1	н. в. 4126
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3	(By Delegates M. Poling, Paxton, Perry, Moye and Fragale)
4	[Introduced January 19, 2012; referred to the
5	Committee on Education then Finance.]
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L 0	A BILL to amend and reenact $\$18B-17-2$ and $\$18B-17-3$ of the Code of
L1	West Virginia, 1931, as amended, all relating to higher
L2	education; legislative rules; authorizing a rule for the
L3	Higher Education Policy Commission regarding tuition and fees;
L 4	and authorizing a rule for the Council for Community and
L 5	Technical College Education regarding the Workforce
L 6	Development Initiative Program and tuition and fees.
L 7	Be it enacted by the Legislature of West Virginia:
L 8	That $\$18B-17-2$ and $\$18B-17-3$ of the Code of West Virginia,
L 9	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 (1) 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 <u>(o) The legislative rule filed in the State Register on</u>
- 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.

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.