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HB 4728

Repealed

FILED

2006 APR -4 P 2: 24

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



ENROLLED

House Bill No. 4728

(By Delegate Beach, Tabb, Argento,
Martin, Stemple, Swartzmiller, Rick Thompson,
Wells, Williams and Hamilton)



Passed March 11, 2006

In Effect Ninety Days from Passage

FILED

2006 APR -4 P 2: 24

OFFICE WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

H. B. 4728

(BY DELEGATE BEACH, TABB, ARGENTO,
MARTIN, STEMPLE, SWARTZMILLER, RICK THOMPSON,
WELLS, WILLIAMS AND HAMILTON)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §22-1-9 of the Code of West Virginia, 1931, as amended, relating to the environmental protection advisory council generally; and increasing the membership of the council to eight members, specifying represented organizations and entities.

Be it enacted by the Legislature of West Virginia:

That §22-1-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. DIVISION OF ENVIRONMENTAL PROTECTION.

§22-1-9. Environmental protection advisory council.

- 1 (a) There is created within the Department of Environmen-
- 2 tal Protection, the environmental protection advisory council.
- 3 The environmental protection advisory council consists of eight
- 4 members. The Secretary serves as an ex officio member of the

5 council and as its chair. The remaining seven members are
6 appointed by the Governor. Each member serves for a term of
7 four years and may be reappointed. Members of the council
8 serving on the effective date of this section shall continue to
9 serve until their terms expire or their successors have been
10 appointed. The new member of the council shall be appointed
11 for a term ending on the thirtieth day of June, two thousand ten.
12 Vacancies on the council shall be filled within sixty days after
13 the vacancy occurs.

14 (b) Two members of the council shall represent industries
15 regulated by the division or their trade associations. Two
16 members shall represent organizations advocating environmen-
17 tal protection. One member shall represent organizations
18 representing local governments. One member shall represent
19 public service districts. One member of the council shall be
20 appointed from a list of three names submitted to the Governor
21 by the largest organization representing farming interests in this
22 state.

23 (c) Except for state employee and officer members,
24 appointed members shall be paid the same compensation and
25 expense reimbursement as is paid to members of the Legislature
26 for their interim duties as recommended by the citizens legisla-
27 tive compensation commission and authorized by law for each
28 day or portion thereof engaged in the discharge of official
29 duties.

30 (d) The council shall meet at least once every quarter at the
31 call of the chair.

32 (e) The council shall:

33 (1) Consult with and advise the director on program and
34 policy development, problem solving and other appropriate
35 subjects;

36 (2) Identify and define problems associated with the
37 implementation of the policy set forth in section one of this
38 article;

39 (3) Provide and disseminate to industry and the public early
40 identification of major federal program and regulatory changes;

41 (4) Provide a forum for the resolution of conflicts between
42 constituency groups;

43 (5) To the extent possible, strive for consensus on the
44 development of overall environmental policy; and

45 (6) Provide an annual report to the Joint Committee on
46 Government and Finance on or before the first day of January
47 of each year relating to its findings with regard to the depart-
48 ment' s performance during the previous year. The report will
49 specifically address the division' s performance in accomplish-
50 ing the nine purposes set forth in subsection (b), section one of
51 this article.

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

Randy White
Chairman Senate Committee

W. Berry
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Darrell G. Holmes
Clerk of the Senate

Buzza M. Bond
Clerk of the House of Delegates

Carl Ray Tomblin
President of the Senate

Robert D. ...
Speaker of the House of Delegates

The within *is disapproved* this the *4th*
day of *April* 2006.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

MAR 27 2006

Time 4:15 pm