

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 60

(By Mr. Jackson & Bowers)

PASSED Feb 14, 1957

In Effect July 1, 1957 Passage



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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;*

2 *Commissioner; Divisions.*—There is hereby created in the
3 state government a department of finance and adminis-
4 tration and the office of commissioner of finance and
5 administration. The commissioner shall be the chief exe-
6 cutive officer of the department and shall be appointed
7 by the governor by and with the advice and consent of
8 the senate for a term of six years. The annual compensa-
9 tion of the commissioner shall be fixed by the governor,
10 but not in excess of ten thousand dollars. There shall
11 be in the department of finance and administration a bud-
12 get division, a central accounting division, a purchasing
13 division, a personnel division, and a general services di-
14 vision. Each division shall be headed by a director, who
15 shall be appointed by the commissioner, to serve at the
16 will and pleasure of the commissioner.

17 The commissioner shall have control and supervision
18 of the department of finance and administration and shall
19 be responsible for the work of each of its divisions. Under
20 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

14 of the same political party.

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

18 (1) To advise with the commissioner concerning all ad-
19 ministrative rules and regulations to be issued by the
20 department.

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

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

28 (4) To advise with the commissioner concerning such
29 studies of government and administration as it may con-
30 sider appropriate.

31 (5) To advise with the commissioner in the prepara-
32 tion of studies designed to provide long term capital
33 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

14 orders for the purchase of commodities, or heretofore
15 granted or imposed by law on the tax commissioner or
16 on the state auditor pertaining to compiling, printing, and
17 submitting reports of the financial transactions of the
18 state.

Sec. 5. *Purchasing Division; Powers and Duties.*—Ex-
2 cept as otherwise provided in this article, the purchasing
3 division shall be vested with the powers and authority,
4 and shall perform the functions and duties, heretofore
5 granted or imposed by law on the department of pur-
6 chases or the state director of purchases.

Sec. 6. *Personnel Division; Powers and Duties.*—The
2 personnel division shall be vested with the powers and
3 authority, and shall perform the functions and duties,
4 heretofore granted or imposed by law on the state budget
5 office or the director of the budget pertaining to employ-
6 ment classification and salary schedules of state person-
7 nel, except the powers, functions and services vested by
8 law in a personnel department when created and estab-
9 lished in the state government pursuant to the provisions
10 of Senate Bill No. 159 of the regular session of the Legis-

11 lature, one thousand nine hundred fifty-seven, or other
12 comparable legislation.

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

2 The general services division shall have control of the
3 central mailing office in the capitol building, and shall be
4 vested with the powers and authority, and shall perform
5 the functions and duties, heretofore granted or imposed
6 by law on the governor pertaining to such central mailing
7 office, or heretofore granted or imposed by law on the
8 state budget office, the director of the budget, the depart-
9 ment of purchases or the director of purchases pertaining
10 to inventory and property control, or heretofore granted
11 or imposed by law on the state board of control pertain-
12 ing to the care, control and custody of the capitol build-
13 ings and grounds.

*Sec. 8. Authority of Governor.—*The governor is hereby

2 authorized to direct by executive order, not inconsistent
3 with the provisions of this article, the transfer to the de-
4 partment of finance and administration of such records
5 and equipment, the performance by the department of
6 such additional functions and duties, and the discontinu-

7 ance of such functions and duties of any other state officer
8 or agency as may be necessary to effectuate the purposes
9 of the fiscal reorganization prescribed in this article.

Sec. 9. *Statutory References.*—Whenever any statute
2 of the state refers to an officer or agency of the state
3 whose functions and duties are by this article transferred
4 to another officer or agency of the state; the reference
5 shall be understood to be made to the officer or agency;
6 as the case may be; to which the functions and duties
7 have been transferred.

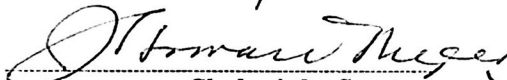
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee


Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1957 passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within approved this the 12th
day of March, 1957.


Governor



Filed in the Office of the Secretary of State
of West Virginia **MAR 12 1957**
D. PITT O'BRIEN
SECRETARY OF STATE