

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2840**

BY DELEGATES HOWELL, FRICH, DEAN, HILL, FOSTER, G.,

MARTIN, HAMRICK, ARVON, CRISS, LEWIS AND SYPOLT

[Introduced March 8, 2017; Referred  
to the Committee on Government Organization then  
Finance.]

1 A BILL to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended; to amend  
 2 and reenact §5F-2-1 of said code; and to amend said code by adding thereto twelve new  
 3 sections, designated §5F-2-1a, §5F-2-1b, §5F-2-1c, §5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-  
 4 2-1g, §5F-2-1h, §5F-2-1i, §5F-2-1j, §5F-2-1k and §5F-2-1l, all relating to the  
 5 reorganization of certain code provisions that organize the executive branch of state  
 6 government.

*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  
 2 reenacted; that §5F-2-1 of said code be amended and reenacted; and that said code be amended  
 3 by adding thereto twelve new sections, designated §5F-2-1a, §5F-2-1b, §5F-2-1c, §5F-2-1d, §5F-  
 4 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  
 5 follows:

## **CHAPTER 5A. DEPARTMENT OF ADMINISTRATION.**

### **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) There shall also be in the Department of Administration those agencies, boards,  
14 commissions and councils specified in section ~~one~~ one-a, article two, chapter five-f of this code.

15 (f) The secretary may establish a Fleet Management Office within the Department of  
16 Administration to:

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

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

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

**CHAPTER 5F. REORGANIZATION OF THE EXECUTIVE BRANCH OF  
STATE GOVERNMENT.**

**ARTICLE 2. TRANSFER OF AGENCIES AND BOARDS.**

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

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

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

5 ~~(2) Public Employees Insurance Agency provided in article sixteen, chapter five of this~~

6 code;

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

8 code;

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

11 ~~(5) West Virginia Public Employees Grievance Board provided in article three, chapter six-~~  
12 ~~e of this code;~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

57 ~~(c) The Economic Development Authority provided in article fifteen, chapter thirty-one of~~

58 ~~this code is continued as an independent agency within the executive branch.~~

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

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

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

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

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

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

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

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

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

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

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

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

82 ~~and~~

83 ~~(3) Division of Rehabilitation Services provided in article ten-a, chapter eighteen of this~~

84 code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108 ~~(5) Division of Homeland Security and Emergency Management and Disaster Recovery~~  
109 ~~Board provided in article five, chapter fifteen of this code and Emergency Response Commission~~

110 ~~provided in article five-a of said chapter;~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

135 ~~(10) The Municipal Bond Commission provided in article three, chapter thirteen of this~~



136 code;

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

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

139 code.

140 ~~(k) The following agencies and boards, including all of the allied, advisory, affiliated or~~

141 ~~related entities and funds associated with any agency or board, are incorporated in and~~

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

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

144 ~~(2) Parkways, Economic Development and Tourism Authority provided in article sixteen-~~

145 ~~a, chapter seventeen of this code;~~

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

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

148 code;

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

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

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

152 ~~(l) Effective July 1, 2011, the Veterans' Council provided in article one, chapter nine-a of~~

153 ~~this code, including all of the allied, advisory, affiliated or related entities and funds associated~~

154 ~~with it, is incorporated in and administered as a part of the Department of Veterans' Assistance.~~

155 (a) (1) The Legislature finds that in 1989, this chapter was enacted to provide for the

156 reorganization of the executive branch of state government pursuant to the findings set forth under

157 section one, article one of this chapter. This section was enacted as part of that legislation to

158 effect the transfer of agencies and boards and related entities into the various departments

159 created within the executive branch of government. Since its initial enactment, the Legislature has

160 amended and reenacted this section on a number of occasions, in most instances to modify the

161 initial reorganization within the executive branch of government. The Legislature further finds that

162 the structure of this section by which it provides an extensive list of executive agencies in a single  
163 section of the Code of West Virginia renders this section unnecessarily lengthy and complicated.  
164 The designation of a separate statute for each of the agencies and entities as they are organized  
165 in subsections (a) through (l) of this section as provided pursuant to the amendment of this section  
166 in 2017 would reduce the unnecessary length and complexity of the statute without altering the  
167 Legislature's intent in providing for the organization of the executive branch of state government  
168 pursuant to the original findings set forth under section one, article one of this chapter and the  
169 Legislature's subsequent amendments and reenactments of various sections of this chapter.

170 (2) The Legislature therefore finds and declares that the amendment and reenactment of  
171 this section and the further amendment of this code by adding sections one-a, one-b, one-c, one-  
172 d, one-e, one-f, one-g, one-h, one-i, one-j, one-k, and one-l to this article, are solely for the  
173 purpose of:

174 (A) Designating a separate statute for each of the agencies and entities as they are  
175 organized in subsections (a) through (e) of this section as provided pursuant to the amendment  
176 to this section in 2017; and

177 (B) Providing corrective descriptions of agencies and corrective code references, and  
178 deleting references to agencies, boards and commissions that no longer exist.

