WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1979

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ENROLLED

SENATE BILL NO. 101

(By Mr. Broaddus, Mr. President)

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PASSED

January 25, 1979

In Effect

Passed
AN ACT to amend and reenact sections two through ten, inclusive, article two-a, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to implementing recommendations of one thousand nine hundred seventy-nine 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.

Be it enacted by the Legislature of West Virginia:

That sections two through ten, inclusive, article two-a, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

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

PART II. COMPENSATION.

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

(a) Each member of the Legislature shall receive as basic compensation for his services the sum of five thousand one hundred thirty-six dollars per calendar year as basic compensation, plus additional compensations as are expressly provided for in sections three, four and five of this article. For the year one thousand nine hundred seventy-nine, said basic compensation shall be payable to each member as soon as possible after the effective date of this section.

(b) Beginning in the year one thousand nine hundred eighty and each year thereafter, said basic compensation shall be payable twice a month during each regular
session of the Legislature, without regard to any exten-
sion of such regular session. In the event of the death,
resignation or removal of a member of the Legislature
during a regular session of the Legislature and the ap-
pointment and qualification of his successor during any
such regular session, the basic compensation provided
for in this section shall be prorated between the original
member and his successor on the basis of the number of
days served (including Saturdays and Sundays) as a
member of the Legislature by each during said regular
session.

(c) In the event of the death, resignation or removal
of a member of the Legislature and the appointment and
qualification of his successor subsequent to the regular
session of the Legislature held in the calendar year in
which such successor was appointed and qualified, none
of the basic compensation provided for in this section
shall be paid to such successor.

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

Each member of the Legislature shall receive, in addi-
tion to the basic compensation provided for in section
two of this article, additional compensation of thirty-five
dollars per day for each day of his attendance in person
upon any business of the Senate or House of Delegates,
as the case may be, on each day upon which said Senate
or House of Delegates is actually called to order during
each extraordinary session of the Legislature. Such ad-
ditional compensation shall be paid from time to time
during any such extraordinary session, as may be pre-
scribed by rules established by the legislative auditor.

§4-2A-4. Additional compensation for president of Senate,
speaker of House of Delegates, majority leaders and
minority leaders of both houses.

(a) In addition to the basic and additional compensation
provided for in sections two and three of this article, the
president of the Senate and the speaker of the House
of Delegates shall each receive additional compensation
of:
(1) Thirty-five dollars per day for each day actually served during any regular or extraordinary session as presiding officer, including Saturdays and Sundays; and

(2) Thirty-five dollars per day up to a maximum of eighty such days per calendar year for attending to legislative business in their offices in the Capitol Building when the Legislature is not in regular or extraordinary session and interim committees are not meeting.

(b) In addition to the basic and additional compensation provided for in sections two and three of this article, the majority leaders and minority leaders of the Senate and of the House of Delegates shall each receive additional compensation of fifteen dollars per day for each day actually served during any regular or extraordinary session as the selected legislative leaders of their respective political parties, including Saturdays and Sundays.

(c) Such presiding officer and majority and minority leader compensation shall be paid from time to time during any such session or interim period, as the case may be, as may be prescribed by rules established by the legislative auditor.

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

(a) In addition to the basic and any additional and presiding officer and majority and minority leader compensation provided for in sections two, three and four of this article, each member of the joint committee on government and finance 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 authorized in this section, and the total additional interim compensation payable to any such member and his replacement, if any, on such committee or com-
mission under the provisions of this section shall not exceed the sum of one thousand fifty dollars per calendar year.

(b) If, for whatever reason, the Legislature should restructure its interim committee meetings along any lines whatsoever, the interim compensation authorized in subsection (a) of this section for members of the joint committee on government and finance and of the commission on interstate cooperation and the additional interim compensation authorized in this subsection may be authorized as interim compensation by the Legislature as it may determine, but not to exceed either thirty-five dollars per member of the Legislature per day for each day actually engaged in the performance of interim duties as a member of the Legislature, or a total of one thousand fifty dollars per calendar year for any one member, or a total of fifty-five thousand dollars per calendar year for all such interim compensation for the members of both houses of the Legislature combined.

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 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, including, but not limited to, attendance at party caucuses held in advance of the date of the assembly of the Legislature in regular session in odd-numbered years for the purpose of selecting candidates for officers of the two houses, at the rate of seventeen cents per mile for the most direct usually traveled route, if travel is by private automobile, or for actual transportation costs for direct route travel, if travel is by public carrier, or for any combination of such means of transportation actually used, plus the cost of necessary taxi or limousine service, tolls and parking fees in connection therewith, but during any regular or extraordinary session, travel expenses shall not be paid to any member for more than one round trip to and from the
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In addition to the above travel expense, the president of the Senate and the speaker of the House of Delegates shall be entitled to be reimbursed as provided above, upon submission of an expense voucher, for expenses incurred incident to travel for up to a maximum of eighty days per calendar year in connection with their visits to the Capitol Building for business which is related to their duties as presiding officers of the respective houses of the Legislature, but which takes place when the Legislature is not in regular or extraordinary session and interim committees are not meeting.

§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 thirty dollars per day and meal and miscellaneous expenses of twenty dollars per day. 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 seventeen cents per mile for the most direct usually traveled route, but the total of such daily travel expenses shall not exceed thirty dollars per night.

§4-2A-8. Interim expenses.

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 thirty dollars per day and meal and miscellaneous expenses of twenty dollars per day for each day actually engaged in the performance of interim duties as a member of any such committee. The president of the Senate and the speaker of the House of Delegates shall be entitled to be reimbursed for lodging expenses and for meal and miscellaneous expenses incurred in connection with their visits to the Capitol Building for business which is related to their duties as presiding officers of the respective houses of the Legislature, but which takes place when the Legislature is not in regular or extraordinary session and interim committees are not meeting, not to exceed lodging expenses of thirty dollars per day and meal and miscellaneous expenses of twenty dollars per day up to a maximum of eighty such days per calendar year. 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 seventeen cents per mile for the most direct usually traveled route, but the
total of such daily travel expenses shall not exceed thirty dollars per night.


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 the actual cost of lodging at the least expensive available single rate and meal and miscellaneous expenses of twenty-five dollars per day. A receipt for the amount paid for lodging and for travel by any public transportation 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 and lodging 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 and lodging expenses incurred within such corporate limits. The legislative auditor is hereby authorized to adopt, amend and repeal such rules as may be necessary to implement or effectuate the provisions of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Florence E. Chandler
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J.C. Derrick
Clerk of the Senate

L.A. Blankenship
Clerk of the House of Delegates

W.F. Bolender
President of the Senate

M.N. S. Spiker
Speaker House of Delegates

The within is approved this the 20th day of January, 1979.

John Robley
Governor