

2 **Senate Bill No. 292**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

5 _____
6 [Introduced January 27, 2011; referred to the Committee on
7 Energy, Industry and Mining; and then to the Committee on the
8 Judiciary.]
9 _____

10
11 A BILL to amend and reenact article 3, chapter 64 of the Code of
12 West Virginia, 1931, as amended, relating to authorizing the
13 Department of Environmental Protection to promulgate a
14 legislative rule relating to surface mining reclamation.

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

16 That article 3, chapter 64 of the Code of West Virginia, 1931,
17 as amended, be amended and reenacted to read as follows:

18 **ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL**
19 **PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

20 **§64-3-1. Department of Environmental Protection.**

21 The legislative rule filed in the state register on the
22 thirtieth day of July, two thousand ten, authorized under the

1 authority of section four, article three, chapter twenty-two, of
2 this code, modified by the Department of Environmental Protection
3 to meet the objections of the Legislative Rule-Making Review
4 Committee and refiled in the state register on the eighteenth day
5 of January, two thousand eleven, relating to the Department of
6 Environmental Protection (surface mining reclamation, 38 CSR 2), is
7 authorized.

8

9 NOTE: The purpose of this bill is to authorize the Department
10 of Environmental Protection to promulgate a legislative rule
11 relating to Surface Mining Reclamation.

12

13 This section is new; therefore, strike-throughs and
14 underscoring have been omitted.