WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1964

ENROLLED
SENATE BILL NO. 4
(By Mr. Carson (Mr. President) and Mr. Lewis)

PASSED February 6, 1964
In Effect 90 days from Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 2-11-64
AN ACT to amend chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article fourteen, relating to the establishing of a "state commission on aging", to provide for the appointing of a director and such advisory committees and local committees as the commission deems necessary; to prescribe the powers and duties of the commission and its director; and to provide
cooperative assistance in the development of programs at the local and community level.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article fourteen, to read as follows:


Section 1. Members.—There is hereby created the "state commission on aging", hereinafter referred to as the "commission". The commission shall consist of seventeen members, as follows: Seven members, herein referred to as government representatives, who shall be the state superintendent of schools, the director of health, the director of mental health, the commissioner of public institutions, the commissioner of welfare, the director of the West Virginia division of vocational rehabilitation, and the commissioner of the West Virginia department of employment security; and ten additional citizens of the state, herein referred to as citizen representatives, no more than five of whom shall belong to the same political
party, who have demonstrated an interest in and knowledge of the problems of the aging. The governor shall appoint the ten citizen representatives of the commission by and with the advice and consent of the senate.

Sec. 2. Citizen Representatives.—The citizen representatives shall be appointed for terms of four years each, and until their successors are appointed and qualified; except that of the members first appointed, four shall be appointed for terms of one year, two for terms of two years, two for terms of three years, and two for terms of four years. Vacancies shall be filled for the remainder of any unexpired term in the same manner as the original appointment.

Sec. 3. Office Space; Officers; Meetings.—The commission may be supplied with necessary office space. A majority of the members of the commission shall constitute a quorum for the transaction of business. The commission shall elect a chairman, a vice chairman, and such other officers as it deems necessary. The commission shall meet at least two times each year. If unable to attend a commission meeting, a government representative shall
send in his place his deputy or another person who has authority to act on behalf of the government representative, who shall be considered a member of the commission for the purpose of obtaining a quorum for the transaction of business.

Sec. 4. Expenses.—Each citizen representative shall be entitled to receive out of funds appropriated or available for such purposes travel and other necessary expenses actually incurred in the performance of his official duties under the provisions of this article. Requisition for such expenses shall be accompanied by a sworn and itemized statement which shall be filed with the auditor.

Sec. 5. Director.—After its citizen members have been appointed by the governor, the commission shall appoint a director who shall act as the chief administrative officer of the commission. He shall be a person who is professionally qualified by experience and training to assume the responsibilities of the position. The director's annual salary shall, within the limits of funds available, be fixed by the board of public works and he may be reimbursed for travel and other necessary expenses actually incurred
in the performance of his official duties. Requisition for such expenses shall be accompanied by a sworn and itemized statement which shall be filed with the auditor.

Sec. 6. Personnel.—The director shall, with the advice and consent of the commission, appoint such other personnel as the commission deems to be necessary for the efficient performance of the duties prescribed by this article. Within the limits of funds available, and with the approval of the board of public works, the commission may fix the compensation of such other personnel, and may incur other expenses necessary to the effective discharge of its powers and duties.

Sec. 7. Advisory Committees.—The commission may create whatever advisory committees it deems necessary in such fields as health and mental health; income maintenance; employment and vocational rehabilitation; education; recreation and library services; social services; state and local community organization and leadership development, and may use funds appropriated or available for such purposes to defray the expense of such advisory committees. It shall, where feasible, designate a
commission member having special competence in a field as chairman of any advisory committee it may create in that field. The commission may, in its discretion, also create such local or regional advisory committees. All such advisory committees shall report to the commission with regard to their activities and findings. Members of all such advisory committees may be entitled to receive out of funds appropriated or available for such purposes travel and other necessary expenses actually incurred in the performance of their official duties under the provisions of this article. Requisition for such expenses shall be accompanied by a sworn and itemized statement which shall be filed with the auditor.

Sec. 8. Purposes; Actions.—The commission through its director shall take action to carry out the following purposes:

(a) Conduct, and encourage other organizations to conduct, studies of the problems of the state's older people;

(b) Encourage, promote and aid in the establishment of local programs and services for the aging. The commission may assist local governmental and other agencies
by designing surveys that could be used locally to determine needs of older people; by recommending the creation of such services and facilities as appear to be needed; by serving as a clearing house for the collection and distribution of information on aging; and by assisting organizations and communities in such other ways as the commission may deem appropriate;

(c) Conduct programs of public education on the problems of the aging;

(d) Review existing state programs for the aging, and annually make recommendations to the governor and the Legislature for improvements in and additions to such programs;

(e) Encourage and assist governmental and private agencies to coordinate their efforts on behalf of the aging in order that such efforts be effective and the duplication and wasting of effort be eliminated;

(f) Represent the state's concern for its senior citizens by collecting, analyzing and disseminating information about the aged and aging; and coordinate statewide local and voluntary efforts to serve the aging and make use of
their wisdom and capacities, with due regard to the develop-
ment of programs at the local level.

Sec. 9. Demonstration Programs.—The commission may establish, under the administration of the director, in selected areas and local communities of the state, demonstration programs of services for the aging. Particular emphasis shall be given to services designed to foster continued participation of older people in family and community life and to prevent, insofar as possible, the onset of dependency and the need for long-term institutional care. The programs shall be established to demonstrate their value and to stimulate local agencies to continue the programs and to create new services where needed. Any appropriations made for such demonstration programs may be made contingent upon local appropriations or gifts in money or in kind for the support of such programs. The county court of any county or governing body of any city, village or municipality in this state may furnish and appropriate money for establishing a demonstration program.

Sec. 10. Designated State Agency.—The commission
shall constitute the designated state agency for handling all programs of the federal government relating to the aging requiring action within the state, which are not the specific responsibility of another state agency under the provisions of federal law or which have not been specifically entrusted to another state agency by the Legislature.

Sec. 11. Donations.—The commission may receive on behalf of the state any grant or gift and accept the same, so that the title shall pass to the state. All moneys from grants or gifts shall be deposited with the state treasurer in a special fund and shall be used for the purposes set forth in the grant or gift, if the purposes are within the powers conferred on the commission. The commission shall be empowered to comply with all regulations and requirements to qualify for federal grants and to administer such federal funds.

Sec. 12. Records and Files.—All records, files and other property belonging to the state commission on problems of the aging pursuant to appropriation made and funds available under the provisions of senate concurrent reso-
5 lution number four heretofore adopted on the twenty-
6 eighth day of February, one thousand nine hundred fifty-
7 seven, and senate committee substitute for house concur-
8 rent resolution number five heretofore adopted on the
9 twelfth day of March, one thousand nine hundred fifty-
10 nine, shall be turned over to the commission on aging
11 herein created and shall be continued as part of the rec-
12 ords, files and other property thereof.

Sec. 13. Reports.—The commission shall submit a progres-
2 sess report to the governor and to the members of the
3 Legislature on or before January first of each year, in
4 addition to such other recommendations, studies and
5 plans as it may submit from time to time.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 13th day of February, 1964.

Governor