AN ACT to amend and reenact section two-a, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the appointment, tenure and compensation of the commissioner of highways, director of mental health, commissioner of commerce, tax commissioner, director of department of natural resources, commissioner of department of welfare, alcohol beverage control commissioner, commissioner of public institutions, commissioner of employment security, commissioner of labor, director of personnel civil service commission, superintendent of department of public safety, insurance commissioner, commissioner of motor vehicles, commissioner of banking, members of the board of probation and parole, nonintoxicating beer commissioner, state historian and archivist, adjutant general, director of civil and defense mobilization, director of veterans affairs, members of board of review of employment security, members of workmen's compensation appeal board, state workmen's compensation commissioner, director of the department of mines, and commissioner of the department of finance and administration; provisions relating to filing of certificate by state official as to compensation of employees, salary increases contingent on filing of certificate.

Be it enacted by the Legislature of West Virginia:

That section two-a, article seven, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
§6-7-2a. Terms of certain appointive state officers; appointment; qualifications; powers and salaries of such officers.

Notwithstanding any other provision of this code to the contrary, on and after the effective date of this section each of the following named appointive state officers shall be appointed by the governor, by and with the advice and consent of the Senate. Each of such appointive state officers shall serve at the will and pleasure of the governor for the term for which the governor was elected and until the respective state officer's successors have been appointed and qualified. Each of such appointive state officers shall hereafter be subject to the existing qualifications for holding each such respective office and each shall have and is hereby granted all of the powers and authority and shall perform all of the functions and services heretofore vested in and performed by virtue of existing law respecting each such office. The annual salary of each such named appointive state officer shall be as follows:

The commissioner of highways, thirty-two thousand dollars; director of mental health, twenty-five thousand dollars; commissioner of commerce, twenty thousand dollars; tax commissioner, twenty-two thousand dollars; director of department of natural resources, twenty thousand dollars; commissioner of department of welfare, twenty-five thousand dollars; alcohol beverage control commissioner, twenty thousand dollars; commissioner of public institutions, twenty thousand dollars; commissioner of employment security, twenty-two thousand five hundred dollars; commissioner of labor, eighteen thousand dollars; director of personnel civil service commission, eighteen thousand dollars; superintendent of department of public safety, nineteen thousand dollars; insurance commissioner, twenty thousand dollars; commissioner of motor vehicles, eighteen thousand dollars; commissioner of banking, nineteen thousand dollars; members of the board of probation and parole, thirteen thousand five hundred dollars; nonintoxicating beer commissioner, fifteen thousand dollars; state historian and archivist, fifteen thousand dollars; adjutant general, fourteen thousand dollars; director of civil and defense mobilization, fourteen thousand dollars; director of veterans affairs, fifteen thousand dollars; members of board of review of employment
Provided, That the personal services account of the respective departments, boards, commissions or offices are adequately funded to provide the hereinafter required minimum annual salary.

No increase in the salary of any appointive state officer pursuant to this section shall be paid until and unless such appointive state officer files, on or after July first, one thousand nine hundred seventy-three, with the state auditor and the legislative auditor a certificate showing;

(1) That every full-time employee employed in such appointive state officer's department, board, commission or office is on the date of the certificate paid compensation at an annual rate of four thousand two hundred dollars or more;

(2) That every such full-time employee who has been in the continuous full-time employ of such department, board, commission or office at least since June thirtieth, one thousand nine hundred seventy-two, and receives compensation of less than ten thousand dollars annually, is on the date of such certificate paid compensation at a rate of one hundred five percent of the rate of compensation at which such employee was paid June thirtieth, one thousand nine hundred seventy-two. The effect of the foregoing proviso shall expire and terminate on June thirtieth, one thousand nine hundred seventy-four.

In the event that funds are not available to meet the provisions of (1) and (2) of the aforesaid paragraph, said appointed state official shall file a statement with the state auditor and the legislative auditor to that effect.

Nothing herein contained shall be construed to permit payment of any compensation in excess of the amount which can be paid state officers under the rules and regulations of the pay board established by the president of the United States by virtue of the authority vested in him by the Economic Stabilization Act of 1970, as from time to time amended.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. Daniel Darby  
Chairman Senate Committee

[Signature]

Chairman House Committee

Originated in the House.  

Howard W. Carson  
Clerk of the Senate

[Signature]

Clerk of the House of Delegates

W. T. Brotherton Jr.  
President of the Senate

[Signature]

Speaker House of Delegates

The within approved this the 27th day of April, 1973.

[Signature]

Governor
PRESENTED TO THE GOVERNOR

Date 4/27/73
Time 2:05 p.m.

RECEIVED

No. 3 2:17 P.M.

OFFICE OF SECRETARY OF STATE
STATE OF WEST VIRGINIA