

1 **ENROLLED**

2 **H. B. 4126**

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4 (By Delegates M. Poling, Paxton, Perry, Moye and Fragale)

5 [Passed March 6, 2012; in effect ninety days from passage.]  
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10 AN ACT to amend and reenact §18B-17-2 and §18B-17-3 of the Code of  
11 West Virginia, 1931, as amended, all relating to higher  
12 education; legislative rules; authorizing a rule for the  
13 Higher Education Policy Commission regarding tuition and fees;  
14 and authorizing a rule for the Council for Community and  
15 Technical College Education regarding the Workforce  
16 Development Initiative Program and tuition and fees.

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

18 That §18B-17-2 and §18B-17-3 of the Code of West Virginia,  
19 1931, as amended, be amended and reenacted, all to read as follows:

20 **ARTICLE 17. LEGISLATIVE RULES.**

21 **§18B-17-2. Authorizing rules of Higher Education Policy**  
22 **Commission.**

23 (a) The legislative rule filed in the State Register on

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

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

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

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

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

19 (f) The legislative rule filed in the State Register on  
20 January 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

1 (Research Trust Program) is authorized.

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

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

10 On page 2, subsection 5.1, following the words "financial aid  
11 office" by inserting a new subdivision 5.1.3 to read as follows:  
12 "United States citizenship or legal immigrant status while actively  
13 pursuing United States citizenship."

14 (j) The legislative rule filed in the State Register on  
15 December 1, 2008, relating to the Higher Education Policy  
16 Commission (West Virginia Higher Education Grant Program) is  
17 authorized.

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

21 (l) The legislative rule filed in the State Register on May  
22 20, 2009, relating to the Higher Education Policy Commission  
23 (Energy and Water Savings Revolving Loan Fund Program) is  
24 authorized.

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

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

9 On page 28, subsection 9.1.b, following the words "Good cause  
10 shall consist of" by inserting the words "any one or more of the  
11 following".

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

15 **§18B-17-3. Authorizing rule of the Council for Community and**  
16 **Technical College Education.**

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

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

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

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

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

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

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

20 (h) The legislative rule filed in the State Register on June  
21 15, 2011, relating to the West Virginia Council for Community and  
22 Technical College Education (Workforce Development Initiative  
23 Program) is authorized.

24 (i) The legislative rule filed in the State Register on

1 October 26, 2011, relating to the West Virginia Council for  
2 Community and Technical College Education (Tuition and Fees) is  
3 authorized.