



Green Legislative Update

Published Weekly During West Virginia's Legislative Session

Volume: 14 Number: 5

Date: February 7, 2003

Under the Dome

By Donald S. Garvin, Jr.
WVEC Legislative Coordinator

Week 5 – The Food Chain

On the second morning of the session, the morning after the State of the State Address, as I approached the west entrance walkway to the Capitol, there in front of me was Governor Wise along with two state troopers staring up into the branches of a tree not 25 feet away. They are watching a redbtail hawk chow down on a fat furry squirrel that had fallen victim to the hawk's hunting prowess.

The Governor turned to me and said, "We are watching the food chain in action."

Walking with me that morning was prominent Republican Sen. Donna Boley. She turned to the Governor and said, "Governor, you are getting some bad press after your speech last night."

The Governor turned and asked, "How so?" Boley replied, "Well, some of the commentators are saying you are beginning to sound like a Republican!"

The food chain in action.

Just last week our own Rick Eades appeared on the Hoppy Kerchival radio talk show to discuss coal issues. He rattled off, in typical Rick Eades fashion, a string of statistics supporting the argument that it was the market, not environmental regulations, that is depressing the coal business. Obviously impressed, Hoppy commented that he ought to set Rick up in a one-on-one debate with Bill Raney from the WV Coal Association.

Rick just grinned and replied, "Bring him on!"

The food chain in action.

On Monday this week Maine legislator Boyd Marley was invited to address the Senate Judiciary Committee on the subject of the "Clean Elections" bill. While Rep. Marley spoke, several members of the committee carried on audible conversations between themselves, and the staff attorney walked around the room cracking jokes to various senators. It was treatment most rude.

The food chain in action.

Apparently the pressure to perform is being felt by coal industry lobbyists. Chris Hamilton, also with the WV Coal Association, is quite upset that our own Rick Eades commented to the press that coal lobbyists had misrepresented the facts to legislators.

In an otherwise casual conversation with Rick in the halls last week, Hamilton angrily replied, "I don't have to agree with anything you say!"

The food chain in action. Gotta love it!

Well, think about the lesser end of the food chain this week, and remember to feed the birds.

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E-Day! At The Capitol

Tuesday, February 25, 2003

Upper House & Senate Hallways

10:00 am ~ 3:00 pm

Groups, Organizations, Green Business Displays
Honoring our 2003 Award Recipients
Citizen Lobbying

Participants confirmed to-date:

WV Environmental Council
Ohio Valley Environmental Coalition
WV Highlands Conservancy
Peoples Election Reform Coaliton
WV Citizen Action Group
WV Environmental Institute
Coalition on Responsible Logging
Spring Creek Natural Foods
Mountaineer Chapter ~ Trout Unlimited
WV Department of Environmental Protection
Interfaith Global Climate Change Campaign
Healthcare Education Foundation of WV
Coalition for Tobacco Free West Virginia
Natural Lifeways, Inc.
Stanley Heirs Foundation
Sustainable Tourism Group

Reception & Fundraiser to follow:

The Brick Cellar

1604 Washington Street East, Charleston WV

5:00 pm ~ 10:00 pm

Honoring our 2003 Award Recipients
Fun Silent Auction Items to bid on!
Refreshments Served

Buffet Available at an additional cost

Music by:

Steve Hill & Ammed Solomen

BigRock and The Candy Ass Mountain Boys

\$5.00 donation at the door

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Legislative Update is published by the West Virginia Environmental Council (WVEC), a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. *Legislative Update*, is published weekly during the Legislative Session.

Legislative Update welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Please send materials to the editor (preferably on disk or e-mail) to:

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Shorts, Clean and Dirty

By Rick Eades

Like a breath of fresh air, draft bills on *school bus fuel conservation* and an *energy conservation initiative for public schools* are before the House Leadership (Staton and Mezzatesta) who have initially shown sincere interest.

How refreshing for the WVEC lobby team to advance positive, economically sane proposals. We hope leadership gives us the green light and feedback necessary to make these bills fly.

In other positive news, the House Judiciary Subcommittee (Chaired by Kevin Craig) is taking up *DEP bills* and has found sponsors for the first three they've seen:

- the needed increase in Underground Storage Tank fees (HB 2880);
- the water quality trigger on mining bond release, changes supported by OSM (HB 2881); and,
- restricting the use of "unjust hardship" as a way for coal operators to avoid paying penalties in the Surface Mine Board appeal process (HB 2882).

