WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1937

ENROLLED

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 dollars per annum.

Sec. 2. The salary of the attorney-general, the auditor, the secretary of state, the treasurer, the commissioner of agriculture and the superintendent of free schools shall be, each, six thousand dollars per annum.
Sec. 3. The salary of each of the judges of the supreme court of appeals shall be ten thousand dollars per annum.

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

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

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

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

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

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

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

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

Sec. 12. The salary of the superintendent of the department of public safety shall be six thousand dollars per annum.
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
in state institutions under the control of the board of control shall be fixed by the board of control.

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

(1) In circuits having more than one hundred thousand population, seven thousand five thousand hundred dollars;
(2) In circuits having more than eighty thousand and less than one hundred thousand population, seven thousand dollars;
(3) In circuits having more than sixty thousand and less than eighty thousand population, six thousand five hundred dollars;
(4) In circuits having more than forty thousand and less than sixty thousand population, six thousand dollars;
(5) In circuits having less than forty thousand population, five thousand dollars.

A county court may pay the judge of the circuit additional compensation, but the salary and additional compensation shall not exceed seven thousand five hundred dollars, except in circuits of over one hundred thousand population, where-
The population shall be according to the United States census, or the estimate of the United States bureau of census, as certified to the state auditor by the United States director of the census, last preceding the beginning of the calendar year in which the salary is payable.

Sec. 21. Salaries of Judges of Inferior Courts. The salary of each and every judge of a criminal, intermediate, domestic relations, or other court of record, inferior to circuit courts, is restored to the sum and amount received as salary by each of such judges prior to the enactment of chapter twenty, acts of the Legislature of West Virginia, extraordinary session, one thousand nine hundred thirty-two.

Sec. 22. Employment of Wife by Officer or Employee of State Prohibited. The employment of his wife at public expense by any official or employee of the state is expressly prohibited.

Sec. 23. Act Repealed. Chapter twenty, acts of the Legislature of West Virginia, extraordinary session, one thousand 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 unconstitutional, or for any other reason invalid or unenforceable, the remaining provisions of this act shall not be thereby effected.

All acts or parts of acts inconsistent herewith are hereby repealed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within this the 13th day of March, 1937.

Governor.

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

Wm. S. O'Brien,
Secretary of State