

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943

ENROLLED

SENATE BILL No. 190

(By Mr. Johnston)

PASSED March 9 1943

In Effect Emergency Clause Passage



ENROLLED

Senate Bill No. 190

(By MR. JOHNSTON, by request)

[Passed March 9, 1943; in effect ninety days from passage.]

AN ACT to amend and reenact section nineteen, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, relating to suspension or removal of members of the department of public safety.

Be it enacted by the Legislature of West Virginia:

That section nineteen, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred and thirty-one, be amended and reenacted to read as follows:

Section 19. *Suspension or Removal of Members.* The

2 superintendent may suspend or remove from the service

3 any member of the department of public safety for any
4 of the following causes, to-wit: Refusing to obey the orders
5 of his superior officer, neglect of duty, drunkenness, im-
6 morality, inefficiency, abuse of his authority, interference
7 with the lawful right of any person, participation in politi-
8 cal primaries, conventions or elections, or any other
9 cause that may in the opinion of the superintendent be
10 necessary for the good of the service. The superintendent
11 shall act when notice of such causes shall be brought to
12 his attention or upon charges in writing filed by any one
13 and supported by proper affidavit. In the event the
14 superintendent shall fail to suspend or dismiss any such
15 officer or member after such matters have come to his
16 knowledge, or such charges and proof thereof have been
17 made and filed with him by any person or persons, an
18 appeal may be had to the board of commissioners created
19 for such purpose, and all of the original papers in such
20 cases shall be delivered by the superintendent to such
21 board, who shall decide such cases in the manner herein-
22 after provided.

23 Any person who shall by the superintendent be ap-
24 pointed to membership in said department pursuant to
25 authority of chapter sixty, acts of the Legislature of
26 West Virginia, regular session, one thousand nine hun-
27 dred forty one, may at any time be discharged at the
28 will and pleasure of the superintendent and without the
29 assignment of cause.

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

Ray Z. Garrison
Chairman Senate Committee

Fred H. Patoff
Chairman House Committee

Originated in the

Senate

Takes effect

Unity program

passage

Wale Walenis
Clerk of the Senate

Shipp
Clerk of the House of Delegates

James Paule
President of the Senate

John E. Bruce
Speaker House of Delegates

The within

approved

this the 15th

day of

March

, 1943.

Matthew M. Neely
Governor.

2

Filed in the office of the Secretary of State
of West Virginia MAR 15 1943

Wm. S. O'BRIEN,
Secretary of State