A message from the Senate, by Mr. Fanning, announced that the Senate had reconsidered Enrolled Senate Bill No. 232, heretofore disapproved and returned by His Excellency, the Governor, with his objections, passed the same, by a majority vote of all the members elected to the Senate, to take effect from passage, and requested the concurrence of the House in its action.

C. C. Dillon, Jr.
Clerk of the Senate

ENROLLED

SENATE BILL NO. 232

(By Mr. Ballast, Mr. President, and Mr. Rogerson)

PASSED February 3, 1975

In Effect from Passage

2/12/75
Reconsidered and again passed, notwithstanding the objections of the Governor, to take effect from passage, by a majority vote of the members elected to the House of Delegates.

Mr. Singlet to the Senate. And, in order to be in Order.
A message from the Senate, by

Mr. Fanning, announced that the Senate had reconsidered Enrolled Senate Bill No. 232, heretofore disapproved and returned by His Excellency, the Governor, with his objections, passed the same, by a majority vote of all the members elected to the Senate, to take effect from passage, and requested the concurrence of the House in its action.

\[ \text{C. C. Diller, Jr.} \]
\[ \text{Glerk of the Senate} \]

\[ \text{ENROLLED} \]

\[ \text{SENATE BILL NO. 232} \]

\[ \text{(By Mr.} \]
\[ \text{By Mr.} \]
\[ \text{Mr. President) and Mr. Rogers} \]

\[ \text{PASSED } \]
\[ \text{February 3, 1975} \]

\[ \text{In Effect from Passage} \]

\[ \text{2/12/75} \]

Reconsidered and again passed, notwithstanding the objections of the Governor, to take effect from passage, by a majority vote of the members elected to the House of Delegates,

Mr. Stumpf to the Senate, Clerk

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Passage
AN ACT to amend and reenact sections two, three, four, five, six, seven, eight, nine and ten, article two-a, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend article ten, chapter five of said code, by adding thereto a new section, designated section fifty-two; and to amend article sixteen of said chapter five, by adding thereto a new section, designated section seventeen-a, all to implement the one thousand nine hundred seventy-four recommendations of the citizens legislative compensation commission created by section thirty-three, article six of the West Virginia constitution, and relating to compensation for and expenses of members of the Legislature, the West Virginia public employees' retirement system as it applies to certain members of the Legislature and certain service by members of the Legislature and the West Virginia public employees' insurance act as it applies to members of the Legislature.

Be it enacted by the Legislature of West Virginia:

That sections two, three, four, five, six, seven, eight, nine and ten, article two-a, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; that article ten, chapter five of said code be amended by adding thereto a new section, designated section fifty-two; and that article sixteen of said chapter five be amended by adding thereto a new section, designated section seventeen-a, all to read as follows:

CHAPTER 4. THE LEGISLATURE.

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

PART II. COMPENSATION.

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

1. (a) Each member of the Legislature shall receive as compensation for his services the sum of four thousand eight hundred dollars per calendar year. For the year one thousand nine hundred seventy-five, said sum shall be payable to each member as soon as possible after the effective date of this section.
7 (b) Beginning in the year one thousand nine hundred
8 seventy-six and each year thereafter, said sum shall be
9 payable twice a month during each regular session of the
10 Legislature, without regard to any extension of such
11 regular session. In the event of the death, resignation or
12 removal of a member of the Legislature during a regular
13 session of the Legislature and the appointment and qualifi-
14 cation of his successor during any such regular session,
15 the compensation provided for in this section shall be
16 prorated between the original member and his successor
17 on the basis of the number of days served (including
18 Saturdays and Sundays) as a member of the Legislature
19 by each during said regular session.
20 (c) In the event of the death, resignation or removal
21 of a member of the Legislature and the appointment and
22 qualification of his successor subsequent to the regular
23 session of the Legislature held in the calendar year in
24 which such successor was appointed and qualified, none
25 of the compensation provided for in this section shall
26 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-five
4 dollars per day for each day of his attendance in person
5 upon any business of the Senate or House of Delegates,
6 as the case may be, on any day upon which said Senate
7 or House of Delegates is actually called to order during
8 any extraordinary session of the Legislature. Such addi-
9 tional compensation shall be paid from time to time dur-
10 ing any such extraordinary session, as may be prescribed
11 by rules established by the legislative auditor.

