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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

Regular Session, 2003

## ENROLLED

Committee Substitute for

SENATE BILL NO. 510

(By Senator Hunter, et al)

PASSED March 7, 2003

In Effect 90 days from Passage

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STATE SENATE

## ENROLLED

COMMITTEE SUBSTITUTE

FOR

### Senate Bill No. 510

(SENATORS HUNTER, OLIVERIO, PREZIOSO, McCABE,  
ROWE, CALDWELL, UNGER AND ROSS, *original sponsors*)

[Passed March 7, 2003; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and three, article twenty-eight, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to the West Virginia commission on holocaust education; providing for reimbursement of actual and necessary expenses; and authorizing the commission to accept gifts, donations and state funds as appropriated by the Legislature.

*Be it enacted by the Legislature of West Virginia:*

That sections two and three, article twenty-eight, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 28. COMMISSION ON HOLOCAUST EDUCATION.**

**§5-28-2. Commission on holocaust education; compensation.**

1 (a) Effective the first day of July, two thousand one,  
2 there is created the West Virginia commission on holocaust  
3 education.

4 (b) The commission is composed of eleven members: Two  
5 members currently serving on the state board of education,  
6 selected by the board; the state superintendent of schools  
7 or his or her designee; the director of the division of  
8 veterans' affairs; one attorney from the attorney general's  
9 office, civil rights division; one teacher who has completed  
10 professional development related to holocaust education  
11 teaching at the high-school level and one teacher who has  
12 completed professional development related to holocaust  
13 education teaching at the junior-high or middle-school  
14 level, each appointed by the governor with the advice and  
15 consent of the Senate; and four state residents, appointed  
16 by the governor, with the advice and consent of the Senate,  
17 who shall be: Individuals who are holocaust scholars or  
18 individuals experienced in the field of holocaust education  
19 or survivors, second generation, eye-witness/liberators or  
20 individuals recommended by the chair of the present  
21 holocaust education commission, created by executive  
22 order, who, by virtue of their interest, education or long-  
23 term involvement in human rights, prejudice reduction  
24 and holocaust education have demonstrated, through their  
25 past commitment and cooperation with the existing  
26 holocaust commission on education, their willingness to  
27 work for holocaust awareness and education in West  
28 Virginia.

29 (c) Members of the commission shall be appointed for  
30 terms of three years or until their prospective successors  
31 are appointed and qualified. Members are eligible for  
32 reappointment. Any member of the commission who fails  
33 to attend more than two consecutive meetings without an  
34 excuse approved by the commission may be removed from

35 the commission. All vacancies shall be filled by appoint-  
36 ment in the same manner as the original appointment and  
37 the individual appointed to fill the vacancy serves for the  
38 remainder of the unexpired term.

39 (d) The governor shall appoint a chairperson for the  
40 commission for a term of three years and until his or her  
41 successor is appointed and qualified.

42 (e) The speaker of the House of Delegates shall appoint  
43 a member of the House of Delegates and the president of  
44 the Senate shall appoint a member of the Senate to serve  
45 as advisors to the commission.

46 (f) Members of the commission are not entitled to  
47 compensation for services performed as members but may  
48 be reimbursed for actual and necessary expenses incurred  
49 for each day engaged in the performance of their official  
50 commission duties in a manner consistent with the guide-  
51 lines of the travel management office of the department of  
52 administration.

**§5-28-3. Commission powers and duties.**

1 (a) The commission shall:

2 (1) Provide, based upon the collective knowledge and  
3 experience of its members, assistance and advice to public  
4 and private schools, colleges and universities with respect  
5 to the implementation of holocaust education and aware-  
6 ness programs;

7 (2) Meet with appropriate education officials and other  
8 interested public and private organizations, including  
9 service organizations, for the purpose of providing infor-  
10 mation, planning, coordination or modification of courses  
11 of study or programs dealing with the subject of the  
12 holocaust;

13 (3) Compile a roster of individual volunteers who are  
14 willing to share their verifiable knowledge and experi-  
15 ences in classrooms, seminars and workshops on the

16 subject of the holocaust. The volunteers may be survivors  
17 of the holocaust, liberators of concentration camps,  
18 scholars, members of the clergy, community relations  
19 professionals or other persons who, by virtue of their  
20 experience, education or interest, have experience with the  
21 holocaust;

22 (4) Coordinate events memorializing the holocaust and  
23 seek volunteers who are willing and able to participate in  
24 commemorative events that will enhance public awareness  
25 of the significance of the holocaust; and

26 (5) Prepare annual reports for the governor and the  
27 Legislature regarding its findings and recommendations to  
28 facilitate the inclusion of holocaust studies and special  
29 programs memorializing the holocaust in educational  
30 systems in this state.

31 (b) The commission may accept and use for the benefit of  
32 the people of West Virginia any gift or devise of any  
33 property or thing which is lawfully given and is authorized  
34 to accept state funds as the same may be appropriated by  
35 the Legislature.

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

*Larry P. ...*  
.....  
Chairman Senate Committee

*Greg Butcher*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Parrell Elphes*  
.....  
Clerk of the Senate

*Bruce D. ...*  
.....  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
.....  
President of the Senate

*John B. ...*  
.....  
Speaker House of Delegates

The within *is approved* this the *1<sup>st</sup>*  
*April*  
Day of ....., 2003.

*Bob Wise*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3-20-03

Time 9:50 AM