WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1997

ENROLLED

SENATE BILL NO. 558

(By Senator HELWICK, ET AL.)

PASSED APRIL 10, 1997
In Effect JULY 1, 1997
AN ACT to amend and reenact sections sixteen and seventeen, article one-b, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to pay allowances for the national guard; and increasing the pay for the national guard.

Be it enacted by the Legislature of West Virginia:

That sections sixteen and seventeen, article one-b, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

ARTICLE 1B. NATIONAL GUARD.

§15-1B-16. Pay and allowances.
(a) Pay and allowances for officers and enlisted personnel of the national guard for drill, encampment or other duty for training prescribed or ordered by the federal government, shall be such as are provided by the laws of the United States.

(b) Officers and enlisted personnel of the national guard in active service of the state shall receive the same pay and allowances, in accordance with their rank and service, as are prescribed for the armed forces of the United States: Provided, That no member of the national guard shall receive base pay of less than seventy-five dollars per day while he or she is in active service of the state.

(c) Notwithstanding any of the provisions of this article, members of the national guard, may, with their consent, perform without pay, or without pay and allowances, any duties prescribed by section thirteen of this article pursuant to competent orders therefor: Provided, That necessary expenses may be furnished such personnel within the discretion of the adjutant general.

§15-1B-17. Command pay; inspections; compensation for clerical services and care of property.

(a) There may be paid to each commander of a brigade, regiment, air wing, army group or other corresponding type organization, one hundred dollars per month and to each commander of a battalion, army squadron, air group or other equivalent type organization, fifty dollars per month, and to each commander of a company, air squadron or other equivalent type organization, twenty-five dollars per month, payable quarterly, to be known as command pay.

(b) There shall be allowed to each headquarters of a brigade, regiment, air wing, army group or equivalent type organization the sum of one hundred dollars per month and each headquarters of a battalion, army squadron, air group or corresponding type organization, the sum of fifty dollars per month for clerical services; and to each company air squadron or corresponding type unit, the sum of twenty-five dollars per month for like services, payable quarterly. The commandant of the West Virginia military
academy shall be allowed the sum of twenty-five dollars a month, payable quarterly, for like services.

(c) At the discretion of the adjutant general, there may be paid to the enlisted man or woman who is directly responsible for the care and custody of the federal and state property of each organization or unit, the sum of ten dollars per month, payable quarterly, upon the certificate of his or her commanding officer, that he or she has faithfully and satisfactorily performed the duties assigned him or her and accounted for all property entrusted to his or her care.

(d) The adjutant general shall determine the amount of entitlement to command pay and clerical pay, not to exceed the amounts set forth in subsections (a) and (b) of this section, using organizational charts showing chain of command and authorized strengths and defining other equivalent type organizations.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.
To take effect July 1, 1997.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ............... was approved this the ............... day of ............... , 1997.

Governor