

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4348

BY DELEGATE FOSTER

[Introduced January 14, 2020; Referred
to the Committee on Energy then the Judiciary]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating
 2 to authorizing the Department of Environmental Protection to promulgate a legislative rule
 3 relating to West Virginia surface mining reclamation rule.

Be it enacted by the Legislature of West Virginia:

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

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

1 The legislative rule filed in the State Register on July 25, 2019, authorized under the
 2 authority of §22-3-4 of this code, relating to the Department of Environmental Protection (West
 3 Virginia surface mining reclamation rule, [38 CSR 02](#)), is authorized with the amendment set forth
 4 below:

5 On page 183, subdivision 16.2.c.2, following the section number, by striking the word
 6 “Either” and inserting in lieu thereof the words, “At the operator’s election, either”.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to West Virginia surface mining reclamation rule.

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