Conversely, a precursor to an air quality alert is wafting in the halls. The intensive work of the Flood Advisory Committee and DEP (even with proactive proposals from Arch Coal on valley fill construction - we didn't say we liked em) and subsequent *flood-related mining rules* may be in jeopardy, if the Coal Association has its way (see cover story). More than 18 months after the devastating floods of 2001, and we still don't have new regs up in committee on either side of the aisle.

Senate Passes ATV Bill

By Conni Gratop Lewis

The Senate passed its own version of HB 2121 today, a bill that regulates all terrain vehicles. The Senate version is much improved over the version passed by the House. It took the combined efforts of children's advocates, environmentalists, medical professionals and social workers to get the bill to where it is. Even the ATV manufacturers find the Senate bill better. We were unable to prevent their legal use on paved roads, although Senator Hunter led a valiant effort to keep them off all paved roads (surrounding states ban ATVs on paved roads, which is what manufacturers themselves recommend).

Now the fight returns to the House of Delegates. Call your delegate and urge their support of the Senate version of HB 2121. Make a second call to Del. J.D. Beane, whose committee generated the House version, and Speaker Kiss urging their support also. It's not a bill we can be proud of, but it is a bill that is a necessary first step to join the 45 or so states that already regulate ATV use.

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Official Won't Watch Massey's TV Ads

(From an article by staff writer Phil Kabler in the Charleston Gazette, February 6, 2003).

A series of television commercials by Massey Energy are so misleading that the director of the state Division of Mining and Reclamation told a Senate committee he refuses to watch them.

"After I saw the first commercial or two, I stopped watching them because there's so much misinformation in them," Matthew Crum told the Energy, Industry and Mining Committee Wednesday.

The ads feature vignettes of families being forced to leave West Virginia because of mine closings. All imply that the state's mine permitting process is unreasonably slow.

For a second week, the Senate committee conducted hearings on that process.

Sen. Tracy Dempsey, D-Lincoln, asked Crum to comment on the ad campaign. "It kind of leads you to believe we're slow or dragging our feet on permits," Dempsey said.

Crum called the ads, "blatantly untrue."

He said one implies an unnamed mine is closing after a four-year delay in getting its permit renewed.

"That is simply incorrect with how our agency functions," Crum said . . .

In 2002, the division made final decisions on 101 permits and had another 101 pending — the smallest backlog of permits since 1998, according to documents Crum provided.

Musings from Minear

(Comments made in recent Senate Finance Committee meeting, as reported by the Beckley Register-Herald).

Sen. Sarah Minear, R-Tucker, said environmental groups, such as one that stopped a project in her district over concern for a flying squirrel, "really, really rile me."

Such groups file lawsuits to halt development with an attitude of "to hell with the people of West Virginia," she said.

"I'm tired of it. It's a game with these groups — file a lawsuit and walk away."

Contact your Legislators toll free at:

1-877-565-3447

Legislature's official website:

www.legis.state.wv.us

Broken Promises of Our Good Neighbors?

By Rick Eades

Much like the U.S. government's sorry history of honoring agreements with the Native Americans, it seems West Virginia coal corporations have never met a "treaty" that they wouldn't violate or break.

Years of neglecting the intents and several provisions of federal surface mining law forced coal to concede to various state regulations, mostly over the past five years. And this occurred only when failures to meet federal standards became evident in federal courts, or disasters occurred.

As noted in last week's GREEN, coal appears poised to push a far-reaching bill to reverse a laundry list of West Virginia regulations of their industry (see the excerpted reprint of Ken Ward's Gazette story). Thought you had a treaty to address past sins? Think again.

Ma and Pa West Virginia have suffered a litany of adverse impacts from good neighbor coal corporations that is simply too long to list.

Thousands of blasting damage or dewatered well claims, millions of gallons of coal slurry flowing into our streams and yards, communities blanketed in dust, crumbling property values, subcontractor dodge-ball that helped bring our Workers Comp program to the doorstep of bankruptcy, thousands of miles of acid mine drainage streams, and the gifts keep coming.

