

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



**ENROLLED**

*committee Substitute*

for HOUSE BILL No. 354

*(originating in the committee on Taxation and Finance)*

✓ (By ~~Mr.~~.....)



PASSED March 12, 1943

In Effect from Passage

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354

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COMMITTEE SUBSTITUTE FOR  
**House Bill No. 354**

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(Originating in the Committee on Taxation and Finance)  
[Passed March 12, 1943; in effect from passage.]

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AN ACT to amend chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article to be designated article one-a, relating to the collection and expenditure of fees and other money collected at state institutions.

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

That chapter twenty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article to be designated article one-a, to read as follows:

Section 1. *Enrollment Fees at Educational Institutions;*

2 *Refund of Fees.*—The West Virginia board of control, in  
3 conjunction with the governing boards of state educa-  
4 tional institutions, shall fix enrollment fees for each se-  
5 mester or school term for the different classes or cate-  
6 gories of students enrolling at the state educational in-

7 stitutions. The schedule of fees, and any changes in the  
8 schedule, shall be entered in the minutes of meetings of  
9 the board of control, and the board of control shall file  
10 with the state auditor and state budget director a certi-  
11 fied copy of such schedule and changes.

12 Refund, as an erroneous payment, may be made of  
13 enrollment fees, upon the voluntary or involuntary with-  
14 drawal from classes of any student, until eight weeks of  
15 the school semester or term have expired, but no refund  
16 may be made thereafter.

*Sec. 2. Fees and Money Derived from Athletic Con-*  
2 *tests; Expenditure Directed; Collection Restricted.*—The  
3 directors of athletics at state educational institutions, may  
4 fix and charge admission fees to athletic contests at state  
5 educational institutions and may enter into contracts,  
6 spend and receive money under such contracts, for the  
7 student athletic teams of state educational institutions to  
8 contest with other athletic teams inside or outside the  
9 state.

10 All money derived from such fees and under such con-  
11 tracts shall be used to defray the cost of maintaining the

12 athletic department and athletic program of such institu-  
13 tions.

Sec. 3. *Student Activity Fees at State Educational In-*  
2 *stitutions; Expenditure Directed; Collection Restricted.*—  
3 The president of any state educational institution may au-  
4 thorize the collection of fees from students for the sup-  
5 port of extra-curricular activities of the students, and  
6 after authorizing the collection of such fees, the president  
7 shall file with the state auditor and state budget director  
8 a certified detailed statement of the fees authorized to  
9 be collected and the purpose for which they are to be  
10 spent.

Sec. 4. *Fees from Operation of Dormitories, Boarding*  
2 *Houses and Cafeterias; Expenditure Directed and Re-*  
3 *stricted.*—The state board of control shall fix the fees to  
4 be charged students and members of the faculties for  
5 rooms, board and meals at the dormitories, boarding houses  
6 and cafeterias operated at state educational institutions.  
7 Such fees shall be commensurate with the complete cost  
8 of such services.

9 All fees collected for such services shall be allocated

10 to pay operating and maintenance costs of dormitories,  
11 boarding houses and cafeterias and to meet the interest  
12 and principal payments on outstanding bonds issued to  
13 derive money for the construction and installation of  
14 facilities required to render the services offered.

Sec. 5. *Sale of Books and Stationery; Expenditure of*  
2 *Receipts Directed and Restricted.*—The state board of  
3 control shall fix the prices of books and stationery of-  
4 fered for sale to students and members of the faculties  
5 by the book and stationery stores established and in op-  
6 eration, and those hereafter established, at state educa-  
7 tional institutions. The sale of books and stationery is  
8 restricted to the students and members of the faculties  
9 of state educational institutions. Prices for books and  
10 stationery shall be commensurate with the complete cost  
11 to the state in offering such products for sale.

12 Money derived from the sale of books and stationery  
13 shall be used for no purpose other than to replenish the  
14 stock of books and stationery and to pay the costs of op-  
15 erating and maintaining the stores.

2 *Sec. 6. Sale of Excess Farm and Dairy Products; Ex-*  
3 *penditure of Receipts Directed and Restricted.*—The state  
4 board of control shall direct the sale of farm and dairy  
5 products of farms operated at the various state institu-  
6 tions, but only those products may be sold which cannot  
7 be consumed in the institution at which they are pro-  
8 duced. The board shall endeavor to sell excess products  
to other state institutions.

2 *Sec. 7. Disposition of Funds in State Treasury.*—All  
3 funds in the state treasury heretofore collected from any  
4 of the sources defined in the foregoing sections shall  
5 remain in the state treasury and may be expended only  
6 as those which are authorized to be collected in the fore-  
going sections.

2 *Sec. 8. Control, Supervision or Management of West*  
3 *Virginia University not Affected.*—Nothing contained  
4 herein shall be construed to repeal or affect the control,  
5 supervision, or management of West Virginia University,  
6 as provided by chapter thirteen, acts of the Legislature,  
one thousand nine hundred twenty-seven, as amended.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Ray L. Garrison*  
Chairman Senate Committee

*Fred S. Petroff*  
Chairman House Committee

Originated in the *House of Delegates*  
Takes effect *from* passage.

*Fred B. Watkins*  
Clerk of the Senate

*J. Alliff*  
Clerk of the House of Delegates

*James Ruel*  
President of the Senate

*John E. Amos*  
Speaker House of Delegates

The within *Approved* this the *19<sup>th</sup>*  
day of *March*, 1943.

*Matthew M. Neely*  
Governor.



Filed in the office of the Secretary of State  
of West Virginia *MAR 19 1943*

Wm. S. O'BRIEN,  
Secretary of State