

HB 2854

RECEIVED  
99 APR -7 PM 4: 24  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



# ENROLLED

## House Bill No. 2854

(By Delegates Douglas, Collins, Varner,  
Everson, J. Smith and Stalnaker)



Passed March 12, 1999

In Effect from Passage

RECEIVED

99 APR -7 PM 4: 24

OFFICE OF THE  
SECRETARY OF STATE

**ENROLLED**

**H. B. 2854**

(BY DELEGATES DOUGLAS, COLLINS, VARNER,  
EVERSON, J. SMITH AND STALNAKER)

---

[Passed March 12, 1999; in effect from passage.]

---

AN ACT to amend and reenact section four, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the appointments of commissioned, noncommissioned officers, other members; temporary and permanent positions of the state police.

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

That section four, 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. WEST VIRGINIA STATE POLICE.**

**§15-2-4. Appointment of commissioned officers, noncommissioned officers, other members; temporary and permanent positions.**

- 1 (a) The superintendent shall appoint, from the enlisted
- 2 membership of the state police, a deputy superintendent who
- 3 shall hold the rank of lieutenant colonel and be next in authority
- 4 to the superintendent. The superintendent shall appoint, from
- 5 the enlisted membership of the state police, the number of other
- 6 officers and members he or she considers necessary to operate

7 and maintain the executive offices, training school, and forensic  
8 laboratory; and to keep records relating to crimes and criminals,  
9 coordinate traffic safety activities, maintain a system of  
10 supplies and accounting and perform other necessary services.

11 (b) The ranks within the membership of the state police  
12 shall be colonel, lieutenant colonel, major, captain, first  
13 lieutenant, second lieutenant, first sergeant, sergeant, corporal,  
14 trooper first class, senior trooper, trooper or cadet trooper. Each  
15 member while in uniform shall wear the insignia of rank as  
16 provided by law and written state police policies. Members  
17 assigned to the forensic laboratory shall hold the title of trooper,  
18 be classified as criminalists and wear the insignia of classifica-  
19 tion as provided by written state police policies.

20 The superintendent may appoint from the membership of  
21 the state police seventeen principal supervisors who shall  
22 receive the compensation and hold the temporary rank of  
23 lieutenant colonel, major or captain at the will and pleasure of  
24 the superintendent. Appointments are exempt from any eligibil-  
25 ity requirements established by the career progression system.  
26 Any person appointed to a temporary rank under the provisions  
27 of this article remains eligible for promotion or reclassification  
28 under the provisions of the career progression system if his or  
29 her permanent rank is below that of first lieutenant. Upon the  
30 termination of a temporary appointment by the superintendent,  
31 the member may not be reduced to a rank or classification  
32 below his or her permanent rank or classification, unless the  
33 reduction results from disciplinary action, and remains eligible  
34 for subsequent appointment to a temporary rank.

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

*Randy Schriver*  
Chairman Senate Committee

*Joe F. Smith*  
Chairman House Committee

Originating in the House.

Takes effect from passage.

*David Thomas*  
Clerk of the Senate

*Benny M. Dyer*  
Clerk of the House of Delegates

*Carl Key Tomblin*  
President of the Senate

*John*  
Speaker of the House of Delegates

The within *approved* this the *7<sup>th</sup>*  
day of *April*, 1999.

*Paul G. Anderson*  
Governor

PRESENTED TO THE

GOVERNOR

Date 7/1/99

Time 2:47 pm