

HB 2743

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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

Com. Sub. For

HOUSE BILL No. 2743

(By Delegate *S. Facemyer and Linch*)



Passed *March 11,* 1995

In Effect *Ninety Days from* Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 2743

(BY DELEGATES FACEMYER AND LINCH)

[Passed March 11, 1995; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article thirteen, chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to preference rating of veterans on written examinations for positions in state departments filled under nonpartisan merit system.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 13. PREFERENCE RATING OF VETERANS ON WRITTEN EXAMINATION ON NONPARTISAN MERIT BASIS.

§6-13-1. Preference rating of veterans on written examinations for positions in state departments filled under nonpartisan merit system.

1 For positions in any agency as defined in section four,
2 article one, chapter five-f of this code or any other
3 political subdivision of this state in which positions are
4 filled under civil service or any job classification system, a
5 preference of five points in addition to the regular

6 numerical score received on examination shall be awarded
7 to all veterans having qualified for appointment by
8 making a minimum passing grade; and to all veterans
9 awarded the purple heart, or having a compensable
10 service-connected disability, as established by any proper
11 veterans' bureau or department of the federal government,
12 an additional five points shall be allowed.

13 For the purpose of this article, a person is defined as a
14 "veteran" if he or she fulfills the requirements of one of
15 the following subsections:

16 (a) Served on active duty anytime between the seventh
17 day of December, one thousand nine hundred forty-one,
18 and the first day of July, one thousand nine hundred
19 fifty-five. However, any person who was a reservist called
20 to active duty between the first day of February, one
21 thousand nine hundred fifty-five, and the fourteenth day
22 of October, one thousand nine hundred seventy-six, must
23 meet condition (b) stated below;

24 (b) Served on active duty anytime between the second
25 day of July, one thousand nine hundred fifty-five, and the
26 fourteenth day of October, one thousand nine hundred
27 seventy-six, or a reservist called to active duty between the
28 first day of February, one thousand nine hundred
29 fifty-five, and the fourteenth day of October, one
30 thousand nine hundred seventy-six, and who served for
31 more than one hundred eighty days;

32 (c) Entered on active duty between the fifteenth day
33 of October, one thousand nine hundred seventy-six, and
34 the seventh day of September, one thousand nine hundred
35 eighty, or a reservist who entered on active duty between
36 the fifteenth day of October, one thousand nine hundred
37 seventy-six, and the thirteenth day of October, one
38 thousand nine hundred eighty-two, and received a
39 campaign badge or expeditionary medal or is a disabled
40 veteran; or

41 (d) Enlisted in the armed forces after the seventh day
42 of September, one thousand nine hundred eighty, or
43 entered active duty other than by enlistment on or after
44 the fourteenth day of October, one thousand nine hundred
45 eighty-two; and

46 (1) Completed twenty-four months of continuous
47 active duty or the full period called or ordered to active
48 duty, or was discharged under 10 U.S.C. 1171, or for
49 hardship under 10 U.S.C. 1173, and received or was
50 entitled to receive a campaign badge or expeditionary
51 medal; or

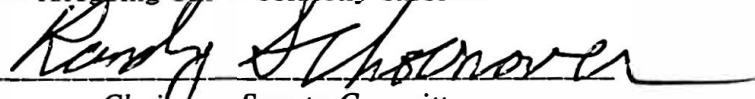
52 (2) Is a disabled veteran.

53 To receive veteran preference, separation from active
54 duty must have been under honorable conditions. This
55 includes honorable and general discharges. A clemency
56 discharge does not meet the requirements of the Veteran
57 Preference Act. Active duty for training in the military
58 reserve and national guard programs is not considered
59 active duty for purposes of veteran preference.

60 These awards shall be made for the benefit and
61 preference in appointment of all veterans who have
62 heretofore or who shall hereafter take examinations, but
63 shall not operate to the detriment of any person heretofore
64 appointed to a position in a department or agency.

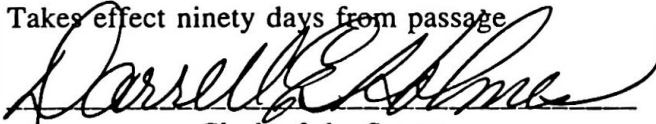


The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

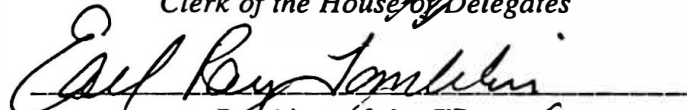

Chairman Senate Committee


Chairman House Committee

Originating in the House.

Takes effect ninety days from passage

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within _____ this the _____
day of _____, 1995.

Governor



PRESENTED TO THE

GOVERNOR

Date 3/24/95

Time 3:42 pm