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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992

— ● —

# ENROLLED

HOUSE BILL No. 4096

(By Delegates Love + L. White)

— ● —

Passed Feb. 12, 1992

In Effect 90 Days From Passage

ENROLLED

**H. B. 4096**

(By DELEGATES LOVE AND L. WHITE)

[Passed February 12, 1992; in effect ninety days from passage.]

AN ACT to amend and reenact section eleven, article three-a, chapter twenty-nine-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to continuing the legislative oversight commission on education accountability.

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

That section eleven, article three-a, chapter twenty-nine-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 3A. HIGHER EDUCATION RULE MAKING.**

**§29A-3A-11. Creation of a legislative oversight commission on education accountability; continuation.**

1       (a) There is hereby created a joint commission of the  
2       Legislature known as the legislative oversight commis-  
3       sion on education accountability to review all legislative  
4       rules of the board and such other rules as the commis-  
5       sion deems appropriate. The commission shall be  
6       composed of six members of the Senate appointed by the  
7       president of the Senate and six members of the House  
8       of Delegates appointed by the speaker of the House of  
9       Delegates. No more than five of the six members  
10      appointed by the president of the Senate and the speaker  
11      of the House of Delegates, respectively, may be members  
12      of the same political party. In addition, the president of

13 the Senate and the speaker of the House of Delegates  
14 shall be ex officio nonvoting members of the commission  
15 and shall designate the cochairmen. At least one of the  
16 Senate members and one of the House members shall  
17 be members of the committee on education of the Senate  
18 and House, respectively, and at least one of the Senate  
19 members and at least one of the House members shall  
20 be a member of the committee on finance of the Senate  
21 and House, respectively. The members shall serve until  
22 their successors shall have been appointed as heretofore  
23 provided. Members of the commission shall receive such  
24 compensation and expenses as provided in article two-  
25 a, chapter four of this code. Such expenses and all other  
26 expenses including those incurred in the employment of  
27 legal, technical, investigative, clerical, stenographic,  
28 advisory and other personnel shall be paid from an  
29 appropriation to be made expressly for the legislative  
30 oversight commission on education accountability, but if  
31 no such appropriation be made, such expenses shall be  
32 paid from the appropriation under "Account No. 103 for  
33 Joint Expenses", but no expense of any kind whatever  
34 payable under said account no. 103 for joint expenses  
35 shall be incurred unless first approved by the joint  
36 committee on government and finance. The commission  
37 shall meet at any time both during sessions of the  
38 Legislature and in the interim.

39 (b) The commission may adopt such rules of procedure  
40 as it considers necessary for the submission, presenta-  
41 tion and consideration of rules.

42 (c) Pursuant to the provisions of section four, article  
43 ten, chapter four of this code, the legislative oversight  
44 commission on education accountability shall continue to  
45 exist until the first day of July, one thousand nine  
46 hundred ninety-three, to allow for the completion of an  
47 audit by the joint committee on government operations.  
48 If such commission is terminated pursuant to this  
49 subsection, any report required to be submitted to it  
50 shall instead be submitted to the joint committee on  
51 education of the Legislature.

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

*Flower Leck*  
Chairman Senate Committee

*Ernest C. Moore*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.)

*Shirley E. Holmes*  
Clerk of the Senate

*Donald A. Kopp*  
Clerk of the House of Delegates

*Wesley B. Smith*  
President of the Senate

*Robert M. LaParo*  
Speaker of the House of Delegates

The within *is* approved this the *21<sup>st</sup>*  
day of *February*, 1992.

*Yaston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date 2/19/92

Time 2:30 *pm*