

**WEST VIRGINIA LEGISLATURE**

FIRST EXTRAORDINARY SESSION, 1986



**ENROLLED**

HOUSE BILL No. 142

(By *Mr. Del Murensky + Del E Martin*)



Passed *May 22,* 1986

In Effect *July 1, 1986* ~~Passage~~

**ENROLLED**  
**H. B. 142**

(By DELEGATE MURENSKY and DELEGATE E. MARTIN)

[Passed May 22, 1986; in effect July 1, 1986.]

AN ACT to amend and reenact section one, article five, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definitions specifically providing for magistrate court clerks, deputy clerks and magistrate assistants to be eligible for the incremental salary increases provided in said article five even though their maximum compensation is set by statute and providing for such incremental salary increases to be in addition to otherwise maximum statutorily set compensation and definitions providing for any part-year of employee service to be dropped in arriving at full years of total service only after final total is computed, where an employee has worked for more than one state employer.

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

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

**ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

**§5-5-1. Definitions.**

1 For the purposes of this article: (1) "Eligible em-  
2 ployee" means any regular full-time employee of the  
3 State or any spending unit thereof who is eligible for  
4 membership in any state retirement system of the state  
5 of West Virginia or other retirement plan authorized by  
6 the state: *Provided*, That the mandatory salary increase

7 required by this article shall not apply to any faculty  
8 employee at public institutions of higher learning or any  
9 employee of the state whose compensation is fixed by  
10 statute or by statutory schedule, (except that the clerks,  
11 deputy clerks and magistrate assistants of magistrate  
12 courts shall be eligible for the incremental salary  
13 increases provided in this article and with such  
14 increases to be allowable in addition to the maximum  
15 salaries and compensation for such employee offices  
16 under the magistrate court system statutes of article  
17 one, chapter fifty of the code), nor shall this article be  
18 construed to mandate an increase in the salary of any  
19 elected or appointed officer of the states: (2) "years of  
20 service" means full years of totaled service as an  
21 employee of the state of West Virginia; (3) "spending  
22 unit" means any state office, department, agency, board,  
23 commission, institution, bureau or other designated  
24 body authorized to hire employees.

I, DONALD L. KOPP, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing bill, H. B. 142, disapproved by the Governor on the 28th day of May, 1986, was subsequently repassed by the Legislature, notwithstanding the objections of the Governor, on the 30th day of May, 1986.

  
Donald L. Kopp  
Clerk of the House of Delegates  
and Keeper of the Rolls of the  
Legislature.

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

*Bruce O. Williams*  
.....  
Chairman Senate Committee

*Floyd Fuller*  
.....  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1986.

*Judd C. Heile*  
.....  
Clerk of the Senate

*Donald L. Koff*  
.....  
Clerk of the House of Delegates

*Sam Taylor*  
.....  
President of the Senate

*Joseph P. Allright*  
.....  
Speaker of the House of Delegates

The within *disappeared* ..... this the *25th*  
*May* day of ..... 1986.

*Arthur Shaffer*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 2/23/80

Time 4:30 p.m.

RECEIVED

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STATE OF TEXAS