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2001 MAY -2 P 7:39

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**

*Regular Session, 2001*

**ENROLLED**

*Committee Substitute for*

**SENATE BILL NO. 647**

**(By Senator Hunter, et al)**

**PASSED April 13, 2001**

**In Effect 90 days from Passage**

FILED

2001 MAY -2 P 7:40

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

## ENROLLED

COMMITTEE SUBSTITUTE

FOR

### Senate Bill No. 647

(SENATORS HUNTER, MITCHELL, REDD, OLIVERIO, UNGER,  
EDGELL, MCCABE, ROWE, BURNETTE, CALDWELL, PREZIOSO  
AND FANNING, *original sponsors*)

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[Passed April 13, 2001; in effect ninety days from passage.]

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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, designated article twenty-eight, relating to creating a commission on holocaust education.

*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, designated article twenty-eight, to read as follows:

**ARTICLE 28. COMMISSION ON HOLOCAUST EDUCATION.**

**§5-28-1. Legislative findings.**

1 The Legislature finds and declares:

2 (1) That the holocaust perpetrated by the Nazis during  
3 the period between one thousand nine hundred thirty-  
4 three and one thousand nine hundred forty-five resulted in  
5 the genocide of six million Jews and millions of non-Jews  
6 as part of a carefully orchestrated central government  
7 program;

8 (2) That the holocaust stands as a grim reminder and  
9 warning to all generations of genocidal crimes and atroci-  
10 ties committed by man based on ignorance and fear and  
11 that all people should rededicate themselves to the princi-  
12 ples of human rights and equal protection under the laws  
13 of a democratic society;

14 (3) That education can ensure that citizens are knowl-  
15 edgeable about the events leading up to the holocaust and  
16 about the organizations and facilities that were created  
17 and used purposefully for the systematic destruction of  
18 human beings and that the lessons of holistic trust and  
19 respect for peoples of various cultures are important for  
20 the citizens of West Virginia as they enter the global  
21 marketplace and economy;

22 (4) That programs, workshops, institutes, seminars,  
23 exhibits and other teacher training and public awareness  
24 activities for the study of the holocaust have taken place  
25 during recent years, but a central resource for schools,  
26 churches and communities studying the holocaust is  
27 needed;

28 (5) That, toward that end, the governor, by executive  
29 order No. 2-98, dated the sixteenth day of April, one  
30 thousand nine hundred ninety-eight, created and estab-  
31 lished the West Virginia holocaust commission on educa-  
32 tion; and

33 (6) That, in furtherance of the intent and purposes of the  
34 aforesaid executive order, it is the intent of the Legislature  
35 to create a permanent state commission which, as an  
36 organized body and on a continuous basis, will survey,  
37 design, encourage and promote implementation of holo-  
38 caust education and awareness programs in West Virginia  
39 and will be responsible for organizing and promoting the  
40 memorialization of the holocaust on a regular basis  
41 throughout the state.

**§5-28-2. Commission on holocaust education.**

1 (a) Effective the first day of July, two thousand one,  
2 there is created the West Virginia commission on holocaust  
3 education.

4 (b) The commission is composed of eleven members: Two  
5 members currently serving on the state board of education,  
6 selected by the board; the state superintendent of schools  
7 or his or her designee; the director of the division of  
8 veterans' affairs; one attorney from the attorney general's  
9 office, civil rights division; one teacher who has completed  
10 professional development related to holocaust education  
11 teaching at the high school level and one teacher who has  
12 completed professional development related to holocaust  
13 education teaching at the junior high or middle school  
14 level, each appointed by the governor with the advice and  
15 consent of the Senate; four state residents, appointed by  
16 the governor, with the advice and consent of the Senate,  
17 who shall be: Individuals who are holocaust scholars or  
18 individuals experienced in the field of holocaust education  
19 or survivors, second generation, eye-witness/liberators or  
20 individuals recommended by the chair of the present  
21 holocaust education commission, created by executive  
22 order, who, by virtue of their interest, education or long-  
23 term involvement in human rights, prejudice reduction  
24 and holocaust education have demonstrated, through their  
25 past commitment and cooperation with the existing  
26 holocaust commission on education, their willingness to

27 work for holocaust awareness and education in West Virginia.

