

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

Senate Bill 501

BY SENATORS GAUNCH AND STOLLINGS

[Originating in the Committee on Economic
Development; reported on March 17, 2017]

1 A BILL to amend and reenact §31-15-3 of the Code of West Virginia, 1931, as amended, relating
2 to the West Virginia Economic Development Authority; and creating a minority economic
3 development advisory council to assist the Director of the Economic Development
4 Authority in developing and implementing a procedure to address employment and
5 economic development problems of minority populations of West Virginia.

Be it enacted by the Legislature of West Virginia:

1 That §31-15-3 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 15. WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY.

§31-15-3. Purposes of article.

1 (a) The purposes of this article ~~shall be~~ are to provide for the formation of a public
2 Economic Development Authority to promote, assist, encourage and, in conjunction with such
3 banking corporations or institutions, trust companies, savings banks, building and loan
4 associations, insurance companies or related corporations, partnerships, foundations, nonprofit
5 organizations or other institutions, to develop and advance the business prosperity and economic
6 welfare of the State of West Virginia; to encourage and assist in the location of new business and
7 industry; to stimulate and assist in the expansion of all kinds of business activity which will tend
8 to promote the business development and maintain the economic stability of this state, provide
9 maximum opportunities for employment, encourage thrift and improve the standard of living of the
10 citizens of this state; to cooperate and act in conjunction with other organizations, public or private,
11 the objects of which are the promotion and advancement of industrial, commercial, tourist or
12 manufacturing developments in this state; to borrow moneys and to issue its bonds, notes,
13 commercial paper, other debt instruments and security interests as well as creating an insurance
14 fund for credit enhancement purposes; to furnish money and credit or credit enhancement to
15 approved industrial development agencies or enterprises in this state or for the promotion of new
16 projects or to retain existing projects or to financially assist projects by insuring bonds, notes,

17 loans and other instruments, including, but not limited to, the insuring of financing of working
18 capital or the refinancing of existing debt of an enterprise, thereby establishing a source of credit
19 and credit enhancement not otherwise available; to review state procurement policies and
20 practices to assure that they meet federal and state requirements and that they effectively
21 encourage meaningful participation of African-Americans and other minority persons in the
22 process of competing for and awarding of state contracts for goods and services; to encourage
23 the state to continue to support and expand small business incubator programs, including the
24 program at institutions of higher education in the state; to encourage new and minority small
25 business development; to undertake initiatives to encourage minority business ownership similar
26 to those efforts used to encourage greater rates of business ownership among women; to assist
27 community and economic development corporations to provide effective technical and business
28 advisory services to minority-owned and -operated enterprises; to encourage industry, banks and
29 other private businesses to hire African-Americans and other minority persons; to encourage
30 governmental agencies and bodies and businesses to be more aggressive in establishing
31 diversity-conscious practices as employers and for their operations; to enlist traditional and
32 nontraditional lending institutions to be more creative and favorable to lending in minority
33 communities and to minority persons, especially for business enterprises; to encourage small
34 business start-up and expansion and provide funding to assist minority vendors to meet bid
35 bonding requirements; and to encourage workforce investment boards to be accountable for
36 educating poor and minority persons for jobs better than low-paying service jobs. These purposes
37 are hereby declared to be public purposes for which public money may be spent and are purposes
38 which will promote the health, safety, morals, right to gainful employment, business opportunities
39 and general welfare of the inhabitants of the state.

40 (b) In order to more effectively address the purposes of this article, there is hereby created
41 the Minority Economic Development Advisory Council, that will be appointed by the Governor to
42 serve for five year terms, to assist the Director of the Economic Development Authority in

43 developing and implementing a procedure to address employment and economic development
44 problems of minority populations of West Virginia. The Minority Economic Development Advisory
45 Council consists of the following:

46 (1) The Executive Director of the West Virginia Economic Development Authority, or
47 designee;

48 (2) The Executive Director of the West Virginia Development Office, or designee;

49 (3) The Executive Director of the West Virginia Small Business Development Office, or
50 designee;

51 (4) The Executive Director of the West Virginia Housing Development Fund, or designee;

52 (5) The Executive Director of the West Virginia Governor's Workforce Investment Division,
53 or designee;

54 (6) The Executive Director of the West Virginia Development Office of Economic
55 Opportunity, or designee;

56 (7) The Director of the West Virginia Center for Business and Economic Research, or
57 designee;

58 (8) The Director of the Marshall University Center for Business and Economic Research,
59 or designee;

60 (9) The Director of Marshall University for Community and Economic Growth, or designee;

61 (10) The Executive Director of the local Workforce Investment Board, or designee;

62 (11) The Executive Director of the local city office of economic and community
63 development, or designee;

64 (12) The Executive Director of the local urban renewal authority, or designee;

65 (13) A CEO of the local chamber of commerce, or designee;

66 (14) A Executive Director of a local nonprofit community development corporation, or
67 designee;

68 (15) A Minority Business Owner; and

69 (16) The Executive Director of the Herbert Henderson Office of Minority Affairs as a non-
70 voting member.

71 (c) The Minority Economic Development Advisory Council shall:

72 (1) Provide technical assistance, consultation and support that may be requested by the
73 Executive Director of the West Virginia Economic Development Authority;

74 (2) Provide consultation, technical assistance and support to local communities in the
75 development of their minority economic development plans;

76 (3) Provide technical assistance, consultation and support to local communities in the
77 execution of their plans;

78 (4) Provide support to local communities in identifying resources to support their plans;
79 and

80 (5) Work with state executives to ensure that existing legislation that targets vulnerable
81 communities are effectively executed.

82 (d) Members of the Minority Economic Development Advisory Council are not entitled to
83 compensation for service on the advisory council but may be reimbursed by the West Virginia
84 Economic Development Authority for all reasonable and necessary expenses actually incurred in
85 the performance of their duties in a manner consistent with guidelines of the travel management
86 office of the Department of Administration or its successor.

87 (e) The Minority Economic Development Advisory Council shall meet at least once each
88 quarter of the year and conduct all meetings in accordance with the Open Governmental Meetings
89 Proceedings Act pursuant to article nine-a, chapter six of this code.

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