WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1964

ENROLLED

HOUSE BILL No. 26

(By Mr. Speaker Mr. Singleton & Mr. Wilson)

PASSED January 31, 1964
In Effect

FILED IN THE OFFICE OF
JOSEPH F. GORDON
SECRETARY OF STATE
THIS DATE 2-7-64
AN ACT to amend chapter eighteen of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-two, relating to the establishment of a state commission on higher education.

Be it enacted by the Legislature of West Virginia:

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

Article 22. State Commission for Higher Education.

Section 1. Legislative Purposes.—The purpose of the Legislature in the enactment of this article is to establish
a state agency to be known as the state commission on higher education for public and nonpublic institutions of higher education, in order (a) to receive and disburse funds appropriated by the federal government for the construction, equipment and improvement of academic facilities of institutions of higher education as required by the federal higher education facilities act of 1963, and any and all subsequent acts of Congress relating to the same subject, and (b) to make continuing studies of the total program of higher education in West Virginia.

Sec. 2. State Commission on Higher Education; Members; Qualifications.—There is hereby created a commission to be known as the state commission on higher education which shall consist of nine members to be appointed by the governor as follows: Two members from the state board of education, two members from the board of governors of West Virginia university, two members from the boards of trustees of two nonpublic institutions of higher learning situate within the state, and three members to represent the public at large, which members may be officials, board members or trustees of any
institutions of higher learning in this state, but shall be persons who have evidenced an interest in the field of higher education: Provided, That the two members appointed from the boards of trustees of two non-public institutions of higher learning and the three members to represent the public at large, shall be appointed by and with the advice and consent of the Senate. No more than two of the members representing the public shall belong to the same political party and no more than four members shall be graduates of the same university or college within the state of West Virginia. The governor shall appoint a chairman selected from the representatives of the public at large.

The members shall serve for a term of six years, except that the original appointments shall be as follows: Three members to serve two years, three members to serve four years, and three members to serve six years: Provided, however, That the eligibility of the members representing the West Virginia board of education, the board of governors of West Virginia university, and the boards of trustees of the nonpublic institutions, to serve as a mem-
The members of the state commission on higher education, shall cease when their membership upon their respective boards terminates. The governor shall appoint a member to fill any vacancy, which member shall serve for the unexpired term of the vacating member. All shall be eligible for reappointment.

The members of the commission shall serve without compensation, but shall be reimbursed for their necessary expenses actually incurred in the performance of their duties not to exceed twenty-five dollars per day plus an allowance of ten cents per mile for every mile actually traveled to and from such meetings.

Sec. 3. Powers and Duties of the State Commission on Higher Education.—The state commission on higher education shall have the power, (1) to apply for, receive and administer, subject to any applicable regulations or laws of the federal government or any agency thereof, any federal grants, appropriations, allocations, and programs for the development of academic facilities on behalf of the state of West Virginia, or any institution of higher education, public or private, within the state; (2) to de-
velop, alter, amend and submit to the federal government state plans for participation in federal grants, appropriations, allocations and programs for the development of academic facilities and to make regulations, criteria, methods, forms, procedures, and to do all other things which may be necessary to make possible the participation of the state in such federal grants, appropriations, allocations and programs for the development of academic facilities; (3) to hold hearings, and render decisions as to the priority assigned to any project, or as to any other matter or determination affecting any applicant for federal grants, appropriations, allocations and programs for the development of academic facilities; (4) to hire personnel, purchase materials, make studies and reports, enter into contracts, and do all other things necessary to accomplish the duties as set forth in this section within the limits of the funds available; (5) to adopt rules of procedure and to prescribe regulations for the submission to it of all matters within its jurisdiction; (6) to make a continuing study of the total program of higher education in the state, and from time to time make rec-
31 recommendations to the governing bodies of all institutions
32 of higher education, in order to achieve the maximum
33 and most effective utilization of the federal aid hereto-
34 fore mentioned; and (7) to submit annually, to the gov-
35 ernor, on or before the first Monday of December, a re-
36 port of its proceedings during that year, together with
37 such recommendations as the commission shall deem
38 necessary.

Sec. 4. Meetings; Quorum.—A meeting of the commis-
2 sion shall be held within sixty days after the effective
3 date of this article, in the state capitol, and thereafter the
4 commission shall meet at least four times annually upon
5 the call of the chairman. Five members of the commis-
6 sion shall constitute a quorum, and a majority vote of
7 the quorum shall be necessary to pass upon matters be-
8 fore the commission.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Roy Parker
Chairman Senate Committee

Ethel L. Hardall
Chairman House Committee

Originated in the House.

Takes effect from passage.

Horace Thayer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Swanson
President of the Senate

James W. Singleton
Speaker House of Delegates

The within approved this the ___ day of February, 1964.

Governor