Forget the heart-wrenching historical love coal corporations lavished on West Virginians - think Buffalo Creek settlement, miner widows' benefits, black lung legislation, abandoned sites plaguing us for decades, and other such behavior from sweetheart corporations like TV-media darling Massey Energy. I imagine that as coal production continues to decline, Massey or similar dear friends of West By God could easily leave us like an impoverished and worn out Indian Reservation.

Putting it all together, you have to ask, "Could our elected leaders possibly fall prey to the latest push by coal to reverse coal's numerous agreements to better meet federal laws?"

Coal's 2003 legislative mantra, effectively "nothing stricter than federal standards," arrived in hard copy materials in the Senate Energy, Industry, and Mining Committee on Wednesday. Coal's draft bill, apparently the work of the WV Coal Association, was circulated to our publicly elected leaders in EIM. God knows if this packet will resurface in another committee, or if they will wait for the upcoming Wednesday EIM meeting to advance the draft legislation.

Just remember.... coal was at the table, if not at the head of it, and negotiated and accepted numerous provisions of WV regulations to ensure that they met federal law.

Now with every branch of federal government seeking to give coal carte blanche on environmental regulations, and a public relations blitz underway, coal wants to gut virtually every West Virginia regulation they negotiated and agreed to - with specific interest in the many agreements of the past five years.

Some broader questions come to mind:

- Are the effects of lead emissions (from burning coal) reducing our intelligence and memory, to the point where most West Virginians would agree with this treaty breaking strategy by coal?
- What will we tell kids we were thinking, in say 2020 or 2025, when renewable energy finally takes the lead over for this grossly polluting energy source?
- If the 2003 WV Legislature were to pass such a bill as coal is proposing, would Governor Wise dare to sign it, and leave a legacy of "blanket" capitulation with the coal industry?

More importantly, are you going to call elected leaders and tell them what you think?

Does Bush Believe His Speeches?

(from a recent column by Molly Ivins)

I would quote Bush's words on the environment, touting his energy plan, "Clear Skies" legislation and the "Healthy Forest Initiative," but they make me too sick. Everyone who cares about the environment knows what this administration is doing to environmental protections, every day, relentlessly, with regulatory change after regulatory change, dirtier air, fouled streams, polluted rivers, vanishing wetlands, drilling in national parks, the Powder River Basin destroyed . . . the list is already interminable, with more to come.

Enviros are, of course, profoundly grateful for Bush's encouraging words about the hydrogen-powered cars we may have in 16 years, but since he has adamantly resisted every effort to improve the fuel efficiency standards in effect today, our gratitude is necessarily tempered by cynicism. The *coup de grace* came just a week before his speech with the news that business will now get a bigger tax break for buying SUVs and pickups. The deduction has been raised from \$25,000 to \$75,000 and can be claimed right away. Pay \$75,000 for a Hummer, and you get to write the whole thing off.

Industry Wants Mining Reforms Reversed

(From a Feb. 7, 2003, article in the Charleston Gazette by reporter Ken Ward, Jr.).

Coal industry lobbyists want legislators to reverse tougher strip mining rules, which were implemented because of public complaints and federal court lawsuits over mountaintop removal.

Earlier this week, the West Virginia Coal Association distributed information about its proposal to members of the Senate Energy, Industry and Mining Committee. The association wants legislative approval of a measure to require what it calls “regulation conformity” by the state Department of Environmental Protection.

DEP officials and industry critics say that the measure would reverse major strip mining reforms, and could land state officials back in federal court for violating a legal agreement.

Among other things, the industry wants to eliminate a new state policy that more clearly defines the “approximate original contour,” or AOC, reclamation standard. “If that were rolled back, we would be looking at a clear violation of the consent decree,” said Matthew Crum, director of the DEP Division of Mining and Reclamation. **“We would be looking at something for the federal court to consider.”**

Coal Association President Bill Raney could not be reached for comment Thursday.

In a flier, the association says its goal is to “restore a modicum of stability to the mine permitting process and the regulation of active mining.” “Inconsistent interpretation and application of state mining regulations continues to slow the regulatory process in West Virginia,” states the flier. “Conflicts over differences in state rules and federal regulations have fostered litigation and its inevitable costs.”

Under legislation drafted by the Coal Association, DEP would have to adopt strip-mining regulations identical to the federal Office of Surface Mining. Within 180 days, DEP would also have to review all state laws, rules, permits, policies and guidance to ensure they are not more stringent than OSM standards.

