WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 60

(By Mr. Jackson and Rawers)

PASSED Feb 14, 1957

In Effect July 1, 1957
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Senate Bill No. 60
(By MR. JACKSON, OF LOGAN, AND MR. BOWERS)

[Passed February 14, 1957; in effect July 1, 1957.]

AN ACT to amend chapter five of the code of West Virginia one thousand nine hundred thirty-one, as amended, by adding thereto a new article, to be designated article eight, relating to the establishment in the state government of a centralized department of finance and administration, and to its powers and duties.

Be it enacted by the Legislature of West Virginia:

That chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article to be designated article eight, to read as follows:
Article 8. Department of Finance and Administration.

Section 1. Department of Finance and Administration; Commissioner; Divisions.—There is hereby created in the state government a department of finance and administration and the office of commissioner of finance and administration. The commissioner shall be the chief executive officer of the department and shall be appointed by the governor by and with the advice and consent of the senate for a term of six years. The annual compensation of the commissioner shall be fixed by the governor, but not in excess of ten thousand dollars. There shall be in the department of finance and administration a budget division, a central accounting division, a purchasing division, a personnel division, and a general services division. Each division shall be headed by a director, who shall be appointed by the commissioner, to serve at the will and pleasure of the commissioner.

The commissioner shall have control and supervision of the department of finance and administration and shall be responsible for the work of each of its divisions. Under the control and supervision of the commissioner, each
21 director shall be responsible for the work of his division.
22 The commissioner and the directors shall have the author-
23 ity to employ such assistants as may be necessary for the
24 efficient operation of the department. The commissioner
25 and the directors shall have the authority and shall per-
26 form the duties herein specified and shall also perform
27 such other duties as the governor may by executive order
28 prescribe.

Sec. 2. Council of Finance and Administration.—There
2 is hereby established a council of finance and administra-
3 tion. The council shall be composed of ten members, four
4 of whom shall serve ex officio and six of whom shall be
5 appointed as herein provided. The ex officio members
6 shall be the governor, the attorney general, the state
7 treasurer, and the state auditor. From the membership
8 of the joint committee on government and finance, the
9 president of the senate shall appoint three senators as
10 members of the council, not more than two of whom shall
11 be members of the same political party, and the speaker
12 of the house shall appoint three delegates as members of
13 the council, not more than two of whom shall be members
of the same political party.

The council shall serve the department of finance and administration in an advisory capacity only. It shall have the authority and it shall be its duty:

(1) To advise with the commissioner concerning all administrative rules and regulations to be issued by the department.

(2) To advise with the commissioner as to all budget proposals to be submitted to the board of public works.

(3) At the time of the submission of the proposed budget to the board of public works, to report to the board its conclusions concerning the proposed budget, and any additions, modifications or adjustments that it may care to suggest.

(4) To advise with the commissioner concerning such studies of government and administration as it may consider appropriate.

(5) To advise with the commissioner in the preparation of studies designed to provide long term capital planning and finance for state institutions and agencies.
Sec. 3. Budget Division; Powers and Duties.—The Commissioner of finance and administration shall be *ex officio* the director of the budget division. Except as otherwise provided in this article, the budget division shall be vested with the powers and authority, and shall perform the functions and duties, heretofore granted or imposed by law on the state budget office or the director of the budget.

Sec. 4. Central Accounting Division; Powers and Duties.—The central accounting division shall maintain a central system of state accounts and shall be vested with the powers and authority, and shall perform the functions and duties, heretofore granted or imposed by law on the director of the budget or the tax commissioner pertaining to the formulation and control of accounting systems, or heretofore granted or imposed by law on the tax commissioner pertaining to information and reports concerning financial transactions, or heretofore granted or imposed by law on the state budget office or the director of the budget pertaining to requisitions for expenditures, including those for the payment of personal services and...
orders for the purchase of commodities, or heretofore granted or imposed by law on the tax commissioner or on the state auditor pertaining to compiling, printing, and submitting reports of the financial transactions of the state.

Sec. 5. Purchasing Division; Powers and Duties.—Except as otherwise provided in this article, the purchasing division shall be vested with the powers and authority, and shall perform the functions and duties, heretofore granted or imposed by law on the department of purchases or the state director of purchases.

Sec. 6. Personnel Division; Powers and Duties.—The personnel division shall be vested with the powers and authority, and shall perform the functions and duties, heretofore granted or imposed by law on the state budget office or the director of the budget pertaining to employment classification and salary schedules of state personnel, except the powers, functions and services vested by law in a personnel department when created and established in the state government pursuant to the provisions of Senate Bill No. 159 of the regular session of the Legis-
lature, one thousand nine hundred fifty-seven, or other comparable legislation.

Sec. 7. General Services Division; Powers and Duties.—

The general services division shall have control of the central mailing office in the capitol building, and shall be vested with the powers and authority, and shall perform the functions and duties, heretofore granted or imposed by law on the governor pertaining to such central mailing office, or heretofore granted or imposed by law on the state budget office, the director of the budget, the department of purchases or the director of purchases pertaining to inventory and property control, or heretofore granted or imposed by law on the state board of control pertaining to the care, control and custody of the capitol buildings and grounds.

Sec. 8. Authority of Governor.—The governor is hereby authorized to direct by executive order, not inconsistent with the provisions of this article, the transfer to the department of finance and administration of such records and equipment, the performance by the department of such additional functions and duties, and the discontinu-
Sec. 9. *Statutory References.*—Whenever any statute of the state refers to an officer or agency of the state whose functions and duties are by this article transferred to another officer or agency of the state; the reference shall be understood to be made to the officer or agency; as the case may be; to which the functions and duties have been transferred.
TheJointCommitteeonEnrolledBillsherebycertifiesthat
theforegoingbilliscorrectlyenrolled.

ChairmanSenateCommittee

ChairmanHouseCommittee

OriginatedintheSenate.

TakeseffectJuly1,1957passage.

ClerkoftheSenate

ClerkoftheHouseofDelegates

PresidentoftheSenate

SpeakerHouseofDelegates

ThewithinapprovedthisdayofMarch1,1957.

Governor

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SecretaryofState