

SB 1001

RECEIVED
1 APR -5 AM 11: 27
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
First Extraordinary
REGULAR SESSION, 2000



ENROLLED

SENATE BILL NO. 1001

(By Senator Craig)



PASSED March 19, 2000
In Effect from Passage

RECEIVED

MAR 21 2000 11:27

SENATE CLERK

ENROLLED

Senate Bill No. 1001

(BY SENATOR CRAIGO)

[Passed March 19, 2000; in effect from passage.]

AN ACT to amend and reenact section five, article two, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to providing a seven hundred fifty-six dollar salary increase for members of the West Virginia State Police.

Be it enacted by the Legislature of West Virginia:

That section five, 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.

§15-2-5. Career progression system; salaries; exclusion from wage and hour law, with supplemental payment; bond; leave time for members called to duty in guard or reserves.

1 (a) The superintendent shall establish within the West
 2 Virginia state police a system to provide for: The promo-
 3 tion of members to the supervisory ranks of sergeant, first
 4 sergeant, second lieutenant and first lieutenant; the
 5 classification of nonsupervisory members within the field
 6 operations force to the ranks of trooper, senior trooper,
 7 trooper first class or corporal; the classification of mem-
 8 bers assigned to the forensic laboratory as criminalist
 9 I-VII; and the temporary reclassification of members
 10 assigned to administrative duties as administrative
 11 support specialist I-VIII.

12 (b) The superintendent is authorized to propose legisla-
 13 tive rules for promulgation in accordance with article
 14 three, chapter twenty-nine-a of this code for the purpose
 15 of ensuring consistency, predictability and independent
 16 review of any system developed under the provisions of
 17 this section.

18 (c) The superintendent shall provide to each member a
 19 written manual governing any system established under
 20 the provisions of this section and specific procedures shall
 21 be identified for the evaluation and testing of members for
 22 promotion or reclassification and the subsequent place-
 23 ment of any members on a promotional eligibility or
 24 reclassification recommendation list.

25 (d) Members shall receive annual salaries as follows:

26 ANNUAL SALARY SCHEDULE (BASE PAY)
 27 SUPERVISORY AND NONSUPERVISORY RANKS

1	Cadet During Training	\$1,747 Mo.	\$20,964
2	Cadet Trooper After Training	2,150 Mo.	25,800
3	Trooper Second Year		26,256
4	Trooper Third Year		26,628
5	Trooper Fourth & Fifth Year		26,928

6	Senior Trooper	29,016
7	Trooper First Class	31,104
8	Corporal	33,192
9	Sergeant	37,368
10	First Sergeant	39,456
11	Second Lieutenant	41,544
12	First Lieutenant	43,632
13	Captain	45,720
14	Major	47,808
15	Lieutenant Colonel	49,896

16 ANNUAL SALARY SCHEDULE (BASE PAY)
 17 ADMINISTRATION
 18 SUPPORT SPECIALIST CLASSIFICATION

19	I	26,928
20	II	29,016
21	III	31,104
22	IV	33,192
23	V	37,368
24	VI	39,456
25	VII	41,544
26	VIII	43,632

27 ANNUAL SALARY SCHEDULE (BASE PAY)
 28 CRIMINALIST CLASSIFICATION

29	I	26,928
30	II	29,016
31	III	31,104
32	IV	33,192
33	V	37,368

34 VI 39,456

35 VII 41,544

36 (e) Each member of the West Virginia state police whose
37 salary is fixed and specified pursuant to this section shall
38 receive, and is entitled to, an increase in salary over that
39 set forth in subsection (d) of this section, for grade in rank,
40 based on length of service, including that service served
41 before and after the effective date of this section with the
42 West Virginia state police as follows: At the end of five
43 years of service with the West Virginia state police, the
44 member shall receive a salary increase of three hundred
45 dollars to be effective during his or her next three years of
46 service and a like increase at three-year intervals thereaf-
47 ter, with the increases to be cumulative.

48 (f) In applying the salary schedules set forth in this
49 section where salary increases are provided for length of
50 service, members of the West Virginia state police in
51 service at the time the schedules become effective shall be
52 given credit for prior service and shall be paid such
53 salaries as the same length of service entitles them to
54 receive under the provisions of this section.

55 (g) The Legislature finds and declares that because of the
56 unique duties of members of the West Virginia state police,
57 it is not appropriate to apply the provisions of state wage
58 and hour laws to them. Accordingly, members of the West
59 Virginia state police are excluded from the provisions of
60 state wage and hour law. This express exclusion shall not
61 be construed as any indication that the members were or
62 were not covered by the wage and hour law prior to this
63 exclusion.

64 In lieu of any overtime pay they might otherwise have
65 received under the wage and hour law, and in addition to
66 their salaries and increases for length of service, members
67 who have completed basic training and who are exempt

68 from federal Fair Labor Standards Act guidelines may
69 receive supplemental pay as provided in this section.

