WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

ENROLLED

HOUSE BILL No. 4769

(By Mr. Speaker, Mr. Chambers, & Del. Hopewell)

Passed March 10, 1990

In Effect from Passage
ENROLLED

H. B. 4769

(By Mr. Speaker, Mr. Chambers, and Delegate Houvouras)

[Passed March 10, 1990; in effect from passage.]

AN ACT to amend and reenact section one, article two, chapter nine-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to state homes for veterans.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. STATE HOMES FOR VETERANS.


In consultation with the governor and other appropriate state agencies, the division of veterans' affairs shall establish and maintain throughout the state a home or homes for qualified veterans. The present Soldiers Home at Weston State Hospital shall be reidentified as Veterans Unit of Weston State Hospital and continued as formerly constituted. As used in this article the term "qualified veteran" means a veteran as determined by the division of veterans' affairs, who: (a) Is ambulatory and is able to attend to his personal needs, dress himself and attend a general mess; (b) served on active duty in the armed forces of the United States of America or a nation allied therewith; and (c) who was discharged or separated with an honorable discharge or with a general discharge under honorable conditions.
A veteran who meets conditions (b) and (c) but due to worsening conditions of health cannot meet condition (a), and therefore requires a higher level of health care, shall be deemed a qualified veteran.

Any individual enlisting for the first time on or after the eighth day of September, one thousand nine hundred eighty, who fails to complete at least twenty-four months of his enlistment is not eligible for any right, privilege or benefit for which eligibility is based on active duty in the armed forces. This provision does not apply when a person (a) is discharged because of hardship, (b) is retired or separated because of disability or (c) is later determined to have a service connected disability incurred during a completed period of enlistment.

In the event that a residential vacancy exists at any veterans home or facility created and established pursuant to this article, a veteran who has been a resident of the state of West Virginia for one year or more prior to filing for admission shall be given preference in filling such residential vacancy over nonresident veterans.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Baker
Chairman Senate Committee

Brenda V. Kelly
Chairman House Committee

Originating in the House.

Takes effect from passage.

Helen E. Bergman
Clerk of the Senate

Donald Y. Kopp
Clerk of the House of Delegates

Nathan M. Brandt
President of the Senate

Robert C. Carmichael
Speaker of the House of Delegates

The within be approved this the 26th day of March, 1990.

Jaston Caperton
Governor