

SB 778

FILED

2008 MAR 27 AM 11:04

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

WEST VIRGINIA
STATE CO

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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OFFICE OF THE
SECRETARY OF STATE

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(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.

§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,
13 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
27 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;

34 (j) Keep a complete and accurate record of all
35 proceedings; record and file all contracts and
36 agreements and assume responsibility for the custody
37 and preservation of all papers and documents
38 pertaining to his or her office and the division;

39 (k) Prepare for the Veterans' Council the annual
40 reports to the Governor of the condition, operation and
41 functioning of the division;

42 (l) 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
48 veterans and which will advise them of the benefits and
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;

54 (n) Appoint the veterans' affairs officers and heads of
55 divisions of the division, and of regional or area offices,
56 and employ assistants and employees, including case
57 managers and counselors, that are necessary for the
58 efficient operation of the division;


59 (o) Provide resources and assistance in the
60 development of an internet website which is to be used
61 to inform veterans of programs and services available
62 to them through the division and the state and federal
63 governments; and

64 (p) Delegate to all or any of his or her appointees,
65 assistants or employees all powers and duties vested in
66 the director, except the power to sign and execute
67 contracts and agreements, but the director shall be
68 responsible for the acts of his or her appointees,
69 assistants and employees.

Enr. Com. Sub. for S. B. No. 778] 4

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


.....
Chairman Senate Committee


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Chairman House Committee


Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within unapproved this
the 2th Day of March, 2008.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 21 2008

Time *G. J. ...*