ENROLLED

SENATE BILL NO. 415

(BY MR. McCOY, MR. PRESIDENT)

PASSED MARCH 11, 1971

IN EFFECT NINETY DAYS FROM PASSAGE
ENROLLED

Senate Bill No. 415
(By Mr. McCourt, Mr. President)

[Passed March 11, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article ten-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the powers and duties of the division of vocational rehabilitation.

Be it enacted by the Legislature of West Virginia:

That section three, article ten-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10A. VOCATIONAL REHABILITATION.

§18-10A-3. Director of division of vocational rehabilitation; powers and duties.

1. The division shall be administered, under the general
supervision and direction of the state board, by a director appointed by such board in accordance with established personnel standards and on the basis of his education, training, experience and demonstrated ability.

In carrying out his duties under this article, the director shall:

(1) Appoint, with the approval of the state board, such personnel as he deems necessary for the efficient performance of the functions of the division.

(2) Establish a merit system of personnel management, or in lieu thereof, avail himself of the services of the state merit system upon payment of a fair share of the expenses of the operation of such system.

(3) Make regulations governing the protection of records and confidential information; the manner and form of filing applications for vocational rehabilitation services, eligibility therefor, and investigation and determination thereof; procedures for fair hearings; and such other matters as may be necessary or desirable in accomplishing the purposes of this article.

(4) Have the authority to establish and operate a staff development program for the employees of the division.
and may, in furtherance of such a program, and utilizing any funds appropriated or made available, for such purpose, pay to such employees compensation or expenses, or both, while such employees are pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in such division; such staff development program shall be conducted subject to appropriate rules and regulations as adopted by the director and approved by the state board: Provided, That such rules and regulations shall include reasonable provisions for the return of any employee, receiving the benefits of such training, for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the training of such employee.

(5) Establish, with the approval of the state board, appropriate subordinate administrative units within the division.

(6) Prepare and submit to the state board annual reports of activities and expenditures and, prior to each regular session of the Legislature, estimates of sums required for carrying out the provisions of this article and estimates
of the amounts to be made available for this purpose from all sources.

(7) Make requisition for disbursement, in accordance with regulations of the funds available for vocational rehabilitation purposes.

(8) Take such other action, with the approval of the state board, as may be deemed necessary or appropriate to carry out the purposes of this article.

In addition to the foregoing, the director may, with the approval of the state board, delegate to any officer or employee of the division such of his powers and duties, except the making of regulations and the appointment of personnel, as may be necessary or appropriate for the purposes of this article.
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.

To take 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 1st day of April, 1971.

Governor
PRESENTED TO THE GOVERNOR

Date 3/17/71
Time 11:50 A.M.