

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4582

BY DELEGATE PERRY

[Introduced February 17, 2016; Referred
to the Committee on Education then Finance.]

1 A BILL to amend and reenact §18B-3C-11 of the Code of West Virginia, 1931, as amended,
 2 relating to Bridge Valley Community and Technical College service facility fee
 3 assessments at the West Virginia Education, Research and Technology Park; and aligning
 4 these fees with the rate charged for the Advanced Technology Center.

Be it enacted by the Legislature of West Virginia:

1 That §18B-3C-11 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 3C. COMMUNITY AND TECHNICAL COLLEGE SYSTEM.

§18B-3C-11. Shared facilities and resources; memoranda of agreements; and joint administrative boards.

1 (a) To the maximum extent feasible, community and technical colleges shall be developed
 2 as multisite institutions utilizing existing facilities, including cooperative use of existing vocational
 3 education institutes and centers, offering services on the campuses of existing baccalaureate and
 4 graduate institutions, at work sites in collaboration with employers and other appropriate venues.
 5 Subject to the limitation of subdivision (13), subsection (a), section four, article one-b of this
 6 chapter, new public capital investment in physical facilities shall be kept to a minimum. All
 7 community and technical colleges shall have missions encompassing the full range of services
 8 and programs.

9 (b) The governing boards may accept federal grants and funds from county boards of
 10 education, other local governmental bodies, corporations or persons. The governing boards may
 11 enter into memoranda of understanding agreements with such governmental bodies, corporations
 12 or persons for the use or acceptance of local facilities and for the acceptance of grants or
 13 contributions toward the cost of the acquisition or construction of such facilities. Such local
 14 governmental bodies may convey capital improvements, or lease the same without monetary
 15 consideration, to the governing boards for the use by the community and technical college and
 16 the governing boards may accept such facilities, or the use or lease thereof, and grants or

17 contributions for such purposes from such governmental bodies, the federal government or any
18 corporation or person. In addition, the various education agencies shall establish cooperative
19 relationships to utilize existing community and technical colleges and programs, public school
20 vocational centers and other existing facilities to serve the identified needs within the community
21 and technical college district.

22 (c) To facilitate the administration, operation and financing of programs in shared facilities
23 of any institution of public higher education and a county board or boards of education, the
24 affected president and county board or boards of education may appoint a joint administrative
25 board consisting of such membership and possessing such delegated authorities as the
26 respective boards consider necessary and prudent for the operation of such shared facilities.
27 Such joint administrative boards, as an example, may consist of five members appointed as
28 follows: The county board of education appoints two members; the president appoints two
29 members; and one at-large member, who shall chair the joint administrative board, is appointed
30 by mutual agreement of the board and the president. When two or more county boards of
31 education are participating in such shared program, such county board appointments would be
32 made by mutual agreement of each of the participating county boards. Members would serve for
33 staggered terms of three years. With respect to initial appointments, one member appointed by
34 the county board or boards of education and one member appointed by the governing board
35 would serve for one year, one member appointed by the county board or boards of education and
36 one member appointed by the governing board would serve for two years and the at-large
37 member would serve for three years. Subsequent appointments should be for three years. A
38 member would not serve more than two consecutive terms. Members would be reimbursed for
39 reasonable and necessary expenses actually incurred in the performance of their duties as board
40 members from funds allocated to the shared facility, except that members who are employed by
41 a Board of Education, governing board or state institution of higher education would be
42 reimbursed by their employer.

43 (d) The Legislature finds that the West Virginia Education, Research and Technology
44 Park facilities housing Bridge Valley Community and Technical College's South Charleston
45 campus were donated to the State of West Virginia, that renovations to those facilities have been
46 paid for primarily from a community and technical college revenue bond issue and other
47 community and technical revenue and, that the Technology Park corporation is assessing service
48 facility fees on Bridge Valley Community and Technical College for the south and west wings of
49 Building 2000 and for Building 704 that are significantly in excess of the rate charged for the
50 Advanced Technology Center located in the Technology Park. Effective July 1, 2016, the
51 Technology Park Corporation may not charge Bridge Valley Community and Technical College
52 service facility fees for the south and west wings of Building 2000 or for Building 704 that are in
53 excess of the service facility fee rate charged for the Advanced Technology Center.

NOTE: The purpose of this bill is to align the service facility fee rates charged to Bridge Valley Community and Technical College for the south and west wings of Building 2000 and for Building 704 with the rate charged for the Advanced Technology Center.

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