

H. B. 4235

(By Delegates Morgan, Kinsey, Staggers,
Stephens, Howell, Diserio, Jones and Caputo)

[Introduced January 20, 2014; referred to the
Committee on Government Organization.]

A BILL to amend and reenact §5F-2-1 of the Code of West Virginia,
1931, as amended; and to amend said code by adding thereto
twelve new sections, designated §5F-2-1a, §5F-2-1b, §5F-2-1c,
§5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-2-1g, §5F-2-1h, §5F-2-1i,
§5F-2-1j, §5F-2-1k and §5F-2-1l, all relating to the
reorganization of certain code provisions that organize the
executive branch of state government.

Be it enacted by the Legislature of West Virginia:

That §5F-2-1 of the Code of West Virginia, 1931, as amended,
be amended and reenacted; and that said code be amended by adding
thereto twelve new sections, designated §5F-2-1a, §5F-2-1b,
§5F-2-1c, §5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-2-1g, §5F-2-1h,
§5F-2-1i, §5F-2-1j, §5F-2-1k and §5F-2-1l, all to read as follows:

ARTICLE 2. ~~TRANSFER OF AGENCIES AND BOARDS~~ ORGANIZATION OF STATE

AGENCIES, BOARDS AND COMMISSIONS WITHIN DEPARTMENTS

1 OF STATE GOVERNMENT.

2 ~~§5F-2-1. Transfer and incorporation of agencies and boards; funds~~

3 General provisions.

4 ~~(a) The following agencies and boards, including all of the~~
5 ~~allied, advisory, affiliated or related entities and funds~~
6 ~~associated with any agency or board, are incorporated in and~~
7 ~~administered as a part of the Department of Administration:~~

8 ~~(1) Building Commission provided in article six, chapter five~~
9 ~~of this code;~~

10 ~~(2) Public Employees Insurance Agency provided in article~~
11 ~~sixteen, chapter five of this code;~~

12 ~~(3) Governor's Mansion Advisory Committee provided in article~~
13 ~~five, chapter five-a of this code;~~

14 ~~(4) Commission on Uniform State Laws provided in article~~
15 ~~one-a, chapter twenty-nine of this code;~~

16 ~~(5) West Virginia Public Employees Grievance Board provided in~~
17 ~~article three, chapter six-c of this code;~~

18 ~~(6) Board of Risk and Insurance Management provided in article~~
19 ~~twelve, chapter twenty-nine of this code;~~

20 ~~(7) Boundary Commission provided in article twenty-three,~~
21 ~~chapter twenty-nine of this code;~~

22 ~~(8) Public Defender Services provided in article twenty-one,~~
23 ~~chapter twenty-nine of this code;~~

24 ~~(9) Division of Personnel provided in article six, chapter~~

1 ~~twenty-nine of this code;~~

2 ~~(10) The West Virginia Ethics Commission provided in article~~
3 ~~two, chapter six-b of this code;~~

4 ~~(11) Consolidated Public Retirement Board provided in article~~
5 ~~ten-d, chapter five of this code; and~~

6 ~~(12) Real Estate Division provided in article ten, chapter~~
7 ~~five-a of this code.~~

8 ~~(b) The following agencies and boards, including all of the~~
9 ~~allied, advisory, affiliated or related entities and funds~~
10 ~~associated with any agency or board, are incorporated in and~~
11 ~~administered as a part of the Department of Commerce:~~

12 ~~(1) Division of Labor provided in article one, chapter~~
13 ~~twenty-one of this code, which includes:~~

14 ~~(A) Occupational Safety and Health Review Commission provided~~
15 ~~in article three-a, chapter twenty-one of this code; and~~

16 ~~(B) Board of Manufactured Housing Construction and Safety~~
17 ~~provided in article nine, chapter twenty-one of this code.~~

18 ~~(2) Office of Miners' Health, Safety and Training provided in~~
19 ~~article one, chapter twenty-two-a of this code. The following~~
20 ~~boards are transferred to the Office of Miners' Health, Safety and~~
21 ~~Training for purposes of administrative support and liaison with~~
22 ~~the Office of the Governor:~~

23 ~~(A) Board of Coal Mine Health and Safety and Coal Mine Safety~~
24 ~~and Technical Review Committee provided in article six, chapter~~

