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## WEST VIRGINIA LEGISLATURE

SEVENTY-EIGHTH LEGISLATURE REGULAR SESSION, 2008

COMMITTEE SUBSTITUTE

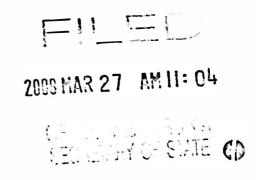
FOR

## **ENROLLED**

Senate Bill No. 778

(Senators Hunter, Wells, Bailey and Boley, original sponsors)

[Passed March 6, 2008; in effect ninety days from passage.]



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Senate Bill No. 778

(SENATORS HUNTER, WELLS, BAILEY AND BOLEY, original sponsors)

[Passed March 6, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §9A-1-10 of the Code of West Virginia, 1931, as amended, relating to describing the powers and duties of the director; providing for the hiring of case managers and counselors; providing for a program to advise veterans of available benefits and services; and developing an internet website.

Be it enacted by the Legislature of West Virginia:

That §9A-1-10 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 9A. DIVISION OF VETERANS' AFFAIRS.

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## §9A-1-10. Powers and duties of director.

- 1 The director is the executive and administrative head
- 2 of the division and has the power and duty, subject to
- 3 the provisions of section four of this article, to:
- 4 (a) Supervise and put into effect the purposes and
- 5 provisions of this article and the rules for the
- 6 government of the division;
- 7 (b) Prescribe methods pertaining to investigations and
- 8 reinvestigations of all claims and to the rights and
- 9 interests of all veterans, their widows, dependents and
- 10 orphans;
- 11 (c) Prescribe uniform methods of keeping all records
- 12 and case records of the veterans, their widows,
- dependents and orphans;
- 14 (d) Sign and execute, in the name of the state by West
- 15 Virginia Division of Veterans' Affairs, and by and with
- 16 the consent of the Veterans' Council, any contract or
- 17 agreement with the federal government or its agencies,
- 18 other states, subdivisions of this state, corporations,
- 19 associations, partnerships or individuals;
- 20 (e) Supervise the fiscal affairs and responsibilities of
- 21 the division:
- 22 (f) Organize the division to comply with the
- 23 requirements of this article and with the standards
- 24 required by any federal act or any federal agency;
- 25 (g) Establish any regional or area offices throughout
- 26 the state that are necessary to promote efficiency and
- economy in administration;
- 28 (h) Make reports that comply with the requirements
- 29 of any federal act or federal agency and the provisions
- 30 of this article:
- 31 (i) Cooperate with the federal and state governments
- 32 for the more effective attainment of the purposes of this

- 33 article;
- (j) Keep a complete and accurate record of all proceedings; record and file all contracts and agreements and assume responsibility for the custody and preservation of all papers and documents pertaining to his or her office and the division;
- (k) Prepare for the Veterans' Council the annual
   reports to the Governor of the condition, operation and
   functioning of the division;
- 42 (1) Exercise any other powers necessary and proper to 43 standardize the work; to expedite the service and 44 business; to assure fair consideration of the rights and 45 interests and claims of veterans, their widows, 46 dependents and orphans; to provide resources for a 47 program which will promote a greater outreach to veterans and which will advise them of the benefits and 48 49 services that are available; and to promote the 50 efficiency of the division;
- 51 (m) Invoke any legal, equitable or special remedies for 52 the enforcement of his or her orders or the provisions of 53 this article;
- (n) Appoint the veterans' affairs officers and heads of divisions of the division, and of regional or area offices, and employ assistants and employees, including case managers and counselors, that are necessary for the efficient operation of the division;
- (o) Provide resources and assistance in the development of an internet website which is to be used to inform veterans of programs and services available to them through the division and the state and federal governments; and
- (p) Delegate to all or any of his or her appointees, assistants or employees all powers and duties vested in the director, except the power to sign and execute contracts and agreements, but the director shall be responsible for the acts of his or her appointees, assistants and employees.

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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.
In effect ninety days from passage.
Clerk of the Senate
Sugar L. S. S. Clerk of the House of Delegates
Of Roy Somble.  President of the Senate
Speaker House of Delegates
The within Mulppined this the 27th Day of , 2008.
Governor Governor

PRESENTED TO THE GOVERNOR

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