179 (3) The Legislature further finds and declares that except as otherwise provided in this  
180 section, the amendment of this section and the enactment of the new sections may not be  
181 construed to have altered or modified the application of any other provision of this code to the  
182 agencies and entities described in those sections. Additionally, all other provisions of this code,  
183 to the extent applicable to those sections, as well as the remaining subsections of this section,  
184 apply in like manner to the agencies and entities described in those new sections.

185 ~~(m)~~ (b) Except for powers, authority and duties that have been delegated to the secretaries  
186 of the departments by the provisions of section two of this article, the position of administrator and  
187 the powers, authority and duties of each administrator and agency are not affected by the

188 enactment of this chapter.

189       ~~(#)~~ (c) Except for powers, authority and duties that have been delegated to the secretaries  
190 of the departments by the provisions of section two of this article, the existence, powers, authority  
191 and duties of boards and the membership, terms and qualifications of members of the boards are  
192 not affected by the enactment of this chapter. All boards that are appellate bodies or are  
193 independent decision makers shall not have their appellate or independent decision-making  
194 status affected by the enactment of this chapter.

195       ~~(#)~~ (d) Any department previously transferred to and incorporated in a department by prior  
196 enactment of this section means a division of the appropriate department. Wherever reference is  
197 made to any department transferred to and incorporated in a department created in section two,  
198 article one of this chapter, the reference means a division of the appropriate department and any  
199 reference to a division of a department so transferred and incorporated means a section of the  
200 appropriate division of the department.

201       ~~(#)~~ (e) When an agency, board or commission is transferred under a bureau or agency  
202 other than a department headed by a secretary pursuant to this section, that transfer is solely for  
203 purposes of administrative support and liaison with the Office of the Governor, a department  
204 secretary or a bureau. Nothing in this section extends the powers of department secretaries under  
205 section two of this article to any person other than a department secretary and nothing limits or  
206 abridges the statutory powers and duties of statutory commissioners or officers pursuant to this  
207 code.

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

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

4       (1) Finance Division provided in article two, chapter five-a of this code;

5       (2) General Services Division provided in article four, chapter five-a of this code;

- 6           (3) Information Services and Communications Division provided in article seven, chapter  
7 five-a of this code;
- 8           (4) Purchasing Division, Surplus Property and Travel Management provided in article  
9 three, chapter five-a of this code;
- 10           (5) Division of Personnel provided in article six, chapter twenty-nine of this code;
- 11           (6) Real Estate Division provided in article ten, chapter five-a of this code;
- 12           (7) Public Land Corporation provided in article eleven, chapter five-a of this code;
- 13           (8) Fleet Management Office provided in article one, chapter five-a of this code;
- 14           (9) Commission on Uniform State Laws provided in article one-a, chapter twenty-nine of  
15 this code;
- 16           (10) West Virginia Public Employees Grievance Board provided in article three, chapter  
17 six-c of this code;
- 18           (11) Board of Risk and Insurance Management provided in article twelve, chapter twenty-  
19 nine of this code;
- 20           (12) Boundary Commission provided in article twenty-three, chapter twenty-nine of this  
21 code;
- 22           (13) Public Defender Services provided in article twenty-one, chapter twenty-nine of this  
23 code;
- 24           (14) Public Employees Insurance Agency provided in article sixteen, chapter five of this  
25 code;
- 26           (15) Prosecuting Attorneys Institute provided in article four, chapter seven of this code;
- 27           (16) The West Virginia Ethics Commission provided in article two, chapter six-b of this  
28 code;
- 29           (17) Consolidated Public Retirement Board provided in article ten-d, chapter five of this  
30 code;

31 (18) Governor’s Mansion Advisory Committee provided in article five, chapter five-a of this  
32 code;

33 (19) Committee for the Purchase of Commodities and Services from the Handicapped  
34 provided in article three-a, chapter five-a of this code;

35 (20) Records Management and Preservation Advisory Committee provided in article eight,  
36 chapter five-a of this code;

37 (21) Design-Build Board provided in article twenty-two-a, chapter five of this code; and

38 (22) The Office of Technology, provided in article six, chapter five-a of this code.

**§5F-2-1b. Department of Commerce.**

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

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

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

8 (B) Board of Manufactured Housing Construction and Safety Standards provided in article  
9 nine, chapter twenty-one of this code; and

10 (C) West Virginia Contractor Licensing Board provided in article eleven, chapter twenty-  
11 one of this code.