1 ~~twenty-two-a of this code;~~

2 ~~(B) Board of Miner Training, Education and Certification~~
3 ~~provided in article seven, chapter twenty-two-a of this code; and~~

4 ~~(C) Mine Inspectors' Examining Board provided in article nine,~~
5 ~~chapter twenty-two-a of this code.~~

6 ~~(3) The West Virginia Development Office provided in article~~
7 ~~two, chapter five-b of this code;~~

8 ~~(4) Division of Natural Resources and Natural Resources~~
9 ~~Commission provided in article one, chapter twenty of this code;~~

10 ~~(5) Division of Forestry provided in article one-a, chapter~~
11 ~~nineteen of this code;~~

12 ~~(6) Geological and Economic Survey provided in article two,~~
13 ~~chapter twenty-nine of this code; and~~

14 ~~(7) Workforce West Virginia provided in chapter twenty-one-a~~
15 ~~of this code, which includes:~~

16 ~~(A) Division of Unemployment Compensation;~~

17 ~~(B) Division of Employment Service;~~

18 ~~(C) Division of Workforce Development; and~~

19 ~~(D) Division of Research, Information and Analysis.~~

20 ~~(8) Division of Energy provided in article two-f, chapter~~
21 ~~five-b of this code.~~

22 ~~(9) Division of Tourism Commission provided in article two-h,~~
23 ~~chapter five-b of this code.~~

24 ~~(c) The Economic Development Authority provided in article~~

1 ~~fifteen, chapter thirty-one of this code is continued as an~~
2 ~~independent agency within the executive branch.~~

3 ~~(d) The Water Development Authority and the Water Development~~
4 ~~Authority Board provided in article one, chapter twenty-two-c of~~
5 ~~this code is continued as an independent agency within the~~
6 ~~executive branch.~~

7 ~~(e) The following agencies and boards, including all of the~~
8 ~~allied, advisory and affiliated entities, are transferred to the~~
9 ~~Department of Environmental Protection for purposes of~~
10 ~~administrative support and liaison with the office of the Governor:~~

11 ~~(1) Air Quality Board provided in article two, chapter~~
12 ~~twenty-two-b of this code;~~

13 ~~(2) Solid Waste Management Board provided in article three,~~
14 ~~chapter twenty-two-c of this code;~~

15 ~~(3) Environmental Quality Board, or its successor board,~~
16 ~~provided in article three, chapter twenty-two-b of this code;~~

17 ~~(4) Surface Mine Board provided in article four, chapter~~
18 ~~twenty-two-b of this code;~~

19 ~~(5) Oil and Gas Inspectors' Examining Board provided in~~
20 ~~article seven, chapter twenty-two-c of this code;~~

21 ~~(6) Shallow Gas Well Review Board provided in article eight,~~
22 ~~chapter twenty-two-c of this code; and~~

23 ~~(7) Oil and Gas Conservation Commission provided in article~~
24 ~~nine, chapter twenty-two-c of this code.~~

1 ~~(f) The following agencies and boards, including all of the~~
2 ~~allied, advisory, affiliated or related entities and funds~~
3 ~~associated with any agency or board, are incorporated in and~~
4 ~~administered as a part of the Department of Education and the Arts:~~

5 ~~(1) Library Commission provided in article one, chapter ten of~~
6 ~~this code;~~

7 ~~(2) Division of Culture and History provided in article one,~~
8 ~~chapter twenty-nine of this code; and~~

9 ~~(3) Division of Rehabilitation Services provided in article~~
10 ~~ten-a, chapter eighteen of this code.~~

11 ~~(g) The Educational Broadcasting Authority provided in article~~
12 ~~five, chapter ten of this code is part of the Department of~~
13 ~~Education and the Arts for the purposes of administrative support~~
14 ~~and liaison with the office of the Governor.~~

15 ~~(h) The following agencies and boards, including all of the~~
16 ~~allied, advisory, affiliated or related entities and funds~~
17 ~~associated with any agency or board, are incorporated in and~~
18 ~~administered as a part of the Department of Health and Human~~
19 ~~Resources:~~

20 ~~(1) Human Rights Commission provided in article eleven,~~
21 ~~chapter five of this code;~~

