

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968



ENROLLED

HOUSE BILL No. 326

(By Mrs. Smirland M. Watson)



PASSED February 8, 1968

In Effect from Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68

326

ENROLLED

House Bill No. 326

(By MRS. SMIRL and MR. WATSON)

[Passed February 8, 1968; in effect from passage.]

AN ACT to amend and reenact section seven, article five-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section seven, article six-a of said chapter, all relating to residency requirements for firemen and policemen.

Be it enacted by the Legislature of West Virginia:

That section seven, article five-a, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section seven, article six-a of said chapter be amended and reenacted, all to read as follows:

ARTICLE 5A. CIVIL SERVICE FOR POLICE DEPARTMENTS.**§8-5A-7. Examinations; eligible lists.**

1 All examinations for positions or promotions shall be
2 practical in their character, and shall relate to such mat-
3 ters, and include such inquiries, as will fairly and fully
4 test the comparative merit and fitness of the person or
5 persons examined to discharge the duties of the employ-
6 ment sought by him or them. All examinations shall be
7 open to all applicants who have fulfilled the preliminary
8 requirements, stated in other sections of this article. All
9 applicants for any position in the police department shall,
10 as hereinafter stated, subject to regulations adopted by
11 the civil service commission, be required to submit to a
12 physical examination before being admitted to the regu-
13 lar examinations held by the commission. Said appli-
14 cant shall have been a resident for one year next preced-
15 ing the date of his application, of the city or municipality
16 in which he seeks to obtain employment in the police de-
17 partment: *Provided*, That if the commission deems it
18 necessary it may consider applicants who are not resi-
19 dents of the city or municipality but who have been

20 residents of the county in which the city or municipal-
21 ity is situated for the same period of time. Adequate
22 public notice of the time and place of every examination
23 held under the provisions of this article, together with
24 information as to the kind of position or place to be filled,
25 shall be given at least one week prior to such examina-
26 tion. The said commission shall adopt reasonable regu-
27 lations for permitting the presence of representatives of
28 the press at the examinations. The commission shall post,
29 in a public place at its office, the eligible list, containing
30 the names and grades of those who have passed examin-
31 nations or positions in police departments, under this
32 article, and shall indicate thereon such appointments as
33 may be made from said list.

ARTICLE 6A. PAID FIRE DEPARTMENTS.

§8-6A-7. Character and notice of examinations; qualifications of applicants; press representatives; posting eligible list.

1 All examinations for positions or promotions shall be
2 practical in their character, and shall relate to such mat-
3 ters, and include such inquiries, as will fairly and fully
4 test the comparative merit and fitness of the persons

5 examined to discharge the duties of the employment
6 sought by them. All examinations shall be open to all
7 applicants who have fulfilled the preliminary require-
8 ments, stated in other sections of this article. All appli-
9 cants for any position in the fire department shall, as
10 hereinafter stated, subject to regulations adopted by the
11 civil service commission, be required to submit to a
12 physical examination before being admitted to the regu-
13 lar examination held by the commission. Said appli-
14 cant shall have been a resident for one year next pre-
15 ceding the date of his application, of the city or munici-
16 pality in which he seeks to obtain employment on the fire
17 department: *Provided*, That if the commission deems it
18 necessary it may consider applicants who are not resi-
19 dents of the city or municipality but who have been
20 residents of the county in which the city or municipal-
21 ity is situated for a period of at least one year. Adequate
22 public notice of the time and place of every examination
23 held under the provisions of this article together with
24 information as to the kind of position or place to be
25 filled, shall be given at least one week prior to such

26 examinations. The said commission shall adopt reason-
27 able regulations for permitting the presence of repre-
28 sentatives of the press at the examinations. The com-
29 mission shall post, in a public place at its office, the
30 eligible list, containing the names and grades of those
31 who have passed examinations for positions in fire de-
32 partments, under this article, and shall indicate thereon
33 such appointments as may be made from said lists.

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

William Tamm
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Labau White
Speaker of the House of Delegates

The within approved this the 14
day of February, 1968.

Hullett C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2/13/68

Time 2:20 PM.

RECEIVED

FEB 16 1 03 PM '68

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA