

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

Com. Sub. for House Bill No. 4564

(By Mr. Speaker, Mr. Kiss, and
Delegates Michael, Martin and Varner)



Passed March 14, 1998

In Effect July 1, 1998

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COMMITTEE SUBSTITUTE
FOR

H. B. 4564

(BY MR. SPEAKER, MR. KISS, AND
DELEGATES MICHAEL, MARTIN AND VARNER)

[Passed March 14, 1998; in effect July 1, 1998.]

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 abolishing and recreating the coal and energy research bureau; abolishing the bureau's advisory committee; designating members of the bureau; and eliminating the expense reimbursement provision.

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.

1 The coal and energy research bureau, heretofore
2 established at West Virginia university shall be abolished
3 and a new coal and energy research bureau is hereby
4 created. Subject to such rules as may be prescribed by

5 the university of West Virginia board of trustees and West
6 Virginia university, the bureau shall conduct investigations
7 and research into the development of new, safer and more
8 economical ways to mine, transport and use coal, consider
9 environmental problems created through the use and
10 production of coal, develop new uses and markets for coal,
11 other energy fuels and allied minerals, develop new
12 methods of combustion of coal and new uses of coal in
13 the chemical industry, develop greater efficiency and
14 conservation in the mining and mineral industries, and
15 make such tests and investigations as may be required by
16 the office of miner's health, safety and training in the
17 prosecution of its work. The bureau shall conduct such
18 experiments, tests and activities as will promote the
19 development of the mineral industries in the state, and
20 shall cooperate with the office of miner's health, safety
21 and training and other state and federal agencies dealing
22 with issues related to coal and its uses, in the investigation
23 of the causes of mine disasters and common mine
24 accidents. It shall also initiate and carry on a program of
25 research designed to discover and develop new uses and
26 new processes for the utilization of West Virginia coal and
27 other mineral resources.

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

38 In order to avoid wasteful duplication, the research
39 program shall be carried on in close cooperation with the
40 federal departments of energy and the interior, the federal
41 environmental protection agency, the federal energy
42 technology center, the national institute for occupational
43 safety and health, other appropriate federal agencies,
44 research organizations and establishments, the West
45 Virginia geological and economic survey, the West

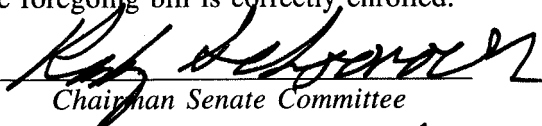
46 Virginia development office, the West Virginia division of
47 environmental protection, and other appropriate state
48 agencies, research organizations and establishments and
49 industry and academic institutions. The university shall
50 from time to time, but at least annually, publish and
51 distribute to the governor, the Legislature, and to
52 interested persons and agencies reports of the bureau's
53 activities, findings and recommendations.

54 The "advisory committee on coal and energy
55 research," heretofore existing, is abolished. The bureau
56 shall advise and counsel with West Virginia university
57 concerning the programs of the coal and energy research
58 bureau and make recommendations to the university of
59 West Virginia board of trustees, the governor and the
60 Legislature concerning the support of the programs of the
61 coal and energy research bureau.

62 The bureau shall consist of nine appointed members.
63 The chairperson of the bureau shall be the chairperson of
64 the department of mining engineering in the college of
65 engineering and mineral resources at West Virginia
66 university. The remaining members of the bureau shall
67 include the director of the national research center for
68 coal and energy; the director of the national mine land
69 reclamation center; the president of West Virginia
70 university or his or her designee; one member
71 representing union labor and one member representing
72 the coal industry, each to be appointed jointly by the
73 president of the Senate and the speaker of the House of
74 Delegates; one member appointed by the president of the
75 Senate; one member appointed by the speaker of the
76 House of Delegates; and one member appointed by the
77 governor. For the purpose of the original appointments,
78 the member appointed by the president of the Senate shall
79 serve for a term of one year and until his or her successor
80 has been appointed and qualified, the member appointed
81 by the speaker of the House of Delegates shall serve for a
82 term of two years and until his or her successor has been
83 appointed and qualified, and the member appointed by
84 the governor shall serve for a term of three years and until
85 his or her successor has been appointed and qualified.
86 Except for the original appointments, those members who

87 are appointees shall serve for a term of three years and
88 until such members' respective successors have been
89 appointed and qualified. Members may be reappointed
90 for any number of terms. Vacancies shall be filled by
91 appointment for the unexpired term by the official who
92 appointed such member for the term vacated. To these
93 members may be added specialists as deemed desirable
94 and appropriate by a majority vote of the bureau.

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



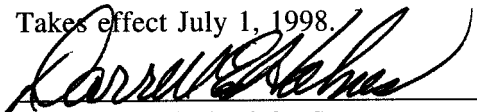
Chairman Senate Committee



Chairman House Committee

Originating in the House.

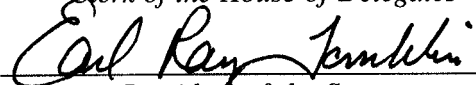
Takes effect July 1, 1998.



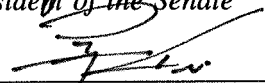
Clerk of the Senate



Clerk of the House of Delegates

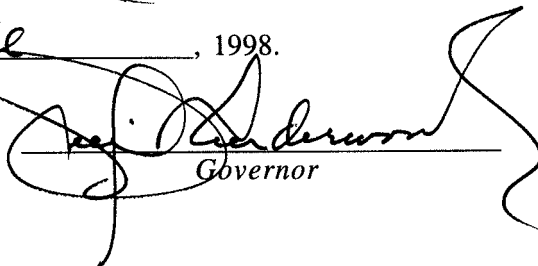


President of the Senate



Speaker of the House of Delegates

The within approved this the 7th
day of April, 1998.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 12:07 pm