

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 92

(By Mr. Speaker, Mr. Thomas)

PASSED Feb. 28, 1939

In Effect July 1, 1939 ~~Passage~~

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House Bill No. 92

(BY MR. SPEAKER, MR. THOMAS)

[Passed February 28, 1939; in effect July 1, 1939.]

A BILL to amend and reenact sections two, three, five and seven, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, relating to the organization of the department of public safety, providing for the appointment of inspector, headquarters and supply sergeants, civilian employees, and fixing their salaries; providing for the creation, appointment and equipment of companies and platoons; providing for the appointment and reappointment of members of the department of public safety and fixing salaries, qualifications, terms and bonds.

Be it enacted by the Legislature of West Virginia:

That sections two, three, five and seven, article two, chapter

fifteen of the code of West Virginia, one thousand nine hundred thirty one, be amended and reenacted to read as follows:

Article 2. Department of Public Safety.

Section 2. *Inspector; Headquarters and Supply Sergeants;*

2 *Civilian Employees; Salaries.* The superintendent shall ap-
3 point an inspector at an annual salary of three thousand six
4 hundred dollars, with the grade of captain, and a head-
5 quarters sergeant and a supply sergeant at the annual sal-
6 aries provided in section three of this article. He shall also
7 appoint such civilian employees as may be necessary, whose
8 salaries shall be fixed by the board of public works. Such in-
9 spector, headquarters sergeant and supply sergeant shall be
10 enrolled and enlisted as members of the department of pub-
11 lic safety.

Sec. 3. *Companies or Platoons; How Constituted; Salaries*

2 *and Bonds of Members.* The superintendent shall create, ap-
3 point and equip a department of public safety which shall
4 consist of four companies or platoons. Each company or
5 platoon shall be composed of one captain, one lieutenant, one
6 first sergeant, five sergeants, eight corporals, and such num-
7 ber of troopers as the superintendent may decide best, but

8 such number of troopers shall not at any time be less than
9 thirty, or more than fifty-five in any one company or platoon.

10 Members of the department shall receive salaries, as fol-
11 lows:

12 A captain shall receive an annual salary of twenty-four
13 hundred dollars; a lieutenant shall receive an annual salary
14 of twenty-one hundred dollars; the headquarters sergeant,
15 supply sergeant and first sergeants shall each receive an an-
16 nual salary of one thousand six hundred eighty dollars, and
17 shall receive an increase of thirty dollars per annum during
18 continuous service at their respective grades until a maximum
19 annual salary of one thousand eight hundred dollars is paid;
20 sergeants shall receive an annual salary of one thousand five
21 hundred sixty dollars, and shall receive an increase of thirty
22 dollars per annum during continuous service at the grade of
23 sergeant until a maximum annual salary of one thousand six
24 hundred eighty dollars is paid; corporals shall each receive
25 an annual salary of one thousand four hundred forty dollars,
26 and shall receive an increase of thirty dollars per annum dur-
27 ing continuous service at the grade of corporal until a
28 maximum annual salary of one thousand five hundred sixty

29 dollars is paid; and each trooper shall receive a salary of
30 fifty dollars per month for the first three months of his
31 services, seventy-five dollars per month for the second three
32 months, one hundred dollars per month for the next
33 eighteen months, and thereafter shall receive an increase
34 of thirty dollars per annum during continuous service at
35 the grade of trooper until a maximum salary of one thou-
36 sand four hundred forty dollars per annum is paid.

37 In applying the foregoing salary schedule where salary in-
38 creases are provided for continuous service, all the members
39 of the department in service at the time this act becomes
40 effective shall be given credit for prior continuous service
41 in their respective grades, and shall be paid such salaries as
42 the same length of continuous service would entitle them to
43 receive under the provisions hereof.

44 Each member of the department of public safety, except
45 the superintendent and civilian employees, shall, before en-
46 tering upon the discharge of his duties, execute a bond with
47 security in the sum of three thousand five hundred dollars,
48 payable to the state of West Virginia, conditioned for the
49 faithful performance of his duties as such, and such bond

50 shall be approved as to form by the attorney general, and as
51 to sufficiency by the board of public works, and the same
52 shall be filed with the secretary of state and preserved in his
53 office.

Sec. 5. *Appointment and Qualifications for Members;*

2 *Term.* Preference in making appointments shall be given
3 wherever possible to honorably discharged soldiers, sailors
4 and marines of the United States army and navy. Each ap-
5 plicant for appointment shall be a person not less than
6 twenty-one nor more than forty-five years of age, of sound
7 constitution, of good moral character, and shall be required
8 to pass such mental and physical examinations as may be
9 provided for by the rules and regulations promulgated by the
10 superintendent. No person shall be barred from becoming a
11 member of the department of public safety because of his re-
12 ligious or political convictions.

Sec. 7. *Reappointment of Members.* No member who has
2 been removed, suspended or discharged under the provisions
3 of this article shall be eligible to be again appointed to the
4 department of public safety unless the consent of the gover-
5 nor thereto in writing is first had and obtained.

Filed in the office of the Secretary of State
JAN 1 1931
Wm. S. O'Brien
Secretary of State

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

E. D. Wiseman
Chairman Senate Committee

Deed B. Walker
Chairman House Committee

Originated in the *House of Delegates*

Takes effect *July 1, 1939* passage.

Phyllis M. Mundy
Clerk of the Senate

W. S. Hall
Clerk of the House of Delegates

Wm. S. O'Brien
President of the Senate

James Kay Thomas
Speaker House of Delegates

The within *approved* this the *6th*

day of *March*, 1939.

James E. Lee
Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 7 1939**

Wm. S. O'BRIEN,
Secretary of State