12 (2) Office of Miners' Health, Safety and Training provided in article one, chapter twenty-  
13 two-a of this code, which includes:

14 (A) Mine Inspectors' Examining Board provided in article nine, chapter twenty-two-a of this  
15 code; and

16 (B) Coal Mine Safety Board of Appeals provided in article five, chapter twenty-two-a of this  
17 code.

18           (3) Board of Coal Mine Health and Safety provided in article six, chapter twenty-two-a of  
19 this code, which includes:

20           (A) Board of Miner Training, Education and Certification provided in article seven, chapter  
21 twenty-two-a of this code;

22           (B) Coal Mine Safety and Technical Review Committee provided in article six, chapter  
23 twenty-two-a of this code;

24           (C) West Virginia Diesel Equipment Commission provided in article two-a, chapter twenty-  
25 two-a of this code; and

26           (D) Coal Mine Safety and Technology Task Force, provided in article eleven, chapter  
27 twenty-two-a of this code.

28           (4) The West Virginia Development Office provided in article two, chapter five-b of this  
29 code;

30           (5) Division of Natural Resources and Natural Resources Commission provided in article  
31 one, chapter twenty of this code, which includes:

32           (A) Whitewater Commission provided in article two, chapter twenty of this code; and

33           (B) Wildlife Endowment Fund Board of Trustees provided in article two-b, chapter twenty  
34 of this code.

35           (6) Division of Forestry provided in article one-a, chapter nineteen of this code;

36           (7) Geological and Economic Survey provided in article two, chapter twenty-nine of this  
37 code; and

38           (8) Workforce West Virginia provided in chapter twenty-one-a of this code, which includes:

39           (A) Unemployment Compensation Board of Review;

40           (9) Division of Energy provided in article two-f, chapter five-b of this code; and

41           (10) Division of Tourism and Tourism Commission provided in article two, chapter five-b  
42 of this code.

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

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

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

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

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

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

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

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

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

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

10       (5) Office of Oil and Gas provided in article six, chapter twenty-two of this code; and

11       (6) Shallow Gas Well Review Board provided in article eight, chapter twenty-two-c of this  
12 code.

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

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

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

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

6 and

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

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

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

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

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

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

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

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

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

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

10          (6) State Commission on Intellectual Disability provided in article fifteen, chapter twenty-  
11 nine of this code;

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

13          (8) The Bureau for Child Support Enforcement provided in chapter forty-eight of this code.

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

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

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

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



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

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

8 (5) Division of Homeland Security and Emergency Management and Disaster Recovery  
 9 Board provided in article five, chapter fifteen of this code and Emergency Response Commission  
 10 provided in article five-a of that chapter;

11 (6) Division of Justice and Community Services provided in article nine-a, chapter fifteen  
 12 of this code;

13 (7) Division of Corrections provided in chapter twenty-five of this code;

14 (8) State Fire Commission provided in article three, chapter twenty-nine of this code;

15 (9) Division of Juvenile Services provided in article two, chapter forty-nine of this code;

16 (10) Division of Protective Services provided in article two-d, chapter fifteen of this code;

17 (11) Regional Jail and Correctional Facility Authority provided in article twenty, chapter  
 18 thirty-one of this code; and

19 (12) Board of Probation and Parole provided in article twelve, chapter sixty-two of this  
 20 code.

**§5F-2-1j. Department of Revenue.**

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

4 (1) The State Tax Division provided in article one, chapter eleven of this code;

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

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

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

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

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

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

14 (8) Division of Financial Institutions provided in article two, chapter thirty-one-a of this  
15 code;

16 (9) The State Budget Office provided in article two, chapter eleven-b of this code;

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

19 (11) West Virginia Office of Tax Appeals provided in article ten-a, chapter eleven of this  
20 code; and

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

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

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

4 (1) West Virginia Division of Highways provided in article two-a, chapter seventeen of this  
5 code;

6 (2) The West Virginia Parkways Authority provided in article sixteen-a, chapter seventeen  
7 of this code;

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

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

11 (5) The State of West Virginia Aeronautics Commission provided in article two-a, chapter  
12 twenty-nine of this code;

13           (6) West Virginia State Rail Authority provided in article eighteen, chapter twenty-nine of  
14 this code;

15           (7) The West Virginia Public Port Authority provided in article sixteen-b, chapter seventeen  
16 of this code;

17           (8) Division of Public Transit provided in article sixteen-c, chapter seventeen of this code;  
18 and

19           (9) The Office of Administrative Hearings provided in article five-c, chapter seventeen-c of  
20 this code.

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

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

NOTE: The purpose of this bill is to reorganize the departments, agencies and commissions within the executive branch of state government.

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