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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004



# ENROLLED

## House Bill No. 4131

(By Delegates Mezzatesta, Cann, Frederick,  
Stalnaker, Sumner and Walters)



Passed February 11, 2004

In Effect Ninety Days from Passage

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### H. B. 4131

(BY DELEGATES MEZZATESTA, CANN, FREDERICK,  
STALNAKER, SUMNER AND WALTERS)

[Passed February 11, 2004; in effect ninety days from passage.]

AN ACT to amend and reenact §18B-3D-2 of the code of West Virginia, 1931, as amended, relating to the workforce development initiative program; updating terms; and requiring certain reporting to the legislative oversight commission on workforce investment for economic development.

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

That §18B-3D-2 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

#### ARTICLE 3D. WORKFORCE DEVELOPMENT INITIATIVE

##### **§18B-3D-2. Workforce development initiative program created; program administration.**

- 1 (a) For the purposes of this article “Council” means the
- 2 council for community and economic development as defined
- 3 in section two, article two, chapter five-b of this code.

4 (b) There is hereby created under the council, a workforce  
5 development initiative program to administer and oversee  
6 grants to community and technical colleges to achieve the  
7 purposes of this article in accordance with legislative intent.  
8 The primary responsibility of the council as it relates to the  
9 workforce development initiative program is to administer the  
10 state fund for community and technical college and workforce  
11 development including setting criteria for grant applications,  
12 receiving applications for grants, making determinations on  
13 distribution of funds, and evaluating the performance of  
14 workforce development initiatives.

15 (c) The council shall review and approve the expenditure of  
16 all grant funds, including development of application criteria,  
17 the review and selection of applicants for funding, and the  
18 annual review and justification of applicants for grant renewal.

19 (1) To aid in decisionmaking, the council shall appoint an  
20 advisory committee consisting of the vice chancellor for  
21 community and technical colleges, the secretary of education  
22 and the arts or a designee, the assistant state superintendent for  
23 technical and adult education, the chair of the council for  
24 community and technical college education, and the chair of the  
25 West Virginia workforce investment council. The advisory  
26 committee shall review all applications for workforce develop-  
27 ment initiative grants and make a report including recommen-  
28 dations for distributing grant funds to the council. The advisory  
29 committee also shall make recommendations on methods to  
30 share among the community and technical colleges any  
31 curricula developed as a result of a workforce development  
32 initiative grant.

33 (2) When determining which grant proposals will be  
34 funded, the council shall give special consideration to proposals  
35 by community and technical colleges that involve businesses  
36 with fewer than fifty employees.

37       (3) The council also shall weigh each proposal to avoid  
38       awarding grants which will have the ultimate effect of provid-  
39       ing unfair advantage to employers new to the state who will be  
40       in direct competition with established local businesses.

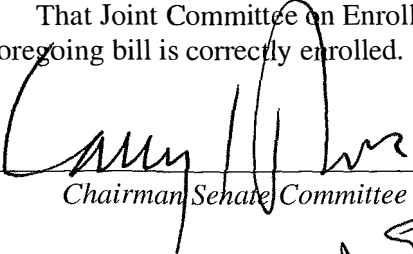
41       (d) The council may allocate a reasonable amount, not to  
42       exceed five percent up to a maximum of fifty thousand dollars  
43       of the funds available for grants on an annual basis, for general  
44       program administration.

45       (e) The head of the council shall report to the legislative  
46       oversight commission on workforce investment for economic  
47       development on the status of the workforce development  
48       initiative program by the first day of December, two thousand  
49       four, and annually thereafter by the first day of December.

50       (f) Moneys appropriated or otherwise available for the  
51       workforce development initiative program shall be allocated by  
52       line item to an appropriate account. Any moneys remaining in  
53       the fund at the close of a fiscal year shall be carried forward for  
54       use in the next fiscal year.

55       (g) Nothing in this article requires a specific level of  
56       appropriation by the Legislature.

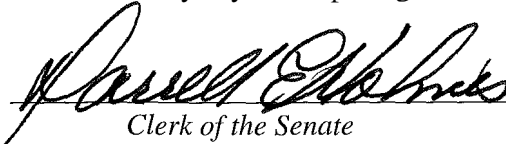
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

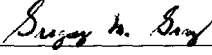
  
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Chairman, Senate Committee

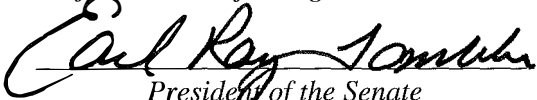
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

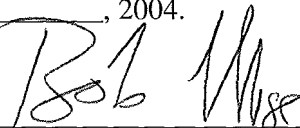
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 23rd  
day of February, 2004.

  
\_\_\_\_\_  
Governor

OFFICE OF THE  
GOVERNOR

Date 2/17/01

Time 2:15pm