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
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.


1 The superintendent shall create, appoint and equip the state police which shall consist of the number of troops, districts and detachments required for the proper administration of the state police. Each troop, district or detachment shall be composed of the number of officers and members the superintendent determines are necessary to meet operational needs and are required for the efficient operation of the state police. The superintendent
shall establish the general organizational structure of the
state police by interpretive rule in accordance with the
provisions of article three, chapter twenty-nine-a of this
code. The superintendent shall provide adequate facilities
for the training of all members of the state police and shall
prescribe basic training requirements for newly enlisted
members. He or she shall also provide advanced or in-
service training from time to time for all members of the
state police. The superintendent shall hold training classes
for other peace officers in the state without cost to those
officers, except actual expenses for food, lodging and
school supplies.

§15-2-4. Appointment of commissioned officers, noncom­
missoned officers, other members; temporary
and permanent positions.

(a) The superintendent shall appoint, from the enlisted
membership of the state police, a deputy superintendent
who shall hold the rank of lieutenant colonel and be next
in authority to the superintendent. The superintendent
shall appoint, from the enlisted membership of the state
police, the number of other officers and members he or
she considers necessary to operate and maintain the
executive offices, training school, and forensic laboratory;
and to keep records relating to crimes and criminals,
coordinate traffic safety activities, maintain a system of
supplies and accounting and perform other necessary
services.

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

The superintendent may appoint from the
membership of the state police fifteen principal
supervisors who shall receive the compensation and hold
the temporary rank of lieutenant colonel, major or captain at the will and pleasure of the superintendent. Appointments are exempt from any eligibility requirements established by the career progression system. Any person appointed to a temporary rank under the provisions of this article remains eligible for promotion or reclassification under the provisions of the career progression system if his or her permanent rank is below that of first lieutenant. Upon the termination of a temporary appointment by the superintendent, the member may not be reduced to a rank or classification below his or her permanent rank or classification, unless the reduction results from disciplinary action, and remains eligible for subsequent appointment to a temporary rank.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]

Chairman Senate Committee

[Signature]

Chairman House Committee

Originating in the House.

Takes effect July 1, 1998.

[Signature]

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

Speaker of the House of Delegates

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

[Signature]

Governor