The industry proposal has not been introduced, but is expected to be discussed next week at a public meeting of the Senate Energy, Industry and Mining Committee.

Among the state rules that the industry wants to reverse are:

- A “complicated and rigid engineering formula” that determines what complies with the AOC reclamation rule, which requires most strip mines to be restored to their pre-mining configuration.
- More solid requirements for post-mining land develop-

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ment plans that companies must submit if they want a variance from the AOC standard.

- Expanded blasting permit requirements and pre-blast survey rules overseen by the new DEP Office of Explosives and Blasting.
- Creation of an industry-environmental group panel that reviews DEP mining permits to assure they are following the other new rules.
- A mandated “community impact statement” for new mining operations, handled by the Office of Coalfield Community Development within the state Development Office.
- Required studies of pre- and post-mining runoff, and other new rules aimed to reduce the potential contribution from strip mining to flooding during heavy rains.

The state adopted many of the new rules when it agreed in 1999 to settle parts of a mountaintop removal lawsuit filed by the West Virginia Highlands Conservancy. Other rules were put in place by federal agencies to resolve other parts of the lawsuit, which was filed against DEP and the Army Corps of Engineers.

Despite two federal appeals court rulings that overturned U.S. District Judge Charles H. Haden’s decisions on mountaintop removal, the lawsuit settlement agreements remain in effect. Haden maintains jurisdiction to ensure proper implementation of those settlements.

Other rules criticized by the coal industry — including one on flooding and another on coal waste impoundments — have not yet been implemented. Coal lobbyists had told DEP officials during this legislative session that they would support them.

The blasting and community impact rules were actually legislative initiatives. Former Sen. Lloyd Jackson II, D-Lincoln, developed them based on a mining task force appointed by then-Gov. Cecil Underwood.

Lewisburg lawyer Joe Lovett, executive director of the Appalachian Center for the Economy and the Environment, represented citizens in the suits that led to many of the mining reforms.

“They claim that we are above federal requirements, but when we brought the lawsuit, West Virginia was falling behind the standards of federal law,” Lovett said Thursday. “Any lowering of the standards would once again put the state below federal requirements.

“The state agreed to this in a consent decree, and it may not change that consent decree without going to the court and asking for relief,” Lovett said. “This shows the lack of concern by the coal industry to reclaiming the land it mines. They can run all the ads they want, but when push comes to shove, they go to the Legislature and try to have the standards reduced.

“Surely the Legislature won’t be duped by this, and if it is, Governor Wise could still veto it.”

Clean Election Bill: Do The Right Thing!

By John Taylor

Maine state representative Boyd Marley visited us February 2 and 3 as a guest of the Clean Elections Coalition. Mr. Marley was elected in 2000 under the Maine Clean Elections Act.

He was invited to come to West Virginia and tell our legislators how the Maine Act works in actual practice. During his visit Marley met with House Speaker Robert Kiss and spoke to a good number of persons at a public reception at the University of Charleston.

Marley also met with the entire Senate Judiciary committee and the Elections Sub-Committee of the House Judiciary Committee. He was featured at a Press Conference at the Secretary of State's office, and was interviewed on the local PBS news show "Your Legislature Today."

During his visit with the House Elections Sub-Committee he said: "There's honor in public service. This law puts honor back into public service. We're trying to make the election process transparent." One of his main points was the success of the Maine law in increasing public participation in elections.

During the press conference Secretary of State Manchin said 66% of Maine voters voted in their 2000 election cycle, and also pointed out that Maine is always in the top 5 in voter participation in the U.S. in sharp and dismal contrast with West Virginia's record of around 40%.

Mr. Marley said that a "significant majority" (around 60%) of Maine candidates supported the Clean Elections Process" and said they would use it again. One of the main benefits was candidates' increased creativity in getting out to meet the public and raising the necessary "seed money" and qualifying contributions. For example, he said he does not refer any more to "**Fund Raising**" but instead uses the term "**Friend Raising**" to describe the process of obtaining "seed money" and "qualifying contributions" from his constituents and supporters.

What's Not To Like?

