

1 **H. B. 4536**

2
3 (By Delegate Morgan)

4 [Introduced February 14, 2014; referred to the
5 Committee on the Judiciary.]

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10 A BILL to amend and reenact §15-1B-26 of the Code of West Virginia,
11 1931, as amended, relating to retaining current West Virginia
12 National Guard firefighters; and allowing certain National
13 Guard firefighters to become civilian firefighters with the
14 West Virginia National Guard.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §15-1B-26 of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted to read as follows:

18 **ARTICLE 1B. NATIONAL GUARD.**

19 **§15-1B-26. Firefighters and security guards to be members of the**
20 **National Guard.**

21 (a) Only firefighters and security guards who are members of
22 the West Virginia National Guard may be employed by the Adjutant
23 General as firefighters and security guards: *Provided, That any*

1 person employed as a firefighter on the effective date of this
2 section who is not a member of the West Virginia Air National Guard
3 may continue to be employed as a firefighter: *Provided, however,*
4 That no person who is not employed on the effective date of this
5 section as a firefighter and who is not a member of the West
6 Virginia Air National Guard may be employed as a firefighter for
7 the West Virginia Air National Guard.

8 (b) Any firefighter employed by the West Virginia Air National
9 Guard who, after six years of military service with the West
10 Virginia Air National Guard, chooses not to reenlist may continue
11 his or her duties as a civilian firefighter under the authority of
12 the West Virginia Air National Guard. Any military firefighter
13 transferring to civilian firefighter status retains his or her
14 rank, salary and benefits and shall be afforded all of the rights
15 and privileges commensurate with that status.

NOTE: The purpose of this bill is to allow West Virginia National Guard firefighters to become civilian firefighters for the West Virginia Air National Guard.

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