

**Senate Bill No. 136**

(By Senator Yost)

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

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**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

1 term for which the Governor was elected and until the respective  
2 state officers' successors have been appointed and qualified. Each  
3 of the appointive state officers are subject to the existing  
4 qualifications for holding each respective office and each has and  
5 is hereby granted all of the powers and authority and shall perform  
6 all of the functions and services heretofore vested in and  
7 performed by virtue of existing law respecting each office.

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

10       Commissioner, Division of Highways, \$92,500; Commissioner,  
11 Division of Corrections, \$80,000; Director, Division of Natural  
12 Resources, \$75,000; Superintendent, State Police, \$85,000;  
13 Commissioner, Division of Banking, \$75,000; Commissioner, Division  
14 of Culture and History, \$65,000; Commissioner, Alcohol Beverage  
15 Control Commission, \$75,000; Commissioner, Division of Motor  
16 Vehicles, \$75,000; Chairman, Health Care Authority, \$80,000;  
17 members, Health Care Authority, \$70,000; Director, Human Rights  
18 Commission, \$55,000; Commissioner, Division of Labor, \$70,000;  
19 prior to July 1, 2011, Director, Division of Veterans Affairs,  
20 \$65,000; Chairperson, Board of Parole, \$55,000; members, Board of  
21 Parole, \$50,000; members, Employment Security Review Board,  
22 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.

1 Secretaries of the departments shall be paid an annual salary as  
2 follows: Health and Human Resources, \$95,000; Transportation,  
3 \$95,000: *Provided*, That if the same person is serving as both the  
4 Secretary of Transportation and the Commissioner of Highways, he or  
5 she shall be paid \$120,000; Revenue, \$95,000; Military Affairs and  
6 Public Safety, \$95,000; Administration, \$95,000; Education and the  
7 Arts, \$95,000; Commerce, \$95,000; Veterans' Assistance, \$95,000;  
8 and Environmental Protection, \$95,000: *Provided, however*, That any  
9 officer specified in this subsection whose salary is increased by  
10 more than \$5,000 as a result of the amendment and reenactment of  
11 this section during the 2011 regular session of the Legislature  
12 shall be paid the salary increase in increments of \$5,000 per  
13 fiscal year beginning July 1, 2011, up to the maximum salary  
14 provided in this subsection.

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

18 Director, Board of Risk and Insurance Management, \$80,000;  
19 Director, Division of Rehabilitation Services, \$70,000; Director,  
20 Division of Personnel, \$70,000; Executive Director, Educational  
21 Broadcasting Authority, \$75,000; Secretary, Library Commission,  
22 \$72,000; Director, Geological and Economic Survey, \$75,000;

1 Executive Director, Prosecuting Attorneys Institute, \$70,000;  
2 Executive Director, Public Defender Services, \$70,000;  
3 Commissioner, Bureau of Senior Services, \$75,000; Director, State  
4 Rail Authority, \$65,000; ~~Executive Director, Women's Commission,~~  
5 ~~\$45,000;~~ Director, Hospital Finance Authority, \$35,000; member,  
6 Racing Commission, \$12,000; Chairman, Public Service Commission,  
7 \$85,000; members, Public Service Commission, \$85,000; Director,  
8 Division of Forestry, \$75,000; Director, Division of Juvenile  
9 Services, \$80,000; and Executive Director, Regional Jail and  
10 Correctional Facility Authority, \$80,000.

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

22 The annual salary of each named appointive state officer shall

1 be as follows:

2       Commissioner, State Tax Division, \$92,500; Insurance  
3 Commissioner, \$92,500; Director, Lottery Commission, \$92,500;  
4 Director, Division of Homeland Security and Emergency Management,  
5 \$65,000; and Adjutant General, \$125,000.

6       (d) No increase in the salary of any appointive state officer  
7 pursuant to this section may be paid until and unless the  
8 appointive state officer has first filed with the State Auditor and  
9 the Legislative Auditor a sworn statement, on a form to be  
10 prescribed by the Attorney General, certifying that his or her  
11 spending unit is in compliance with any general law providing for  
12 a salary increase for his or her employees. The Attorney General  
13 shall prepare and distribute the form to the affected spending  
14 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.