WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1995

ENROLLED

SENATE BILL NO. 218

(By Senator)

PASSED ____________________________ 1995
In Effect ____________________________
ENROLLED

Senate Bill No. 212

(BY SENATOR DITTMAR)

[Passed March 8, 1995; in effect from passage.]

AN ACT to amend and reenact section thirteen, article one, chapter twenty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to law enforcement and the amount that may be spent on outside legal services.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. ORGANIZATION AND ADMINISTRATION.

§20-1-13. Law enforcement and legal services.

1 The director shall select and designate a competent
2 and qualified person to be department law-enforcement
3 officer, who shall have the title of chief conservation
4 officer and who shall be responsible for the prompt,
5 orderly and effective enforcement of all of the provisions
6 of this chapter. Under the supervision of the director
7 and subject to personnel qualifications and requirements
8 otherwise prescribed in this chapter, the chief conserva-
9 tion officer shall be responsible for the selection, train-
10 ing, assignment, distribution and discipline of conserva-
tion officers and the effective discharge of their duties in carrying out the law-enforcement policies, practices and programs of the department in compliance with the provisions of article seven of this chapter and other controlling laws. Except as otherwise provided in this chapter, he or she and his or her conservation officers are hereby authorized to enter into and upon private lands and waters to investigate complaints and reports of conditions, conduct, practices and activities considered to be adverse to and violative of the provisions of this chapter and to execute writs and warrants and make arrests thereupon.

The attorney general and his or her assistants and the prosecuting attorneys of the several counties shall render to the director, without additional compensation, such legal services as the director may require of them in the discharge of his or her duties and the execution of his or her powers under and his or her enforcement of the provisions of this chapter. The director, in an emergency and with prior approval of the attorney general, may employ an attorney to act in proceedings wherein criminal charges are brought against personnel of the department because of action in line of duty. For such attorney services, a reasonable sum, not exceeding two thousand five hundred dollars, may be expended by the director in any one case.

The director, if he or she deems the action necessary, may request the attorney general to appoint an assistant attorney general, who shall perform, under the supervision and direction of the attorney general, the duties as may be required of him or her by the director. The attorney general, in pursuance of the request, may select and appoint an assistant attorney general to serve at the will and pleasure of the attorney general, and the assistant shall receive a salary to be paid out of any funds made available for that purpose by the Legislature to the department.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 17th day of march, 1995.

Governor