

H. B. 2738

(By Delegates Ellington and Householder)

[Introduced February 13, 2015; referred to the
Committee on Government Organization.]

A BILL to amend and reenact §29-20-1, §29-20-2, §29-20-3, §29-20-4 and §29-20-6 of the Code of West Virginia, 1931, as amended, all relating to the Women's Commission and placing it in the Department of Commerce.

Be it enacted by the Legislature of West Virginia:

That §29-20-1, §29-20-2, §29-20-3, §29-20-4 and §29-20-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 20. WOMEN'S COMMISSION.

§29-20-1. Membership; appointment and terms of members; organization; reimbursement for expenses.

~~The West Virginia Commission on the Status of Women is hereby abolished, and~~

~~(a) There is hereby continued within the Department of Health and Human Resources Commerce the West Virginia Women's Commission.~~

~~(b) to consist~~ The Women's Commission consists of eighteen members:

1 (1) Seven of whom ~~shall be~~ are ex officio members, not entitled to vote:

2 (A) The Attorney General;

3 (B) The State Superintendent of Schools;

4 (C) The Commissioner of Labor;

5 (D) The Commissioner of the Bureau of Human Resources of the Department of Health and
6 Human Resources;

7 (E) The Director of the Human Rights Commission;

8 (F) The Director of the Division of Personnel; and

9 (G) The Chancellor ~~of the board of directors of the state college system~~ for Higher Education.

10 Each ex officio member may designate one representative employed by his or her department
11 to meet with the commission in his or her absence.

12 (2) The Governor shall appoint the additional eleven members, by and with the advice and
13 consent of the Senate, from among the citizens of the state.

14 (c) The Governor shall designate the ~~chairman and vice chairman~~ chair and vice chair of the
15 commission and the commission may elect ~~such~~ other officers as it ~~deems~~ considers necessary. ~~The~~
16 ~~members shall serve a term beginning July 1, 1977, three to serve for a term of one year, four to~~
17 ~~serve for a term of two years and the remaining four to serve for a term of three years. The~~
18 ~~successors of the members initially appointed as provided herein in this section shall be appointed~~
19 ~~for a term of three years each in the same manner as the members initially appointed under this~~
20 ~~article, except that any person appointed to fill a vacancy occurring prior to the expiration of the term~~
21 ~~for which his or her predecessor was appointed shall be appointed for the remainder of ~~such~~ the term.~~
22 Each member ~~shall serve~~ serves until the appointment and qualification of his or her successor.

1 (d) No member may receive any salary for his or her services, but each may be reimbursed
2 for actual and necessary expenses incurred in the performance of his or her duties out of funds
3 received by the commission under section four of this article, except that in the event the expenses
4 are paid, or are to be paid, by a third party, the members shall not be reimbursed by the commission.

5 **§29-20-2. Powers and duties of commission.**

6 It is the duty of the commission:

7 (a) To review and study the status of women in this state;

8 (b) To recommend methods of overcoming discrimination against women in public and
9 private employment and in the exercise of their civil and political rights;

10 (c) To promote more effective methods for enabling women to develop their skills, to
11 continue their education and to be retrained;

12 (d) To strengthen home life by directing attention to critical problems confronting women
13 as wives, mothers, homemakers and workers;

14 (e) To make surveys in the fields of, but not limited to, education, social services, labor laws
15 and employment policies, law enforcement, health, new and expanded services of benefit to women,
16 legal rights, family relations and volunteer services;

17 (f) To secure appropriate recognition of women's accomplishments and contributions to this
18 state;

19 (g) To disseminate information for the purpose of educating the public as to the existence and
20 functions of the commission and as to matters of general beneficial interest to women; and

21 (h) To advise, consult and cooperate with other offices of the Department of ~~Health and~~
22 ~~Human Resources~~ Commerce and other agencies of state government, and to receive assistance

1 therefrom, in the development of activities and programs of beneficial interest to women and on
2 matters relating generally to women.

3 **§29-20-3. Commission administrative personnel.**

4 The commission may, consistent with state personnel procedures and with the approval of
5 the secretary of the Department of ~~Health and Human Resources~~ Commerce or his or her designee,
6 appoint an executive director, who shall act as the chief administrative officer of the commission,
7 in addition to ~~such~~ other duties as he or she may be assigned. The commission may also, consistent
8 with state personnel procedures and with the approval of the secretary of the Department of ~~Health~~
9 ~~and Human Resources~~ Commerce or his or her designee, appoint ~~such~~ other personnel as may be
10 ~~deemed~~ considered necessary to accomplish its objectives. All persons so employed shall be paid
11 from funds received by the Department of ~~Health and Human Resources~~ Commerce or the
12 commission under section four of this article.

13 **§29-20-4. Power of commission to accept funds.**

14 The commission, or the Department of ~~Health and Human Resources~~ Commerce on behalf
15 of the commission, may accept gifts, grants and bequests of funds from individuals, foundations,
16 corporations, the federal government, governmental agencies and other organizations or institutions;
17 make and sign any agreements and do and perform any acts that may be necessary to carry out the
18 purposes of this article.

19 **§29-20-6. Annual report.**

20 The commission shall, with the approval of the Secretary of the Department of ~~Health and~~
21 ~~Human Resources~~ Commerce or his or her designee, submit an annual report to the Legislature and
22 the Governor, including recommendations based on its studies.

NOTE: The purpose of this bill is to move the Women's Commission from the Department of Health and Human Resources to the Department of Commerce.

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