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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1966

ENROLLED

HOUSE BILL No. 214

(By Mr. Speaker, Mr. White, and
Mr. Parley, of the Council)

PASSED February 5 1966

In Effect July 1, 1966 Passage



FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-11-66

214

ENROLLED

House Bill No. 214

(By MR. SPEAKER, MR. WHITE, and MR. PAULEY, of McDowell)

[Passed February 5, 1966; in effect July 1, 1966.]

AN ACT to amend and reenact sections two and three, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the appointment of inspector, other commissioned officers, noncommissioned officers, troopers and civilian employees by the superintendent of the department of public safety; to companies and platoons of the department of public safety and how constituted; to training of members and other peace officers of the department of public safety; and to salaries and bonds of members of the department of public safety.

Be it enacted by the Legislature of West Virginia:

That sections two and three, article two, chapter fifteen

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

Article 2. Department of Public Safety.

Section 2. Appointment of Inspector, Other Commissioned Officers, Noncommissioned Officers, Troopers and Civilian Employees.—The superintendent shall appoint, from the enlisted membership of the department, an inspector with the rank of lieutenant colonel who shall be next in authority to the superintendent, and for the purpose of operating and maintaining the executive offices, training school, scientific laboratory, keeping records relating to crimes and criminals, coordinating traffic safety activities and maintaining a system of supplies and accounting and carrying on other necessary services, he shall appoint not more than one major, one captain, four lieutenants, two master sergeants, four sergeants, three corporals and six troopers. In addition the superintendent may appoint, from the enlisted membership of the department, not more than four other lieutenants for duties consisting of technical or scientific examina-

18 tion of evidence in criminal cases, but no member
19 shall be appointed to fill these vacancies in the grade of
20 lieutenant unless (1) he shall have completed four years'
21 study at an accredited college or university and hold a
22 bachelor's degree from such college or university and
23 (2) such member shall have actually conducted numerous
24 examinations of physical evidence in criminal cases and
25 have been qualified in a court of record of this state
26 to testify as an expert witness with respect thereto.

27 The superintendent shall appoint such civilian em-
28 ployees as may be necessary whose salaries shall be fixed
29 by the board of public works.

30 The inspector, major, captains, lieutenants, master ser-
31 geants, sergeants, corporals and troopers shall be enrolled
32 and enlisted as members of the department of public
33 safety and shall be entitled to wear the insignia of rank
34 as provided by law or authorized by department regula-
35 tions.

Sec. 3. Companies and Platoons and How Constituted;

2 Training of Members and Other Peace Officers; Salaries

3 and Bonds of Members.—The superintendent shall create,

4 appoint and equip a department of public safety, which
5 shall, in addition to the personnel provided for in sec-
6 tion two of this article, consist of four companies or
7 platoons. They shall be designated as companies "A,"
8 "B," "C," and "D." Each company or platoon shall be
9 composed of one captain, one lieutenant, one first ser-
10 geant, seven sergeants, not more than seventeen corporals
11 and such number of troopers as the superintendent may
12 decide best, but such number of troopers in any company
13 or platoon shall not at any time be less than twenty-
14 five nor more than sixty-five.

15 The superintendent shall provide adequate facilities
16 for the training of all members of the department and
17 shall prescribe a basic training course for newly enlisted
18 members. He shall also provide advanced or in-service
19 training from time to time for all members of the
20 department. The superintendent may, in his discretion,
21 hold training classes for other peace officers in the
22 state without cost to such officers, except actual expenses
23 for food, lodging and school supplies.

24 Members of the department shall receive salaries, as
25 follows:

26 The inspector shall receive an annual salary of eight
27 thousand eight hundred twenty dollars; the major shall
28 receive an annual salary of seven thousand nine hundred
29 twenty dollars; captains shall each receive an annual sal-
30 ary of seven thousand twenty dollars; lieutenants shall
31 each receive an annual salary of six thousand six hun-
32 dred dollars; the master sergeants and first sergeants
33 shall each receive an annual salary of six thousand one
34 hundred twenty dollars; sergeants shall each receive an
35 annual salary of five thousand nine hundred sixteen dol-
36 lars; corporals shall each receive an annual salary of
37 five thousand six hundred sixteen dollars; and each
38 newly enlisted trooper shall receive a salary of three
39 hundred sixty-three dollars per month during the
40 period of his basic training, and upon the satisfac-
41 tory completion of such training and assignment to
42 active duty each trooper shall receive during the
43 remainder of his first year's service a salary of four
44 hundred thirteen dollars monthly. During the sec-

45 ond year of his service in the department each
46 trooper shall receive an annual salary of five thou-
47 sand seventy-six dollars; during the third year of his
48 service each trooper shall receive an annual salary of
49 five thousand one hundred ninety-six dollars; and dur-
50 ing the fourth and fifth years of his service and for each
51 year thereafter, each trooper shall receive an annual
52 salary of five thousand three hundred sixteen dollars.
53 Each member of the department entitled thereto
54 by the provisions hereof shall receive an increase
55 in salary over that hereinbefore set forth in this
56 section, for grade and rank, based on length of ser-
57 vice, including that heretofore and hereafter served, with
58 the department, as follows: For each five-year period
59 of service with the department from the date of first
60 enlistment, each member of the department shall receive
61 a salary increase of one hundred twenty dollars per
62 year to be effective during his next five years of service,
63 which increases shall be successive and cumulative until
64 a total of five such increases shall be received.

65 In applying the foregoing salary schedule where sal-

66 any increases are provided for length of service, mem-
67 bers of the department in service at the time this article
68 becomes effective shall be given credit for prior service
69 and shall be paid such salaries as the same length of
70 service will entitle them to receive under the provisions
71 hereof.

72 Each member of the department of public safety, except
73 the superintendent and civilian employees, shall, before
74 entering upon the discharge of his duties, execute a bond
75 with security in the sum of three thousand five hun-
76 dred dollars payable to the state of West Virginia, condi-
77 tioned for the faithful performance of his duties as such,
78 and such bond shall be approved as to form by the attor-
79 ney general, and as to sufficiency by the board of pub-
80 lic works, and the same shall be filed with the secretary
81 of state and preserved in his office.

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

O. Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the House.

Takes effect July 1, 1966.

Thomas Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Robinson
President of the Senate

H. Laban White
Speaker House of Delegates

The within approved this the 10th
day of February, 1966.

H. C. Smith
Governor

**PRESENTED TO THE
GOVERNOR**

Date 2/10/66

Time 12:15 PM