Mr. Marley said, "This law severs the perception that money buys votes"...and "puts integrity back into the process" while it brings it down to the grass roots level." **Q:** Are the terms "honor," "integrity," "grass roots level" and "transparent election process" so foreign to our understanding of election campaign finance, so destructive of our "normal" and "usual" procedures that the change the Clean Elections Bill will bring to our election process so utterly unthinkable and impossible to enact? Can it possibly be that we prefer our usual way of doing business and electing our legislative representatives even though the result is 40%

voter participation and a prevalent cynical public perception that, yes indeed, "money buys votes." Why would any sincere person freely choose to seek election to seek public office knowing that big money has twisted and perverted our elections to the point that the entire process is generally viewed by citizens as a cynical, hypercritical and shallow process? The answer seems to be that people would favor our current profoundly flawed system because, and only because, they profit greatly from it, and therefore resist changing it.

Hurry up and Wait

By Conni Gratop Lewis

Hurry up and wait — that would be the mantra this week on timber issues.

HB 2733, the landowner notification bill was introduced on Tuesday. It has been assigned to the house Agriculture and Natural Resources committee. The marble hallways tell us that there is real interest in the bill. Thank the sponsors: Dels. Brown, Manuel, Doyle, Webster, Staton and Mahan for their support. This bill would require that landowners adjacent to a proposed logging job be notified before the cutting begins. This would allow property owners to protect their timber from accidental or felonious cutting.

Not much else happened on the legislative front. Thursday, Randy Dye, director of the Division of Forestry, presented the agency's budget to the Senate Finance Committee. He had hardly started before senators, led by Sen. Sharpe, started to ask pointed questions about the low tax revenues generated by this 3-billion dollar a year industry.

Sen. Boley was upset about the impact of managed timberland programs on Wirt County. (One third of the land generates maybe 2% of the property taxes if I heard correctly). Sen. Helmick was concerned that no new secondary use timber businesses had opened in West Virginia in several years. Timber prices are flat and the furniture industry is in a tailspin in North Carolina. Chinese imports are a significant share of the furniture business. Imported pulp and paper is taking market share from the domestic industry.

Do you detect a trend here? Does this sound like the industry of the future? To be fair to Randy Dye, none of this is his fault. His responsibilities lie elsewhere (like enforcing the logging control and sedimentation act). But one would think that an industry that has been so promoted and fussed over and coddled with lax regulations would not be peppered with critical questions by the Senate Finance Committee. It's a measure of how hard up the state is for money that senators wonder why the forestry industry isn't paying its share. Stay tuned.

Take back the government!

By Chuck Wyrstok

Many of you have heard the mantra about Campaign Finance Reform (CFR) and Clean Elections that goes like this: The reform that makes all other reforms possible.

This is no small claim. In terms of the actual ideals we've read about in our eighth grade civics books, it is a HUGE claim. Clean Election reform is nothing short of the Revolution of the 21st Century...and long overdue. For ages, the slogan "you can't fight city hall" was acknowledged by most folks as fact...a resignation...an acceptance of the deadening, disempowering reality that, in most cases, you best not even waste your time exercising your rights as a citizen. Not exactly what the founding fathers had in mind.

Now, a new seed of hope for democracy has been planted, has germinated, and is flowering (think Spring) in Maine and Arizona where "Clean Elections" candidates have won statewide elections. These folks can basically claim that they were first U.S. citizens in...I don't know HOW long...to be elected statewide with no strings attached, no favors to pollute their decisions. I mean, what a concept! They can vote their conscience! How many West Virginia legislators can safely say that they can do that without fear, without looking at their shoulders to see who they owe their status to.

Your government, the people you dutifully go to the polls and vote for, has (except for a few courageous souls) been kidnapped by so-called special interests. The bumper stickers that say "Invest in West Virginia...Buy A Legislator" are no joke. "Special interests"...well, I've got a special interest. How about government as if PEOPLE mattered?

The Clean Elections Act has been introduced into both the House and the Senate in our fair state. This seed can only sprout with the fertile support of voters who give a damn about the path democracy is going to take. Are we serious about continuing what Jefferson, Lincoln and so many others sacrificed for? Or is this just a 200+ year flash in the pan?

This season...this legislative session...we can make headway against this corruptive perversion. Sub-committees in both the House and Senate are set to work on the fine points of this long-needed legislation. Two able legislators, Delegate Virginia Mahan and Senator Mike Oliverio are heading up these sub-coms and your E-Team will be tracking the progress. Look for a possible E-Alert this coming week as this monumental change sprouts into a seedling.

