WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2000

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2060

(By Delegates Givens and Martin)

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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 represent a strong and productive part of the workforce of this
state. They are frequently disadvantaged in their pursuit of
civilian employment as a result of military service and delayed
entry into the civilian labor market. It is, therefore, in the public
interest and welfare that veterans continue to be provided the
traditional priority of services in workforce development
programs administered under the provisions of the federal

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

§9A-4-2. Definitions.

(a) “Eligible veteran” means a person who:

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

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

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

(c) “Reserve component” means any branch of the military
which is called up to active duty, including any military defense
forces.
(d) “Training program” means a program that provides training leading to qualification for employment, or improved skills, or both, funded in whole or in part through the workforce investment act or another federal or state act administered through the state and having as its primary purpose workforce development.

(e) “Training provider” means any private or public entity which has been certified by competent authority to provide training funded by federal or state funds appropriated in the budget under the jobs training partnership act or another federal or state act having as its primary purpose workforce development.

§9A-4-3. Program eligibility.

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

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

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

§9A-4-5. Priority of services.

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

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

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

(C) Third priority shall be awarded to nonveterans.

§9A-4-6. Federal law.

Provisions of this article shall be superseded by federal laws and regulations which are more stringent or which provide specific veterans preference or priority of service relative to 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 ______ approved this the ______ day of ______, 2000.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/15/00
Time 10:05 am