

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



ENROLLED

HOUSE BILL No. 4769

(By Mr. Speaker, Mr. Chambers, + Del. Howouse)



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.

§9A-2-1. State homes for veterans.

1 In consultation with the governor and other appropriate state agencies, the division of veterans' affairs shall
2 establish and maintain throughout the state a home or
3 homes for qualified veterans. The present Soldiers
4 Home at Weston State Hospital shall be reidentified as
5 Veterans Unit of Weston State Hospital and continued
6 as formerly constituted. As used in this article the term
7 "qualified veteran" means a veteran as determined by
8 the division of veterans' affairs, who: (a) Is ambulatory
9 and is able to attend to his personal needs, dress himself
10 and attend a general mess; (b) served on active duty in
11 the armed forces of the United States of America or a
12 nation allied therewith; and (c) who was discharged or
13 separated with an honorable discharge or with a general
14 discharge under honorable conditions.
15

16 A veteran who meets conditions (b) and (c) but due
17 to worsening conditions of health cannot meet condition
18 (a), and therefore requires a higher level of health care,
19 shall be deemed a qualified veteran.

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

30 In the event that a residential vacancy exists at any
31 veterans home or facility created and established
32 pursuant to this article, a veteran who has been a
33 resident of the state of West Virginia for one year or
34 more prior to filing for admission shall be given
35 preference in filling such residential vacancy over
36 nonresident veterans.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Barker
Chairman Senate Committee

Baron V. Kelly
Chairman House Committee

Originating in the House.

Takes effect from passage.

Harriet E. Nelson
Clerk of the Senate

Donald G. Kopp
Clerk of the House of Delegates

Keth Sundette
President of the Senate

Bob Cal
Speaker of the House of Delegates

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

Winston Caperton
Governor

PRESENTED TO THE

GOVERNOR

Date 3/21/90

Time 3:35 pm

RECEIVED

1990 MAR 22 PM 3:51

OFFICE OF THE
SECRETARY