WEST VIRGINIA CODE CHAPTER 15 ARTICLE 1C

WV Legislature

§15-1C-1. State retired list.

a. Any member of the National Guard who has reached the age of sixty-four years, or shall be retired from service under applicable laws and regulations of the United States, shall be transferred to the state retired list by order of the Governor.

b. Any officer who has served for at least twenty years in the National Guard, or in the National Guard and the Armed Forces of the United States combined, upon his request, may be transferred to the state retired list in a grade one grade higher than the highest grade previously held by him during such service. In computing such twenty-year period, service as an enlisted man shall be counted.

c. Any enlisted man who has served at least twenty years in the National Guard, or in the National Guard and the Armed Forces of the United States combined, upon his request may be transferred to the state retired list by the Governor in a grade equivalent to the highest grade held by him during such service. If said grade was of officer grade, the provisions of subsection b of this section will govern.

d. Any officer of the National Guard may be transferred to the state retired list on his own request, approved by the Adjutant General.

e. Any officer of the National Guard who has been rendered surplus by reduction, disbandment, or reorganization of a unit or for any other reason, unless transferred to the inactive National Guard, may be relieved from duty and command and may be transferred to the state retired or reserve list.

f. Any person who has served as an officer in the National Guard or in the Armed Forces of the United States and has been honorably discharged therefrom, may be commissioned and placed on the state retired list in the highest grade previously held by him after complying with such conditions as may be prescribed by regulations issued pursuant to this chapter.

WV Legislature

§15-1C-2. Duty with the National Guard.

Upon recommendation of the Adjutant General with the consent of the person concerned, the Governor may order any person on the state retired list to state duty in or with the National Guard for a period not to exceed three months, in which case such person shall rank in his grade from the date of such order.

WV Legislature

§15-1C-3. Seniority, resignation, discharge, etc.

Time spent on the state retired list shall not be credited in the computation of seniority, pay, length of service, or any of the privileges and exemptions pertaining thereto, except that the time during which he served on active duty by order of the Governor shall be so credited. The provisions of this article relative to resignation, court-martial, dismissal or discharge, including dismissal or discharge on the finding of an efficiency or medical examining board shall be applicable to persons on the state retired list.

WV Legislature

§15-1C-4. Honorary militia.

The Governor may appoint and commission any person, with such rank as he may fix, to serve in the honorary militia and may appoint and commission an honorary staff of such number and rank as he may deem advisable to serve during his term of office. Members of the honorary militia shall not be held to be a part of the organized militia.

WV Legislature