70 The superintendent shall, within thirty days after the
71 effective date of this section, propose a legislative rule for
72 promulgation in accordance with article three, chapter
73 twenty-nine-a of this code, to establish the number of
74 hours per month which constitute the standard work
75 month for the members of the West Virginia state police.
76 The rule shall further establish, on a graduated hourly
77 basis, the criteria for receipt of a portion or all of supple-
78 mental payment when hours are worked in excess of the
79 standard work month. The superintendent shall certify
80 monthly to the West Virginia state police's payroll officer
81 the names of those members who have worked in excess of
82 the standard work month and the amount of their entitle-
83 ment to supplemental payment.

84 The supplemental payment may not exceed two hundred
85 thirty-six dollars monthly. The superintendent and
86 civilian employees of the West Virginia state police are not
87 eligible for any supplemental payments.

88 (h) Each member of the West Virginia state police,
89 except the superintendent and civilian employees, shall
90 execute, before entering upon the discharge of his or her
91 duties, a bond with security in the sum of five thousand
92 dollars payable to the state of West Virginia, conditioned
93 upon the faithful performance of his or her duties, and the
94 bond shall be approved as to form by the attorney general
95 and as to sufficiency by the governor.

96 (i) Any member of the West Virginia state police who is
97 called to perform active duty for training or inactive duty
98 training in the national guard or any reserve component of
99 the armed forces of the United States annually shall be
100 granted, upon request, leave time not to exceed thirty
101 calendar days for the purpose of performing the active

102 duty for training or inactive duty training and the time
103 granted may not be deducted from any leave accumulated
104 as a member of the West Virginia state police.

105 (j) Beginning on the first day of July, one thousand nine
106 hundred ninety-nine, and continuing thereafter, members
107 shall receive annual salaries as follows:

108 AMENDED ANNUAL SALARY SCHEDULE
109 (BASE PAY)
110 SUPERVISORY AND NONSUPERVISORY RANKS

111	Cadet During Training	\$1,913 Mo.	\$22,964
112	Cadet Trooper After Training	2,316 Mo.	27,800
113	Trooper Second Year		28,256
114	Trooper Third Year		28,628
115	Trooper Fourth & Fifth Year		28,928
116	Senior Trooper		31,016
117	Trooper First Class		33,104
118	Corporal		35,192
119	Sergeant		39,368
120	First Sergeant		41,456
121	Second Lieutenant		43,544
122	First Lieutenant		45,632
123	Captain		47,720
124	Major		49,808
125	Lieutenant Colonel		51,896

126 AMENDED ANNUAL SALARY SCHEDULE
127 (BASE PAY)
128 ADMINISTRATION
129 SUPPORT SPECIALIST CLASSIFICATION

130	I		28,928
-----	-------------	--	--------

131	II	31,016
132	III	33,104
133	IV	35,192
134	V	39,368
135	VI	41,456
136	VII	43,544
137	VIII	45,632

138 AMENDED ANNUAL SALARY SCHEDULE
 139 (BASE PAY)
 140 CRIMINALIST CLASSIFICATION

141	I	28,928
142	II	31,016
143	III	33,104
144	IV	35,192
145	V	39,368
146	VI	41,456
147	VII	43,544

148 Each member of the West Virginia state police whose
 149 salary is fixed and specified in the amended annual salary
 150 schedules is entitled to the length of service increases set
 151 forth in subsection (f) of this section and supplemental pay
 152 as provided in subsection (g) of this section.

153 (k) Beginning on the first day of July, two thousand, and
 154 continuing thereafter, members shall receive annual
 155 salaries as follows:

156 AMENDED ANNUAL SALARY SCHEDULE
 157 (BASE PAY)
 158 SUPERVISORY AND NONSUPERVISORY RANKS

159	Cadet During Training	\$1,976 Mo.	\$23,720
160	Cadet Trooper After Training	2,379 Mo.	28,556

161	Trooper Second Year	29,012
162	Trooper Third Year	29,384
163	Trooper Fourth & Fifth Year	29,684
164	Senior Trooper	31,772
165	Trooper First Class	33,860
166	Corporal	35,948
167	Sergeant	40,124
168	First Sergeant	42,212
169	Second Lieutenant	44,300
170	First Lieutenant	46,388
171	Captain	48,476
172	Major	50,564
173	Lieutenant Colonel	52,652
174	AMENDED ANNUAL SALARY SCHEDULE	
175	(BASE PAY)	
176	ADMINISTRATION	
177	SUPPORT SPECIALIST CLASSIFICATION	
178	I	29,684
179	II	31,772
180	III	33,860
181	IV	35,948
182	V	40,124
183	VI	42,212
184	VII	44,300
185	VIII	46,388

186	AMENDED ANNUAL SALARY SCHEDULE	
187	(BASE PAY)	
188	CRIMINALIST CLASSIFICATION	
189	I	29,684
190	II	31,772
191	III	33,860
192	IV	35,948
193	V	40,124
194	VI	42,212
195	VII	44,300
196	Each member of the West Virginia state police whose	
197	salary is fixed and specified in the amended annual salary	
198	schedules is entitled to the length of service increases set	
199	forth in subsection (f) of this section and supplemental pay	
200	as provided in subsection (g) of this section.	

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

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *approved* this the *4th*
April
Day of, 2000
[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/31/00

Time 4:30