

# **WEST VIRGINIA LEGISLATURE**

## **2018 REGULAR SESSION**

**Introduced**

### **Senate Bill 161**

BY SENATOR MAYNARD

[Introduced January 11, 2018; Referred  
to the Committee on Energy, Industry and Mining; and then  
to the Committee on 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.

*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 27, 2017, authorized under the  
 2 authority of §22-3-13 of this code, modified by the Department of Environmental Protection to  
 3 meet the objections of the Legislative Rule-making Review Committee and refiled in the State  
 4 Register on December 5, 2017, relating to the Department of Environmental Protection (West  
 5 Virginia surface mining reclamation, [38 CSR 2](#)), is authorized.

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.

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