

Senate Bill No. 582

(By Senators Trump, Beach, Carmichael,
Ferns, Gaunch, D. Hall, Karnes, Kirkendoll,
Leonhardt, Maynard, Miller, Nohe,
Palumbo, Romano, Snyder, Williams and Woelfel)

[Originating in the Committee on
the Judiciary;
reported March 2, 2015.]

A BILL to amend and reenact §5-26-1 and §5-26-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §5-26-3 and §5-26-4, all relating to the Herbert Henderson Office of Minority Affairs; requiring office to report to Select Committee on Minority Affairs; requiring director to implement recommendations of select committee; defining terms; continuing Minority Affairs Fund; establishing a community-based pilot demonstration project; providing for operation and funding of pilot project; setting forth objectives and goals of pilot project; and requiring leverage of existing resources.

Be it enacted by the Legislature of West Virginia:

That §5-26-1 and §5-26-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto two new sections, designated §5-26-3 and §5-26-4, all to read as follows:

ARTICLE 26. HERBERT HENDERSON OFFICE OF MINORITY AFFAIRS.

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

1 (a) ~~There is hereby created~~ The Herbert Henderson Office of Minority Affairs is continued

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1 within the office of the Governor. The office shall be charged with the following responsibilities and
2 duties:

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 minorities;

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

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

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

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

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

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

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

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

22 (b) On or before January 1 of each year, the office shall submit a report to the Governor and

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1 the Joint Committee on Government and Finance. The report may include, but is not limited to,
2 findings and recommendations regarding:

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

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

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

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

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

15 (6) ~~Such~~ Any other matters as the office ~~may determine~~ determines appropriate to its purposes.

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

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

21 (e) On or before January 1 of each year, the office shall report to the Select Committee on
22 Minority Affairs interim committee on the efforts and progress of the office.

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1 (f) The executive director shall review the recommendations of the Select Committee on
2 Minority Affairs interim committee's report and recommendations and shall direct the efforts of
3 the office according to those recommendations.

4 **§5-26-2. Definitions.**

5 As used in this article:

6 (1) "Director" means the executive director of the Herbert Henderson Office of Minority
7 Affairs.

8 (2) "Initiative" means the West Side Revive Comprehensive Community Development
9 Initiative operating under a collaborative of local community-based nonprofit organizations in
10 Charleston, West Virginia.

11 (3) "Office" means the Herbert Henderson Office of Minority Affairs.

12 **§5-26-3. Minority Affairs Fund continued; purpose.**

13 The Special revenue fund known as the Minority Affairs Fund” is continued. It shall consist
14 of all gifts, grants, bequests, transfers, appropriations or other donations or payments received by the
15 Office from any governmental entity or unit or any person, firm, foundation or corporation for the
16 purposes of this article and all interest or other return earned from investment of the fund.
17 Expenditures from the fund shall be made by the director to provide matching funds to obtain federal
18 funds for the delivery of programs and services to minorities in this state, to award grants, loans and
19 loan guaranties for minority affairs programs and activities and for performance of the duties of the
20 office prescribed in this article. Expenditures from the fund shall be for the purposes set forth in this
21 article and are not authorized from collections, but are to be made only in accordance with
22 appropriation by the Legislature and in accordance with the provisions of article two, chapter twelve

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1 of this code and upon the fulfillment of the provisions of article two, chapter eleven-b of this code.

2 **§5-26-4. Establishment of a community-based pilot demonstration project to promote public**
3 **health through comprehensive community development; operation of project;**
4 **objectives .**

5 (a) Effective July 1, 2015, the office shall establish a community-based pilot demonstration
6 project, for the duration of four years, to develop a model to promote public health through
7 comprehensive community development in communities across West Virginia. The director shall
8 support the pilot project by working with the Commissioner of the Bureau for Public Health to
9 coordinate state agencies' activities and involvement and by identifying potential funding sources.
10 The director shall request that the Commissioner of the Bureau for Public Health shall take the lead
11 role in coordinating the activities of the state agencies. The project shall be operated by the West Side
12 Revive Comprehensive Community Development Initiative, a collaborative of local community-based
13 nonprofit organizations in Charleston, West Virginia. If funds are available, the pilot project may
14 receive funding from the Minority Affairs Fund established in section two of this article. The project
15 is designed to be executed by coordinating existing funded projects.

16 (b) The pilot project shall operate in the West Side neighborhood of Charleston, West
17 Virginia, and shall operate out of a centrally located building owned by a local nonprofit organization
18 to coordinate services for members of the community. The pilot project shall be overseen by a
19 collaborative of local nonprofit organizations.

20 (c) The objective of the pilot project is to improve public health by addressing child and
21 family poverty and other social detriments of health through a comprehensive community
22 development plan in the West Side neighborhood of Charleston, West Virginia. The plan will later

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1 serve as a model to improve public health and promote through comprehensive community
2 development for community development initiatives across the state. In operating the pilot project,
3 the initiative shall collaborate with other organizations and agencies to:

4 (1) Promote early childhood development;

5 (2) Reduce childhood poverty;

6 (3) Reduce childhood obesity;

7 (4) Promote third grade reading proficiency;

8 (5) Promote STEAM (Science, Technology, Engineering, Arts and Math) and prevocational
9 education;

10 (6) Reduce school truancy and drop-outs;

11 (7) Promote comprehensive education reform;

12 (8) Coordinate social services to foster comprehensive youth and family development;

13 (9) Reduce delinquency of children;

14 (10) Reduce child abuse and neglect;

15 (11) Promote health and wellness;

16 (12) Reduce domestic violence;

17 (13) Develop a comprehensive plan to prevent and treat substance abuse;

18 (14) Provide job training and workforce development;

19 (15) Promote economic development;

20 (16) Provide housing rehabilitation, weatherization and construction; and

21 (17) Promote adult and juvenile offender reentry into the community.

22 (d) In order to further the objectives of the pilot project, the initiative shall leverage existing

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1 resources, including, but not limited to, housing and urban development services provided by the
2 federal government and any youth and family services offered by the state government or other local
3 organizations.