

# H. B. 4626

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

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[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.