

WEST VIRGINIA CODE: §18-11-9A

§18-11-9a. Coal and energy research bureau.

The coal and energy research bureau, heretofore established at West Virginia University shall be abolished and a new coal and energy research bureau is hereby created. Subject to such rules as may be prescribed by the university of West Virginia board of trustees and West Virginia University, the bureau shall conduct investigations and research into the development of new, safer and more economical ways to mine, transport and use coal, consider environmental problems created through the use and production of coal, develop new uses and markets for coal, other energy fuels and allied minerals, develop new methods of combustion of coal and new uses of coal in the chemical industry, develop greater efficiency and conservation in the mining and mineral industries, and make such tests and investigations as may be required by the office of miner's health, safety and training in the prosecution of its work. The bureau shall conduct such experiments, tests and activities as will promote the development of the mineral industries in the state, and shall cooperate with the office of miner's health, safety and training and other state and federal agencies dealing with issues related to coal and its uses, in the investigation of the causes of mine disasters and common mine accidents. It shall also initiate and carry on a program of research designed to discover and develop new uses and new processes for the utilization of West Virginia coal and other mineral resources.

The costs of financing the research program shall be paid from any funds appropriated by the Legislature for the bureau, from any grants or gifts received by the university or the bureau, and from any income received for research carried on under contract with any federal or state agency, or with any private corporation, association or individual. Within the limits of available funds, research activities may be conducted by the bureau, or under contract with some other research group, corporation or individual.

In order to avoid wasteful duplication, the research program shall be carried on in close cooperation with the federal departments of energy and the interior, the federal environmental protection agency, the federal energy technology center, the national institute for occupational safety and health, and other appropriate federal agencies, research organizations and establishments, the West Virginia geological and economic survey, the West Virginia Development Office, the West Virginia Division of Environmental Protection, and other appropriate state agencies, research organizations and establishments and industry and academic institutions. The university shall from time to time, but at least annually, publish and distribute to the Governor, the Legislature, and to interested persons and agencies reports of the bureau's activities, findings and recommendations.

The "advisory committee on coal and energy research," heretofore existing, is abolished. The bureau shall advise and counsel with West Virginia University concerning the programs of the coal and energy research bureau and make recommendations to the university of West Virginia board of trustees, the Governor and the Legislature concerning the support of the

programs of the coal and energy research bureau.

The bureau shall consist of nine appointed members. The chairperson of the bureau shall be the chairperson of the department of mining engineering in the college of engineering and mineral resources at West Virginia University. The remaining members of the bureau shall include the director of the national research center for coal and energy; the director of the national mine land reclamation center; the president of West Virginia University or his or her designee; one member representing union labor and one member representing the coal industry, each to be appointed jointly by the President of the Senate and the Speaker of the House of Delegates; one member appointed by the President of the Senate; one member appointed by the Speaker of the House of Delegates; and one member appointed by the Governor. For the purpose of the original appointments, the member appointed by the President of the Senate shall serve for a term of one year and until his or her successor has been appointed and qualified, the member appointed by the Speaker of the House of Delegates shall serve for a term of two years and until his or her successor has been appointed and qualified, and the member appointed by the Governor shall serve for a term of three years and until his or her successor has been appointed and qualified. Except for the original appointments, those members who are appointees shall serve for a term of three years and until such members' respective successors have been appointed and qualified. Members may be reappointed for any number of terms. Vacancies shall be filled by appointment for the unexpired term by the official who appointed such member for the term vacated. To these members may be added specialists as deemed desirable and appropriate by a majority vote of the bureau.