

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4214**

BY MR. SPEAKER (MR. ARMSTEAD) AND DELEGATE MILEY,

BY REQUEST OF THE EXECUTIVE

[Introduced January 21, 2016; Referred

to the Committee on Small Business,

Entrepreneurship and Economic Development then

Government Organization.]

1 A BILL to amend and reenact §5B-2A-3 and §5B-2A-4 of the Code of West Virginia, 1931, as  
 2 amended, all relating to continuing the Office of Coalfield Community Development within  
 3 the Department of Commerce; allowing the Secretary of the Department of Commerce to  
 4 appoint a chief; and defining a term.

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

1 That §5B-2A-3 and §5B-2A-4 of the Code of West Virginia, 1931, as amended, be  
 2 amended and reenacted, all to read as follows:

**ARTICLE 2A. OFFICE OF COALFIELD COMMUNITY DEVELOPMENT.**

**§5B-2A-3. Definitions.**

1 (a) For the purpose of this article: ~~the following terms have the meanings ascribed to them~~

2 (1) "Department" means the Department of Environmental Protection established in article  
 3 one, chapter twenty-two of this code;

4 (2) "Office" means the Office of Coalfield Community Development;

5 (3) "Operator" means the definition in section three, article three, chapter twenty-two of  
 6 this code; ~~and~~

7 (4) "Renewable and alternative energy" means energy produced or generated from natural  
 8 or replenishable resources other than traditional fossil fuels or nuclear resources and includes,  
 9 without limitation, solar energy, wind power, hydropower, geothermal energy, biomass energy,  
 10 biologically derived fuels, energy produced with advanced coal technologies, coalbed methane,  
 11 fuel produced by a coal gasification or liquefaction facility, synthetic gas, waste coal, tire-derived  
 12 fuel, pumped storage hydroelectric power or similar energy sources; and

13 (5) "Secretary" means the Secretary of the Department of Commerce.

14 (b) Unless used in a context that clearly requires a different meaning or as otherwise  
 15 defined herein, terms used in this article shall have the definitions set forth in this section.

**§5B-2A-4. Office of Coalfield Community Development.**

1 (a) The Office of Coalfield Community Development is ~~hereby established within the~~  
2 ~~Division of Energy~~ continued within the Department of Commerce.

3 (b) The ~~director of the Division of Energy~~ secretary may appoint a chief to administer the  
4 office, who ~~will serve~~ serves at the will and pleasure of the ~~Director of the Division of Energy~~  
5 secretary.

NOTE: The purpose of this bill is to continue the Office of Coalfield Community Development within the Department of Commerce and to provide the Secretary of the Department of Commerce with greater oversight authority.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.