

H. B. 4626

(BY DELEGATES MILEY, MORGAN,
SWARTZMILLER, LAWRENCE AND SNUFFER)

[Introduced February 20, 2012; referred to the Committee on
Veterans' Affairs and Homeland Security then Finance.]

A BILL to amend and reenact §15-2-4 of the Code of West Virginia,
1931, as amended, relating to the State Police appointment of
commissioned officers, noncommissioned officers, other
members; increasing principle supervisors to nineteen.

Be it enacted by the Legislature of West Virginia:

That §15-2-4 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-4. Appointment of commissioned officers, noncommissioned 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 who

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

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

22 The superintendent may appoint from the membership of
23 the State Police ~~seventeen~~ nineteen principal supervisors who
24 shall receive the compensation and hold the temporary rank
25 of lieutenant colonel, major or captain at the will and
26 pleasure of the superintendent. The superintendent may also
27 appoint from the membership of the executive protection
28 section of the State Police two additional supervisors who
29 shall receive the compensation and hold the temporary rank
30 of first lieutenant and serve at the will and pleasure of the
31 superintendent. Appointments are exempt from any
32 eligibility requirements established by the career progression
33 system: *Provided*, That any member appointed from within
34 the executive protection section of the State Police to the
35 temporary rank of first lieutenant must have completed a
36 minimum of two years service within the executive
37 protection section prior to becoming eligible for such
38 appointment. Any person appointed to a temporary rank
39 under the provisions of this article remains eligible for
40 promotion or reclassification under the provisions of the

41 career progression system if his or her permanent rank is
42 below that of first lieutenant. Upon the termination of a
43 temporary appointment by the superintendent, the member
44 may not be reduced to a rank or classification below his or
45 her permanent rank or classification, unless the reduction
46 results from disciplinary action, and remains eligible for
47 subsequent appointment to a temporary rank.

NOTE: The purpose of this bill is to increase the number of principle supervisors from seventeen to nineteen.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.