

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1973

—●—

ENROLLED

*Committee Substitute*  
*For*  
HOUSE BILL No. 1187

(By Mr. *Seibert*)

—●—

PASSED *April 14* 1973

In Effect *July 1, 1973* Passage



C 641

FILED IN THE OFFICE  
EDGAR F. HEISKELL III  
SECRETARY OF STATE  
THIS DATE *5/3/73*

1187

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**House Bill No. 1187**  
**(By MR. SEIBERT)**

(Originating in the House Committee on Finance)

[Passed April 14, 1973; in effect July 1, 1973.]

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:

**ARTICLE 7. COMPENSATION AND ALLOWANCES.**

**§6-7-2a. Terms of certain appointive state officers; appointment; qualifications; powers and salaries of such officers.**

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

16 The commissioner of highways, thirty-two thousand dollars;  
17 director of mental health, twenty-five thousand dollars; com-  
18 missioner of commerce, twenty thousand dollars; tax com-  
19 missioner, twenty-two thousand dollars; director of department  
20 of natural resources, twenty thousand dollars; commissioner of  
21 department of welfare, twenty-five thousand dollars; alcohol  
22 beverage control commissioner, twenty thousand dollars; com-  
23 missioner of public institutions, twenty thousand dollars; com-  
24 missioner of employment security, twenty-two thousand five  
25 hundred dollars; commissioner of labor, eighteen thousand dol-  
26 lars; director of personnel civil service commission, eighteen  
27 thousand dollars; superintendent of department of public safety,  
28 nineteen thousand dollars; insurance commissioner, twenty  
29 thousand dollars; commissioner of motor vehicles, eighteen  
30 thousand dollars; commissioner of banking, nineteen thousand  
31 dollars; members of the board of probation and parole, thirteen  
32 thousand five hundred dollars; nonintoxicating beer commis-  
33 sioner, fifteen thousand dollars; state historian and archivist,  
34 fifteen thousand dollars; adjutant general, fourteen thousand  
35 dollars; director of civil and defense mobilization, fourteen  
36 thousand dollars; director of veterans affairs, fifteen thou-  
37 sand dollars; members of board of review of employment

38 security, twelve thousand dollars; members of workmen's  
39 compensation appeal board, eight thousand five hundred  
40 dollars; state workmen's compensation commissioner, twenty  
41 thousand dollars; finance and administration commissioner,  
42 twenty-two thousand dollars, director of the department of  
43 mines, twenty-five thousand dollars:

44 *Provided*, That the personal services account of the respec-  
45 tive departments, boards, commissions or offices are adequately  
46 funded to provide the hereinafter required minimum annual  
47 salary.

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

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

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

68 In the event that funds are not available to meet the pro-  
69 visions of (1) and (2) of the aforesaid paragraph, said ap-  
70 pointed state official shall file a statement with the state  
71 auditor and the legislative auditor to that effect.

72 Nothing herein contained shall be construed to permit pay-  
73 ment of any compensation in excess of the amount which can  
74 be paid state officers under the rules and regulations of the  
75 pay board established by the president of the United States by  
76 virtue of the authority vested in him by the Economic Stabili-  
77 zation 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. Darrel Darby  
Chairman Senate Committee

Clarence L. Christian Jr.  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1973.

Howard W. Carson  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. T. Brotherton, Jr.  
President of the Senate

Lewis J. M. M. M. M.  
Speaker House of Delegates

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

Ans. A. Prince Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date

4/27/73

Time

2:05 p.m.

RECEIVED

MAY 3 2 11 PM '73

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA