

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



**ENROLLED**

*Committee Substitute for*  
SENATE BILL NO. 599

(By Mr. *Proctor, Mr. President & Mr. Senate*)



PASSED April 9 1977

In Effect thirty days from Passage



66A-011

# ENROLLED

## COMMITTEE SUBSTITUTE

FOR

## Senate Bill No. 599

(By MR. BROTHERTON, MR. PRESIDENT, and MR. SUSMAN)

[Passed April 9, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section nine-a, article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the continuation and operation of a coal and energy research bureau at West Virginia University; investigations and research concerning the mining, transporting and use of coal and developing new uses and markets for coal, other energy fuels and allied minerals; mine safety and development of the mineral industry; creation of a new advisory committee on coal and energy research.

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

That section nine-a, article eleven, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

### **ARTICLE 11. WEST VIRGINIA UNIVERSITY.**

#### **§18-11-9a. Coal and energy research bureau; advisory committee on coal and energy research.**

1 The coal research bureau, heretofore established at West  
2 Virginia University shall be continued and be designated  
3 as the coal and energy research bureau. Subject to such  
4 rules and regulations as may be prescribed by the board  
5 of regents, it shall conduct investigations and research  
6 into the development of new, safer and more economical  
7 ways to mine, transport and use coal, consider environ-  
8 mental problems created through the use and production

9 of coal, develop new uses and markets for coal, other  
10 energy fuels and allied minerals, develop new methods of  
11 combustion of coal and new uses of coal in the chemical  
12 industry, develop greater efficiency and conservation in  
13 the mining and mineral industries, and make such tests  
14 and investigations as may be required by the department  
15 of mines in the prosecution of its work. It shall conduct  
16 such experiments, tests, and activities as will promote the  
17 development of the mineral industries in the state, and  
18 shall cooperate with the department of mines in the in-  
19 vestigation of the causes of mine disasters and common  
20 mine accidents. It shall also initiate and carry on a pro-  
21 gram of research designed to discover and develop new  
22 uses and new processes for the utilization of West Virginia  
23 coal and other mineral resources.

24 The costs of financing the research program shall be  
25 paid from any funds appropriated by the Legislature for  
26 the purpose, from any grants or gifts received by the  
27 university, and from any income received for research  
28 carried on under contract with any federal or state agency,  
29 or with any private corporation, association or individual.  
30 Within the limits of available funds, research activities  
31 may be conducted by the university itself, or under  
32 contract with some other research group, corporation or  
33 individual.

34 In order to avoid wasteful duplication, the research pro-  
35 gram shall be carried on in close cooperation with the  
36 federal bureau of mines, the federal energy research and  
37 development agency, the Morgantown energy research  
38 center, the state department of mines, the planning and  
39 research division of the state department of commerce,  
40 and other appropriate agencies, research organizations  
41 and establishments. The university shall from time to  
42 time, but at least annually, publish and distribute to the  
43 governor, the Legislature, and to interested persons and  
44 agencies reports of its activities, findings and recommen-  
45 dations.

46 The "advisory committee on coal research," heretofore  
47 existing is abolished and a new "advisory committee on  
48 coal and energy research" is hereby created to advise and  
49 counsel with the university concerning the programs of

50 the coal and energy research bureau and to make recom-  
51 mendations to the board of regents, the governor and the  
52 Legislature concerning the support of the programs of the  
53 coal and energy research bureau.

54 The advisory committee on coal and energy research  
55 shall consist of at least nine appointed members and the  
56 president of the Senate or his designate, and the speaker  
57 of the House of Delegates or his designate, and the presi-  
58 dent of the university or his designate as ex officio mem-  
59 bers. The chairman of the committee shall be the presi-  
60 dent of the university or his designate. Appointed mem-  
61 bers shall be specialists or experts in the various areas of  
62 energy production, conversion and utilization. Three  
63 members shall be appointed by the president of the  
64 Senate, three members shall be appointed by the speaker  
65 of the House of Delegates, and three members shall be  
66 appointed by the governor. Except for the original ap-  
67 pointments, each official shall make his appointments for  
68 overlapping terms of three years and until such members'  
69 respective successors have been appointed and qualified.  
70 For the purpose of the original appointments, the presi-  
71 dent of the Senate, the speaker of the House of Delegates  
72 and the governor shall appoint one member each for a  
73 term of one year and until his successor has been ap-  
74 pointed and qualified; one member each for a term of two  
75 years and until his successor has been appointed and  
76 qualified; and one member each for a term of three years  
77 and until his successor has been appointed and qualified.  
78 Members may be reappointed for any number of terms.  
79 Vacancies shall be filled by appointment for the unexpired  
80 term by the official who appointed such member for the  
81 term vacated. To these members may be added special-  
82 ists as deemed desirable and appropriate by a majority  
83 vote of the committee.

84 The committee shall meet at least semiannually upon  
85 the call of the chairman. The members shall be entitled  
86 to be reimbursed for all reasonable and necessary ex-  
87 penses actually incurred in the performance of their  
88 duties as such members.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Clarence C. Chuston Jr  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

John Dillon Jr.  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

J. Broderick  
President of the Senate

Donald L. Kopp  
Speaker House of Delegates

The within is approved this the 24  
day of April, 1977.

John D. Rhymer  
Governor



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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date April 24, 1977

Time 2:40 p.m.

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OFFICE  
SECRETARY OF STATE