

HB 2606

FILED

2014 MAR 21 P 1:44

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2014



**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2606**

(By Delegates Hartman, Cambell, A. Evans,  
Rowan, Boggs and Lynch)



Passed March 8, 2014

In effect from passage.

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**H. B. 2606**

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(BY DELEGATES HARTMAN, CAMPBELL, A. EVANS,  
ROWAN, BOGGS AND LYNCH)

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[Passed March 8, 2014; in effect from passage.]

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AN ACT to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §29-18-4a, all relating to having the salary of the executive director of the West Virginia State Rail Authority set by the authority; and limiting such salary.

*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; and that said code be amended by adding thereto a new section, designated §29-18-4a, all to read as follows:

44:1 9 15: CHAPTER 6. GENERAL PROVISIONS  
RESPECTING OFFICERS.

ARTICLE 7. COMPENSATION AND ALLOWANCES.

**§6-7-2a. Terms of certain appointive state officers; appointment; qualifications; powers and salaries of such officers.**

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

12 The annual salary of each named appointive state officer is  
13 as follows:

14 Commissioner, Division of Highways, \$92,500;  
15 Commissioner, Division of Corrections, \$80,000; Director,  
16 Division of Natural Resources, \$75,000; Superintendent, State  
17 Police, \$85,000; Commissioner, Division of Banking, \$75,000;  
18 Commissioner, Division of Culture and History, \$65,000;  
19 Commissioner, Alcohol Beverage Control Commission,  
20 \$75,000; Commissioner, Division of Motor Vehicles, \$75,000;  
21 Chairman, Health Care Authority, \$80,000; members, Health  
22 Care Authority, \$70,000; Director, Human Rights Commission,  
23 \$55,000; Commissioner, Division of Labor, \$70,000; prior to  
24 July 1, 2011, Director, Division of Veterans Affairs, \$65,000;  
25 Chairperson, Board of Parole, \$55,000; members, Board of  
26 Parole, \$50,000; members, Employment Security Review Board,  
27 \$17,000; and Commissioner, Workforce West Virginia, \$75,000.  
28 Secretaries of the departments shall be paid an annual salary as

29 follows: Health and Human Resources, \$95,000; Transportation,  
30 \$95,000; *Provided*, That if the same person is serving as both the  
31 Secretary of Transportation and the Commissioner of Highways,  
32 he or she shall be paid \$120,000; Revenue, \$95,000; Military  
33 Affairs and Public Safety, \$95,000; Administration, \$95,000;  
34 Education and the Arts, \$95,000; Commerce, \$95,000; Veterans'  
35 Assistance, \$95,000; and Environmental Protection, \$95,000:  
36 *Provided, however*, That any officer specified in this subsection  
37 whose salary is increased by more than \$5,000 as a result of the  
38 amendment and reenactment of this section during the 2011  
39 regular session of the Legislature shall be paid the salary  
40 increase in increments of \$5,000 per fiscal year beginning July  
41 1, 2011 up to the maximum salary provided in this subsection.

42 (b) Each of the state officers named in this subsection shall  
43 continue to be appointed in the manner prescribed in this code,  
44 and shall be paid an annual salary as follows:

45 Director, Board of Risk and Insurance Management,  
46 \$80,000; Director, Division of Rehabilitation Services, \$70,000;  
47 Director, Division of Personnel, \$70,000; Executive Director,  
48 Educational Broadcasting Authority, \$75,000; Secretary, Library  
49 Commission, \$72,000; Director, Geological and Economic  
50 Survey, \$75,000; Executive Director, prosecuting attorneys  
51 Institute, \$70,000; Executive Director, Public Defender Services,  
52 \$70,000; Commissioner, Bureau of Senior Services, \$75,000;  
53 Executive Director, Women's Commission, \$45,000; Director,  
54 Hospital Finance Authority, \$35,000; member, Racing  
55 Commission, \$12,000; Chairman, Public Service Commission,  
56 \$85,000; members, Public Service Commission, \$85,000;  
57 Director, Division of Forestry, \$75,000; Director, Division of  
58 Juvenile Services, \$80,000; and Executive Director, Regional  
59 Jail and Correctional Facility Authority, \$80,000.

60 (c) Each of the following appointive state officers named in  
61 this subsection shall be appointed by the Governor, by and with  
62 the advice and consent of the Senate. Each of the appointive state

63 officers serves at the will and pleasure of the Governor for the  
64 term for which the Governor was elected and until the respective  
65 state officers' successors have been appointed and qualified.  
66 Each of the appointive state officers are subject to the existing  
67 qualifications for holding each respective office and each has  
68 and is hereby granted all of the powers and authority and shall  
69 perform all of the functions and services heretofore vested in and  
70 performed by virtue of existing law respecting each office.

71 The annual salary of each named appointive state officer  
72 shall be as follows:

73 Commissioner, State Tax Division, \$92,500; Insurance  
74 Commissioner, \$92,500; Director, Lottery Commission,  
75 \$92,500; Director, Division of Homeland Security and  
76 Emergency Management, \$65,000; and Adjutant General,  
77 \$125,000.

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

## **CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.**

### **ARTICLE 18. WEST VIRGINIA STATE RAIL AUTHORITY.**

#### **§29-18-4a. West Virginia State Rail Authority director's salary set by the authority.**

1 (a) Notwithstanding any other provisions of this code to the  
2 contrary, the salary of the Executive Director of the State Rail  
3 Authority shall be set by the authority: *Provided*, That the salary

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4 set by the State Rail Authority for the Executive Director may  
5 not be less than \$60,000 and not more than \$70,000 per year.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Danny Wells*  
Chairman, House Committee

*Rocky Fulmer*  
Chairman, Senate Committee

Originating in the House.

In effect from passage.

*Gregg M. Scaf*  
Clerk of the House of Delegates

*Joseph W. Minard*  
Clerk of the Senate

*Robert M. Utter*  
Speaker of the House of Delegates

*Jeffrey M. Rosen*  
President of the Senate

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The within *is approved* this the *21st*  
day of *March*, 2014.

*Earl Ray Tomblin*  
Governor

PRESENTED TO THE GOVERNOR

MAR 20 2014

Time 11:05 am