28 (c) Members of the commission shall be appointed for  
29 terms of three years or until their prospective successors  
30 are appointed and qualified. Members are eligible for  
31 reappointment. Any member of the commission who fails  
32 to attend more than two consecutive meetings without an  
33 excuse approved by the commission may be removed from  
34 the commission. All vacancies shall be filled by appoint-  
35 ment in the same manner as the original appointment, and  
36 the individual appointed to fill the vacancy serves for the  
37 remainder of the unexpired term.

38 (d) The governor shall appoint a chairperson for the  
39 commission for a term of three years and until his or her  
40 successor is appointed and qualified.

41 (e) The speaker of the House of Delegates shall appoint  
42 a member of the House of Delegates and the president of  
43 the Senate shall appoint a member of the Senate to serve  
44 as advisors to the commission.

**§5-28-3. Commission duties; compensation.**

1 (a) The commission shall:

2 (1) Provide, based upon the collective knowledge and  
3 experience of its members, assistance and advice to public  
4 and private schools, colleges and universities with respect  
5 to the implementation of holocaust education and aware-  
6 ness programs;

7 (2) Meet with appropriate education officials and other  
8 interested public and private organizations, including  
9 service organizations, for the purpose of providing infor-  
10 mation, planning, coordination or modification of courses  
11 of study or programs dealing with the subject of the  
12 holocaust;

13 (3) Compile a roster of individual volunteers who are  
14 willing to share their verifiable knowledge and experi-  
15 ences in classrooms, seminars and workshops on the

16 subject of the holocaust. The volunteers may be survivors  
17 of the holocaust, liberators of concentration camps,  
18 scholars, members of the clergy, community relations  
19 professionals or other persons who, by virtue of their  
20 experience, education or interest, have experience with the  
21 holocaust;

22 (4) Coordinate events memorializing the holocaust and  
23 seek volunteers who are willing and able to participate in  
24 commemorative events that will enhance public awareness  
25 of the significance of the holocaust; and

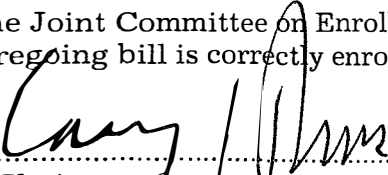
26 (5) Prepare annual reports for the governor and the  
27 Legislature regarding its findings and recommendations to  
28 facilitate the inclusion of holocaust studies and special  
29 programs memorializing the holocaust in educational  
30 systems in this state.

31 (b) Members of the commission are not entitled to  
32 compensation for services performed as members and are  
33 not entitled to reimbursement for expenses.

**§5-28-4. Continuation of the commission.**

1 Pursuant to the provisions of article ten, chapter four of  
2 this code, the West Virginia holocaust commission on  
3 education shall continue to exist until the first day of July,  
4 two thousand three, unless sooner terminated, continued  
5 or reestablished by act of the Legislature.

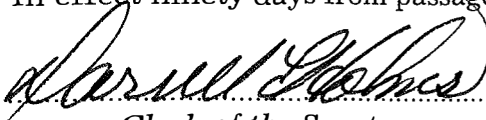
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

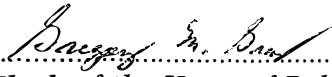
  
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Chairman Senate Committee

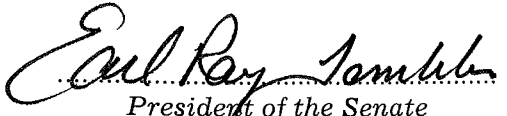
  
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Chairman House Committee

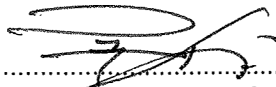
Originated in the Senate.

In effect ninety days from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker House of Delegates

The within is approved this the 2nd  
Day of May, 2001.

  
.....  
Governor

PRESENTED TO THE

GOVERNOR/

Date 5/1/01

Time 2:25 pm