

SB 582 (veto)

FILED

2015 MAR 31 A 11: 26

WEST VIRGINIA LEGISLATURE
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REGULAR SESSION, 2015

OFFICE WEST VIRGINIA
SECRETARY OF STATE



ENROLLED

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)

[PASSED MARCH 14, 2015; IN EFFECT FROM PASSAGE.]

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[Passed March 14, 2015; in effect from passage.]

AN ACT 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) The Herbert Henderson Office of Minority Affairs is
2 continued within the office of the Governor. The office shall:

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

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

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

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

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

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

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

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

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

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

32 (b) On or before January 1 of each year, the office shall
33 submit a report to the Governor and the Joint Committee on
34 Government and Finance. The report may include, but is not
35 limited to, findings and recommendations regarding:

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

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

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

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

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

53 (6) Any other matters the office determines appropriate
54 to its purposes.

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

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

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

64 (f) The executive director shall review and consider any
65 recommendations of the Select Committee on Minority
66 Affairs interim committee's report and recommendations.

§5-26-2. Definitions.

1 As used in this article:

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

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

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

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

1 The special revenue fund known as the Minority Affairs
2 Fund is continued. It shall consist of all gifts, grants,
3 bequests, transfers, appropriations or other donations or
4 payments received by the office from any governmental
5 entity or unit or any person, firm, foundation or corporation
6 for the purposes of this article and all interest or other return
7 earned from investment of the fund. Expenditures from the
8 fund shall be made by the director to provide matching funds
9 to obtain federal funds for the delivery of programs and
10 services to minorities in this state, to award grants, loans and
11 loan guaranties for minority affairs programs and activities
12 and for performance of the duties of the office prescribed in
13 this article. Expenditures from the fund shall be for the
14 purposes set forth in this article and are not authorized from
15 collections, but are to be made only in accordance with
16 appropriation by the Legislature and in accordance with the
17 provisions of article two, chapter twelve of this code and
18 upon the fulfillment of the provisions of article two, chapter
19 eleven-b of this code.

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

1 (a) Effective July 1, 2015, the office shall establish a
2 community-based pilot demonstration project, for the
3 duration of four years, to develop a model to promote public
4 health through comprehensive community development in
5 communities across West Virginia. The director shall
6 support the pilot project by working with the Commissioner
7 of the Bureau for Public Health to coordinate state agencies'
8 activities and involvement and by identifying potential
9 funding sources. The director shall request that the
10 Commissioner of the Bureau for Public Health shall take the

11 lead role in coordinating the activities of the state agencies.
12 The project shall be operated by the West Side Revive
13 Comprehensive Community Development Initiative, a
14 collaborative of local community-based nonprofit
15 organizations in Charleston, West Virginia. If funds are
16 available, the pilot project may receive funding from the
17 Minority Affairs Fund established in section two of this
18 article. The project is designed to be executed by
19 coordinating existing funded projects.

20 (b) The pilot project shall operate in the West Side
21 neighborhood of Charleston, West Virginia, and shall operate
22 out of a centrally located building owned by a local nonprofit
23 organization to coordinate services for members of the
24 community. The pilot project shall be overseen by a
25 collaborative of local nonprofit organizations.

26 (c) The objective of the pilot project is to improve public
27 health by addressing child and family poverty and other
28 social detriments of health through a comprehensive
29 community development plan in the West Side neighborhood
30 of Charleston, West Virginia. The plan will later serve as a
31 model to improve public health and promote through
32 comprehensive community development for community
33 development initiatives across the state. In operating the pilot
34 project, the initiative shall collaborate with other
35 organizations and agencies to:

36 (1) Promote early childhood development;

37 (2) Reduce childhood poverty;

38 (3) Reduce childhood obesity;

39 (4) Promote third grade reading proficiency;

- 40 (5) Promote STEAM (Science, Technology, Engineering,
41 Arts and Math) and prevocational education;
- 42 (6) Reduce school truancy and drop-outs;
- 43 (7) Promote comprehensive education reform;
- 44 (8) Coordinate social services to foster comprehensive
45 youth and family development;
- 46 (9) Reduce delinquency of children;
- 47 (10) Reduce child abuse and neglect;
- 48 (11) Promote health and wellness;
- 49 (12) Reduce domestic violence;
- 50 (13) Develop a comprehensive plan to prevent and treat
51 substance abuse;
- 52 (14) Provide job training and workforce development;
- 53 (15) Promote economic development;
- 54 (16) Provide housing rehabilitation, weatherization and
55 construction; and
- 56 (17) Promote adult and juvenile offender reentry into the
57 community.
- 58 (d) In order to further the objectives of the pilot project, the
59 initiative shall leverage existing resources, including, but not
60 limited to, housing and urban development services provided by
61 the federal government and any youth and family services
62 offered by the state government or other local organizations.

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

Mark R. Peterson
.....
Chairman Senate Committee

John B. W...
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Clark S. Barnes
.....
Clerk of the Senate

Steve D. Harris
.....
Clerk of the House of Delegates

Michelle D. ...
.....
President of the Senate

Philip ...
.....
Speaker of the House of Delegates

The within ~~is~~ *disapproved* this the *31st* Day of *March*, 2015.

Earl Ray Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 27 2015

Time 3:15 pm