

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-24-80

Time 12:15 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1980



ENROLLED

HOUSE BILL No. 753

(By Mr. Woodwin)



Passed March 8, 1980

In Effect July 1, 1980 ~~Passage~~



702 753

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
2 court of appeals of West Virginia has held that conservation
3 officers are covered by the provisions of the state wage and
4 hour law, article five-c, chapter twenty-one of this code.
5 The Legislature further finds and declares that because of
6 the unique duties of conservation officers, it is not appropriate
7 to apply said wage and hour provisions to them. Accord-
8 ingly, conservation officers are hereby excluded from the pro-
9 visions of said wage and hour law and department of civil
10 service guidelines, rules or regulations relating thereto. They

11 shall be subject to duty whenever and wherever required by
12 the functions, services and needs of the department.

13 The minimum work week for conservation officers shall be
14 five eight hour days and the maximum number of days and
15 hours per day shall be unrestricted. Conservation officers
16 shall not be entitled to compensatory time for days or hours
17 worked in excess of the minimum in a work day or week except
18 a compensatory day shall be granted for any holiday worked.
19 In lieu of any benefits to which they would have been entitled
20 by the coverage from which they are hereby excluded, con-
21 servation officers, except those classified by the West Virginia
22 civil service system as conservation officer IV and natural re-
23 sources administrator, shall receive in addition to their salaries
24 an annual premium payment of two thousand one hundred
25 dollars which sum shall be prorated and included in the pay-
26 ment of their salary checks.

27 This section shall not apply to special nor emergency con-
28 servation officers appointed under the authority of section one
29 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. Thurston Jr

Chairman House Committee

Originated in the House.

Takes effect July 1, 1980.

Todd C. Wick's

Clerk of the Senate

W Blankenship

Clerk of the House of Delegates

W R Robertson Jr

President of the Senate

Clide M. Bee Jr

Speaker House of Delegates

The within *is approved* this the *24*
day of *March*, 1980.

John W. Riffe

Governor

RECEIVED

MAR 20 10 01 AM '80

OFFICE OF THE GOVERNOR

RECEIVED
GOVERNOR'S OFFICE

MAR 20 10 01 AM '80

MAR 20 10 01 AM '80