

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 349

(By Mr. Vickers, Mr. President)



PASSED March 8, 1947

In Effect from Passage



349

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**Senate Bill No. 349**

(By MR. VICKERS, MR. PRESIDENT)

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[Passed March 8, 1947; in effect from passage.]

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AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article six, relating to the continuation, powers and duties of the merit system council.

*Be it enacted by the Legislature of West Virginia:*

That chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article six, to read as follows:

**Article 6. Merit System Council.**

Section 1. *Continuation; Members; Compensation.*—

2 The merit system council heretofore established by ex-  
3 ecutive order shall be continued, and present members  
4 shall continue to serve until the expiration of the terms

5 for which they were appointed. The council shall con-  
6 sist of three members to be appointed by the governor,  
7 by and with the advice and consent of the senate, for  
8 three year terms, one of which shall end on the thirtieth  
9 day of June of each year. The council shall annually  
10 elect one of its members to serve as chairman.

11 Regular meetings of the council shall be held monthly,  
12 and special meetings may be held upon the call of the  
13 chairman. The members shall receive an allowance of  
14 ten dollars for each day actually spent in attending meet-  
15 ings, and shall be reimbursed for the actual traveling  
16 expenses necessarily incurred in the performance of their  
17 duties. Such expenses shall be met out of any funds avail-  
18 able for the purpose and shall be paid upon certification  
19 of the supervisor, in such manner as the expenses of other  
20 state officials are paid.

Sec. 2. *Merit System Supervisor; Assistants.* — Upon  
2 the recommendation of the council, the governor shall  
3 appoint a merit system supervisor, who shall be the chief  
4 administrative officer of the council and under its super-  
5 vision shall direct all its activities.

6 The supervisor shall have authority to employ and fix  
7 the compensation of such technical and clerical assistants  
8 as may be necessary to carry out the purposes of this  
9 article.

10 The salary and expenses of the supervisor and of the  
11 technical and clerical assistants shall be met out of any  
12 funds available for the purpose and shall be paid upon  
13 certification of the supervisor, in such manner as the ex-  
14 penses of other state employees are paid.

Sec. 3. *Powers and Duties of the Council.*—The coun-  
2 cil shall supervise the operation of the joint merit system  
3 established for the various state agencies or any part  
4 thereof which are permitted or required by state or fed-  
5 eral law to employ personnel on a merit basis. The coun-  
6 cil shall have the authority and it shall be its duty to:

- 7 (1) Establish general policies for the administration  
8 of the merit system, including the giving of examinations  
9 and the hearing of personnel appeals;
- 10 (2) Advise with the supervisor in the formation of  
11 rules for the conduct of merit examinations;
- 12 (3) Inspect and review the activities of the supervisor

13 for the purpose of assuring conformity with the rules  
14 and policies of the council;

15 (4) Review and pass upon the classification and com-  
16 pensation plans of participating state agencies;

17 (5) Make recommendations to participating state  
18 agencies relative to their internal personnel practices;

19 (6) Promote public understanding of the purposes,  
20 policies and practices of the merit system.

Sec. 4. *Operating Expenses of the Council.*—All the  
2 operating expenses of the merit system and the merit  
3 system council shall be paid out of funds transferred to  
4 the credit of the council by the participating state agen-  
5 cies. Out of funds available for administrative purposes,  
6 each participating state agency shall transfer to the credit  
7 of the merit system council its proportionate share of the  
8 costs of operating the merit system and the merit system  
9 council, such share to be determined on the basis of the  
10 relation between the number of employees of the par-  
11 ticipating agency who are covered by the merit system  
12 and the total number of state employees covered by the  
13 system. The maximum amount of the annual expendi-

14 tures of the merit system council shall be determined  
15 by the participating agencies, subject to the approval of  
16 the director of the budget.

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

Forest L. McNear  
Chairman Senate Committee

B. D. Matthews  
Chairman House Committee

Originated in the Senate

Takes effect from passage.

J. Howard Neff  
Clerk of the Senate

J. R. Slipp  
Clerk of the House of Delegates

Arnold M. Vickers  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within Approved this the 13  
day of March, 1947.

Clarence Meadows  
Governor.



Filed in the Office of the Secretary of State  
of West Virginia. **MAR 13 1947**  
W. S. CUMMINS,  
SECRETARY OF STATE