

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Committee Substitute

for

House Bill 3303

By Delegates Reynolds, Bridges, Sheedy, Crouse,

Hott, Zatezalo, Willis, Phillips, Ward and Brooks

[Originating in the Committee on Finance; February

25, 2023]

1 A BILL to amend and reenact §5B-2A-4 and§5B-2A-5 of the Code of West Virginia, 1931, as
2 amended, all relating to providing that the Governor appoint and set the salary of the
3 director of the office; providing that funding for position and to carry out the duties of the
4 office shall be as provided by appropriation of the Legislature; and clarifying and providing
5 additional duties, powers, and responsibilities for the Office of Coalfield Community
6 Development.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2A. OFFICE OF COALFIELD COMMUNITY DEVELOPMENT.

§5B-2A-4. Office of Coalfield Community Development.

1 (a) The Office of Coalfield Community Development is continued within the Department of
2 Commerce.

3 (b) ~~The secretary may appoint a chief to administer the office, who serves at the will and~~
4 ~~pleasure of the secretary~~ The Governor shall appoint and set the salary of the director of the office
5 who shall be responsible for hiring such assistants and clerical staff as may be necessary to carry
6 out the responsibilities of the office. The initial appointment for the director shall be made by July
7 1, 2023. Funding for this position and to carry out the duties of the office shall be as provided by
8 appropriation of the Legislature.

9 (c) The director shall report quarterly to the energy and finance committees of the
10 legislature on projects funded by the office. The report shall include the amount, the recipient and
11 a description of each project funded.

§5B-2A-5. Powers and duties.

1 The office has and may exercise the following duties, powers, and responsibilities:

2 (1) To establish a procedure for determining the assets that could be developed in and
3 maintained by the community to foster its long-term viability as provided in §5B-2A-8 of this code
4 and to administer the procedure so established;

5 (2) To establish a procedure for determining the land and infrastructure needs in the
6 general area of the surface mining operations as provided in §5B-2A-9 of this code and to
7 administer the procedure so established;

8 (3) To establish a procedure to develop action reports and annual quarterly updates as
9 provided in §5B-2A-10 of this code and to administer the procedure so established;

10 (4) To determine the need for meetings to be held among the various interested parties in
11 the communities impacted by surface mining operations and, when appropriate, to facilitate the
12 meetings;

13 (5) To establish a procedure to assist property owners in the sale of their property as
14 provided in §5B-2A-11 of this code and to administer the procedure so established;

15 (6) In conjunction with the department, to maintain and operate a system to receive and
16 address questions, concerns, and complaints relating to surface mining; ~~and~~

17 (7) To coordinate the expenditure of grants issued by the United States Department of
18 Energy and the U.S. Department of Commerce's Economic Development Administration for
19 coalfield economic development or coalfield revitalization projects;

20 (8) To identify coal assets, including, but not limited to, coal mine operations, coal-fired
21 electric utilities, and coal-based manufacturing or steelmaking facilities, within West Virginia or in
22 states that provide markets for, and consume, West Virginia steam or metallurgical coal and offer
23 assistance and to sustain, protect, and expand their continued operation and reliance on West
24 Virginia coal;

25 ~~(7)~~ (9) On its own initiative or at the request of a community ~~in close proximity to a mining~~
26 ~~operation,~~ or a mining operation, offer assistance to facilitate the development of economic or
27 community assets. Such assistance ~~shall~~ may include the preparation of a master land use plan
28 pursuant to the provisions of §5B-2A-9 of this code.;

29 (10) To develop an educational program and policy materials in support of West Virginia's
30 coal industry, to be incorporated into a program designed to educate the public on the economic

31 and societal benefits provided by the coal industry, including the provision of reliable baseload
32 electric generation by coal-fired power plants; and

33 (11) To coordinate a program of recruitment and training of industrial workers in
34 conjunction with the West Virginia Office of Miners' Health Safety and Training and Workforce
35 West Virginia to respond to West Virginia's growing manpower needs generally and coal mining
36 particularly. The state-of-art training facility in Julian (Boone County) will serve as host to the "West
37 Virginia Mine Safety and Training Academy" to attract, train new and experience miners and other
38 industrial workers.