We will need you folks out there to turn on the "grow lights" big time on this seed bed. Stay tuned.

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"Who could be opposed to that?"

By Allan Tweddle

How often have you asked yourself, "Who could be opposed to that?" One example, as I write this: The manufacturers of ATVs not only state in their literature, but print **ON THE VEHICLES: *Not For Use On Paved Roads***. Why did our Senate vote **DOWN** an amendment complying with the Manufacturers' recommendations? (Thank Heavens they don't have anything to say about how airplanes are flown!)

So who would be opposed to saving money by turning off diesel school busses, (or conserving energy in school buildings)? Well, we know that the Province of Ontario and all of the New England States have programs for addressing the health and cost benefits for no-idle bus practices.

In Maine, it's voluntary. The ME/DEP and individual School Districts decided that showing the health benefits to the drivers, the children and the teachers would bring about a voluntary behavioral change. In CT, they found that enforcement was needed so that peace officers could ensure that the engines were turned off when appropriate.

Their emphasis has been on the health benefits. The cost savings are secondary. And as we know from Maine's Delegate Boyd Marley, who was here last weekend talking and testifying about clean election laws in Maine, they have a smaller state population, but have several times the budget shortfall that West Virginia has.

WVEC's draft legislation places the responsibility for achieving "Turn It Off" practices in law and with enforcement. We have received verbal support for the concepts from several organization representatives, teachers, children, counties, labor, education, religious organizations and in writing from DEP. We need to hear from you, our readers.

We anticipate that next week, after some of the "headline grabbing" legislation settles down, our proposals to the leadership will be up for evaluation and decision making. Let us know your thoughts.

If you want to do your own research, look at the web page for Maine: www.mainedep.com. Click on Air Quality, then Mobile Sources, then School Bus Program. It is a good model for what we are trying to accomplish here for the children, the drivers and our state. Their State is similar in a lot of respects to ours. The US EPA has a similar site.

In Maine, I am told, there really never was ANY **OPPOSITION** to the program. In **WEST VIRGINIA?** **Stay tuned.**

To contact me: allantweddle@bigplanet.com
or phone: 304 925-9184

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WVEC Bill Tracking List

House	FN	Sponsor	Title	Comm
2071	Y	Evans	Water Rights, Ag Gets First Dibs	Jud
2076	N	Hrutkay	EQB Creates In-House Lawyer Position	Jud
2078	Y	Mahan	Deposits in Stream Fund Used Locally	Jud
2094	N	Caputo	Fish, Non-native Species Release and Stocking	Ag/NR
2188	Y	Mezzatesta	Remove Bond Cap on Coal Surface Mining	Jud
2241	Y	Cann	Tax Credit-Power Companies using WV Coal	Fin
2404	Y	Boggs	Water Grants, Possible Public Utility Grab	GovOrg/Fin
2528	Y	Beane	Establish Flood Task Force (Good)	Fin
2453	Y	Yeager	State Park Timbering at Construction Sites	Jud/Fin
2527	Y	Amores	Clean Elections Act (same as SB 158)	Jud Subcom/Fin
2653	N	Mahan	Oil and Gas Rules, Landowner Rights	Jud
2717	Y	Williams	EQB Water Rulemaking to New WQB (Bad)	Jud/GovOrg
2761	Y	Warner	Bottle Bill	Jud/Fin
2833	N	Brown	Notification to neighbors of timbering	AgNR/Jud
2870	N	Kiss	PSC "Power Grab"- Electric Generator Siting	Jud
2880	N	Hrutkay	Underground Tank Fee Increase (DEP)	Jud Subcom
2881	N	Craig	Bond Release - Water Requirements (DEP)	Jud Subcom
2882	N	Craig	Mine Appeals – No Hardship Penalty Delays	Jud Subcom
Draft		TBD	Energy Conservation in Public Schools	Leadership Review
Draft		TBD	Turn-It-Off School Bus Diesel Conservation	Leadership Review

