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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



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COMMITTEE SUBSTITUTE
FOR
House Bill No. 2060

(By Delegates Givens and Martin)



Passed March 9, 2000

In Effect from Passage

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COMMITTEE SUBSTITUTE

FOR

H. B. 2060

(BY DELEGATES GIVENS AND MARTIN)

[Passed March 9, 2000; in effect from passage.]

AN ACT to amend chapter nine-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article four, relating to granting priority to veterans in certain training programs.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. VETERANS EMPLOYMENT TRAINING PRIORITY.

§9A-4-1. Purpose.

- 1 (a) The Legislature finds that West Virginia veterans
- 2 represent a strong and productive part of the workforce of this

3 state. They are frequently disadvantaged in their pursuit of
4 civilian employment as a result of military service and delayed
5 entry into the civilian labor market. It is, therefore, in the public
6 interest and welfare that veterans continue to be provided the
7 traditional priority of services in workforce development
8 programs administered under the provisions of the federal
9 Workforce Investment Act of 1998.

10 (b) The purpose of this article is to require all federal and
11 state funded employment and training programs offered within
12 West Virginia to adopt a written policy providing priority of
13 service to veterans of the United States military over other
14 individuals seeking employment and training services.

§9A-4-2. Definitions.

1 (a) "Eligible veteran" means a person who:

2 (1) Served on active duty and was discharged or released
3 from active duty with an honorable discharge or because of a
4 service-connected disability; or

5 (2) As a member of a reserve component under an order to
6 active duty, served on active duty during a period of war or in
7 a campaign or expedition for which a campaign badge or ribbon
8 is authorized and was discharged or released from such duty
9 with an honorable discharge.

10 (b) "Priority of service" means the right to priority in any
11 employment or training program offered citizens of West
12 Virginia which is funded, in whole or in part, through federal or
13 state moneys.

14 (c) "Reserve component" means any branch of the military
15 which is called up to active duty, including any military defense
16 forces.

17 (d) "Training program" means a program that provides
18 training leading to qualification for employment, or improved
19 skills, or both, funded in whole or in part through the workforce
20 investment act or another federal or state act administered
21 through the state and having as its primary purpose workforce
22 development.

23 (e) "Training provider" means any private or public entity
24 which has been certified by competent authority to provide
25 training funded by federal or state funds appropriated in the
26 budget under the jobstraining partnership act or another federal
27 or state act having as its primary purpose workforce develop-
28 ment.

§9A-4-3. Program eligibility.

1 For a veteran to receive a priority in services designation
2 for a federal or state funded training program, the veteran shall
3 first meet the eligibility criteria and qualifications of the
4 specific program.

§9A-4-4. Application for priority of services.

1 A veteran shall make application for a priority of services
2 designation with the training provider by completing required
3 documentation and identifying to the satisfaction of the training
4 provider his or her eligibility in accordance with subsection (b),
5 section two of this article.

§9A-4-5. Priority of services.

1 An eligible veteran who has applied for and received a
2 priority of services designation and who has otherwise met the
3 eligibility criteria for employment training through a federal or
4 state funded program shall be placed in a pool of eligible
5 applicants, ordered on the date of eligibility. If both veterans
6 and nonveterans are certified eligible on the same day, veterans

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7 shall be afforded priority in enrollment in the following
8 manner:

9 (A) First priority shall be awarded to service-connected
10 disabled veterans;

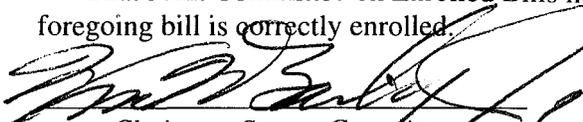
11 (B) Second priority shall be awarded to other eligible
12 veterans;

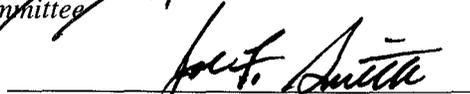
13 (C) Third priority shall be awarded to nonveterans.

§9A-4-6. Federal law.

1 Provisions of this article shall be superseded by federal
2 laws and regulations which are more stringent or which provide
3 specific veterans preference or priority of service relative to
4 administering employment and training programs.

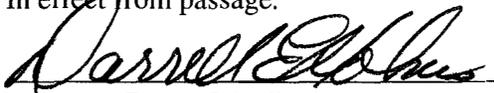
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

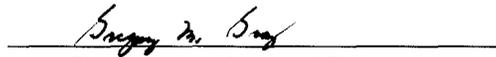

Chairman Senate Committee

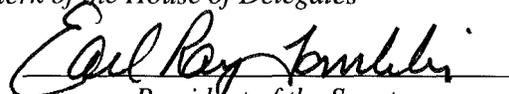

Chairman House Committee

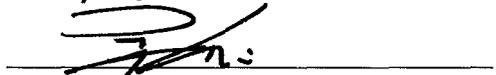
Originating in the House.

In effect from passage.

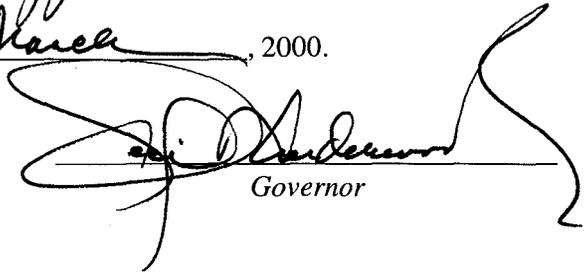

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approval this the 20th
day of March, 2000.


Governor

PRESENTED TO THE

GOVERNOR

Date

3/15/00

Time

10:05 am