

HOUSE BILL NO. HB0197

Environmental quality council hearing examiner.

Sponsored by: Representative(s) Throne, Berger, Hammons
and Illoway and Senator(s) Hastert, Job and
Larson

A BILL

for

1 AN ACT relating to the environmental quality council;
2 authorizing the council to appoint a hearing officer as
3 specified; providing an appropriation; and providing for an
4 effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 35-11-112(a)(intro) is amended to
9 read:

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11 **35-11-112. Powers and duties of the environmental**
12 **quality council.**

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14 (a) The council shall act as the hearing examiner for
15 the department and shall hear and determine all cases or
16 issues arising under the laws, rules, regulations,

1 standards or orders issued or administered by the
2 department or its air quality, land quality, solid and
3 hazardous waste management or water quality divisions. The
4 council may appoint a nonmember to serve as the hearing
5 officer for any rulemaking or contested case hearing.

6 Notwithstanding any other provision of this act, including
7 this section, the council shall have no authority to
8 promulgate rules or to hear or determine any case or issue
9 arising under the laws, rules, regulations, standards or
10 orders issued or administered by the industrial siting or
11 abandoned mine land divisions of the department. The
12 council shall:

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14 **Section 2.** There is appropriated one hundred thousand
15 dollars (\$100,000.00) from the general fund to the
16 environmental quality council to carry out the purposes of
17 this act. This general fund appropriation is for the
18 period beginning with the effective date of this act and
19 ending June 30, 2008. A request of two hundred thousand
20 dollars (\$200,000.00) shall be included in the
21 environmental quality council's 2009-2010 biennium standard
22 budget request for purposes of continuing funding of
23 hearing examiners.

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1 **Section 3.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)