

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 3086**

BY DELEGATES WALTERS, FRICH, ROHRBACH, LOVEJOY

AND ROWE

[ Introduced March 14, 2017; Referred  
to the Committee on Government Organization the  
Finance.]

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 team to assist the Director of the Economic Development Authority  
 4 in developing and implementing a procedure to address employment and economic  
 5 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) It is the further purpose of this article to:

41 (1) Review, revise or establish state procurement policies and practices to assure that  
42 they meet federal and state requirements and that they effectively encourage meaningful

43 participation of Africa-Americans and other minority persons in the process of competing for and  
44 awarding of state contracts for goods and services;

45 (2) Encourage the state to continue to support and expand small business incubator  
46 programs, including the program at institutions of higher education in the state.

47 (3) Encourage new and minority small business development to undertake initiatives to  
48 encourage minority business ownership similar to those efforts used to encourage greater rates  
49 of business ownership among women;

50 (4) Assist community and economic development corporations to provide effective  
51 technical and business advisory services to minority-owned and operated enterprises;

52 (5) Encourage industry, banks and other private businesses to hire African-Americans and  
53 other minority persons;

54 (6) Encourage governmental agencies and bodies and businesses to be more aggressive  
55 in establishing diversity-conscious practices as employers and for their operations;

56 (7) Enlist traditional and nontraditional lending institutions to be more creative and  
57 favorable to lending in minority communities and to minority persons, especially for business  
58 enterprises;

59 (8) Encourage small business start-up and expansion and provide funding to assist  
60 minority vendors to meet bid bonding requirements; and

61 (9) Encourage workforce investment boards to be accountable for educating poor and  
62 minority persons for jobs better than low-paying service jobs.

63 (c) In order to more effectively address the purposes of this article, there is hereby created  
64 and established the Minority Economic Development Advisory Team to assist the Director of the  
65 Economic Development Authority in developing and implementing a procedure to address  
66 employment and economic development problems of minority populations of West Virginia. The  
67 Minority Economic Development Advisory Team shall consist of the following:

68 (1) The Executive Director of the West Virginia Economic Development Authority, or

69 designee;

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

71 (3) The Executive Director of the West Virginia Small Business Development Office, or

72 designee;

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

74 (5) The Executive Director of the West Virginia Governor’s Workforce Investment Division,

75 or designee;

76 (6) The Executive Director of the West Virginia Development Office of Economic

77 Opportunity, or designee;

78 (7) The Director of the West Virginia Center for Business and Economic Research, or

79 designee;

80 (8) The Director of the Marshall University Center for Business and Economic Research,

81 or designee;

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

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

84 (11) The Executive Director of the local city office of economic and community

85 development, or designee;

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

87 (13) The CEO of the local chamber of commerce, or designee; and

88 (14) The Executive Director of a local nonprofit community development corporation, or

89 designee.

90 (d) The Minority Economic Development Advisory Team shall:

91 (1) Provide technical assistance, consultation and support that may be requested by the

92 Executive Director of the West Virginia Economic Development Authority;

93 (2) Provide consultation, technical assistance and support to local communities in the

94 development of their minority economic development plans;

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

97           (4) Provide support to local communities in identifying resources to support their plans;  
98 and

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

101           (e) Members of the Minority Economic Development Advisory Team are not entitled to  
102 compensation for service on the advisory team but may be reimbursed by the West Virginia  
103 Economic Development Authority for all reasonable and necessary expenses actually incurred in  
104 the performance of their duties in a manner consistent with guidelines of the travel management  
105 office of the Department of Administration or its successor.

106           (f) The Minority Economic Development Advisory Team shall meet at least once each  
107 quarter of the year and shall conduct all meetings in accordance with the open governmental  
108 meetings proceedings act pursuant to article nine-a, chapter six of this code.

NOTE: The purpose of this bill is to create a Minority Economic Development Advisory Team to assist the Director of the Economic Development Authority in developing and implementing a procedure to address employment and economic development problems of minority populations of West Virginia.

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