

COMMITTEE SUBSTITUTE

FOR

**H. B. 2124**

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(BY DELEGATES MORGAN, STEPHENS, HARTMAN,  
HOUSEHOLDER, HOWELL AND STAGGERS)

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(Originating in the Committee on Finance)

[March 19, 2013]

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 OF STATE GOVERNMENT.**

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

1           (a) ~~The following agencies and boards, including all of the~~  
2 ~~allied, advisory, affiliated or related entities and funds associated~~  
3 ~~with any agency or board, are incorporated in and administered~~  
4 ~~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~~  
10 ~~article 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~~  
14 ~~provided in article three, chapter six-c of this code;~~

15 ~~(6) Board of Risk and Insurance Management provided in~~  
16 ~~article 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~~  
24 ~~article two, chapter six-b of this code;~~

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

27 ~~(12) Real Estate Division provided in article ten, chapter~~  
28 ~~five-a of this code:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

69 ~~(c) The Economic Development Authority provided in~~  
70 ~~article fifteen, chapter thirty-one of this code is continued as an~~  
71 ~~independent agency within the executive branch.~~

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

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

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

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

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

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

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

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

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

95 ~~(f) The following agencies and boards, including all of the~~  
96 ~~allied, advisory, affiliated or related entities and funds associated~~

97 ~~with any agency or board, are incorporated in and administered~~  
98 ~~as a part of the Department of Education and the Arts:~~

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

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

103 ~~(3) Division of Rehabilitation Services provided in article~~  
104 ~~ten-a, chapter eighteen of this code:~~

105 ~~(g) The Educational Broadcasting Authority provided in~~  
106 ~~article five, chapter ten of this code is part of the Department of~~  
107 ~~Education and the Arts for the purposes of administrative~~  
108 ~~support and liaison with the office of the Governor:~~

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

186 ~~(k) The following agencies and boards, including all of the~~  
187 ~~allied, advisory, affiliated or related entities and funds associated~~  
188 ~~with any agency or board, are incorporated in and administered~~  
189 ~~as a part of the Department of Transportation:~~

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

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

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

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

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

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

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

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

210 (a) The Legislature finds that in 1989, this chapter was  
211 enacted to provide for the reorganization of the executive branch  
212 of state government pursuant the findings set forth under section  
213 one, article one of this chapter. This section was enacted as part  
214 of that legislation to effect the transfer of agencies and board and  
215 related entities into the various departments created within the  
216 executive branch of government. Since its initial enactment, the  
217 Legislature has amended and reenacted this section on a number  
218 of occasions, in most instances to modify the initial

219 reorganization within the executive branch of government. The  
220 Legislature further finds that the structure of this section by  
221 which it provides an extensive list of executive agencies in a  
222 single section of the code of West Virginia renders this section  
223 unnecessarily lengthy and complicated. The designation of a  
224 separate statute for each of the agencies and entities as they are  
225 organized in subsections (a) through (l) of this subsection as  
226 provided pursuant to the amendment and reenactment of this  
227 section in 2011 would reduce the unnecessary length and  
228 complexity of the statute without altering the Legislature's intent  
229 in providing for the organization of the executive branch of state  
230 government pursuant the original findings set forth under section  
231 one, article one of this chapter and the Legislature's subsequent  
232 amendments and reenactments of various sections of this  
233 chapter. The Legislature therefore finds and declares that the  
234 amendment and reenactment of this section and the further  
235 amendment of the code of West Virginia by adding thereto  
236 twelve new sections, designated §5F-2-1a, §5F-2-1b, §5F-2-1c,  
237 §5F-2-1d, §5F-2-1e, §5F-2-1f, §5F-2-1g, §5F-2-1h, §5F-2-1i,  
238 §5F-2-1j, §5F-2-1k and §5F-2-1l in 2013 are solely for purposes

239 of designating a separate statute for each of the agencies and  
240 entities as they are organized in subsections (a) through (l) of  
241 this subsection as provided pursuant to the amendment and  
242 reenactment of this section in 2011, and in §5F-2-1k to provide  
243 for corrective descriptions of an agency and to add an additional  
244 agency to the list of agencies organized under that section. The  
245 Legislature further finds and declares that except as otherwise  
246 provided in this section, the amendment and reenactment of this  
247 section and the enactment of the new sections as aforesaid in  
248 2013 may not be construed to have altered or modified the  
249 application of any other provision of this code to the agencies  
250 and entities described in those sections, and that all other  
251 provisions of this code, to the extent applicable to those  
252 subsection, as well as the remaining subsections of this section,  
253 shall to apply in like manner to the agencies and entities  
254 described in those new sections.

255       ~~(m)~~(b) Except for powers, authority and duties that have  
256 been delegated to the secretaries of the departments by the  
257 provisions of section two of this article, the position of  
258 administrator and the powers, authority and duties of each

259 administrator and agency are not affected by the enactment of  
260 this chapter.

261 ~~(n)~~(c) Except for powers, authority and duties that have been  
262 delegated to the secretaries of the departments by the provisions  
263 of section two of this article, the existence, powers, authority and  
264 duties of boards and the membership, terms and qualifications of  
265 members of the boards are not affected by the enactment of this  
266 chapter. All boards that are appellate bodies or are independent  
267 decision makers shall not have their appellate or independent  
268 decision-making status affected by the enactment of this chapter.

269 ~~(o)~~(d) Any department previously transferred to and  
270 incorporated in a department by prior enactment of this section  
271 means a division of the appropriate department. Wherever  
272 reference is made to any department transferred to and  
273 incorporated in a department created in section two, article one  
274 of this chapter, the reference means a division of the appropriate  
275 department and any reference to a division of a department so  
276 transferred and incorporated means a section of the appropriate  
277 division of the department.

278 ~~(p)~~(e) When an agency, board or commission is transferred  
279 under a bureau or agency other than a department headed by a

280 secretary pursuant to this section, that transfer is solely for  
281 purposes of administrative support and liaison with the office of  
282 the Governor, a department secretary or a bureau. Nothing in this  
283 section extends the powers of department secretaries under  
284 section two of this article to any person other than a department  
285 secretary and nothing limits or abridges the statutory powers and  
286 duties of statutory commissioners or officers pursuant to this  
287 code.

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

1       The following agencies and boards, including all of the  
2 allied, advisory, affiliated or related entities and funds associated  
3 with any agency or board, are incorporated in and administered  
4 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  
10 article 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  
14 provided in article three, chapter six-c of this code;

15 (6) Board of Risk and Insurance Management provided in  
16 article 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  
24 article two, chapter six-b of this code;

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

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

**§5F-2-1b. Department of Commerce.**

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (A) Division of Unemployment Compensation;

34 (B) Division of Employment Service;

35 (C) Division of Workforce Development; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (1) Library Commission provided in article one, chapter ten  
6 of 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.

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

1 The Educational Broadcasting Authority provided in article  
2 five, chapter ten of this code is part of the Department of  
3 Education and the Arts for the purposes of administrative  
4 support and 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  
2 allied, advisory, affiliated or related entities and funds associated  
3 with any agency or board, are incorporated in and administered  
4 as a part of the Department of Health and Human Resources:

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

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

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

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

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

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

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

20       (8) The Child Support Enforcement Division provided in  
21 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  
2 allied, advisory, affiliated or related entities and funds associated  
3 with any agency or board, are incorporated in and administered  
4 as a part of the Department of Military Affairs and Public Safety:

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

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

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

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

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

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

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

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

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

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

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

**§5F-2-1j. Department of Revenue.**

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

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

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

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



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

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

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

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

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

21 (9) The State Budget Office provided in article two of this  
22 chapter;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

