WILLIAM COHEN

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1980

ENROLLED

HOUSE BILL No. 753

(By Mr. Goodwin)

Passed March 8, 1980

In Effect July 1, 1980
ENROLLED

H. B. 753

(By Mr. Goodwin)

[Passed March 8, 1980; in effect July 1, 1980.]

AN ACT to amend and reenact section one-a, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to conservation officers; exclusion from coverage of wage and hour law; premium pay in lieu of overtime; and days and hours in the work week.

Be it enacted by the Legislature of West Virginia:

That section one-a, article seven, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 7. LAW ENFORCEMENT, PROCEDURES AND PENALTIES; MOTORBOATING.

§20-7-1a. Conservation officers excluded from coverage of wage and hour laws; supplemental pay in lieu of overtime; regulation.

1 The Legislature finds and declares that the supreme court of appeals of West Virginia has held that conservation officers are covered by the provisions of the state wage and hour law, article five-c, chapter twenty-one of this code.

2 The Legislature further finds and declares that because of the unique duties of conservation officers, it is not appropriate to apply said wage and hour provisions to them. Accordingly, conservation officers are hereby excluded from the provisions of said wage and hour law and department of civil service guidelines, rules or regulations relating thereto. They
shall be subject to duty whenever and wherever required by the functions, services and needs of the department.

The minimum work week for conservation officers shall be five eight hour days and the maximum number of days and hours per day shall be unrestricted. Conservation officers shall not be entitled to compensatory time for days or hours worked in excess of the minimum in a work day or week except a compensatory day shall be granted for any holiday worked. In lieu of any benefits to which they would have been entitled by the coverage from which they are hereby excluded, conservation officers, except those classified by the West Virginia civil service system as conservation officer IV and natural resources administrator, shall receive in addition to their salaries an annual premium payment of two thousand one hundred dollars which sum shall be prorated and included in the payment of their salary checks.

This section shall not apply to special nor emergency conservation officers appointed under the authority of section one of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Clarence C. Chresten Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1980.

Todd C. Wilkins  
Clerk of the Senate

W.R. Robertson  
President of the Senate

C. de M. Lee Jr.  
Speaker House of Delegates

The within __________ this the __________ day of __________, 1980.

John P. Dougherty  
Governor