

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1971

ENROLLED

SENATE BILL NO. 326

(By Mr. M<sup>c</sup>CURT MR. PRESIDENT AND)  
MR. CARRIGAN

PASSED FEBRUARY 12, 1971

In Effect FROM Passage



FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE  
THIS DATE 2-15-71

326

**ENROLLED**

**Senate Bill No. 326**

(By MR. McCOURT, Mr. President, and MR. CARRIGAN)

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[Passed February <sup>12</sup>~~11~~, 1971; in effect from passage.]

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AN ACT to amend chapter four of the code of West Virginia,  
one thousand nine hundred thirty-one, as amended, by  
adding thereto a new article, designated article two-a,  
relating to compensation for and expenses of members  
of the Legislature.

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

That chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article two-a, to read as follows:

**ARTICLE 2A. COMPENSATION FOR AND EXPENSES OF MEMBERS OF THE LEGISLATURE.**

**PART I. GENERAL.**

**§4-2A-1. Implementation of resolutions of citizens legislative compensation commission; definition.**

1     The purpose of this article is to implement from time  
2     to time the resolutions submitted by the citizens legis-  
3     lative compensation commission created by section thirty-  
4     three, article six of the West Virginia constitution. For  
5     the purposes of this article, the term "regular session"  
6     shall include any extension of a regular session of the  
7     Legislature.

**PART II. COMPENSATION.**

**§4-2A-2. Basic compensation for services; proration.**

1     (a) Each member of the Legislature shall receive as  
2     compensation for his services the sum of three thousand  
3     three hundred dollars per calendar year. For the year  
4     one thousand nine hundred seventy-one, said sum shall  
5     be payable to each member as soon as possible after  
6     the effective date of this article.

7     (b) Beginning in the year one thousand nine hundred

8 seventy-two and each year thereafter, said sum shall  
9 be payable twice a month during each regular session  
10 of the Legislature, without regard to any extension of  
11 such regular session. In the event of the death, resig-  
12 nation or removal of a member of the Legislature during  
13 the regular session of the Legislature in the year one  
14 thousand nine hundred seventy-two or in any year  
15 thereafter and the appointment and qualification of his  
16 successor during any such regular session, the compen-  
17 sation provided for in this section shall be prorated be-  
18 tween the original member and his successor on the  
19 basis of the number of days served (including Satur-  
20 days and Sundays) as a member of the Legislature by  
21 each during said regular session.

22 (c) In the event of the death, resignation or removal  
23 of a member of the Legislature and the appointment  
24 and qualification of his successor subsequent to the  
25 regular session of the Legislature held in the calendar  
26 year in which such successor was appointed and quali-  
27 fied, none of the compensation provided for in this sec-  
28 tion shall be paid to such successor.

**§4-2A-3. Compensation for members of the Legislature during  
any extraordinary session.**

1 Each member of the Legislature shall receive, in addi-  
2 tion to the basic compensation provided for in section  
3 two of this article, additional compensation of thirty-  
4 five dollars per day for each day served during any  
5 extraordinary session of the Legislature, including Satur-  
6 days and Sundays. Such additional compensation shall  
7 be paid from time to time during any such extraordinary  
8 session, as may be prescribed by rules established by the  
9 legislative auditor.

**§4-2A-4. Additional compensation for president of Senate and  
speaker of House of Delegates.**

1 In addition to the basic and additional compensation  
2 provided for in sections two and three of this article,  
3 the president of the Senate and the speaker of the House  
4 of Delegates shall receive additional compensation of  
5 fifteen dollars per day for each day served during any  
6 regular or extraordinary session as presiding officer, in-  
7 cluding Saturdays and Sundays. Such presiding officer  
8 compensation shall be paid from time to time during any

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each

9 such session, as may be prescribed by rules established  
10 by the legislative auditor.

**§4-2A-5. Interim compensation for members of joint committee  
on government and finance and commission on  
interstate cooperation.**

1 In addition to the basic and any additional and pre-  
2 siding officer compensation provided for in sections two,  
3 three and four of this article, each member of the joint  
4 committee on government and finance and the commission  
5 on interstate cooperation shall receive interim compen-  
6 sation of thirty-five dollars per day for each day actually  
7 engaged in the performance of interim duties as a mem-  
8 ber of either such committee or commission between  
9 regular sessions of the Legislature: *Provided*, That not  
10 more than twenty-eight members of both such committee  
11 and commission shall be entitled to receive the interim  
12 compensation authorized in this section, and the total  
13 additional interim compensation payable to any such  
14 member and his replacement, if any, on such committee  
15 or commission under the provisions of this section shall

16 not exceed the sum of one thousand fifty dollars per  
17 calendar year.

PART III. EXPENSES OF MEMBERS  
OF THE LEGISLATURE.

**§4-2A-6. Travel expenses.**

1 Each member of the Legislature shall be entitled to be  
2 reimbursed, upon submission of an expense voucher, for  
3 expenses incurred incident to travel in the performance  
4 of his duties as a member of the Legislature or any com-  
5 mittee of the Legislature, whether such committee is  
6 operating under general law or resolution, including, but  
7 not limited to, attendance at party caucuses held in ad-  
8 vance of the date of the assembly of the Legislature in  
9 regular session in odd-numbered years for the purpose  
10 of selecting candidates for officers of the two houses, at  
11 the rate of ten cents per mile for the most direct usually  
12 traveled route, if travel is by private automobile, or for  
13 actual transportation costs for direct route travel, if  
14 travel is by public carrier, or for any combination of such  
15 means of transportation actually used, plus the cost of  
16 necessary taxi or limousine service, tolls and parking fees

17 in connection therewith, but during any regular or extra-  
18 ordinary session, travel expenses shall not be paid to any  
19 member for more than one round trip to and from the  
20 seat of government and to and from his place of residence  
21 for each week of any such session.

**§4-2A-7. Reimbursement for expenses incurred during any  
session.**

1 In addition to reimbursement for any travel expenses,  
2 as provided for in section six of this article, each mem-  
3 ber of the Legislature shall also be entitled to be re-  
4 imbursed, upon submission of an expense voucher there-  
5 for, for all reasonable and necessary expenses actually  
6 incurred in connection with any regular or extraordi-  
7 nary session of the Legislature, but the total of any  
8 and all such reimbursed expenses, exclusive of reim-  
9 bursement for any such travel expenses as aforesaid,  
10 shall not exceed lodging expenses of fifteen dollars per  
11 day or one hundred five dollars per week and meal and  
12 miscellaneous expenses of ten dollars per day or seventy  
13 dollars per week. A receipt for the amount paid for  
14 lodging shall be submitted with the expense voucher,



15 but a receipt shall not be required to be submitted with  
16 any such expense voucher for meal and miscellaneous  
17 expenses. In lieu of reimbursement for lodging ex-  
18 penses pursuant to the provisions of this section, any  
19 member of the Legislature shall be entitled to be re-  
20 imbursed, upon submission of an expense voucher, for  
21 expenses incurred incident to daily travel to and from  
22 his place of residence and to and from the seat of gov-  
23 ernment at a rate of ten cents per mile for the most  
24 direct usually traveled route, but the total of such daily  
25 travel expenses shall not exceed fifteen dollars per day.

**§4-2A-8. Interim expenses.**

1 In addition to any travel expenses and any such reim-  
2 bursements for any and all such session expenses as  
3 provided for in sections six and seven of this article,  
4 each member of the Legislature serving as a member  
5 of any committee of the Legislature established by and  
6 operating under general law and designated for the  
7 performance of interim assignments by the Legislature  
8 or otherwise duly authorized to perform interim assign-  
9 ments between regular sessions of the Legislature shall

10 also be entitled to be reimbursed, upon submission of  
11 an expense voucher therefor, for all reasonable and nec-  
12 cessary expenses actually incurred incident to the per-  
13 formance of duties as a member of any such committee,  
14 but the total of any and all such reimbursed interim  
15 expenses, exclusive of reimbursement for any such travel  
16 and session expenses as aforesaid, shall not under any  
17 circumstances exceed lodging expenses of fifteen dollars  
18 per day or meal and miscellaneous expenses of ten dol-  
19 lars per day for each day actually engaged in the per- 2  
20 formance of interim duties as a member of any such  
21 committee. A receipt for the amount paid for lodging  
22 shall be submitted with the expense voucher, but a  
23 receipt shall not be required to be submitted with any  
24 such expense voucher for meal and miscellaneous  
25 expenses.

**§4-2A-9. Out-of-state expenses.**

1 In addition to reimbursement for travel expenses as  
2 authorized in section six of this article, each member  
3 of the Legislature traveling from West Virginia to an  
4 out-of-state point or points and return incident to the

5 performance of his duties as a member of the Legis-  
6 lature or any committee of the Legislature, whether  
7 such committee is operating under general law or reso-  
8 lution, shall be entitled to be reimbursed, upon sub-  
9 mission of an expense voucher therefor, at a rate not to  
10 exceed thirty-five dollars per day in lieu of actual and  
11 necessary expenses for lodging and meals. No receipts  
12 shall be required to be submitted with any such ex-  
13 pense voucher.

**§4-2A-10. Affidavits required; approval by legislative auditor  
of vouchers; rules authorized.**

1 Any expense voucher submitted pursuant to the pro-  
2 visions of sections six, seven, eight or nine of this article  
3 must be verified by the affidavit of the member incur-  
4 ring such expense and all such expense vouchers shall  
5 be approved by the legislative auditor prior to submis-  
6 sion for payment.

7 The legislative auditor is hereby authorized to adopt  
8 such rules as may be necessary to implement or effectuate  
9 the provisions of this article.

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

*Mario J. Belmont*  
MEMBER Chairman Senate Committee

*Phyllis Rutledge*  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

*Samuel May Jr.*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Edmund C. East*  
President of the Senate

*Sam F. Bunker*  
Speaker House of Delegates

The within *approved* this the *15<sup>th</sup>*  
day of *February*, 1971.

*Arch A. Shaver Jr.*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 2/13/71

Time 10:25 a.m.

RECEIVED

FEB 15 12 34 PM '71

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA