

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 280

FISCAL
NOTE

BY SENATORS WALTERS AND GAUNCH

[Introduced January 14, 2016; Referred to the
Committee on Government Organization; and then to
the Committee on Finance.]

1 A BILL to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended, relating
2 to granting Department of Administration authority and responsibility of all personnel and
3 human resources matters that are currently provided by personnel sections or divisions
4 within other state departments and agencies; and eliminating those other personnel
5 sections or divisions.

Be it enacted by the Legislature of West Virginia:

1 That §5A-1-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

**§5A-1-2. Department of Administration and Office of Secretary; secretary; divisions;
directors.**

1 (a) The Department of Administration and the Office of Secretary of Administration are
2 continued in the executive branch of state government. The secretary is the Chief Executive
3 Officer of the department and shall be appointed by the Governor, by and with the advice and
4 consent of the Senate, for a term not exceeding the term of the Governor.

5 (b) The Department of Administration may receive federal funds.

6 (c) The secretary serves at the will and pleasure of the Governor. The annual
7 compensation of the secretary shall be as specified in section two-a, article seven, chapter six of
8 this code.

9 (d) There shall be in the Department of Administration a Finance Division, a General
10 Services Division, an Information Services and Communications Division, Division of Personnel
11 and a Purchasing Division. Each division shall be headed by a director who may also head any
12 and all sections within that division and who shall be appointed by the secretary.

13 (e) All personnel sections or divisions within other state departments and agencies are
14 eliminated and their functions transferred to the secretary and shall be administered by the
15 Department of Administration's director of the Division of Personnel. The other departments and

16 state agencies shall work with the secretary to accomplish this directive. The transition shall be
17 completed by July 1, 2017.

18 ~~(e)~~ (f) There shall also be in the Department of Administration those agencies, boards,
19 commissions and councils specified in section one, article two, chapter five-f of this code.

20 ~~(f)~~ (g) The secretary may establish a Fleet Management Office within the Department of
21 Administration to:

22 (1) Manage all motor vehicles and aircraft owned or possessed by the State of West
23 Virginia or any of its departments, divisions, agencies, bureaus, boards, commissions, offices or
24 authorities: *Provided*, That, such vehicles and aircraft shall not be used for personal purposes,
25 other than for de minimis personal use;

26 (2) Administer the rules, including emergency rules, promulgated under the provisions of
27 sections forty-eight and forty-nine, article three of this chapter; and

28 (3) Perform any duties relating to motor vehicles and aircraft owned or possessed by the
29 State of West Virginia assigned by the secretary, which duties may include those set out in
30 sections fifty through fifty-three, article three of this chapter.

NOTE: The purpose of this bill is to eliminate personnel sections or divisions within other state departments and agencies and their functions transferred to the Department of Administration. The bill requires the Department of Administration's director of the Division of Personnel to be the administrator. The bill requires other departments and state agencies to work with the secretary to accomplish the directive by July 1, 2017

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