WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 309

(SENATORS BOWMAN, PLYMALE, OLIVERIO AND SYPOLT, original sponsors)

[Passed March 8, 2008; to take effect July 1, 2008.]
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[Passed March 8, 2008; to take effect July 1, 2008.]

AN ACT to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating to the terms of certain appointed state officers; qualifications; powers and salaries of such officers; and clarifying salary when one person is serving as both the Secretary of Transportation and the Commissioner of Highways.

Be it enacted by the Legislature of West Virginia:

That §6-7-2a of the Code of West Virginia, 1931, 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.

(a) Each of the following appointive state officers named in this subsection shall be appointed by the Governor, by and with the advice and consent of the Senate. Each of the appointive state officers serves at the will and pleasure of the Governor for the term for which the Governor was elected and until the respective state officers' successors have been appointed and qualified. Each of the appointive state officers are subject to the existing qualifications for holding each respective office and each has and is hereby granted all of the powers and authority and shall perform all of the functions and services heretofore vested in and performed by virtue of existing law respecting each office.

Prior to the first day of July, two thousand six, each such named appointive state officer shall continue to receive the annual salaries they were receiving as of the effective date of the enactment of this section in two thousand six and thereafter, notwithstanding any other provision of this code to the contrary, the annual salary of each named appointive state officer shall be as follows:

- Commissioner, Division of Highways, ninety-two thousand five hundred dollars;
- Commissioner, Division of Corrections, eighty thousand dollars;
- Director, Division of Natural Resources, seventy-five thousand dollars;
- Superintendent, State Police, eighty-five thousand dollars;
- Commissioner, Division of Banking, seventy-five thousand dollars;
- Commissioner, Division of Motor Vehicles, seventy-five thousand dollars;
- Chairman, Health Care Authority, eighty thousand dollars;
- members, Health Care Authority, seventy thousand dollars;
- Director, Human Rights Commission, fifty-five thousand dollars;
- Commissioner, Division of
Labor, seventy thousand dollars; Director, Division of
Veterans’ Affairs, sixty-five thousand dollars; 
Chairperson, Board of Parole, fifty-five thousand 
dollars; members, Board of Parole, fifty thousand 
dollars; members, Employment Security Review Board, 
fifteen thousand dollars; and Commissioner, Bureau 
of Employment Programs, seventy-five thousand 
dollars. Secretaries of the departments shall be paid an 
annual salary as follows: Health and Human Resources, 
ninety-five thousand dollars; Transportation, 
ninety-five thousand dollars: Provided, That if the same 
person is serving as both the Secretary of 
Transportation and the Commissioner of Highways, he 
or she shall be paid one hundred twenty thousand 
dollars; Revenue, ninety-five thousand dollars; Military 
Affairs and Public Safety, ninety-five thousand dollars; 
Administration, ninety-five thousand dollars; 
Education and the Arts, ninety-five thousand dollars; 
Commerce, ninety-five thousand dollars; and 
Environmental Protection, ninety-five thousand 
dollars: Provided, however, That any increase in the 
salary of any current appointive state officer named in 
this subsection pursuant to the reenactment of this 
subsection during the regular session of the Legislature 
in two thousand six that exceeds five thousand dollars 
shall be paid to such officer or his or her successor 
beginning on the first day of July, two thousand six, in 
annual increments of five thousand dollars per fiscal 
year, up to the maximum salary provided in this 
subsection: Provided further, That if the same person is 
serving as both the Secretary of Transportation and the 
Commissioner of Highways, then the annual increments 
of five thousand dollars per fiscal year do not apply.

(b) Each of the state officers named in this subsection 
shall continue to be appointed in the manner prescribed 
in this code and, prior to the first day of July, two 
thousand six, each of the state officers named in this 
subsection shall continue to receive the annual salaries 
he or she was receiving as of the effective date of the 
enactment of this section in two thousand six and shall 
thereafter, notwithstanding any other provision of this 
code to the contrary, be paid an annual salary as
follows:

Director, Board of Risk and Insurance Management, eighty thousand dollars; Director, Division of Rehabilitation Services, seventy thousand dollars; Director, Division of Personnel, seventy thousand dollars; Executive Director, Educational Broadcasting Authority, seventy-five thousand dollars; Secretary, Library Commission, seventy-two thousand dollars; Director, Geological and Economic Survey, seventy-five thousand dollars; Executive Director, Prosecuting Attorneys Institute, seventy thousand dollars; Executive Director, Public Defender Services, seventy thousand dollars; Commissioner, Bureau of Senior Services, seventy-five thousand dollars; Director, State Rail Authority, sixty-five thousand dollars; Executive Director, Women’s Commission, forty-five thousand dollars; Director, Hospital Finance Authority, thirty-five thousand dollars; member, Racing Commission, twelve thousand dollars; Chairman, Public Service Commission, eighty-five thousand dollars; members, Public Service Commission, eighty-five thousand dollars; Director, Division of Forestry, seventy-five thousand dollars; Director, Division of Juvenile Services, eighty thousand dollars; and Executive Director, Regional Jail and Correctional Facility Authority, eighty thousand dollars: Provided, That any increase in the salary of any current appointive state officer named in this subsection pursuant to the reenactment of this subsection during the regular session of the Legislature in two thousand six that exceeds five thousand dollars shall be paid to such officer or his or her successor beginning on the first day of July, two thousand six, in annual increments of five thousand dollars per fiscal year, up to the maximum salary provided in this subsection.

(c) Each of the following appointive state officers named in this subsection shall be appointed by the Governor, by and with the advice and consent of the Senate. Each of the appointive state officers serves at the will and pleasure of the Governor for the term for which the Governor was elected and until the respective
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state officers’ successors have been appointed and
qualified. Each of the appointive state officers are
subject to the existing qualifications for holding each
respective office and each has and is hereby granted all
of the powers and authority and shall perform all of the
functions and services heretofore vested in and
performed by virtue of existing law respecting each
office.

Prior to the first day of July, two thousand six, each
such named appointive state officer shall continue to
receive the annual salaries they were receiving as of the
effective date of the enactment of this section in two
thousand six, and thereafter, notwithstanding any other
provision of this code to the contrary, the annual salary
of each named appointive state officer shall be as
follows:

Commissioner, State Tax Division, ninety-two
thousand five hundred dollars; Commissioner,
Insurance Commission, ninety-two thousand five
hundred dollars; Director, Lottery Commission,
ninety-two thousand five hundred dollars; Director,
Division of Homeland Security and Emergency
Management, sixty-five thousand dollars; and Adjutant
General, ninety-two thousand five hundred dollars;

(d) No increase in the salary of any appointive state
officer pursuant to this section shall be paid until and
unless the appointive state officer has first filed with
the State Auditor and the Legislative Auditor a sworn
statement, on a form to be prescribed by the Attorney
General, certifying that his or her spending unit is in
compliance with any general law providing for a salary
increase for his or her employees. The Attorney
General shall prepare and distribute the form to the
affected spending units.

The 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, 2008.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this 28th Day of March 2008.

Governor