1 Senate Bill No. 367 2 (By Senators Miller, Snyder, Unger, Chafin and Laird) 3 4 [Introduced February 25, 2013; referred to the Committee on Government Organization; and then to the Committee on Finance.] 5 6 7 8 9 10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated \$7-7-1a, relating to 11 12 creating the Citizens Elected County Officials Compensation 13 Commission; membership of the commission; terms of the 14 members; powers and duties of the commission; and procedures 15 for enacting the salaries of the elected county officials. 16 Be it enacted by the Legislature of West Virginia: That the Code of West Virginia, 1931, as amended, be amended 17 18 by adding thereto a new section, designated §7-7-1a, to read as 19 follows: 20 ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS. 21 §7-7-1a. Citizens Elected County Officials Compensation Commission. 22 (a) There is hereby created the Citizens Elected County

- 1 Officials Compensation Commission which shall have seven members
- 2 appointed by the Governor, no more than four of whom shall be of
- 3 the same political party. The members shall:
- 4 (1) Have been residents of this state for at least ten years
- 5 prior to the date of appointment;
- 6 (2) Broadly represent the public at-large; and
- 7 (3) Not be:
- 8 (A) Members of the Legislature;
- 9 (B) Officers or employees of the state, or both; or
- 10 (C) Officers or employees of any county, municipality or
- 11 political subdivision of the state, or both.
- 12 (b) The members of the Citizens Elected County Officials
- 13 Compensation Commission may be the same as the Citizens Legislative
- 14 Compensation Commission.
- 15 (c) The original appointments of the members shall be
- 16 staggered and thereafter the terms shall be seven years.
- 17 (d) A member may be removed from the commission by the
- 18 Governor for:
- 19 (1) Official misconduct;
- 20 (2) Incompetency; or
- 21 (3) Neglect of duty.
- 22 (e) The Governor shall designate one member of the commission
- 23 as chairperson.
- 24 (f) The members of the commission shall serve without

- 1 compensation, but shall be entitled to reimbursement for all
- 2 reasonable and necessary expenses actually incurred in the
- 3 performance of their duties.
- 4 (g) Commencing July 1, 2013, the commission may meet as often
- 5 as necessary to determine the salaries for the elected county
- 6 officials.
- 7 (h) Within fifteen days after the beginning of the regular
- 8 session of the Legislature in the year 2014 and every four years
- 9 thereafter, the commission shall submit, by resolution, to the
- 10 Legislature its determination for the salaries for the elected
- 11 county officials. The resolution determining the salaries for the
- 12 elected county officials must have been adopted by at least four
- 13 members of the commission.
- 14 (i) The Legislature may enact the salaries for the elected
- 15 county officials determined by the commission into general law
- 16 subject to the requirements and conditions prescribed in the
- 17 general law: Provided, That the Legislature may only reduce the
- 18 salaries as determined by the commission, but may not increase the
- 19 salaries.
- 20 (j) The salaries for the elected county officials enacted by
- 21 the Legislature shall be paid on and after the effective date of
- 22 the general law.

NOTE: The purpose of this bill is to create the Citizens

Elected County Officials Compensation Commission, determine membership of the commission, terms of the members, powers and duties of the commission, and procedures for enacting the salaries of the elected county officials.

\$7-7-1a is new; therefore, strike-throughs and underscoring have been omitted.