WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

SENATE BILL NO. 14

(By Senator PITTULA, ET AL.)

PASSED March 11, 1995
In Effect 60 Days From Passage
ENROLLED

Senate Bill No. 14

(BY SENATORS DITTMAR, ANDERSON, WHITLOW AND BAILEY)

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

AN ACT to amend and reenact section four, article six, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to civil service system; classified-exempt service; additions to classified service; and exemptions.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. CIVIL SERVICE SYSTEM.

§29-6-4. Classified-exempt service; additions to classified service; exemptions.

1 (a) The classified-exempt service includes all positions included in the classified-exempt service on the effective date of this article.

2 (b) Except for the period commencing on the first day of July, one thousand nine hundred ninety-two, and ending on the first Monday after the second Wednesday
of the following January and except for the same periods
commencing in the year one thousand nine hundred
ninety-six, and in each fourth year thereafter, the
governor may, by executive order, with the written
consent of the state personnel board and the appointing
authority concerned, add to the list of positions in the
classified service, but such additions shall not include
any positions specifically exempted from coverage as
provided in this section.

(c) The following offices and positions are exempt from
coverage under the classified service:

(1) All judges, officers and employees of the judiciary;
(2) All members, officers and employees of the Legislature;
(3) All officers elected by popular vote and employees
of the officer;
(4) All secretaries of departments and employees
within the office of a secretary;
(5) Members of boards and commissions and heads of
departments appointed by the governor or such heads of
departments selected by commissions or boards when
expressly exempt by law or board order;
(6) Excluding the policy-making positions in an
agency, one principal assistant or deputy and one private
secretary for each board or commission or head of a
department elected or appointed by the governor or
Legislature;
(7) All policy-making positions;
(8) Patients or inmates employed in state institutions;
(9) Persons employed in a professional or scientific
capacity to make or conduct a temporary and special
inquiry, investigation or examination on behalf of the
Legislature or a committee thereof, an executive depart-
ment or by authority of the governor;
(10) All employees of the office of the governor, including all employees assigned to the executive mansion;

(11) County road supervisors employed by the division of highways or their successors;

(12) Part-time professional personnel engaged in professional services without administrative duties and personnel employed for ninety days or less during a working year;

(13) Members and employees of the board of trustees and board of directors or their successor agencies;

(14) Uniformed personnel of the division of public safety; and

(15) Seasonal employees in the state forests, parks, and recreational areas working less than 1,733 hours per calendar year. Provided, That notwithstanding any provision of law to the contrary, seasonal employees shall not be considered full-time employees.

(d) The Legislature finds that the holding of political beliefs and party commitments consistent or compatible with those of the governor contributes in an essential way to the effective performance of and is an appropriate requirement for occupying certain offices or positions in state government, such as the secretaries of departments and the employees within their offices, the heads of agencies appointed by the governor and, for each such head of agency, a private secretary and one principal assistant or deputy, all employees of the office of the governor including all employees assigned to the executive mansion, as well as any persons appointed by the governor to fill policy-making positions, in that such offices or positions are confidential in character and/or require their holders to act as advisors to the governor or the governor's appointees, to formulate and implement the policies and goals of the governor or the governor's appointees, or to help the governor or the governor's appointees communicate with and explain their policies and views to the public, the Legislature and the press.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within was approved this the 24th day of March, 1995.

Governor