WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2004

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ENROLLED

House Bill No. 2510

(By Delegates Frederick, Stalnaker, Walters, Rowan and Cann)

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Passed March 22, 2005

In Effect Ninety Days from Passage
ENROLLED

H. B. 2510

(By Delegates Frederick, Stalnaker, Walters, Rowan and Cann)

[Passed March 27, 2005: in effect ninety days from passage.]

AN ACT to amend and reenact §18B-3D-4 of the Code of West Virginia, 1931, as amended, relating to the Workforce Development Initiative generally; and providing that public sector employers may participate in the initiative under certain circumstances.

Be it enacted by the Legislature of West Virginia:

That §18B-3D-4 of the Code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3D. WORKFORCE DEVELOPMENT INITIATIVE.

§18B-3D-4. Grant application procedures.

1 (a) In order to participate in the Workforce Development Initiative Grant Program, a community and technical college
2 must meet the following conditions:
(1) Participate in a community and technical college consortia as required by article three-c of this chapter. Consortia representatives shall participate in the development of and approve applications for funding grants under the provisions of this article and shall approve the Workforce Development Initiative budget;

(2) Develop a plan to achieve measurable improvements in the quality of the workforce within its service area over a five-year period. The plan must be developed in partnership with employers, local vocational schools and other workforce education providers; and

(3) Establish a special revolving fund under the jurisdiction of the community and technical college consortia dedicated solely to workforce development initiatives for the purposes provided in this article. Any fees or revenues generated from Workforce Development Initiatives funded by a competitive grant shall be deposited into this fund.

(b) To be eligible to receive a Workforce Development Initiative Grant, a community and technical college must provide at least the following information in its application:

(1) Identification of the specific business or business sector training needs that will be met if a Workforce Development Initiative Grant is received;

(2) A commitment from the private or public sector partner or partners to provide a match of one dollar, cash and in-kind, for each dollar of state grant money received except in cases where the community and technical college can demonstrate in the grant application that it would be a hardship for the private sector partner or partners being served to provide the match. In those cases only, the commitment to provide a match may be reduced to one dollar provided by the private sector partner or
partners, cash and in-kind, for every three dollars of state grant money provided. In the case of awards for the modernization of procurement of equipment, the development office may establish a separate match requirement of up to one dollar, cash and in-kind, for each dollar of state grant money received. Beginning in fiscal year 2006, the commitment required by this subdivision may be provided by a public sector partner using state or federal dollars to provide the required match: Provided, That no public sector partner using state or federal dollars to provide the required match is eligible for a grant under the provisions of this section unless the amount of funding provided by the Legislature for the workforce development initiative in that fiscal year exceeds six hundred fifty thousand dollars: Provided, however, That if the amount of funding provided by the Legislature for the workforce investment initiative in a fiscal year exceeds six hundred fifty thousand dollars, only one half of that amount exceeding six hundred fifty thousand dollars may be granted to a qualified applicant whose commitment of the required match is from a public sector partner using state or federal dollars to provide the match:

(3) An agreement to share with other community and technical colleges any curricula developed using funds from a workforce development initiative grant; and

(4) A specific plan showing how the community and technical college will collaborate with local post-secondary vocational institutions to maximize the use of existing facilities, personnel and equipment; and

(5) An acknowledgment that acceptance of a grant under the provisions of this article commits the community and technical college and its consortia committee to such terms, conditions and deliverables as is specified by the development office in the request for applications, including, but not limited
to. the measures by which the performance of the workforce development initiative will be evaluated.

(c) Applications submitted by community and technical colleges may be awarded funds for programs which meet the requirements of this article that are operated on a collaborative basis at facilities under the jurisdiction of the public schools and utilized by both secondary and post-secondary students.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randy White  
Chairman Senate Committee

D. Rula Berry  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell Abell
Clerk of the Senate

Suzy E. Edd
Clerk of the House of Delegates

Carl R. Chambers
President of the Senate

Speaker of the House of Delegates

The within bill is approved this the 15th day of April, 2005.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/28/05
Time 3:45