

H. B. 4126

(BY DELEGATES M. POLING, PAXTON, PERRY,
MOYE AND FRAGALE)

[Introduced January 19, 2012; referred to the
Committee on Education then Finance.]

A BILL to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to higher education; legislative rules; authorizing a rule for the Higher Education Policy Commission regarding tuition and fees; and authorizing a rule for the Council for Community and Technical College Education regarding the Workforce Development Initiative Program and tuition and fees.

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 Policy
7 Commission (West Virginia Engineering, Science and
8 Technology Scholarship Program rule) is authorized.

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

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

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

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

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

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

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

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

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

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

47 (l) The legislative rule filed in the State Register on May
48 20, 2009, relating to the Higher Education Policy
49 Commission (Energy and Water Savings Revolving Loan
50 Fund Program) is authorized.

51 (m) The legislative rule filed in the State Register on
52 January 27, 2010, relating to the Higher Education Policy
53 Commission (Providing Real Opportunities for Maximizing
54 In-state Student Excellence - PROMISE) is authorized.

55 (n) The legislative rule filed in the State Register on
56 December 8, 2010, relating to the Higher Education Policy
57 Commission (Authorization of Degree Granting Institutions)
58 is authorized, with the following amendment:

59 On page 28, subsection 9.1.b, following the words “Good
60 cause shall consist of” by inserting the words “any one or
61 more of the following”.

62 (o) The legislative rule filed in the State Register on
63 December 12, 2011, relating to the Higher Education Policy
64 Commission (Tuition and Fee Policy) 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 (Accountability
28 System) is authorized.

29 (h) The legislative rule filed in the State Register on June
30 15, 2011, relating to the West Virginia Council for
31 Community and Technical College Education (Workforce
32 Development Initiative Program) is authorized.

33 (i) The legislative rule filed in the State Register on
34 October 26, 2011, relating to the West Virginia Council for
35 Community and Technical College Education (Tuition and
36 Fees) is authorized.

NOTE: The purpose of this bill is to authorize a legislative rule for the Higher Education Policy Commission regarding authorization of degree-granting institutions and rules of the Council for Community and Technical College Education regarding the Workforce Development Initiative Program and tuition and fees.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.