

ORIGINAL SENATE
FILE NO. 0085

ENROLLED ACT NO. 59, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

AN ACT relating to administrative procedure; specifying that a general permit is not a rule under the Wyoming Administrative Procedure Act; specifying procedural requirements for general permits issued by the department of environmental quality; providing a definition; and providing for an effective date.

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

Section 1. W.S. 16-3-101(b)(ix)(G), by creating a new subparagraph (H), by creating a new paragraph (xi) and by renumbering (xi) as (xii) and 35-11-801 by creating a new subsection (d) are amended to read:

16-3-101. Short title; definitions.

(b) As used in this act:

(ix) "Rule" means each agency statement of general applicability that implements, interprets and prescribes law, policy or ordinances of cities and towns, or describes the organization, procedures, or practice requirements of any agency. The term includes the amendment or repeal of a prior rule, but does not include:

(G) Designations under W.S. 9-2-1022(h)(i) ~~;~~ or

(H) A general permit.

(xi) "General permit" means a permit issued by the department of environmental quality which authorizes a category or categories of discharges or emissions;

ORIGINAL SENATE
FILE NO. 0085

ENROLLED ACT NO. 59, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

~~(xi)~~ (xii) "This act" means W.S. 16-3-101 through
16-3-115.

35-11-801. Issuance of permits and licenses.

(d) General permits shall be issued solely in accordance with procedures set forth by regulation adopted by the council. Procedures for the issuances of general permits shall include public notice and an opportunity for comment. All department authorizations to use general permits under this section shall be available for public comment for thirty (30) days. Any aggrieved party may appeal the authorization as provided in this act.

ORIGINAL SENATE
FILE NO. 0085

ENROLLED ACT NO. 59, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk