

1 **H. B. 3104**

2
3 (By Delegates M. Poling and Stowers)

4 [Introduced March 25, 2013; referred to the
5 Committee on the Education.]

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10 A BILL to amend and reenact §18B-17-2 and §18B-17-3 of the Code of
11 West Virginia, 1931, as amended, all relating to authorizing
12 certain legislative rules regarding higher education;
13 authorizing legislative rules for the Higher Education Policy
14 Commission regarding authorization of degree granting
15 institutions and human resources administration; and
16 authorizing legislative rules for the Council for Community
17 and Technical College Education regarding authorization of
18 degree granting institutions and human resources
19 administration.

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

21 That §18B-17-2 and §18B-17-3 of the Code of West Virginia,
22 1931, as amended, be amended and reenacted, all to read as follows:

23 **ARTICLE 17. LEGISLATIVE RULES.**

24 **§18B-17-2. Authorizing rules of Higher Education Policy**

1 **Commission.**

2 (a) The legislative rule filed in the State Register on
3 October 15, 2004, relating to the Higher Education Policy
4 Commission (Underwood-Smith Teacher Scholarship Program rule) is
5 authorized.

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

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

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

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

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

1 (g) The legislative rule filed in the State Register on August
2 25, 2008, relating to the Higher Education Policy Commission
3 (Research Trust Program) is authorized.

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

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

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

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

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

23 (l) The legislative rule filed in the State Register on May
24 20, 2009, relating to the Higher Education Policy Commission

1 (Energy and Water Savings Revolving Loan Fund Program) is
2 authorized.

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

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

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

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

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

20 (q) The legislative rule filed in the State Register on
21 August 10, 2012, relating to the Higher Education Policy Commission
22 (Annual Reauthorization of Degree Granting Institutions) is
23 authorized.

1 (r) The legislative rule filed in the State Register on March
2 20, 2013, relating to the Higher Education Policy Commission (Human
3 Resources Administration) is authorized.

4 **§18B-17-3. Authorizing rules of the Council for Community and**
5 **Technical College Education.**

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

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

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

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

22 (e) The legislative rule filed in the State Register on
23 December 23, 2008, relating to the West Virginia Council for

1 Community and Technical College Education (Performance Indicators)
2 is authorized.

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

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

10 (h) The legislative rule filed in the State Register on June
11 15, 2011, relating to the West Virginia Council for Community and
12 Technical College Education (Workforce Development Initiative
13 Program) is authorized.

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

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

22 (k) The legislative rule filed in the State Register on
23 October 17, 2012, relating to the West Virginia Council for

1 Community and Technical College Education (Annual Reauthorization
2 of Degree Granting Institutions) is authorized.

3 (1) The legislative rule filed in the State Register on March
4 21, 2013, relating to the West Virginia Council for Community and
5 Technical College Education (Human Resources Administration) is
6 authorized.

NOTE: The purpose of this bill is to authorize legislative rules for the Higher Education Policy Commission and the Council for Community and Technical College Education regarding the authorization of degree granting institutions and human resources administration.

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