

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 298**

BY SENATORS CARMICHAEL (MR. PRESIDENT) AND

PREZIOSO

(BY REQUEST OF THE EXECUTIVE)

[Originating in the Committee on Judiciary;

reported on March 20, 2017]

1 A BILL to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to  
2 compensation of constitutional officers generally; providing that a constitutional officer may  
3 waive all or part of his or her compensation; requiring that constitutional officer provide  
4 notice to the State Auditor fourteen days prior to the waiver's effective date; and providing  
5 that waiver of salary of compensation constitutes waiver of a constitutional officer's right  
6 to participate in the Public Employees Retirement System and the Public Employees  
7 Insurance Agency health benefits and retirement health benefits.

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

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

**ARTICLE 7. COMPENSATION AND ALLOWANCES.**

**§6-7-2. Salaries of certain state officers.**

1 (a) Beginning in the calendar year 2005, and for each calendar year after that, salaries for  
2 each of the state constitutional officers are as follows:

- 3 (1) The salary of the Governor is \$95,000 per year;
- 4 (2) The salary of the Attorney General is \$80,000 per year;
- 5 (3) The salary of the Auditor is \$75,000 per year;
- 6 (4) The salary of the Secretary of State is \$70,000 per year;
- 7 (5) The salary of the Commissioner of Agriculture is \$75,000 per year; and
- 8 (6) The salary of the State Treasurer is \$75,000 per year.

9 (b) Notwithstanding the provisions of subsection (a) of this section, beginning in the  
10 calendar year 2009, and for each calendar year thereafter, salaries for each of the state  
11 constitutional officers shall be as follows:

- 12 (1) The salary of the Governor shall be \$150,000 per year;
- 13 (2) The salary of the Attorney General shall be \$95,000 per year;
- 14 (3) The salary of the Auditor shall be \$95,000 per year;

- 15           (4) The salary of the Secretary of State shall be \$95,000 per year;
- 16           (5) The salary of the Commissioner of Agriculture shall be \$95,000 per year; and
- 17           (6) The salary of the State Treasurer shall be \$95,000 per year.
- 18           (c) Notwithstanding the provisions of this section, a constitutional officer may voluntarily
- 19 waive all or any portion of his or her compensation payable under this section by a written waiver
- 20 filed with the State Auditor: *Provided*, That the waiver, to be effective, must be filed at least
- 21 fourteen days prior to the waiver's effective date. Waiver of any compensation hereunder shall
- 22 constitute waiver of the following:
- 23           (1) Participation in the Public Employees Retirement System; and
- 24           (2) Participation in the Public Employees Insurance Agency Health Benefits and
- 25 Retirement Health Benefits.

NOTE: The purpose of this bill is to amend this section to allow a constitutional officer to waive his or her salary for any calendar year.

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