

LD0248721

SENATE BILL NO. 836

Offered January 19, 1995

A BILL to amend and reenact §§ 63.1-26, 63.1-37, 63.1-60, 63.1-66, 63.1-67 and 63.1-123 of the Code of Virginia and to repeal § 63.1-62 of the Code of Virginia, relating to local boards of social services.

Patron—Nolen

Referred to the Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That §§ 63.1-26, 63.1-37, 63.1-60, 63.1-66, 63.1-67 and 63.1-123 of the Code of Virginia are amended and reenacted as follows:

§ 63.1-26. Establishment of entrance and performance standards.

The Board shall establish minimum entrance and performance standards for the personnel employed by the Commissioner, ~~local boards and local superintendents~~ in the administration of the succeeding chapters of this title and make necessary regulations to maintain such entrance and performance standards, including such regulations as may be embraced in the development of a system of personnel administration meeting requirements of the federal Department of Health and Human Services under appropriate federal legislation relating to programs administered by the Board. However, the state grievance procedure promulgated pursuant to § 2.1-114.5:1 shall apply to the personnel employed by the Commissioner and employees, including local superintendents or directors of the local boards and local departments, unless the local governing body elects to include employees of local welfare departments and local welfare boards under the grievance procedure adopted pursuant to § 15.1-7.1.

§ 63.1-37. Standards for personnel.

The Commissioner shall enforce the entrance and performance standards established by the State Board for personnel employed *by the State Department of Social Services* in the administration of this title and remove each employee who does not meet such standards.

§ 63.1-60. Appointment of local superintendents and local employees.

~~Subject to the personnel standards and rules and regulations of the State Board, the~~ *The* local superintendent shall be appointed by the local board, or, where the city charter or statutes relating to special forms of city or county government designate some other appointing authority, then by such other appointing authority; ~~from a list of eligibles furnished by the Commissioner. Subject to the personnel standards, and rules and regulations of the State Board, the~~ *The* local boards or such other appointing authority shall employ, or authorize the local superintendent to employ, such other employees as may be required ~~by the Commissioner~~ to administer this title in the county or city.

§ 63.1-66. Compensation.

The local superintendent and other persons employed to administer the provisions of this title in each county or city shall be paid such compensation by such county or city as shall be fixed by the local board or other appointing authority within the compensation plan provided in the merit system plan. With the approval of ~~the State Board and the~~ local governing body, the local board may provide that the local superintendent and such other employees shall be paid compensation in excess of the maximums permitted in the compensation plan. Such excess compensation shall be paid wholly from the funds of such county or city.

§ 63.1-67. Counties with special forms of government.

In any county having a special form of government under which the governing body of the county would be the appointing authority of the local board, local superintendent, and local employees, the governing body may, ~~subject to the personnel standards and rules and regulations of the State Board,~~ authorize the local board to exercise the powers relating to the employment of the local superintendent and other employees required to administer this title in such county and the fixing of their compensation or authorize the local board to exercise such powers insofar as they relate to the local superintendent and the local superintendent to exercise such powers insofar as they relate to other employees required to administer this title in such county.

§ 63.1-123. Payments by Commissioner in such cases; deductions by Comptroller; social or rehabilitative services; withholding payments; standards.

For so long as the failure or refusal to provide for the payments, benefits or services referred to in § 63.1-122 shall continue, the State Board shall authorize and direct the Commissioner under rules and regulations of the State Board, to provide for the payment of assistance or the furnishing of benefits or services in such county or city out of funds appropriated for the purpose of carrying out the provisions

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60 of this chapter. In such event the Commissioner shall at the end of each month file with the State
61 Comptroller and with the board of supervisors, council or other governing body of such county or city a
62 statement showing all disbursements and expenditures, including administrative expenditures, made for
63 and on behalf of such county or city, and the Comptroller shall from time to time as such funds become
64 available deduct from funds appropriated by the Commonwealth, in excess of requirements of the
65 Constitution of Virginia, for distribution to such county or city such amount or amounts as shall be
66 required to reimburse the Commonwealth for expenditures incurred under the provisions of this section.
67 All such funds so deducted and transferred are hereby appropriated for the purposes set forth, and shall
68 be expended and disbursed as provided in § 63.1-93. If at any time a locality fails to operate assistance
69 programs, income support programs or social service programs in accordance with state laws or
70 regulations or fails to provide the necessary staff for the implementation of such programs, the State
71 Board may authorize and direct the Commissioner, under rules and regulations of the State Board, to
72 withhold from such locality the entire reimbursement for administrative expenditures or a part thereof to
73 this locality for the period of time the locality fails to comply with state laws or regulations.

74 ~~The State Board shall promulgate standards establishing minimum education, professional~~
75 ~~requirements and training for personnel to provide such services. These standards shall be designed to~~
76 ~~assure qualified personnel with competence to provide services to prevent individuals having to seek~~
77 ~~public assistance and to aid in restoring recipients to partial self-support and economic well-being.~~

78 **2. That § 63.1-62 of the Code of Virginia is repealed.**