§4-2A-4. Additional compensation for president of Senate,
speaker of House of Delegates and minority leaders
of both houses.
1 In addition to the basic and additional compensation
2 provided for in sections two and three of this article, the
3 president of the Senate and the speaker of the House of
4 Delegates shall each receive additional compensation of
twenty-five dollars per day for each day actually served
during any regular or extraordinary session as presiding
officer, including Saturdays and Sundays.

In addition to the basic and additional compensation
provided for in sections two and three of this article, the
minority leader of the Senate and the minority leader
of the House of Delegates shall each receive additional
compensation of twelve dollars and fifty cents per day
for each day actually served during any regular or extraor-
dinary session as the elected legislative leaders of the
minority party, including Saturdays and Sundays.

Such presiding officer and minority leader compensation
shall be paid from time to time during any such session,
as may be prescribed by rules established by the legisla-
tive auditor.

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

In addition to the basic and any additional and pre-
siding officer and minority leader compensation provided
for in sections two, three and four of this article, each
member of the joint committee on government and fi-
nance and the commission on interstate cooperation shall
receive interim compensation of thirty-five dollars per
day for each day actually engaged in the performance
of interim duties as a member of either such committee
or commission between regular sessions of the Legislature:
Provided, That not more than twenty-eight members
combined of both such committee and commission shall
be entitled to receive the interim compensation author-
ized in this section, and the total additional interim com-
ensation payable to any such member and his replace-
ment, if any, on such committee or commission under the
provisions of this section shall not exceed the sum of one
thousand fifty dollars per calendar year.

PART III. EXPENSES.

§4-2A-6. Travel expenses.

Each member of the Legislature shall be entitled to be
reimbursed, upon submission of an expense voucher, for
expenses incurred incident to travel in the performance
§4-2A-7. Reimbursement for expenses incurred during any session.

In addition to reimbursement for any travel expenses, as provided for in section six of this article, each member of the Legislature shall also be entitled to be reimbursed, upon submission of an expense voucher therefor, for all reasonable and necessary expenses actually incurred in connection with any regular or extraordinary session of the Legislature, but the total of any and all such reimbursed expenses, exclusive of reimbursement for any such travel expenses as aforesaid, shall not exceed lodging expenses of twenty-two dollars per day or one hundred fifty-four dollars per week and meal and miscellaneous expenses of fifteen dollars per day or one hundred five dollars per week. A receipt for the amount paid for lodging shall be submitted with the expense voucher, but a receipt shall not be required to be submitted with any such expense voucher for meal and miscellaneous expenses. In lieu of reimbursement for lodging expenses pursuant to the provisions of this section, any member of the Legislature shall be entitled to be reimbursed, upon submission of an expense voucher, for expenses incurred incident to daily travel to and from his place
of residence and to and from the seat of government at a rate of fifteen cents per mile for the most direct usually traveled route, but the total of such daily travel expenses shall not exceed twenty-two dollars per day.

§4-2A-8. Interim expenses:

1. In addition to reimbursement for any travel expenses and any such reimbursements for any and all such session expenses as provided for in sections six and seven of this article, each member of the Legislature serving as a member of any committee of the Legislature established by and operating under general law and designated for the performance of interim assignments by the Legislature or otherwise duly authorized to perform interim assignments between regular sessions of the Legislature shall also be entitled to be reimbursed, upon submission of an expense voucher therefor, for all reasonable and necessary expenses actually incurred incident to the performance of duties as a member of any such committee, but the total of any and all such reimbursed interim expenses, exclusive of reimbursement for any such travel and session expenses as aforesaid, shall not under any circumstances exceed lodging expenses of twenty-two dollars per day or meal and miscellaneous expenses of fifteen dollars per day for each day actually engaged in the performance of interim duties as a member of any such committee. A receipt for the amount paid for lodging shall be submitted with the expense voucher, but a receipt shall not be required to be submitted with any such expense voucher for meal and miscellaneous expenses.

