

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 425

BY SENATORS CARMICHAEL (MR. PRESIDENT) AND

PREZIOSO

(BY REQUEST OF THE EXECUTIVE)

[Introduced February 23, 2017; Referred
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 §5-
 3 26-3 and §5-26-4, all relating to responsibilities and functions of the Herbert Henderson
 4 Office of Inclusion; changing the name of the Herbert Henderson Office of Minority Affairs
 5 to the Herbert Henderson Office of Inclusion; requiring the office to report to the Select
 6 Committee on Minority Affairs; requiring the director to review and consider any
 7 recommendations of the Select Committee on Minority Affairs; defining terms; continuing
 8 the Minority Affairs Fund under the name of the Office of Inclusion Fund; establishing a
 9 community-based pilot demonstration project; providing for operation and funding of a pilot
 10 project; setting forth objectives and goals of said pilot project; and requiring the leveraging
 11 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 OF ~~MINORITY AFFAIRS~~ INCLUSION.

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

1 (a) ~~There is hereby created the~~ The Herbert Henderson Office of Minority Affairs shall be
 2 continued as the Herbert Henderson Office of Inclusion within the Office of the Governor. The
 3 office shall ~~be charged with the following responsibilities 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 Office of Minority Health located within
20 the Department of Health and Human Resources and the Economic Development Authority
21 established pursuant to article fifteen, chapter 31 of this code; and
- 22 (10) Provide recommendations to the Governor and the Legislature regarding the most
23 appropriate means to provide programs and services to support minority groups in the state.
- 24 (b) On or before ~~the first day of~~ January 1 of each year, the office shall submit a report to
25 the Governor and the Joint Committee on Government and Finance. The report may include, but
26 is not limited to, findings and recommendations regarding:
- 27 (1) The extent to which programs and services for minorities are available in the state, and
28 to which funding for providing those programs and services is available;
- 29 (2) The most appropriate means for the planning, delivery and evaluation of existing and
30 needed programs and services for minority groups in the manner that best promotes diversity and
31 regional, cultural and ethnic sensitivity;
- 32 (3) Recommendations for the coordination of programs and services to minority groups
33 throughout the state and with those of other states and the federal government;
- 34 (4) Identifications of governmental and private agencies, offices, departments or other

35 entities in existence or recommended for creation that would, alone or in concert, most effectively
36 improve the delivery of programs and services to minority groups throughout the state;

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

39 (6) Such other matters as the office may determine appropriate to its purposes.

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

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

45 (e) On or before January 1 of each year, the office shall report to the Select Committee on
46 Minority Affairs Interim Committee on the efforts and progress of the office.

47 (f) The executive director shall review and consider any recommendations of the Select
48 Committee on Minority Affairs Interim Committee’s report and recommendations.

~~§5-26-2. Minority Affairs Fund created~~ Office of Inclusion Fund; purpose.

1 ~~There is hereby created in the State Treasury a Special Revenue Fund to be~~ The special
2 revenue fund originally known as the "Minority Affairs Fund," is hereby continued under the name
3 of the “Office of Inclusion Fund.” This fund shall consist of all gifts, grants, bequests, transfers,
4 appropriations or other donations or payments received by the Herbert Henderson Office of
5 ~~Minority Affairs~~ Inclusion from any governmental entity or unit or any person, firm, foundation or
6 corporation for the purposes of this article and all interest or other return earned from investment
7 of the fund. Expenditures from the fund shall be made by the Executive Director of the Herbert
8 Henderson Office of ~~Minority Affairs~~ Inclusion to provide matching funds to obtain federal funds
9 for the delivery of programs and services to minorities in this state, to award grants, loans and
10 loan guaranties for minority affairs programs and activities and for performance of the duties of
11 the office prescribed in this article. Expenditures from the fund shall be for the purposes set forth

12 in this article and are not authorized from collections but are to be made only in accordance with
13 appropriation by the Legislature and in accordance with the provisions of article ~~two~~ three, chapter
14 twelve of this code and upon the fulfillment of the provisions of article two, chapter eleven-b of
15 this code.

§5-26-3. Definitions.

1 As used in this article:

2 (1) "Director" means the executive director of the Herbert Henderson Office of Inclusion.

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

6 (3) "Office" means the Herbert Henderson Office of Inclusion.

§5-26-4. Establishment of a community-based pilot demonstration to address poverty,
substance abuse and other social determinants of health to improve community
and populations' health; to improve labor force participation; to support economic
development; through comprehensive community development in rural, suburban
and urban communities across West Virginia; operation of project; objectives.

1 (a) Effective July 1, 2017, 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 Governor's Cabinet Secretaries, to coordinate state
5 agencies' activities and involvement, and by identifying potential funding sources. The director
6 shall take the lead role in coordinating the activities of the state agencies. The project shall be
7 operated by the West Side Revive Comprehensive Community Development Initiative, a
8 collaborative of local community-based nonprofit organizations in Charleston, West Virginia. If
9 funds are available, the pilot project may receive funding from the Office of Inclusion Fund,
10 established in section two of this article. The project is designed to be executed by coordinating

11 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 create a template to address poverty, substance
17 abuse and other social determinants of health; to improve community and populations' health; to
18 improve labor force participation; and to support economic development through comprehensive
19 community development in rural, suburban and urban communities across West Virginia. The
20 plan will later serve as a model for initiatives across the state. In operating the pilot project, the
21 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, education and family services offered by the state government
- 43 or other local organizations.

NOTE: The purpose of this bill is to establish a community-based pilot project to promote public health through comprehensive community development in communities across West Virginia, and to support this project through the Herbert Henderson Office of Inclusion (formerly the Herbert Henderson Office of Minority Affairs).

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