

ORIGINAL SENATE  
FILE NO. 0120

ENGROSSED

ENROLLED ACT NO. 70, SENATE

FIFTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2001 GENERAL SESSION

AN ACT relating to department of environmental quality permits; providing for hearing procedures as specified; and providing for an effective date.

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

**Section 1.** W.S. 35-11-112(a) by creating a new paragraph (vi) is amended to read:

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

(a) The council shall act as the hearing examiner for the department and shall hear and determine all cases or issues arising under the laws, rules, regulations, standards or orders issued or administered by the department or its air quality, land quality, solid and hazardous waste management or water quality divisions. Notwithstanding any other provision of this act, including this section, the council shall have no authority to promulgate rules or to hear or determine any case or issue arising under the laws, rules, regulations, standards or orders issued or administered by the industrial siting or abandoned mine land divisions of the department. The council shall:

(vi) Adopt and when applicable, enforce the provisions of rule 11 of the Wyoming Rules of Civil Procedure in a contested hearing conducted by the council. The council may modify the procedural provisions of rule 11 to fit the circumstances of a hearing before the council and sanctions imposed by the council. If the provisions of rule 11 are modified at a future date, the council may adopt the modifications.

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Section 2. This act is effective July 1, 2001.

(END)

Rick TA  
Speaker of the House

[Signature]  
President of the Senate

Jim Geringer  
Governor

TIME APPROVED: 12:52 P.M.  
DATE APPROVED: March 2, 2001

I hereby certify that this act originated in the Senate.

Diane Harvey  
Chief Clerk