Senate	FN	Sponsor	Title	Comm
94	N	Ross	Water Sampling	HHR
144	N	Ross	Flood Thy Neighbor	Jud
158	Y	Hunter	Clean elections	Jud Subcom/Fin
214	Y	Ross	EQB Water Rulemaking to New WQB (Bad)	Jud/Fin
217	Y	Bowman	Beneficial Sludge	NR/Fin
249	Y	Ross	Oil and Gas Rules, Landowner Rights	EIM/Fin/Jud
335	Y	Ross	Haz Waste Management (same as HB 2669)	NR
339	Y	Bowman	Flood Task Force	GovOrg
340	N	Bowman	Flood Plain Management/Restrictions	GovOrg
422	N	Chafin	PSC-emergency powers	Jud
451	N	Tomblin	PSC "Power Grab"- Electric Generator Siting	Jud
HB2121	N		ATV Bill (Amended House Subcom Substitute)	Passed Senate 2/7
HB2122	N		Medical Malpractice	On Senate Floor

Selected Rules (regs):

HOUSE Bills

SENATE Bills

Air	2562, 2564, 2564, 2566, 2600,2562, 2566, 2563, 2564, 2600	224, 242, 246, 223, 243, 244, 225, 245
Waste/ Haz Waste	2564, 2604, 2605, 2669	242,250, 251, 278
Water	2569, 2606	253, 257
Mines	2601, 2646	247
Dam Safety	2602	248
Timber	2616, 2617	265, 266

FN = Fiscal Note; Comm = Committee refs, call **877-565-3447** (Legis Services) for Comm Members list
 Online bills at <http://www.legis.state.wv.us> (clicks on Bills icon; choose House or Senate)



Calendar of Events



February 8: West Virginia Music Conference. Taylor Books, 226 Capitol Street, Charleston. Music begins at 3:00 p.m. WVEC members Lynn Degen & Melanie Degen with "Prophets Thumb" play at 4:00.
For more information: 342-1461

February 15-16: Peace & Justice rallies. New York, NY. Confirmed speakers include: Archbishop Desmond Tutu, NAACP Board Chair Julian Bond, leaders of the Sept. 11 Families for Peaceful Tomorrows, Angela Davis, Harry Belafonte, Danny Glover, Rosie Perez, Pete Seeger and more.
For more information: <http://www.unitedforpeace.org/article.php?list=30>

February 25: WVEC Annual E-Day! at the Capitol, Senate & House halls, state capitol, Charleston WV. 10:00 ~ 3:00. Organizations, groups, eco-friendly business displays and other activities planned. Lobby your legislative representatives!
For more information and to reserve display area contact: Denise Poole, 346-5905 or deniseap@earthlink.net.

February 25: Annual E-Day! WVEC Fundraiser. **The Brick Cellar**, 1604 Washington Street East, Charleston. From 5:00 pm till 10:00 pm. Stop by after E-Day! at the Capitol.....Music provided by Steve Hill & Ammed Solomen and Big Rock and the Candy Ass Mountain Boys! Refreshments, Award presentation, Silent Auction items. Buffet also available. *Donation: \$ 5.00 at the door.*
For more information: Denise Poole, 346-5905 or deniseap@earthlink.net

February 27: Appalshop documentary "Coal Bucket Outlaw", by Tom Hansell. Begins at 7 pm in the John W. Eye Conference Center - Mountain State University, Beckley, WV. Free Screening - Discussion to follow.

February 28: Book Release Party with Denise Giardina. Taylor Books - 226 Capitol Street, Charleston. 6 ~ 8 pm.

March 8: Last Day of Legislative Session. Stay tuned for details of End of Session Gathering.

April 19 & 20: Stanley Heir's Foundation 14th Year Easter Kick-Off Celebration! Kayford Mountain. The public is invited.
For more information & directions contact: Larry Gibson, 542-1134

April 26: "Artists for the Environment" Fundraiser. Perfater Law Office lobby ~ 1311 Virginia Street East, Charleston. From 1:00 ~ 7:00 pm. Artists from around the state are donating their talent in support of WVEC! Items for sale; Silent auction of artwork; Live music; Poetry, WV Wine & Home Brewed beer; Refreshments; Raffle drawing for Mark Blumenstein sculpture! Join us for this post-Earthday event and support the WV E-Council's environmental efforts!
For more information and to participate contact: Denise Poole, 346-5905 or deniseap@earthlink.net.



Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

Phone: (304) 346-5905 Fax: (304) 414-0629 www.wvecouncil.org

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- _____ \$ 100 Sustaining
- _____ \$ 250 Enviro Steward
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Address: _____

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***West Virginia Environmental Council
1324 Virginia Street East
Charleston, WV 25301***



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Green Legislative Update

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