

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

HOUSE BILL No. 4016

(By Delegates Martin and Michael)



Passed March 3, 1998

In Effect July 1, 1998

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 4016

(BY DELEGATES MARTIN AND MICHAEL)

[Passed March 3, 1998; in effect July 1, 1998.]

AN ACT to amend and reenact sections three and four, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the structure of the state police; increasing the number of principal supervisors who may be appointed by the state police superintendent from eleven to fifteen.

Be it enacted by the Legislature of West Virginia:

That sections three and 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.

§15-2-3. State police structure; how established.

1 The superintendent shall create, appoint and equip the
2 state police which shall consist of the number of troops,
3 districts and detachments required for the proper
4 administration of the state police. Each troop, district or
5 detachment shall be composed of the number of officers
6 and members the superintendent determines are necessary
7 to meet operational needs and are required for the
8 efficient operation of the state police. The superintendent

9 shall establish the general organizational structure of the
10 state police by interpretive rule in accordance with the
11 provisions of article three, chapter twenty-nine-a of this
12 code. The superintendent shall provide adequate facilities
13 for the training of all members of the state police and shall
14 prescribe basic training requirements for newly enlisted
15 members. He or she shall also provide advanced or in-
16 service training from time to time for all members of the
17 state police. The superintendent shall hold training classes
18 for other peace officers in the state without cost to those
19 officers, except actual expenses for food, lodging and
20 school supplies.

**§15-2-4. Appointment of commissioned officers, noncom-
missioned 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
3 who shall hold the rank of lieutenant colonel and be next
4 in authority to the superintendent. The superintendent
5 shall appoint, from the enlisted membership of the state
6 police, the number of other officers and members he or
7 she considers necessary to operate and maintain the
8 executive offices, training school, and forensic laboratory;
9 and to keep records relating to crimes and criminals,
10 coordinate traffic safety activities, maintain a system of
11 supplies and accounting and perform other necessary
12 services.

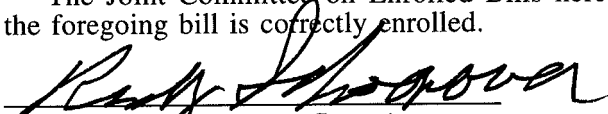
13 (b) The ranks within the membership of the state
14 police shall be colonel, lieutenant colonel, major, captain,
15 first lieutenant, second lieutenant, first sergeant, sergeant,
16 corporal, trooper first class, senior trooper, trooper or
17 cadet trooper. Each member while in uniform shall wear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

23 The superintendent may appoint from the
24 membership of the state police fifteen principal
25 supervisors who shall receive the compensation and hold

26 the temporary rank of lieutenant colonel, major or captain
27 at the will and pleasure of the superintendent.
28 Appointments are exempt from any eligibility
29 requirements established by the career progression system.
30 Any person appointed to a temporary rank under the
31 provisions of this article remains eligible for promotion or
32 reclassification under the provisions of the career
33 progression system if his or her permanent rank is below
34 that of first lieutenant. Upon the termination of a
35 temporary appointment by the superintendent, the
36 member may not be reduced to a rank or classification
37 below his or her permanent rank or classification, unless
38 the reduction results from disciplinary action, and remains
39 eligible for subsequent appointment to a temporary rank.

Enr. Com. Sub. for H. B. 4016] 4

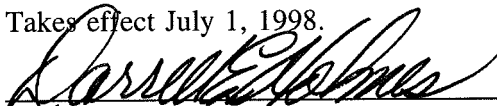
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

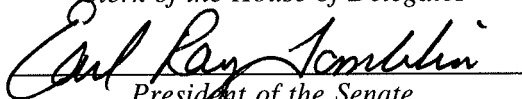

Chairman House Committee


Originating in the House.

Takes effect July 1, 1998.

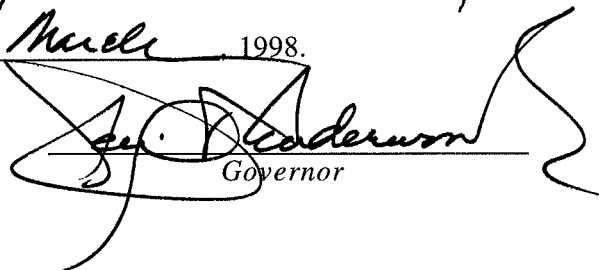

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 12th
day of March, 1998.


Governor

PRESENTED TO THE

GOVERNOR

Date

3/11/98

Time

6:30 pm

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