WEST VIRGINIA CODE: §15-4-1

§15-4-1. Governor authorized to organize and maintain West Virginia state guard.

Whenever any part of the National Guard of this state is in active federal service, the Governor is hereby authorized to organize and maintain within this state during such period, under such regulations as the secretary of defense of the United States may prescribe for discipline in training, such military forces as the Governor may deem necessary to defend this state. Such forces shall be composed of officers commissioned or assigned, and such able-bodied male citizens of the state as shall volunteer for service therein, supplemented, if necessary, by men of the reserve militia enrolled by draft or otherwise as provided by law. Such forces shall be additional to and distinct from the National Guard and shall be known as the "West Virginia state guard": Provided, That any funds appropriated by the Legislature to the Adjutant General for the organization, administration, training and supply of the organized militia may be expended for such purposes with respect to the West Virginia state guard. Such forces shall be uniformed.

WV Legislature