22 ~~(2) Division of Human Services provided in article two,~~
23 ~~chapter nine of this code;~~

24 ~~(3) Bureau for Public Health provided in article one, chapter~~

1 ~~sixteen of this code;~~

2 ~~(4) Office of Emergency Medical Services and the Emergency~~
3 ~~Medical Service Advisory Council provided in article four-c,~~
4 ~~chapter sixteen of this code;~~

5 ~~(5) Health Care Authority provided in article twenty-nine b,~~
6 ~~chapter sixteen of this code;~~

7 ~~(6) Commission on Mental Retardation provided in article~~
8 ~~fifteen, chapter twenty-nine of this code;~~

9 ~~(7) Women's Commission provided in article twenty, chapter~~
10 ~~twenty-nine of this code; and~~

11 ~~(8) The Child Support Enforcement Division provided in chapter~~
12 ~~forty-eight of this code.~~

13 ~~(i) The following agencies and boards, including all of the~~
14 ~~allied, advisory, affiliated or related entities and funds~~
15 ~~associated with any agency or board, are incorporated in and~~
16 ~~administered as a part of the Department of Military Affairs and~~
17 ~~Public Safety:~~

18 ~~(1) Adjutant General's Department provided in article one-a,~~
19 ~~chapter fifteen of this code;~~

20 ~~(2) Armory Board provided in article six, chapter fifteen of~~
21 ~~this code;~~

22 ~~(3) Military Awards Board provided in article one-g, chapter~~
23 ~~fifteen of this code;~~

24 ~~(4) West Virginia State Police provided in article two,~~

1 ~~chapter fifteen of this code;~~

2 ~~(5) Division of Homeland Security and Emergency Management and~~
3 ~~Disaster Recovery Board provided in article five, chapter fifteen~~
4 ~~of this code and Emergency Response Commission provided in article~~
5 ~~five-a of said chapter;~~

6 ~~(6) Sheriffs' Bureau provided in article eight, chapter~~
7 ~~fifteen of this code;~~

8 ~~(7) Division of Justice and Community Services provided in~~
9 ~~article nine-a, chapter fifteen of this code;~~

10 ~~(8) Division of Corrections provided in chapter twenty-five of~~
11 ~~this code;~~

12 ~~(9) Fire Commission provided in article three, chapter~~
13 ~~twenty-nine of this code;~~

14 ~~(10) Regional Jail and Correctional Facility Authority~~
15 ~~provided in article twenty, chapter thirty-one of this code; and~~

16 ~~(11) Board of Probation and Parole provided in article twelve,~~
17 ~~chapter sixty-two of this code.~~

18 ~~(j) The following agencies and boards, including all of the~~
19 ~~allied, advisory, affiliated or related entities and funds~~
20 ~~associated with any agency or board, are incorporated in and~~
21 ~~administered as a part of the Department of Revenue:~~

22 ~~(1) Tax Division provided in chapter eleven of this code;~~

23 ~~(2) Racing Commission provided in article twenty-three,~~
24 ~~chapter nineteen of this code;~~

1 ~~(3) Lottery Commission and position of Lottery Director~~
2 ~~provided in article twenty-two, chapter twenty-nine of this code;~~

3 ~~(4) Insurance Commissioner provided in article two, chapter~~
4 ~~thirty-three of this code;~~

5 ~~(5) West Virginia Alcohol Beverage Control Commissioner~~
6 ~~provided in article sixteen, chapter eleven of this code and~~
7 ~~article two, chapter sixty of this code;~~

8 ~~(6) Board of Banking and Financial Institutions provided in~~
9 ~~article three, chapter thirty one a of this code;~~

10 ~~(7) Lending and Credit Rate Board provided in chapter~~
11 ~~forty-seven a of this code;~~

12 ~~(8) Division of Banking provided in article two, chapter~~
13 ~~thirty one a of this code;~~

14 ~~(9) The State Budget Office provided in article two of this~~
15 ~~chapter;~~

16 ~~(10) The Municipal Bond Commission provided in article three,~~
17 ~~chapter thirteen of this code;~~

18 ~~(11) The Office of Tax Appeals provided in article ten a,~~
19 ~~chapter eleven of this code; and~~

20 ~~(12) The State Athletic Commission provided in article five a,~~
21 ~~chapter twenty-nine of this code.~~

22 ~~(k) The following agencies and boards, including all of the~~
23 ~~allied, advisory, affiliated or related entities and funds~~
24 ~~associated with any agency or board, are incorporated in and~~

1 ~~administered as a part of the Department of Transportation:~~

2 ~~(1) Division of Highways provided in article two-a, chapter~~
3 ~~seventeen of this code;~~

4 ~~(2) Parkways, Economic Development and Tourism Authority~~
5 ~~provided in article sixteen-a, chapter seventeen of this code;~~

6 ~~(3) Division of Motor Vehicles provided in article two,~~
7 ~~chapter seventeen-a of this code;~~

8 ~~(4) Driver's Licensing Advisory Board provided in article two,~~
9 ~~chapter seventeen-b of this code;~~

10 ~~(5) Aeronautics Commission provided in article two-a, chapter~~
11 ~~twenty-nine of this code;~~

12 ~~(6) State Rail Authority provided in article eighteen, chapter~~
13 ~~twenty-nine of this code; and~~

14 ~~(7) Public Port Authority provided in article sixteen-b,~~
15 ~~chapter seventeen of this code.~~

16 ~~(1) Effective July 1, 2011, the Veterans' Council provided in~~
17 ~~article one, chapter nine-a of this code, including all of the~~
18 ~~allied, advisory, affiliated or related entities and funds~~
19 ~~associated with it, is incorporated in and administered as a part~~
20 ~~of the Department of Veterans' Assistance.~~

21 (a) The Legislature finds that in 1989, this chapter was
22 enacted to provide for the reorganization of the executive branch
23 of state government pursuant to the findings set forth under
24 section one, article one of this chapter. This section was enacted

1 as part of that legislation to effect the transfer of agencies and
2 board and related entities into the various departments created
3 within the executive branch of government. Since its initial
4 enactment, the Legislature has amended and reenacted this section
5 on a number of occasions, in most instances to modify the initial
6 reorganization within the executive branch of government. The
7 Legislature further finds that the structure of this section by
8 which it provides an extensive list of executive agencies in a
9 single section of the Code of West Virginia renders this section
10 unnecessarily lengthy and complicated. The designation of a
11 separate statute for each of the agencies and entities as they are
12 organized in subsections (a) through (l) of this subsection as
13 provided pursuant to the amendment and reenactment of this section
14 in 2011 would reduce the unnecessary length and complexity of the
15 statute without altering the Legislature's intent in providing for
16 the organization of the executive branch of state government
17 pursuant to the original findings set forth under section one,
18 article one of this chapter and the Legislature's subsequent
19 amendments and reenactments of various sections of this chapter.
20 The Legislature therefore finds and declares that the amendment and
21 reenactment of this section and the further amendment of the Code
22 of West Virginia by adding thereto twelve new sections, designated
23 section one-a, article two, chapter five-f, section one-b, article
24 two, chapter five-f, section one-c, article two, chapter five-f,

1 section one-d, article two, chapter five-f, section one-e, article
2 two, chapter five-f, section one-f, article two, chapter five-f,
3 section one-g, article two, chapter five-f, section one-h, article
4 two, chapter five-f, section one-i, article two, chapter five-f,
5 section one-j, article two, chapter five-f, section one-k, article
6 two, chapter five-f and section one-l, article two, chapter five-f,
7 in 2014 are solely for purposes of designating a separate statute
8 for each of the agencies and entities as they are organized in
9 subsections (a) through (l) of this subsection as provided pursuant
10 to the amendment and reenactment of this section in 2011, and in
11 section one-k, article two, chapter five-f, to provide for
12 corrective descriptions of an agency and to add an additional
13 agency to the list of agencies organized under that section. The
14 Legislature further finds and declares that except as otherwise
15 provided in this section, the amendment and reenactment of this
16 section and the enactment of the new sections as aforesaid in 2014
17 may not be construed to have altered or modified the application of
18 any other provision of this code to the agencies and entities
19 described in those sections, and that all other provisions of this
20 code, to the extent applicable to those subsections, as well as the
21 remaining subsections of this section, shall to apply in like
22 manner to the agencies and entities described in those new
23 sections.

