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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004



ENROLLED

House Bill No. 2286

(By Delegates Williams, Beach, DeLong,
Perry, Martin and Cann)



Passed February 21, 2005

In Effect Ninety Days from Passage

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

H. B. 2286

(BY DELEGATES WILLIAMS, BEACH, DELONG,
PERRY, MARTIN AND CANN)

[Passed February 21, 2005; In effect ninety days from passage.]

AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2E-8e, relating to the sounding of Taps at veteran's honors funerals; encouraging community service by capable students; making legislative findings and stating purpose; requiring guidelines and distribution of certain information by state board; requiring county board policy and specifying minimum provisions; encouraging county board collaboration with organizations to assist programs; and limiting county board responsibility for certain costs, transportation and liability for supervision.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-2E-8e, to read as follows:

ARTICLE 2E. HIGH QUALITY EDUCATIONAL PROGRAMS.

§18-2E-8e. Veteran's honors funeral assistant community service program.

1 (a) *Findings.* - The Legislature makes the following
2 findings:

3 (1) Serving in the armed services in defense of the life,
4 liberty and pursuit of happiness enjoyed in our democratic
5 society involves a tremendous sacrifice on the behalf of those
6 who serve, often at the cost of their own lives;

7 (2) It is a fitting tribute to those who have served in the
8 armed forces and the families who have shared in their sacrifice
9 to honor that service and that sacrifice in the most respectful
10 manner;

11 (3) It is often difficult for the families of deceased veterans
12 who wish to lay their loved ones finally to rest in a military
13 honors funeral to find a bugler to sound their final Taps; and

14 (4) Organizations within the state and nationally, such as
15 the Veterans of Foreign Wars, the American Legion, Bugles
16 Across America and many others, have recognized the diffi-
17 culty of finding buglers to sound Taps at military honors
18 funerals and may be able to assist.

19 (b) *Purpose.* - The purpose of this section is to facilitate
20 collaboration that will encourage capable young people to assist
21 with the sounding of Taps at military funerals honoring our
22 veterans and, thereby, help them to develop a better understand-
23 ing of the sacrifices, a respect for the commitment and an
24 appreciation of the privileges that the men and women of the
25 armed services have protected through their service.

26 (c) *State board guidelines.* - The state board shall, in
27 collaboration with organizations and supporters of veterans,
28 establish general guidelines for the establishment of school

29 level programs that encourage capable students in grades six
30 through twelve, inclusive, to sound Taps on a standard or
31 valved bugle, trumpet, cornet or flugelhorn during military
32 honors funerals held in this state. The general guidelines shall
33 address the issues to be set forth in the county board policies
34 required under this section and shall include contact informa-
35 tion for technical assistance from the department of education
36 and organizations and supporters of veterans assisting in these
37 programs. The state board shall distribute the guidelines to
38 every county board. The state board shall also distribute an
39 appropriate program summary and contact information to the
40 colleges and universities in the state so that they may establish
41 similar programs for their students.

42 (d) *County board policies.* - Each county board shall
43 establish a policy for the implementation of a veteran's honors
44 funeral assistant community service program that addresses at
45 least the following:

46 (1) The distribution of information to music and band
47 teachers for their use in notifying capable students and obtain-
48 ing the consent of their parents or guardians for voluntary
49 registry as a candidate able to sound Taps during military
50 honors funerals held within a reasonable distance from their
51 residence;

52 (2) The credit toward community service or work based
53 learning requirements of the county or other recognition that
54 will be awarded to a student for the registry and sounding of
55 Taps during military honors funerals; and

56 (3) The limits on the amount of regular classroom instruc-
57 tion that a student may miss for the sounding of Taps during
58 military honors funerals to fulfill a community service or work
59 based learning requirement or, if none, on the excused absences
60 that the student may accrue for this activity.

61 County boards are not responsible for any costs associated
62 with the program, may not be required to provide or pay for
63 student transportation to funerals and are not liable for student
64 supervision while absent to participate in funerals. However,
65 county boards are encouraged to collaborate with organizations
66 of veterans and supporters of veterans to assist with the
67 veteran's honors funeral assistant community service program.

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

Randy White
Chairman Senate Committee

D. Robert Brown
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell Holcomb
Clerk of the Senate

Gregory M. Snow
Clerk of the House of Delegates

Carl Kay Tomblin
President of the Senate

Thom H. Koss
Speaker of the House of Delegates

The within *is approved* this the *25th*
day of *February*, 2005.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

Date 2/23/05

Time 3:20 p