

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 2724

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

(BY REQUEST OF THE EXECUTIVE)

[Originating in the Committee on Health and Human
Resources, Reported on March 21, 2017]

1 A BILL 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 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.

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

1 (a) ~~There is hereby created the~~ The Herbert Henderson Office of Minority Affairs within
2 the Office of the Governor is continued. The office shall ~~be charged with the following~~
3 ~~responsibilities and duties~~:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (6) ~~Such~~ Other matters as the office may determine appropriate to its purposes.

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

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

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

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

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

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

NOTE: The purpose of this bill is to establish a community-based pilot project to promote public health through comprehensive community development in communities across West Virginia, and to support this project through the Herbert Henderson Office of Minority Affairs.

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