

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2724

BY MR. SPEAKER, (MR. ARMSTEAD), AND DELEGATE MILEY

(BY REQUEST OF THE EXECUTIVE)

[Passed April 7, 2017; in effect ninety days from passage.]

1 AN ACT to amend and reenact §5-26-1 and §5-26-2 of the Code of West Virginia, 1931, as
2 amended; and to amend said code by adding thereto a new section, designated §5-26-3,
3 all relating to the Herbert Henderson Office of Minority Affairs; requiring the office to report
4 to the Select Committee on Minority Affairs; requiring the director to review and consider
5 any recommendations of the Select Committee on Minority Affairs; continuing the Minority
6 Affairs Fund; establishing a community-based pilot demonstration project; providing for
7 funding of a pilot project; setting forth objectives for the pilot project; and requiring the
8 leveraging of existing resources.

Be it enacted by the Legislature of West Virginia:

1 That §5-26-1 and §5-26-2 of the Code of West Virginia, 1931, as amended, be amended
2 and reenacted; and that said code be amended by adding thereto a new section, designated §5-
3 26-3, all to read as follows:

ARTICLE 26. HERBERT HENDERSON OFFICE OF MINORITY AFFAIRS.

§5-26-1. Herbert Henderson Office of Minority Affairs; duties and responsibilities.

1 (a) The Herbert Henderson Office of Minority Affairs within the Office of the Governor is
2 continued. The office shall:

3 (1) Provide a forum for discussion of issues that affect the state's minorities;

4 (2) Identify and promote best practices in the provision of programs and services to
5 minorities;

6 (3) Review information and research that can inform state policy as to the delivery of
7 programs and services to minorities;

8 (4) Make recommendations in areas of policy and allocation of resources;

9 (5) Apply for grants, and accept gifts from private and public sources for research to
10 improve and enhance minority affairs;

11 (6) Integrate and coordinate state grant and loan programs established specifically for
12 minority related issues;

13 (7) Award grants, loans and loan guaranties for minority affairs programs and activities in
14 this state if such funds are available from grants or gifts from public or private sources;

15 (8) Identify other state and local agencies and programs that provide services or
16 assistance to minorities;

17 (9) Establish the appropriate program linkages with related federal, state and local
18 agencies and programs including, but not limited to, the Office of Minority Health located within
19 the Department of Health and Human Resources and the Economic Development Authority
20 established pursuant to article fifteen, chapter 31 of this code; and

21 (10) Provide recommendations to the Governor and the Legislature regarding the most
22 appropriate means to provide programs and services to support minority groups in the state.

23 (b) On or before January 1 of each year, the office shall submit a report to the Governor
24 and the Joint Committee on Government and Finance. The report may include, but is not limited
25 to, findings and recommendations regarding:

26 (1) The extent to which programs and services for minorities are available in the state, and
27 to which funding for providing those programs and services is available;

28 (2) The most appropriate means for the planning, delivery and evaluation of existing and
29 needed programs and services for minority groups in the manner that best promotes diversity and
30 regional, cultural and ethnic sensitivity;

31 (3) Recommendations for the coordination of programs and services to minority groups
32 throughout the state and with those of other states and the federal government;

33 (4) Identifications of governmental and private agencies, offices, departments or other
34 entities in existence or recommended for creation that would, alone or in concert, most effectively
35 improve the delivery of programs and services to minority groups throughout the state;

36 (5) Recommendations for changes to law that would facilitate the achievement of the
37 objectives of the office; and

38 (6) Other matters as the office may determine appropriate to its purposes.

39 (c) The Governor shall appoint an executive director of the office to carry out its functions,
40 and shall provide funding and offices for those purposes. The executive director shall serve at the
41 will and pleasure of the Governor.

42 (d) The executive director may hire one administrative assistant to assist in carrying out
43 the functions of the office.

44 (e) On or before January 1 of each year, the office shall report to the Select Committee on
45 Minority Affairs Interim Committee on the efforts and progress of the office.

46 (f) The executive director shall review and consider any recommendations of the Select
47 Committee on Minority Affairs Interim Committee's report and recommendations.

§5-26-2. Minority Affairs Fund created; purpose.

1 There is continued in the State Treasury a Special Revenue Fund to be known as the
2 "Minority Affairs Fund," shall consist of all gifts, grants, bequests, transfers, appropriations or other
3 donations or payments received by the Herbert Henderson Office of Minority Affairs from any
4 governmental entity or unit or any person, firm, foundation or corporation for the purposes of this
5 article and all interest or other return earned from investment of the fund. Expenditures from the
6 fund shall be made by the Executive Director of the Herbert Henderson Office of Minority Affairs
7 to provide matching funds to obtain federal funds for the delivery of programs and services to
8 minorities in this state, to award grants, loans and loan guaranties for minority affairs programs
9 and activities and for performance of the duties of the office prescribed in this article. Expenditures
10 from the fund shall be for the purposes set forth in this article and are not authorized from
11 collections but are to be made only in accordance with appropriation by the Legislature and in
12 accordance with the provisions of article three, chapter twelve of this code and upon the fulfillment
13 of the provisions of article two, chapter eleven-b of this code.

§5-26-3. Establishment of a community-based pilot project.

1 (a) The office shall establish a community-based pilot project. The pilot expires on July 1,
2 2021. The pilot shall develop a model to promote public health through comprehensive community

3 development in communities across West Virginia. This model shall address poverty, substance
4 abuse and other social determinants of health; improve community and populations' health;
5 improve labor force participation; and support economic development through comprehensive
6 community development in rural, suburban and urban communities.

7 (b) As selected by the executive director, the pilot shall include a collaborative of nonprofit
8 organizations.

9 (c) The pilot shall be funded by coordinating existing funded projects. The pilot shall
10 leverage existing resources, including housing and urban development services provided by the
11 federal government and any youth, education and family services offered by the state government
12 or other local organizations. If funds are available, the pilot project may receive funding from the
13 office.

14 (d) The office shall report to the Select Committee on Minority Affairs Interim Committee
15 on the efforts and progress of the pilot program.

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2017.

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Governor