24 ~~(m)~~ (b) Except for powers, authority and duties that have been

1 delegated to the secretaries of the departments by the provisions
2 of section two of this article, the position of administrator and
3 the powers, authority and duties of each administrator and agency
4 are not affected by the enactment of this chapter.

5 ~~(n)~~ (c) Except for powers, authority and duties that have been
6 delegated to the secretaries of the departments by the provisions
7 of section two of this article, the existence, powers, authority
8 and duties of boards and the membership, terms and qualifications
9 of members of the boards are not affected by the enactment of this
10 chapter. All boards that are appellate bodies or are independent
11 decision makers shall not have their appellate or independent
12 decision-making status affected by the enactment of this chapter.

13 ~~(o)~~ (d) Any department previously transferred to and
14 incorporated in a department by prior enactment of this section
15 means a division of the appropriate department. Wherever reference
16 is made to any department transferred to and incorporated in a
17 department created in section two, article one of this chapter, the
18 reference means a division of the appropriate department and any
19 reference to a division of a department so transferred and
20 incorporated means a section of the appropriate division of the
21 department.

22 ~~(p)~~ (e) When an agency, board or commission is transferred
23 under a bureau or agency other than a department headed by a
24 secretary pursuant to this section, that transfer is solely for

1 purposes of administrative support and liaison with the Office of
2 the Governor, a department secretary or a bureau. Nothing in this
3 section extends the powers of department secretaries under section
4 two of this article to any person other than a department secretary
5 and nothing limits or abridges the statutory powers and duties of
6 statutory commissioners or officers pursuant to this code.

7 **§5F-2-1a. Department of Administration.**

8 The following agencies and boards, including all of the
9 allied, advisory, affiliated or related entities and funds
10 associated with any agency or board, are incorporated in and
11 administered as a part of the Department of Administration:

12 (1) Building Commission provided in article six, chapter five
13 of this code;

14 (2) Public Employees Insurance Agency provided in article
15 sixteen, chapter five of this code;

16 (3) Governor's Mansion Advisory Committee provided in article
17 five, chapter five-a of this code;

18 (4) Commission on Uniform State Laws provided in article
19 one-a, chapter twenty-nine of this code;

20 (5) West Virginia Public Employees Grievance Board provided in
21 article three, chapter six-c of this code;

22 (6) Board of Risk and Insurance Management provided in article
23 twelve, chapter twenty-nine of this code;

24 (7) Boundary Commission provided in article twenty-three,

1 chapter twenty-nine of this code;

2 (8) Public Defender Services provided in article twenty-one,
3 chapter twenty-nine of this code;

4 (9) Division of Personnel provided in article six, chapter
5 twenty-nine of this code;

6 (10) The West Virginia Ethics Commission provided in article
7 two, chapter six-b of this code;

8 (11) Consolidated Public Retirement Board provided in article
9 ten-d, chapter five of this code; and

10 (12) Real Estate Division provided in article ten, chapter
11 five-a of this code.

12 **§5F-2-1b. Department of Commerce.**

13 The following agencies and boards, including all of the
14 allied, advisory, affiliated or related entities and funds
15 associated with any agency or board, are incorporated in and
16 administered as a part of the Department of Commerce:

17 (1) Division of Labor provided in article one, chapter
18 twenty-one of this code, which includes:

19 (A) Occupational Safety and Health Review Commission provided
20 in article three-a, chapter twenty-one of this code; and

21 (B) Board of Manufactured Housing Construction and Safety
22 provided in article nine, chapter twenty-one of this code.

23 (2) Office of Miners' Health, Safety and Training provided in
24 article one, chapter twenty-two-a of this code. The following

1 boards are transferred to the Office of Miners' Health, Safety and
2 Training for purposes of administrative support and liaison with
3 the Office of the Governor:

4 (A) Board of Coal Mine Health and Safety and Coal Mine Safety
5 and Technical Review Committee provided in article six, chapter
6 twenty-two-a of this code;

7 (B) Board of Miner Training, Education and Certification
8 provided in article seven, chapter twenty-two-a of this code; and

9 (C) Mine Inspectors' Examining Board provided in article nine,
10 chapter twenty-two-a of this code.