§4-2A-9. Out-of-state expenses:

1. In addition to reimbursement for travel expenses as authorized in section six of this article, each member of the Legislature traveling from West Virginia to an out-of-state point, or points, and return incident to the performance of his duties as a member of the Legislature or any committee of the Legislature, whether such committee is operating under general law or resolution, which travel has been duly authorized, shall be entitled to be reimbursed, upon submission of an expense voucher
therefor, for all reasonable and necessary expenses actually incurred incident thereto, but the total of any and all such reimbursed expenses, exclusive of reimbursement for such travel expenses, shall not under any circumstances exceed lodging expenses of thirty dollars per day or meal and miscellaneous expenses of twenty dollars per day. A receipt for the amount paid for lodging and for travel to and from West Virginia shall be submitted with the expense voucher, but a receipt shall not be required to be submitted with any such expense voucher for meal and miscellaneous expenses.

§4-2A-10. Affidavits required; approval by legislative auditor of vouchers; travel expenses within Charleston not reimbursable; rules authorized.

Any expense voucher submitted pursuant to the provisions of section six, seven, eight or nine of this article must be verified by the affidavit of the member incurring such expense and all such expense vouchers shall be approved by the legislative auditor prior to submission for payment.

Notwithstanding any other provisions of this article to the contrary, no member of the Legislature who resides within the corporate limits of the city of Charleston may be reimbursed under this article for any travel expenses incurred within such corporate limits.

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

CHAPTER 5. GENERAL POWERS AND DUTIES OF THE GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS; STATE BUILDING COMMISSION; SOCIAL SECURITY AGENCY; PUBLIC RECORDS MANAGEMENT AND PRESERVATION ACT; DEPARTMENT OF COMMERCE; WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT; HUMAN RIGHTS COMMISSION; WEST VIRGINIA ANTIQUITIES COMMISSION; PUBLIC EMPLOYEES' AND TEACHERS' RECIPROCAL SERVICE CREDIT ACT; WHITE CANE LAW; WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.
ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.

§5-10-52. Specific provisions relating to certain members of the Legislature and certain service by members of the Legislature.

The provisions of this article specifying that a legislator may be a member of the retirement system and at the same time also a member of another state or political subdivision retirement program and may receive credit in the retirement system from two or more public employments simultaneously and authorizing automatic increases in the annuities of retired legislators based upon increases in compensation paid to members of the Legislature shall not be applicable to any member of the Legislature who first becomes a member of the retirement system as a member of the Legislature during the year one thousand nine hundred seventy-one, or any year thereafter, nor shall such provisions be applicable to the computation of service, credited service or benefits for any period of service as a member of the Legislature for the year one thousand nine hundred seventy-one, or any year thereafter.

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-17a. Members of Legislature may be covered, if cost of the entire coverage is paid by such members.

Notwithstanding the definition of the term "employee" contained in section two of this article and notwithstanding any other provision of this article to the contrary, members of the Legislature may participate in and be covered by any insurance plan or plans authorized hereunder for state officers and employees, except that all members of the Legislature who elect to participate in or to be covered by any such plan or plans shall pay their proportionate individual share of the full cost for all group coverage on themselves and their spouses and dependents, so that there will be no cost to the state for the coverage of any such members, spouses and dependents.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Effective from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within disappeared this the 8th day of February, 1975.

Governor
PRESENTED TO THE GOVERNOR

Date 2/4/75
Time 5:00 p.m.