WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984

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ENROLLED

HOUSE BILL No. 2082

(By Del. Polan and Del. Teets)

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Passed March 9, 1984

In Effect Ninety Days From Passage
AN ACT to amend and reenact sections two through nine, inclusive, article two-a, chapter four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to implementing the recommendations of the resolution of the citizens legislative compensation commission, dated the twenty-second day of December, one thousand nine hundred eighty-two, with such commission being created by article six, section thirty-three of the constitution of West Virginia; and relating to the compensation for and expenses of members of the Legislature effective for calendar year one thousand nine hundred eighty-five, and each calendar year thereafter.

Be it enacted by the Legislature of West Virginia:

That sections two through nine, 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.
1 (a) Each member of the Legislature shall receive as basic
2 compensation for his services the sum of five thousand one
3 hundred thirty-six dollars per calendar year through calendar
year one thousand nine hundred eighty-four. Each member of
the Legislature shall receive as basic compensation for his
services the sum of six thousand five hundred dollars per
calendar year for calendar year one thousand nine hundred
eighty-five, and for each calendar year thereafter. In addi-
tion to such basic compensation, members shall receive the
additional compensations as are expressly provided for in
sections three, four and five of this article.

The increased basic compensation as set forth in this
subsection and all other increased amounts or new amounts
in respect to the compensation or expenses of members of
the Legislature, set forth in the resolution of the citizens
legislative compensation commission, dated the twenty-second
day of December, one thousand nine hundred eighty-two, and
implemented in sections two through nine of this article
providing for new amounts or amounts increased to new
amounts greater than those in force and effect on the first day
of January, one thousand nine hundred eighty-four, shall all
become effective only for calendar year one thousand nine
hundred eighty-five, and each calendar year thereafter.

(b) Beginning in the year one thousand nine hundred
eighty, and each year thereafter, such basic compensation
shall be payable twice a month during each regular session
of the Legislature, without regard to any extension 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 appointment and qualifica-
tion 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 Sun-
days) as a member of the Legislature by each during such
regular session of sixty calendar days.

(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 extension of regular session or during extraordinary session.

Each member of the Legislature shall receive, in addition to the basic compensation provided for in section two of this article, additional compensation of fifty dollars per day for each day of attendance in person upon any business of the Senate or House of Delegates, as the case may be, on each day upon which the Senate or House of Delegates is actually called to order during each extension of regular session or during extraordinary session of the Legislature. Such additional compensation shall be paid from time to time during any such extended session or extraordinary session, as may be prescribed 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) Fifty dollars per day for each day actually served during any regular, extension of regular or extraordinary session as presiding officer, including Saturdays and Sundays; and

(2) One hundred 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, extension of 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 twenty-five dollars per day for each day actually
served during any regular, extension of regular or during
extraordinary session, including Saturdays and Sundays, as
the selected legislative leaders of their respective political
parties.

(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 inter-
state cooperation and for restructured interim meetings.

(a) In addition to the basic and any additional and
presiding officer and majority and minority leader compensa-
tion 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 re-
ceive interim compensation of fifty dollars per day for each
day actually engaged in the performance of interim duti-es
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 com-
ensation authorized in this section, and the total additional
interim compensation payable to any such member and his
replacement, if any, on such committee or commission under
the provisions of this section shall not exceed the sum of one
thousand five hundred dollars per calendar year.

(b) If, for whatever reason, the Legislature should re-
structure its interim committee meetings along any lines
whatsoever, the interim compensation authorized in sub-
section (a) of this section for members of the joint com-
mittee 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 fifty 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 five hundred dollars per calendar year for any
one member, or a total of sixty-five thousand dollars per
calendar year for all such interim compensation for the mem-
ers 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 ex-
penses 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, at-
tendance 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 twenty 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, extension of regular or extraordinary session, travel
expenses shall not be paid to any member for more than one
round trip to and from the seat of government and to and
from his place of residence for each week of any such session.

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 pre-
siding officers of the respective houses of the Legislature, but
which takes place when the Legislature is not in regular, ex-
tension of regular or extraordinary session and interim com-
mittees 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, extension of 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 housing expenses of forty dollars per day and meal and miscellaneous expenses of thirty dollars per day. An additional housing expense allowance of twenty-five dollars per day shall be received by the president of the Senate and the speaker of the House of Delegates, but only during the regular or an extension of the regular sessions of the Legislature. A receipt for the amount paid for housing expenses 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. The Legislature may provide for direct billing of housing expenses of legislators to be made to the Legislature from recognized hotels or motels. In lieu of reimbursement for housing 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 twenty cents per mile for the most direct usually traveled route, but the total of such daily travel expenses shall not exceed forty 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 en-
titled 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 housing expenses of forty dollars per day and meal and miscellaneous expenses of thirty 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 housing 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, extension of regular or extraordinary session and interim committees are not meeting, not to exceed housing expenses of forty dollars per day and meal and miscellaneous expenses of thirty dollars per day up to a maximum of eighty such days per calendar year. A receipt for the amount paid for housing 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 housing 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 twenty cents per mile for the most direct usually traveled route, but the total of such daily travel expenses shall not exceed forty 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 any 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 housing at the least expensive available single rate and meal and miscellaneous expenses of thirty dollars per day. A receipt for the amount paid for housing 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.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Donald Anello  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Ted C. Wells  
Clerk of the Senate

Donald L. Hargrove  
Clerk of the House of Delegates

Wane R. Mahone  
President of the Senate

Grant E. Seabrook  
Speaker House of Delegates

The within is approved this the 30th day of March, 1984.

John E. Roddy  
Governor