

1 (a) 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 Administration:

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

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

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

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

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

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

17 (7) Boundary Commission provided in article twenty-three,
18 chapter twenty-nine of this code;

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

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

23 (10) The West Virginia Ethics Commission provided in article

1 two, chapter six-b of this code;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 (A) Division of Unemployment Compensation;

16 (B) Division of Employment Service;

17 (C) Division of Workforce Development; and

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

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

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

23 (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

1 nine, chapter twenty-two-c of this code.

2 (f) 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 Education and the Arts:

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

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

10 (3) Division of Rehabilitation Services provided in article
11 ten-a, chapter eighteen of this code;

12 (4) Effective July 1, 2013, the Division of Early Care and
13 Education is transferred pursuant to section eight of this article;
14 and

15 (5) Effective July 1, 2013, the Head Start State Collaborative
16 is transferred pursuant to section eight of this article.

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

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

1 administered as a part of the Department of Health and Human
2 Resources:

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

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

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

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

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

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

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

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

20 (i) The following agencies and boards, including all of the
21 allied, advisory, affiliated or related entities and funds
22 associated with any agency or board, are incorporated in and
23 administered as a part of the Department of Military Affairs and

1 Public Safety:

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

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

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

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

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

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

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

18 (8) Division of Corrections provided in chapter twenty-five of
19 this code;

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

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

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

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

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

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

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

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

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

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

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

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

23 (9) The State Budget Office provided in article two of this

1 chapter;

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

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

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

8 (k) 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 Transportation:

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

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

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

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

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

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

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

3 (1) Effective July 1, 2011, the Veterans' Council provided in
4 article one, chapter nine-a of this code, including all of the
5 allied, advisory, affiliated or related entities and funds
6 associated with it, is incorporated in and administered as a part
7 of the Department of Veterans' Assistance.

8 (m) Except for powers, authority and duties that have been
9 delegated to the secretaries of the departments by the provisions
10 of section two of this article, the position of administrator and
11 the powers, authority and duties of each administrator and agency
12 are not affected by the enactment of this chapter.

13 (n) Except for powers, authority and duties that have been
14 delegated to the secretaries of the departments by the provisions
15 of section two of this article, the existence, powers, authority
16 and duties of boards and the membership, terms and qualifications
17 of members of the boards are not affected by the enactment of this
18 chapter. All boards that are appellate bodies or are independent
19 decision makers shall not have their appellate or independent
20 decision-making status affected by the enactment of this chapter.

21 (o) Any department previously transferred to and incorporated
22 in a department by prior enactment of this section means a division
23 of the appropriate department. Wherever reference is made to any

1 department transferred to and incorporated in a department created
2 in section two, article one of this chapter, the reference means a
3 division of the appropriate department and any reference to a
4 division of a department so transferred and incorporated means a
5 section of the appropriate division of the department.

6 (p) When an agency, board or commission is transferred under
7 a bureau or agency other than a department headed by a secretary
8 pursuant to this section, that transfer is solely for purposes of
9 administrative support and liaison with the Office of the Governor,
10 a department secretary or a bureau. Nothing in this section
11 extends the powers of department secretaries under section two of
12 this article to any person other than a department secretary and
13 nothing limits or abridges the statutory powers and duties of
14 statutory commissioners or officers pursuant to this code.

15 **§5F-2-8. Transfer of Division of Early Care and Education and the**
16 **Head Start State Collaborative.**

17 Effective July 1, 2013, the Division of Early Care and
18 Education and the Head Start State Collaborative are hereby
19 transferred from the Bureau of Children and Families within the
20 Department of Health and Human Resources to the Department of
21 Education and the Arts. This transfer includes all employees,
22 funds, rules, records, responsibilities, obligations, assets and
23 property, of whatever kind and character, that are associated with

1 the division or collaborative.

NOTE: The purpose of this bill is to transfer the Division of Early Care and Education and the Head Start State Collaborative from the Bureau of Children and Families within the Department of Health and Human Resources to the Department of Education and the Arts, effective July 1, 2013.

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

§5F-2-8 is new; therefore, underscoring and strike-throughs have been omitted.