

# H. B. 2892

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(BY DELEGATE(S) PASDON, DUKE,  
MILLER, HORNBUCKLE, PERRY, ROHRBACH,  
MORGAN AND SOBONYA)

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[Introduced February 24, 2015; referred to the  
Committee on Education.]

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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 authorizing certain legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding capital project management, Underwood-Smith Teacher Scholarship Program and Nursing Scholarship Program; and authorizing legislative rule for the Council for Community and Technical College Education regarding capital project management.

*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 October  
2 15, 2004, relating to the Higher Education Policy Commission  
3 (Underwood-Smith Teacher Scholarship Program rule) is  
4 authorized.

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

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

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

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

19 (f) The legislative rule filed in the State Register on January  
20 4, 2008, relating to the Higher Education Policy Commission  
21 (Providing Real Opportunities for Maximizing In-state Student  
22 Excellence - PROMISE) is authorized.

23 (g) The legislative rule filed in the State Register on August  
24 25, 2008, relating to the Higher Education Policy Commission  
25 (Research Trust Program) is authorized.

26 (h) The legislative rule filed in the State Register on January  
27 8, 2009, relating to the Higher Education Policy Commission  
28 (Guidelines for Governing Boards in Employing and Evaluating  
29 Presidents) is authorized.

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

34 On page 2, subsection 5.1, following the words “financial aid  
35 office” by inserting a new subdivision 5.1.3 to read as follows:

36 “United States citizenship or legal immigrant status while  
37 actively pursuing United States citizenship.”

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

42 (k) The legislative rule filed in the State Register on January  
43 26, 2009, relating to the Higher Education Policy Commission  
44 (Accountability System) is authorized.

45 (l) The legislative rule filed in the State Register on May 20,  
46 2009, relating to the Higher Education Policy Commission  
47 (Energy and Water Savings Revolving Loan Fund Program) is  
48 authorized.

49 (m) The legislative rule filed in the State Register on January  
50 27, 2010, relating to the Higher Education Policy Commission  
51 (Providing Real Opportunities for Maximizing In-state Student  
52 Excellence - PROMISE) is authorized.

53 (n) The legislative rule filed in the State Register on  
54 December 8, 2010, relating to the Higher Education Policy  
55 Commission (Authorization of Degree Granting Institutions) is  
56 authorized.

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

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

63       (p) The legislative rule filed in the State Register on August  
64    10, 2012, relating to the Higher Education Policy Commission  
65    (Authorization of Degree Granting Institutions) is authorized.

66       (q) The legislative rule filed in the State Register on August  
67    10, 2012, relating to the Higher Education Policy Commission  
68    (Annual Reauthorization of Degree Granting Institutions) is  
69    authorized.

70       (r) The legislative rule filed in the State Register on March  
71    20, 2013, relating to the Higher Education Policy Commission  
72    (Human Resources Administration) is authorized.

73       (s) The legislative rule filed in the State Register on January  
74    24, 2014, relating to the Higher Education Policy Commission  
75    (Capital Project Management) is authorized.

76       (t) The legislative rule filed in the State Register on April 4,  
77 2014, relating to the Higher Education Policy Commission  
78 (Underwood-Smith Teacher Scholarship Program) is authorized.

79       (u) The legislative rule filed in the State Register on August  
80 4, 2014, relating to the Higher Education Policy Commission  
81 (Nursing Scholarship Program) is authorized.

**§18B-17-3. Authorizing rules 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 for  
3 Community and Technical College Education (performance  
4 indicators) is authorized.

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

9       (c) The legislative rule filed in the State Register on October  
10 30, 2006, relating to the West Virginia Council for Community  
11 and Technical College Education (Workforce Development  
12 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 and  
16 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 February  
22 5, 2009, relating to the West Virginia Council for Community  
23 and Technical College Education (Finance) is authorized.

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

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

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

36 (j) The legislative rule filed in the State Register on October  
37 17, 2012, relating to the West Virginia Council for Community  
38 and Technical College Education (Authorization of Degree  
39 Granting Institutions) is authorized.

40 (k) The legislative rule filed in the State Register on October  
41 17, 2012, relating to the West Virginia Council for Community  
42 and Technical College Education (Annual Reauthorization of  
43 Degree Granting Institutions) is authorized.

44 (l) The legislative rule filed in the State Register on March  
45 21, 2013, relating to the West Virginia Council for Community  
46 and Technical College Education (Human Resources  
47 Administration) is authorized.

48 (m) The legislative rule filed in the State Register on August  
49 21, 2012, relating to the West Virginia Council for Community  
50 and Technical College Education (West Virginia EDGE  
51 Program) is authorized.



52        (n) The legislative rule filed in the State Register on January  
53        28, 2014, relating to the West Virginia Council for Community  
54        and Technical College Education (Capital Project Management)  
55        is authorized.

NOTE: The purpose of this bill is to authorize legislative rules for the Higher Education Policy Commission regarding capital project management, Underwood-Smith Teacher Scholarship Program, and Nursing Scholarship Program, and for the Council for Community and Technical College Education regarding capital project management.

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





