amend and reenact §6-7-2a of the Code of West Virginia,  
11 1931, as amended, relating to certain appointive state  
12 officers salaries.

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

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

16 **ARTICLE 7. COMPENSATION AND ALLOWANCES.**

17 **§6-7-2a. Terms of certain appointive state officers; appointment;**  
18 **qualifications; powers and salaries of such officers.**

19 (a) Each of the following appointive state officers named in  
20 this subsection shall be appointed by the Governor, by and with the  
21 advice and consent of the Senate. Each of the appointive state  
22 officers serves at the will and pleasure of the Governor for the  
23 term for which the Governor was elected and until the respective  
24 state officers' successors have been appointed and qualified. Each  
25 of the appointive state officers are subject to the existing

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

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

7 Commissioner, Division of Highways, \$92,500; Commissioner,  
8 Division of Corrections, \$80,000; Director, Division of Natural  
9 Resources, \$75,000; Superintendent, State Police, \$85,000;  
10 Commissioner, Division of Banking, \$75,000; Commissioner, Division  
11 of Culture and History, \$65,000; Commissioner, Alcohol Beverage  
12 Control Commission, \$75,000; Commissioner, Division of Motor  
13 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;  
14 members, Health Care Authority, \$70,000; Director, Human Rights  
15 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;  
16 prior to July 1, 2011, Director, Division of Veterans Affairs,  
17 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of  
18 Parole, \$50,000; members, Employment Security Review Board,  
19 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.  
20 Secretaries of the departments shall be paid an annual salary as  
21 follows: ~~Health and Human Resources, \$95,000;~~ Transportation,  
22 \$95,000: *Provided*, That if the same person is serving as both the  
23 Secretary of Transportation and the Commissioner of Highways, he or  
24 she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and  
25 Public Safety, \$95,000; Administration, \$95,000; Education and the

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

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

12 Director, Board of Risk and Insurance Management, \$80,000;  
13 Director, Division of Rehabilitation Services, \$70,000; Director,  
14 Division of Personnel, \$70,000; Executive Director, Educational  
15 Broadcasting Authority, \$75,000; Secretary, Library Commission,  
16 \$72,000; Director, Geological and Economic Survey, \$75,000;  
17 Executive Director, prosecuting attorneys Institute, \$70,000;  
18 Executive Director, Public Defender Services, \$70,000;  
19 Commissioner, Bureau of Senior Services, \$75,000; Director, State  
20 Rail Authority, \$65,000; Executive Director, Women's Commission,  
21 \$45,000; Director, Hospital Finance Authority, \$35,000; member,  
22 Racing Commission, \$12,000; Chairman, Public Service Commission,  
23 \$85,000; members, Public Service Commission, \$85,000; Director,  
24 Division of Forestry, \$75,000; Director, Division of Juvenile  
25 Services, \$80,000; and Executive Director, Regional Jail and

1 Correctional Facility Authority, \$80,000.

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

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

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

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

1 shall prepare and distribute the form to the affected spending  
2 units.

NOTE: The purpose of this bill is to remove the salary of the  
Secretary of the Department of Health and Human Resources from the  
West Virginia Code.

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