

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 140

BY SENATORS TRUMP, UNGER AND MILLER

[Introduced January 13, 2016;

Referred to the Committee on Health and Human

Resources; and then to the Committee on

Government Organization.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 26. Herbert Henderson Office on Minority Affairs.

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

1 (a) ~~There is hereby created~~ The Herbert Henderson Office of Minority Affairs is continued
 2 within the office of the Governor. The office shall: ~~be charged with the following responsibilities~~
 3 ~~and duties~~

- 4 (1) Provide a forum for discussion of issues that affect the state’s minorities;
- 5 (2) Identify and promote best practices in the provision of programs and services to
 6 minorities;
- 7 (3) Review information and research that can inform state policy as to the delivery of
 8 programs and services to minorities;
- 9 (4) Make recommendations in areas of policy and allocation of resources;
- 10 (5) Apply for grants, and accept gifts from private and public sources for research to
 11 improve and enhance minority affairs;
- 12 (6) Integrate and coordinate state grant and loan programs established specifically for
 13 minority related issues;

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

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

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

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

25 (b) On or before ~~the first day~~ of January 1 of each year, the office shall submit a report to
26 the Governor and the Joint Committee on Government and Finance. The report may include, but
27 is not limited to, findings and recommendations regarding:

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

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

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

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

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

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

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

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

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

49 (f) The executive director shall review and consider any recommendations of the Select
50 Committee on Minority 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 Henderson Office of Minority
3 Affairs.

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

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

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

1 ~~There is hereby created in the State Treasury a~~ The special revenue fund ~~to be known as~~
2 the "Minority Affairs Fund," ~~which shall consist~~ is continued. It consists of all gifts, grants,
3 bequests, transfers, appropriations or other donations or payments received by the ~~Herbert~~
4 ~~Henderson~~ office of ~~Minority Affairs~~ from any governmental entity or unit or any person, firm,
5 foundation or corporation for the purposes of this article and all interest or other return earned
6 from investment of the fund. Expenditures from the fund shall be made by the ~~Executive~~ director

7 ~~of the Herbert Henderson Office of Minority Affairs~~ to provide matching funds to obtain federal
8 funds for the delivery of programs and services to minorities in this state, to award grants, loans
9 and loan guaranties for minority affairs programs and activities and for performance of the duties
10 of the office prescribed in this article. Expenditures from the fund shall be for the purposes set
11 forth in this article and are not authorized from collections but are to be made only in accordance
12 with appropriation by the Legislature and in accordance with the provisions of article two, chapter
13 twelve of this code and upon the fulfillment of the provisions of article two, chapter eleven-b of
14 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, 2016, the office shall establish a community-based pilot demonstration
2 project, for the duration of four years, to develop a model to promote public health through
3 comprehensive community development in communities across West Virginia. The director shall
4 support the pilot project by working with the Commissioner of the Bureau for Public Health to
5 coordinate state agencies' activities and involvement and by identifying potential funding sources.
6 The director shall request that the Commissioner of the Bureau for Public Health take the lead
7 role in coordinating the activities of the state agencies. The project shall be operated by the West
8 Side Revive Comprehensive Community Development Initiative, a collaborative of local
9 community-based nonprofit organizations in Charleston, West Virginia. If funds are available, the
10 pilot project may receive funding from the Minority Affairs Fund established in section three of this
11 article. The project is designed to be executed by coordinating existing funded projects.

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

16 (c) The objective of the pilot project is to improve public health by addressing child and
17 family poverty and other social detriments of health through a comprehensive community
18 development plan in the West Side neighborhood of Charleston, West Virginia. The plan will later
19 serve as a model to improve public health and promote through comprehensive community
20 development for community development initiatives across the state. In operating the pilot
21 project, the initiative shall collaborate with other organizations and agencies to:

22 (1) Promote early childhood development;

23 (2) Reduce childhood poverty;

24 (3) Reduce childhood obesity;

25 (4) Promote third grade reading proficiency;

26 (5) Promote STEAM (Science, Technology, Engineering, Arts and Math) and
27 prevocational education;

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

29 (7) Promote comprehensive education reform;

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

31 (9) Reduce delinquency of children;

32 (10) Reduce child abuse and neglect;

33 (11) Promote health and wellness;

34 (12) Reduce domestic violence;

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

36 (14) Provide job training and workforce development;

37 (15) Promote economic development;

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

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

40 (d) In order to further the objectives of the pilot project, the initiative shall leverage existing
41 resources, including, but not limited to, housing and urban development services provided by the

- 42 federal government and any youth and family services offered by the state government or other
43 local organizations.

NOTE: The purpose of this bill is to require the Herbert Henderson Office of Minority Affairs office to establish a community based pilot demonstration project to develop a model to promote public health through comprehensive community development in communities across 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.

Former §5-26-2 has been redesignated §5-26-3.