11 (3) The West Virginia Development Office provided in article
12 two, chapter five-b of this code;

13 (4) Division of Natural Resources and Natural Resources
14 Commission provided in article one, chapter twenty of this code;

15 (5) Division of Forestry provided in article one-a, chapter
16 nineteen of this code;

17 (6) Geological and Economic Survey provided in article two,
18 chapter twenty-nine of this code; and

19 (7) Workforce West Virginia provided in chapter twenty-one-a
20 of this code, which includes:

21 (A) Division of Unemployment Compensation;

22 (B) Division of Employment Service;

23 (C) Division of Workforce Development; and

24 (D) Division of Research, Information and Analysis.

1 (8) Division of Energy provided in article two-f, chapter
2 five-b of this code.

3 (9) Division of Tourism Commission provided in article two-h,
4 chapter five-b of this code.

5 **§5F-2-1c. Economic Development Authority.**

6 The Economic Development Authority provided in article
7 fifteen, chapter thirty-one of this code is continued as an
8 independent agency within the executive branch.

9 **§5F-2-1d. Water Development Authority.**

10 The Water Development Authority and the Water Development
11 Authority Board provided in article one, chapter twenty-two-c of
12 this code is continued as an independent agency within the
13 executive branch.

14 **§5F-2-1e. Department of Environmental Protection.**

15 The following agencies and boards, including all of the
16 allied, advisory and affiliated entities, are transferred to the
17 Department of Environmental Protection for purposes of
18 administrative support and liaison with the Office of the Governor:

19 (1) Air Quality Board provided in article two, chapter
20 twenty-two-b of this code;

21 (2) Solid Waste Management Board provided in article three,
22 chapter twenty-two-c of this code;

23 (3) Environmental Quality Board, or its successor board,
24 provided in article three, chapter twenty-two-b of this code;

1 (4) Surface Mine Board provided in article four, chapter
2 twenty-two-b of this code;

3 (5) Oil and Gas Inspectors' Examining Board provided in
4 article seven, chapter twenty-two-c of this code;

5 (6) Shallow Gas Well Review Board provided in article eight,
6 chapter twenty-two-c of this code; and

7 (7) Oil and Gas Conservation Commission provided in article
8 nine, chapter twenty-two-c of this code.

9 **§5F-2-1f. Department of Education and the Arts.**

10 The following agencies and boards, including all of the
11 allied, advisory, affiliated or related entities and funds
12 associated with any agency or board, are incorporated in and
13 administered as a part of the Department of Education and the Arts:

14 (1) Library Commission provided in article one, chapter ten of
15 this code;

16 (2) Division of Culture and History provided in article one,
17 chapter twenty-nine of this code; and

18 (3) Division of Rehabilitation Services provided in article
19 ten-a, chapter eighteen of this code.

20 **§5F-2-1g. Educational Broadcasting Authority.**

21 The Educational Broadcasting Authority provided in article
22 five, chapter ten of this code is part of the Department of
23 Education and the Arts for the purposes of administrative support
24 and liaison with the Office of the Governor.

1 **§5F-2-1h. Department of Health and Human Resources.**

2 The following agencies and boards, including all of the
3 allied, advisory, affiliated or related entities and funds
4 associated with any agency or board, are incorporated in and
5 administered as a part of the Department of Health and Human
6 Resources:

7 (1) Human Rights Commission provided in article eleven,
8 chapter five of this code;

9 (2) Division of Human Services provided in article two,
10 chapter nine of this code;

11 (3) Bureau for Public Health provided in article one, chapter
12 sixteen of this code;

13 (4) Office of Emergency Medical Services and the Emergency
14 Medical Service Advisory Council provided in article four-c,
15 chapter sixteen of this code;

16 (5) Health Care Authority provided in article twenty-nine-b,
17 chapter sixteen of this code;

18 (6) Commission on Mental Retardation provided in article
19 fifteen, chapter twenty-nine of this code;

20 (7) Women's Commission provided in article twenty, chapter
21 twenty-nine of this code; and

22 (8) The Child Support Enforcement Division provided in chapter
23 forty-eight of this code.

