

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 1

(By Mr. Doringer)



PASSED March 9 1937

In Effect from Passage

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House Bill No. 1

(By MR. DORINGER)

[Passed March 9, 1937; in effect from passage.]

AN ACT to fix the compensation of certain elective and appointive state and county officers, to prescribe the method of fixing the compensation of other state officers, and of assistants and employees, and to repeal chapter twenty of the acts of the extraordinary session of the Legislature of West Virginia, one thousand nine hundred thirty-two.

Be it enacted by the Legislature of West Virginia:

Section 1. The salary of the governor shall be ten thousand
2 dollars per annum.

Sec. 2. The salary of the attorney-general, the auditor,
2 the secretary of state, the treasurer, the commissioner of agri-
3 culture and the superintendent of free schools shall be, each,
4 six thousand dollars per annum.

Sec. 3. The salary of each of the judges of the supreme
2 court of appeals shall be ten thousand dollars per annum.

Sec. 4. The salary of the tax commissioner shall be six
2 thousand dollars per annum.

Sec. 5. The salary of each of the members of the public
2 service commission shall be six thousand dollars per annum.

Sec. 6. The salary of the state compensation commissioner
2 shall be six thousand dollars per annum.

Sec. 7. The salary of the commissioner of banking shall
2 be six thousand dollars per annum.

Sec. 8. The salary of the state commissioner of health shall
2 be five thousand dollars per annum.

Sec. 9. The salary of each of the members of the state
2 board of control shall be five thousand dollars per annum.

Sec. 10. The salary of the chief of the department of mines
2 shall be six thousand dollars per annum.

Sec. 11. The salary of the warden of the West Virginia
2 penitentiary shall be five thousand dollars per annum.

Sec. 12. The salary of the superintendent of the depart-
2 ment of public safety shall be six thousand dollars per an-
3 num.

Sec. 13. The salary of the conservation commissioner shall be five thousand dollars per annum.

Sec. 14. The salary of the commissioner of labor shall be four thousand dollars per annum.

Sec. 15. The salary of the director of the bureau of negro welfare and statistics shall be three thousand six hundred dollars per annum.

Sec. 16. The salary of the director of purchases shall be six thousand dollars per annum.

Sec. 17. The salary of the adjutant general shall be four thousand dollars per annum.

Sec. 18. Where an officer of any executive department is now receiving a compensation different in amount from that fixed by this act the rate of compensation provided for by this act shall not become effective until the close of the term for which the officer was elected or appointed.

Where under the provisions of the constitution and this act an increase in salary may become effective, such increase may be paid from any other item of the appropriation for such department not otherwise expended, if the specific item in the budget act is insufficient therefor.

Sec. 19. The compensation of officers, assistants, and employees in state departments, agencies or institutions whose salary is not otherwise fixed by law, shall be determined in accordance with personnel classifications and uniform salary schedules established as provided by law. Subject to such classifications and schedules the amount of a compensation shall be fixed as follows:

1. The salary of an officer in the state government who is appointed by the governor shall be fixed by the governor.

2. The compensation to be received by a subordinate officer, assistant, or employee in the state government shall be fixed by the person who appoints or employs the subordinate officer, assistant or employee.

3. The compensation to be received by persons employed in state institutions under the control of the board of governors of West Virginia University shall be fixed by such board of governors.

4. The compensation to be received by persons employed in state institutions under the control of the state board of education shall be fixed by the state board of education.

5. The compensation to be received by persons employed

22 in state institutions under the control of the board of control
23 shall be fixed by the board of control.

Sec. 20. The salaries of the judges of the circuit courts
2 shall be paid out of the state treasury and shall, unless other-
3 wise provided by law, be in the following annual amounts:

4 (1) In circuits having more than one hundred thousand
5 population, seven thousand five hundred dollars;

6 (2) In circuits having more than eighty thousand and less
7 than one hundred thousand population, seven thousand dol-
8 lars;

9 (3) In circuits having more than sixty thousand and less
10 than eighty thousand population, six thousand five hundred
11 dollars;

12 (4) In circuits having more than forty thousand and less
13 than sixty thousand population, six thousand dollars;

14 (5) In circuits having less than forty thousand popula-
15 tion, five thousand dollars.

16 A county court may pay the judge of the circuit additional
17 compensation, but the salary and additional compensation
18 shall not exceed seven thousand five hundred dollars, except
19 in circuits of over one hundred thousand population, where-

20 in the salary and additional compensation shall not exceed
21 eight thousand dollars.

22 The population shall be according to the United States cen-
23 sus, or the estimate of the United States bureau of census, as
24 certified to the state auditor by the United States director of
25 the census, last preceding the beginning of the calendar year
26 in which the salary is payable.

Sec. 21. *Salaries of Judges of Inferior Courts.* The sal-
2 ary of each and every judge of a criminal, intermedite, do-
3 mestic relations, or other court of record, inferior to circuit
4 courts, is restored to the sum and amount received as salary
5 by each of such judges prior to the enactment of chapter
6 twenty, acts of the Legislature of West Virginia, extraordi-
7 nary session, one thousand nine hundred thirty-two.

Sec. 22. *Employment of Wife by Officer or Employee of*
8 *State Prohibited.* The employment of his wife at public ex-
9 pense by any official or employee of the state is expressly pro-
10 hibited.

Sec. 23. *Act Repealed.* Chapter twenty, acts of the Leg-
11 islature of West Virginia, extraordinary session, one thousand
12 nine hundred thirty-two, is hereby repealed.

Sec. 24. *Provision Severable.* The provisions of this act
 shall be construed as separable and several, and should any of
 the provisions or parts hereof be construed or held to be un-
 constitutional, or for any other reason invalid or unenforce-
 able, the remaining provisions of this act shall not be thereby
 effected.

All acts or parts of acts inconsistent herewith are hereby re-
 pealed.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

This day

The within

1887

day of

Governor

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Carl B. Getchall

Chairman Senate Committee

Paul Baker

Chairman House Committee

Originated in the *house*

Takes effect *from* passage.

Charles D. Bailey

Clerk of the Senate

Geo. L. Hall

Clerk of the House of Delegates

Chas. E. Hodge

President of the Senate

James Kay Thomas

Speaker House of Delegates

The within *Approved* this the *13th*

day of *March*, 1937.

James A. Ish

Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 15 1937**

Wm. S. O'BRIEN,
Secretary of State