

No: 2082

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WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984



ENROLLED

HOUSE BILL No. 2082

(By ~~MR.~~ Del Polan + Del Teets)



Passed March 9, 1984

In Effect Ninety Days From Passage



ENROLLED

H. B. 2082

(By DELEGATE POLAN and DELEGATE TEETS)

(Originating in the House Committee on Finance)

[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

4 year one thousand nine hundred eighty-four. Each member of
5 the Legislature shall receive as basic compensation for his
6 services the sum of six thousand five hundred dollars per
7 calendar year for calendar year one thousand nine hundred
8 eighty-five, and for each calendar year thereafter. In addi-
9 tion to such basic compensation, members shall receive the
10 additional compensations as are expressly provided for in
11 sections three, four and five of this article.

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

24 (b) Beginning in the year one thousand nine hundred
25 eighty, and each year thereafter, such basic compensation
26 shall be payable twice a month during each regular session
27 of the Legislature, without regard to any extension of such
28 regular session. In the event of the death, resignation or
29 removal of a member of the Legislature during a regular
30 session of the Legislature and the appointment and qualifica-
31 tion of his successor during any such regular session, the basic
32 compensation provided for in this section shall be prorated
33 between the original member and his successor on the basis
34 of the number of days served (including Saturdays and Sun-
35 days) as a member of the Legislature by each during such
36 regular session of sixty calendar days.

37 (c) In the event of the death, resignation or removal of
38 a member of the Legislature and the appointment and
39 qualification of his successor subsequent to the regular session
40 of the Legislature held in the calendar year in which such
41 successor was appointed and qualified, none of the basic

42 compensation provided for in this section shall be paid to
43 such successor.

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

1 Each member of the Legislature shall receive, in addition to
2 the basic compensation provided for in section two of this
3 article, additional compensation of fifty dollars per day for
4 each day of attendance in person upon any business of the
5 Senate or House of Delegates, as the case may be, on each day
6 upon which the Senate or House of Delegates is actually called
7 to order during each extension of regular session or during
8 extraordinary session of the Legislature. Such additional
9 compensation shall be paid from time to time during any
10 such extended session or extraordinary session, as may be
11 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.

1 (a) In addition to the basic and additional compensation
2 provided for in sections two and three of this article, the
3 president of the Senate and the speaker of the House of
4 Delegates shall each receive additional compensation of:

5 (1) Fifty dollars per day for each day actually served during
6 any regular, extension of regular or extraordinary session as
7 presiding officer, including Saturdays and Sundays; and

8 (2) One hundred dollars per day up to a maximum of
9 eighty such days per calendar year for attending to legislative
10 business in their offices in the Capitol building when the
11 Legislature is not in regular, extension of regular or extra-
12 ordinary session and interim committees are not meeting.

13 (b) In addition to the basic and additional compensation
14 provided for in sections two and three of this article, the
15 majority leaders and minority leaders of the Senate and of the
16 House of Delegates shall each receive additional com-
17 pensation of twenty-five dollars per day for each day actually

18 served during any regular, extension of regular or during
19 extraordinary session, including Saturdays and Sundays, as
20 the selected legislative leaders of their respective political
21 parties.

22 (c) Such presiding officer and majority and minority leader
23 compensation shall be paid from time to time during any such
24 session or interim period, as the case may be, as may be
25 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.**

1 (a) In addition to the basic and any additional and
2 presiding officer and majority and minority leader compensa-
3 tion provided for in sections two, three and four of this
4 article, each member of the joint committee on government and
5 finance and the commission on interstate cooperation shall re-
6 ceive interim compensation of fifty dollars per day for each
7 day actually engaged in the performance of interim duties
8 as a member of either such committee or commission between
9 regular sessions of the Legislature: *Provided*, That not more
10 than twenty-eight members combined of both such committee
11 and commission shall be entitled to receive the interim com-
12 pensation authorized in this section, and the total additional
13 interim compensation payable to any such member and his
14 replacement, if any, on such committee or commission under
15 the provisions of this section shall not exceed the sum of one
16 thousand five hundred dollars per calendar year.

17 (b) If, for whatever reason, the Legislature should re-
18 structure its interim committee meetings along any lines
19 whatsoever, the interim compensation authorized in sub-
20 section (a) of this section for members of the joint com-
21 mittee on government and finance and of the commission on
22 interstate cooperation and the additional interim compensation
23 authorized in this subsection may be authorized as interim
24 compensation by the Legislature as it may determine, but
25 not to exceed either fifty dollars per member of the Legislature
26 per day for each day actually engaged in the performance of
27 interim duties as a member of the Legislature, or a total of

28 one thousand five hundred dollars per calendar year for any
29 one member, or a total of sixty-five thousand dollars per
30 calendar year for all such interim compensation for the mem-
31 bers of both houses of the Legislature combined.

PART III. EXPENSES.

§4-2A-6. Travel expenses.

1 Each member of the Legislature shall be entitled to be
2 reimbursed, upon submission of an expense voucher, for ex-
3 penses incurred incident to travel in the performance of his
4 duties as a member of the Legislature or any committee of
5 the Legislature, whether such committee is operating under
6 general law or resolution, including, but not limited to, at-
7 tendance at party caucuses held in advance of the date of
8 the assembly of the Legislature in regular session in odd-
9 numbered years for the purpose of selecting candidates for
10 officers of the two houses, at the rate of twenty cents per
11 mile for the most direct usually traveled route, if travel
12 is by private automobile, or for actual transportation costs
13 for direct route travel, if travel is by public carrier, or for
14 any combination of such means of transportation actually
15 used, plus the cost of necessary taxi or limousine service, tolls
16 and parking fees in connection therewith, but during any
17 regular, extension of regular or extraordinary session, travel
18 expenses shall not be paid to any member for more than one
19 round trip to and from the seat of government and to and
20 from his place of residence for each week of any such session.

21 In addition to the above travel expense, the president
22 of the Senate and the speaker of the House of Delegates
23 shall be entitled to be reimbursed as provided above, upon
24 submission of an expense voucher, for expenses incurred
25 incident to travel for up to a maximum of eighty days per
26 calendar year in connection with their visits to the capitol
27 building for business which is related to their duties as pre-
28 siding officers of the respective houses of the Legislature, but
29 which takes place when the Legislature is not in regular, ex-
30 tension of regular or extraordinary session and interim com-
31 mittees are not meeting.

§4-2A-7. Reimbursement for expenses incurred during any session.

1 In addition to reimbursement for any travel expenses, as pro-
2 vided for in section six of this article, each member of the Leg-
3 islatre shall also be entitled to be reimbursed, upon submis-
4 sion of an expense voucher therefor, for all reasonable and
5 necessary expenses actually incurred in connection with any reg-
6 ular, extension of regular or extraordinary session of the Leg-
7 islatre, but the total of any and all such reimbursed expenses,
8 exclusive of reimbursement for any such travel expenses as
9 aforesaid, shall not exceed housing expenses of forty dollars per
10 day and meal and miscellaneous expenses of thirty dollars per
11 day. An additional housing expense allowance of twenty-five
12 dollars per day shall be received by the president of the Senate
13 and the speaker of the House of Delegates, but only during the
14 regular or an extension of the regular sessions of the Legisla-
15 ture. A receipt for the amount paid for housing expenses shall
16 be submitted with the expense voucher, but a receipt shall not
17 be required to be submitted with any such expense voucher for
18 meal and miscellaneous expenses. The Legislature may provide
19 for direct billing of housing expenses of legislators to be
20 made to the Legislature from recognized hotels or motels. In
21 lieu of reimbursement for housing expenses pursuant to the
22 provisions of this section, any member of the Legislature shall
23 be entitled to be reimbursed, upon submission of an expense
24 voucher, for expenses incurred incident to daily travel to and
25 from his place of residence and to and from the seat of govern-
26 ment at a rate of twenty cents per mile for the most direct
27 usually traveled route, but the total of such daily travel ex-
28 penses shall not exceed forty dollars per night.

§4-2A-8. Interim expenses.

1 In addition to reimbursement for any travel expenses and
2 any such reimbursements for any and all such session ex-
3 penses as provided for in sections six and seven of this
4 article, each member of the Legislature serving as a member
5 of any committee of the Legislature established by and
6 operating under general law and designated for the per-
7 formance of interim assignments by the Legislature or other-
8 wise duly authorized to perform interim assignments be-
9 tween regular sessions of the Legislature shall also be en-

10 titled to be reimbursed, upon submission of an expense voucher
11 therefor, for all reasonable and necessary expenses actually
12 incurred incident to the performance of duties as a member
13 of any such committee, but the total of any and all such
14 reimbursed interim expenses, exclusive of reimbursement for
15 any such travel and session expenses as aforesaid, shall not
16 under any circumstances exceed housing expenses of forty
17 dollars per day and meal and miscellaneous expenses of
18 thirty dollars per day for each day actually engaged in the
19 performance of interim duties as a member of any such
20 committee. The president of the Senate and the speaker of
21 the House of Delegates shall be entitled to be reimbursed
22 for housing expenses and for meal and miscellaneous expenses
23 incurred in connection with their visits to the capitol building
24 for business which is related to their duties as presiding
25 officers of the respective houses of the Legislature, but which
26 takes place when the Legislature is not in regular, extension
27 of regular or extraordinary session and interim committees are
28 not meeting, not to exceed housing expenses of forty dollars per
29 day and meal and miscellaneous expenses of thirty dollars per
30 day up to a maximum of eighty such days per calendar year.
31 A receipt for the amount paid for housing shall be submitted
32 with the expense voucher, but a receipt shall not be required
33 to be submitted with any such expense voucher for meal and
34 miscellaneous expenses. In lieu of reimbursement for housing
35 expenses pursuant to the provisions of this section, any member
36 of the Legislature shall be entitled to be reimbursed, upon sub-
37 mission of an expense voucher, for expenses incurred in-
38 cident to daily travel to and from his place of residence and
39 to and from the seat of government at a rate of twenty cents
40 per mile for the most direct usually traveled route, but the
41 total of such daily travel exepnses shall not exceed forty dol-
42 lars per night.

§4-2A-9. Out-of-state expenses.

1 In addition to reinbursement for travel expenses as authorized
2 in section six of this article, each member of the Legislature
3 traveling from West Virginia to an out-of-state point or points
4 and return incident to the performance of his duties as a mem-
5 ber of the Legislature or any committee of the Legislature,

6 whether such committee is operating under general law or reso-
7 lution, which travel has been duly authorized, shall be entitled
8 to be reimbursed, upon submission of any expense voucher
9 therefor, for all reasonable and necessary expenses actually in-
10 curred incident thereto, but the total of any and all such rein-
11 bursed expenses, exclusive of reimbursement for such travel ex-
12 penses, shall not under any circumstances exceed the actual cost
13 of housing at the least expensive available single rate and meal
14 and miscellaneous expenses of thirty dollars per day. A receipt
15 for the amount paid for housing and for travel by any public
16 transportation to and from West Virginia shall be submitted
17 with the expense voucher, but a receipt shall not be required
18 to be submitted with any such expense voucher for meal and
19 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.

John C. Wills

Clerk of the Senate

Donald L. Hoop

Clerk of the House of Delegates

Waverly McNew

President of the Senate

Walter G. Sec. Jr.

Speaker House of Delegates

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

John R. Ruff
Governor

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