WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2004

ENROLLED

House Bill No. 4131

(By Delegates Mezzatesta, Cann, Frederick, Stalnaker, Sumner and Walters)

Passed February 11, 2004

In Effect Ninety Days from Passage
ENROLLED

H. B. 4131

(BY DELEGATES MEZZATESTA, CANN, FREDERICK, STALNAKER, SUMNER AND WALTERS)

[Passed February 11, 2004; in effect ninety days from passage.]

AN ACT to amend and reenact §18B-3D-2 of the code of West Virginia, 1931, as amended, relating to the workforce development initiative program; updating terms; and requiring certain reporting to the legislative oversight commission on workforce investment for economic development.

Be it enacted by the Legislature of West Virginia:

That §18B-3D-2 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3D. WORKFORCE DEVELOPMENT INITIATIVE

§18B-3D-2. Workforce development initiative program created; program administration.

1 (a) For the purposes of this article “Council” means the council for community and economic development as defined in section two, article two, chapter five-b of this code.
(b) There is hereby created under the council, a workforce
development initiative program to administer and oversee
grants to community and technical colleges to achieve the
purposes of this article in accordance with legislative intent.
The primary responsibility of the council as it relates to the
workforce development initiative program is to administer the
state fund for community and technical college and workforce
development including setting criteria for grant applications,
receiving applications for grants, making determinations on
distribution of funds, and evaluating the performance of
workforce development initiatives.

(c) The council shall review and approve the expenditure of
all grant funds, including development of application criteria,
the review and selection of applicants for funding, and the
annual review and justification of applicants for grant renewal.

(1) To aid in decisionmaking, the council shall appoint an
advisory committee consisting of the vice chancellor for
community and technical colleges, the secretary of education
and the arts or a designee, the assistant state superintendent for
technical and adult education, the chair of the council for
community and technical college education, and the chair of the
West Virginia workforce investment council. The advisory
committee shall review all applications for workforce develop-
ment initiative grants and make a report including recommen-
dations for distributing grant funds to the council. The advisory
committee also shall make recommendations on methods to
share among the community and technical colleges any
curricula developed as a result of a workforce development
initiative grant.

(2) When determining which grant proposals will be
funded, the council shall give special consideration to proposals
by community and technical colleges that involve businesses
with fewer than fifty employees.
(3) The council also shall weigh each proposal to avoid awarding grants which will have the ultimate effect of providing unfair advantage to employers new to the state who will be in direct competition with established local businesses.

(d) The council may allocate a reasonable amount, not to exceed five percent up to a maximum of fifty thousand dollars of the funds available for grants on an annual basis, for general program administration.

(e) The head of the council shall report to the legislative oversight commission on workforce investment for economic development on the status of the workforce development initiative program by the first day of December, two thousand four, and annually thereafter by the first day of December.

(f) Moneys appropriated or otherwise available for the workforce development initiative program shall be allocated by line item to an appropriate account. Any moneys remaining in the fund at the close of a fiscal year shall be carried forward for use in the next fiscal year.

(g) Nothing in this article requires a specific level of appropriation by the Legislature.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 3rd day of ________, 2004.

Governor