

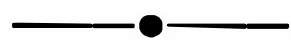
HB 2904

FILED

2009 APR 11 PM 3: 02

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2009



**ENROLLED**

**COMMITTEE SUBSTITUTE  
FOR  
House Bill No. 2904**

(By Delegates M. Poling and Paxton)



Passed April 6, 2009

In Effect from Passage

ENROLLED FILED

COMMITTEE SUBSTITUTE 2009 APR 11 PM 3: 02

FOR

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**H. B. 2904**

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(BY DELEGATES M. POLING AND PAXTON)

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[Passed April 6, 2009; in effect from passage.]

AN ACT to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing rules for higher education; authorizing rules for the Higher Education Policy Commission and the West Virginia Council for Community and Technical College Education; and authorizing rules regarding Guidelines for Governing Boards in Employing and Evaluating Presidents, Employing and Evaluating Presidents, the Medical Student Loan Program, the West Virginia Higher Education Grant Program, the Research Trust Fund Program, Accountability System, Performance Indicators, and Finance.

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

That §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 17. LEGISLATIVE RULES.**

**§18B-17-2. Authorizing rules of Higher Education Policy Commission.**

1 (a) The legislative rule filed in the State Register on  
2 October 15, 2004, relating to the Higher Education Policy  
3 Commission (Underwood-Smith Teacher Scholarship  
4 Program rule) is authorized.

5 (b) The legislative rule filed in the State Register on  
6 October 15, 2004, relating to the Higher Education  
7 Policy Commission (West Virginia Engineering, Science  
8 and Technology Scholarship Program rule) is  
9 authorized.

10 (c) The legislative rule filed in the State Register on  
11 October 15, 2004, relating to the Higher Education Policy  
12 Commission (Medical Education Fee and Medical Student  
13 Loan Program rule) is authorized.

14 (d) The legislative rule filed in the State Register on  
15 October 27, 2005, relating to the Higher Education Policy  
16 Commission (Authorization of degree-granting institutions)  
17 is authorized.

18 (e) The legislative rule filed in the State Register on  
19 August 23, 2006, relating to the Higher Education Policy  
20 Commission (West Virginia Higher Education Grant  
21 Program) is authorized.

22 (f) The legislative rule filed in the State Register on  
23 January 4, 2008, relating to the Higher Education Policy  
24 Commission (Providing Real Opportunities for Maximizing  
25 In-state Student Excellence - PROMISE) is authorized.

26 (g) The legislative rule filed in the State Register on  
27 August 25, 2008, relating to the Higher Education Policy  
28 Commission (Research Trust Program) is authorized.

29 (h) The legislative rule filed in the State Register on  
30 January 8, 2009, relating to the Higher Education Policy  
31 Commission (Guidelines for Governing Boards in Employing  
32 and Evaluating Presidents) is authorized.

33 (i) The legislative rule filed in the State Register on  
34 September 10, 2008, relating to the Higher Education Policy  
35 Commission (Medical Student Loan Program) is authorized,  
36 with the following amendment:

37 On page 2, subsection 5.1, following the words “financial  
38 aid office” by inserting a new subdivision 5.1.3 to read as  
39 follows: “United States citizenship or legal immigrant status  
40 while actively pursuing United States citizenship.”

41 (j) The legislative rule filed in the State Register on  
42 December 1, 2008, relating to the Higher Education Policy  
43 Commission (West Virginia Higher Education Grant  
44 Program) is authorized.

45 (k) The legislative rule filed in the State Register on  
46 January 26, 2009, relating to the Higher Education Policy  
47 Commission (Accountability System) is authorized.

**§18B-17-3. Authorizing rule of the Council for Community and  
Technical College Education.**

1 (a) The legislative rule filed in the State Register on  
2 September 29, 2004, relating to the West Virginia Council  
3 for Community and Technical College Education  
4 (performance indicators rule) is authorized.

5 (b) The legislative rule filed in the State Register on  
6 October 13, 2005, relating to the West Virginia Council for  
7 Community and Technical College Education (Authorization  
8 of degree-granting institutions) is authorized.

9 (c) The legislative rule filed in the State Register on  
10 October 30, 2006, relating to the West Virginia Council for  
11 Community and Technical College Education (Workforce  
12 Development Initiative Program) is authorized.


13 (d) The legislative rule filed in the State Register on  
14 December 4, 2008, relating to the West Virginia Council for  
15 Community and Technical College Education (Employing  
16 and Evaluating Presidents) is authorized.

17 (e) The legislative rule filed in the State Register on  
18 December 23, 2008, relating to the West Virginia Council for  
19 Community and Technical College Education (Performance  
20 Indicators) is authorized.

21 (f) The legislative rule filed in the State Register on  
22 February 5, 2009, relating to the West Virginia Council for  
23 Community and Technical College Education (Finance) is  
24 authorized.

25 (g) The legislative rule filed in the State Register on  
26 February 5, 2009, relating to the West Virginia Council for  
27 Community and Technical College Education  
28 (Accountability System) is authorized.

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

  
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Chairman Senate Committee

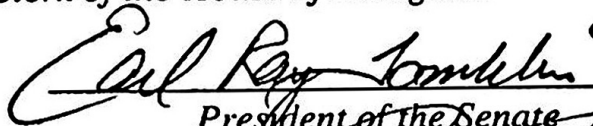
  
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Chairman House Committee

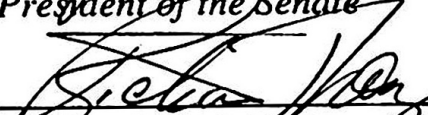
Originating in the House.

In effect from passage.

  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Clerk of the House of Delegates

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

  
\_\_\_\_\_  
Speaker of the House of Delegates

The within as appended this the 11<sup>th</sup>  
day of April, 2009.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

APR 9 2009

Time 4:20 pm