24 **§5F-2-1i. Department of Military Affairs and Public Safety.**

1 The following agencies and boards, including all of the
2 allied, advisory, affiliated or related entities and funds
3 associated with any agency or board, are incorporated in and
4 administered as a part of the Department of Military Affairs and
5 Public Safety:

6 (1) Adjutant General's Department provided in article one-a,
7 chapter fifteen of this code;

8 (2) Armory Board provided in article six, chapter fifteen of
9 this code;

10 (3) Military Awards Board provided in article one-g, chapter
11 fifteen of this code;

12 (4) West Virginia State Police provided in article two,
13 chapter fifteen of this code;

14 (5) Division of Homeland Security and Emergency Management and
15 Disaster Recovery Board provided in article five, chapter fifteen
16 of this code and Emergency Response Commission provided in article
17 five-a of said chapter;

18 (6) Sheriffs' Bureau provided in article eight, chapter
19 fifteen of this code;

20 (7) Division of Justice and Community Services provided in
21 article nine-a, chapter fifteen of this code;

22 (8) Division of Corrections provided in chapter twenty-five of
23 this code;

24 (9) Fire Commission provided in article three, chapter

1 twenty-nine of this code;

2 (10) Regional Jail and Correctional Facility Authority
3 provided in article twenty, chapter thirty-one of this code; and

4 (11) Board of Probation and Parole provided in article twelve,
5 chapter sixty-two of this code.

6 **§5F-2-1j. Department of Revenue.**

7 The following agencies and boards, including all of the
8 allied, advisory, affiliated or related entities and funds
9 associated with any agency or board, are incorporated in and
10 administered as a part of the Department of Revenue:

11 (1) Tax Division provided in chapter eleven of this code;

12 (2) Racing Commission provided in article twenty-three,
13 chapter nineteen of this code;

14 (3) Lottery Commission and position of Lottery Director
15 provided in article twenty-two, chapter twenty-nine of this code;

16 (4) Insurance Commissioner provided in article two, chapter
17 thirty-three of this code;

18 (5) West Virginia Alcohol Beverage Control Commissioner
19 provided in article sixteen, chapter eleven of this code and
20 article two, chapter sixty of this code;

21 (6) Board of Banking and Financial Institutions provided in
22 article three, chapter thirty-one-a of this code;

23 (7) Lending and Credit Rate Board provided in chapter
24 forty-seven-a of this code;

1 (8) Division of Banking provided in article two, chapter
2 thirty-one-a of this code;

3 (9) The State Budget Office provided in article two of this
4 chapter;

5 (10) The Municipal Bond Commission provided in article three,
6 chapter thirteen of this code;

7 (11) The Office of Tax Appeals provided in article ten-a,
8 chapter eleven of this code; and

9 (12) The State Athletic Commission provided in article five-a,
10 chapter twenty-nine of this code.

11 **§5F-2-1k. Department of Transportation.**

12 The following agencies and boards, including all of the
13 allied, advisory, affiliated or related entities and funds
14 associated with any agency or board, are incorporated in and
15 administered as a part of the Department of Transportation:

16 (1) Division of Highways provided in article two-a, chapter
17 seventeen of this code;

18 (2) Parkways Authority provided in article sixteen-a, chapter
19 seventeen of this code;

20 (3) Division of Motor Vehicles provided in article two,
21 chapter seventeen-a of this code;

22 (4) Driver's Licensing Advisory Board provided in article two,
23 chapter seventeen-b of this code;

24 (5) Aeronautics Commission provided in article two-a, chapter

1 twenty-nine of this code;

2 (6) State Rail Authority provided in article eighteen, chapter
3 twenty-nine of this code;

4 (7) Public Port Authority provided in article sixteen-b,
5 chapter seventeen of this code; and

6 (8) Division of Public Transit provided in article sixteen-c,
7 chapter seventeen of this code.

8 **§5F-2-11. Department of Veterans' Assistance.**

9 The Veterans' Council provided in article one, chapter nine-a
10 of this code, including all of the allied, advisory, affiliated or
11 related entities and funds associated with it, is incorporated in
12 and administered as a part of the Department of Veterans'
13 Assistance.

NOTE: The purpose of this bill is to create new code sections which separate the executive departments, designated §5F-2-1a through §5F-2-11.

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

§5F-2-1a, §5F-2-1b, §5F-2-1c, §5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-2-1g, §5F-2-1h, §5F-2-1i, §5F-2-1j, §5F-2-1k and §5F-2-1l are new; therefore, they have been completely underscored.