

4057

2003R381

H. B. 2504

(By Delegates Kominar and Doyle)

[Introduced January 22, 2003; referred to the
Committee on Pensions and Retirement then the
Judiciary.]

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10 A BILL to amend and reenact section three, article two, chapter
11 sixty-four of the code of West Virginia, one thousand nine
12 hundred thirty-one, as amended, relating to authorizing the
13 consolidated public retirement board to promulgate a
14 legislative rule relating to service credit for accrued and
15 unused sick and annual leave.

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

17 That section three, article two, chapter sixty-four of the
18 code of West Virginia, one thousand nine hundred thirty-one, as
19 amended, be amended and reenacted to read as follows:

20 **ARTICLE 2. AUTHORIZATION FOR DEPARTMENT OF ADMINISTRATION TO**
21 **PROMULGATE LEGISLATIVE RULES.**

22 **§64-2-3. Records management and preservation board.**

23 (a) The legislative rule filed in the state register on the
24 twenty-sixth day of July, two thousand one, under the authority of

7504

1 section fifteen, article eight, chapter five-a, of this code,
2 modified by the records management and preservation board to meet
3 the objections of the legislative rule-making review committee and
4 refiled in the state register on the fifteenth day of January, two
5 thousand two, relating to the records management and preservation
6 board (county records management and preservation grant program,
7 100 CSR 1), is authorized.

8 (b) The legislative rule filed in the state register on the
9 first day of September, two thousand, authorized under the
10 authority of section one, article ten-d, chapter five, of this
11 code, modified by the consolidated public retirement board to meet
12 the objections of the legislative rule-making review committee and
13 refiled in the state register on the fourteenth day of December,
14 two thousand, relating to the consolidated public retirement board
15 (service credit for accrued and unused sick and annual leave, 162
16 CSR 8), is authorized with the amendments set forth below:

17 "On page one, subdivision 1.1, by adding a new sentence at the
18 end of the subdivision to read as follows: 'Employees of the
19 judicial and legislative branches of government are exempt from
20 this rule.';

21 On page one, subdivision 4.1, line twenty-six, following the
22 word 'shall' by striking out the words 'be deferential to' and
23 inserting in lieu thereof the word 'accept'; and

24 On page two, subdivision 4.1, line three, following the word

1 'policy' by striking out the words 'shall have been formally
2 adopted in writing by the employer' and inserting in lieu thereof
3 the words 'must be a written standard that is an accepted standard
4 by the employer'."

NOTE: The purpose of this bill is to authorize the consolidated public retirement board to promulgate a legislative rule relating to service credit for accrued and unused sick and annual leave.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.