

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1964



ENROLLED

HOUSE BILL No. 20

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



PASSED January 31, 1964

In Effect from Passage



FILED IN THE OFFICE OF
JOE F. BURDATT
SECRETARY OF STATE
THIS DATE 2-7-64

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House Bill No. 20

(By MR. SPEAKER, MR. SINGLETON, and MR. WILSON)

[Passed January 31, 1964; in effect from passage.]

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
2 Legislature in the enactment of this article is to establish

3 a state agency to be known as the state commission on
4 higher education for public and nonpublic institutions of
5 higher education, in order (a) to receive and disburse
6 funds appropriated by the federal government for the
7 construction, equipment and improvement of academic
8 facilities of institutions of higher education as required
9 by the federal higher education facilities act of 1963, and
10 any and all subsequent acts of Congress relating to the
11 same subject, and (b) to make continuing studies of the
12 total program of higher education in West Virginia.

Sec. 2. State Commission on Higher Education; Mem-

2 **bers; Qualifications.**—There is hereby created a commis-
3 sion to be known as the state commission on higher edu-
4 cation which shall consist of nine members to be ap-
5 pointed by the governor as follows: Two members from
6 the state board of education, two members from the board
7 of governors of West Virginia university, two members
8 from the boards of trustees of two nonpublic institutions
9 of higher learning situate within the state, and three
10 members to represent the public at large, which members
11 may be officials, board members or trustees of any

12 institutions of higher learning in this state, but shall
13 be persons who have evidenced an interest in the field of
14 higher education: *Provided*, That the two members ap-
15 pointed from the boards of trustees of two non-public
16 institutions of higher learning and the three members to
17 represent the public at large, shall be appointed by and
18 with the advice and consent of the Senate. No more than
19 two of the members representing the public shall belong
20 to the same political party and no more than four mem-
21 bers shall be graduates of the same university or college
22 within the state of West Virginia. The governor shall
23 appoint a chairman selected from the representatives of
24 the public at large.

25 The members shall serve for a term of six years, except
26 that the original appointments shall be as follows: Three
27 members to serve two years, three members to serve four
28 years, and three members to serve six years: *Provided*,
29 *however*, That the eligibility of the members representing
30 the West Virginia board of education, the board of gov-
31 ernors of West Virginia university, and the boards of
32 trustees of the nonpublic institutions, to serve as a mem-

33 ber of the state commission on higher education, shall
34 cease when their membership upon their respective
35 boards terminates. The governor shall appoint a member
36 to fill any vacancy, which member shall serve for the
37 unexpired term of the vacating member. All shall be
38 eligible for reappointment.

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

Sec. 3. Powers and Duties of the State Commission on

2 **Higher Education.**—The state commission on higher edu-
3 cation shall have the power, (1) to apply for, receive and
4 administer, subject to any applicable regulations or laws
5 of the federal government or any agency thereof, any
6 federal grants, appropriations, allocations, and programs
7 for the development of academic facilities on behalf of
8 the state of West Virginia, or any institution of higher
9 education, public or private, within the state; (2) to de-

10 velop, alter, amend and submit to the federal gov-
11 ernment state plans for participation in federal grants,
12 appropriations, allocations and programs for the devel-
13 opment of academic facilities and to make regulations,
14 criteria, methods, forms, procedures, and to do all other
15 things which may be necessary to make possible the par-
16 ticipation of the state in such federal grants, appropria-
17 tions, allocations and programs for the development of
18 academic facilities; (3) to hold hearings, and render ~~the~~
19 decisions as to the priority assigned to any project, or as
20 to any other matter or determination affecting any ap-
21 plicant for federal grants, appropriations, allocations and
22 programs for the development of academic facilities; (4)
23 to hire personnel, purchase materials, make studies and
24 reports, enter into contracts, and do all other things nec-
25 essary to accomplish the duties as set forth in this section
26 within the limits of the funds available; (5) to adopt rules
27 of procedure and to prescribe regulations for the sub-
28 mission to it of all matters within its jurisdiction; (6) to
29 make a continuing study of the total program of higher
30 education in the state, and from time to time make rec-

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C. R. Alford
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31 ommendations 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. Caudall
Chairman House Committee

Originated in the House.

Takes effect *from* passage.

Thomas Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard E. Lamm
President of the Senate

Julius W. Singleton
Speaker House of Delegates

The within *approved* this the *9*th day of *February*, 1964.

W. W. Barron
Governor