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H. B. 2892

(By Delegates Pasdon, Duke, Miller, Hornbuckle, Perry, Rohrbach,
Morgan and Sobonya)

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

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.

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

1 Education Policy Commission (West Virginia Engineering, Science and Technology Scholarship
2 Program rule) is authorized.

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

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

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

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

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

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

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

21 On page 2, subsection 5.1, following the words "financial aid office" by inserting a new
22 subdivision 5.1.3 to read as follows: "United States citizenship or legal immigrant status while

1 actively pursuing United States citizenship."

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

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

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

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

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

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

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

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

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

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

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

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

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

9 **§18B-17-3. Authorizing rules of the Council for Community and Technical College Education.**

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (m) The legislative rule filed in the State Register on August 21, 2012, relating to the West

1 Virginia Council for Community and Technical College Education (West Virginia EDGE Program)

2 is authorized.

3 (n) The legislative rule filed in the State Register on January 28, 2014, relating to the West

4 Virginia Council for Community and Technical College Education (Capital Project Management)

5 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.