



West Virginia Environmental Council's

Green

Legislative

Update

Published Weekly During West Virginia's Legislative Session

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Under the Dome

Donald S. Garvin, Jr., WVEC Legislative Coordinator

Week 4 – Setting the Tone

Things looked pretty bleak to me on the final evening of the legislative Interim session.

All the hard work of the select committee on water had evaporated when the “special interests” had rallied a bunch of House members against water quantity legislation, and the committee failed to report out a bill.

The Joint Rulemaking committee had adopted four terrible industry amendments to weaken the EQB water quality rule, and Senator Sarah Minear added an amendment to remove the entire trout stream list.

All the industry lobbyists left the building with smiles on their faces.

The tone was bleak.

But from my perspective at least, all that changed the very next night when Governor Bob Wise gave a “State of the State” address that finally mentioned the word “environment.”

The Governor said in that speech, “In the past, we have recognized coal, gas and timber as valuable natural resources; now, we also must count West Virginia’s clear pure water as equally precious. Currently, West Virginia does not have the tools or information to properly manage its water resources. Tonight, I am introducing legislation to establish a water usage program giving us information on our supply of clean water and on the industries that use it.”

Way to go, Bob.

A water quantity bill was back on the table.

He then went on to say, “We can no longer bury our head in the sand on the issue of greenhouse gases. To protect the vitality of West Virginia’s energy-based economy, we must continue to take a leadership role on climate change issues. We are taking the first step to under-

..... *continued on page 3*

Water Quantity

Conni Gratop Lewis, WVEC Lobbyist

The Senate unanimously passed the governor's bill to claim the waters of the state, and to do a survey of water use in West Virginia. While many bills pass unanimously, some observers had expected opposition to this one.

After all, rumors of permits for water withdrawals or even taxation of withdrawals were rampant last year. But, the Senate recognized the need to do the right thing, so they did it.

While the bill is far more modest than some of us wanted, it represents genuine progress and an acknowledgment that we live in a different economic world than our parents and grandparents did. Sen. Tomblin deserves our thanks for ensuring passage of this bill.

The House Judiciary chair, Delegate Amores created a subcommittee on water issues. The subcommittee chair is Delegate Palumbo, and the members are: Delegates Mahan, Caputo, Morgan and Faircloth. They went to work Wednesday afternoon, to learn about the bill, the interim history, and the interim bill that was not voted on. There were many questions and the committee intends to take time to hear from interested parties.

There's no need to wait
have you made your arrangements to join us
Tuesday, February 17th for
E~Day! ... ?
Environment Day comes only once a year!

Go Ye Out and Lobby!

Fred Sampson, WVEC Board President

WVEC's four lobbyists are working hard for you during this legislative session on a myriad of proposals being put into the legislative "pot" through the bill making process - ie water quantity, water quality, mining regulations, timber regulations, etc.

Your support and assistance in working with your senators and delegates is crucial to our success in stopping/altering/amending the portions of these bills that are bad for our environment.

If you need assistance in knowing what to do, or how to do it, concerning the legislative process, let us know by contacting the WVEC office at (304) 346-5905, and your call will be returned with the information you need to allow you to get involved.

One of the first steps is for you to identify your senators and delegates that represent you at the capitol. Get to know their capitol phone numbers and e-mail addresses. (Remember, we included a list of all the legislators in *Update I* - keep this list handy and ready to use!) Your elected representatives need to hear from you!

Throughout the session, be looking for our *Legislative Updates* and **Action Alerts** - always keeping you informed of the latest news from the capitol - that's what we are here for! Take action on the issues important to you!

If you can make the time to come to the capitol, the lobby team is ready to help and can guide you through the process. Every day is a different day, and the team can let you know where the committee meetings and bills are at any given time.

You are important to us in the legislative process - together we can help protect our environment!

WVEC Citizen Lobbying: What to Do

1. If you are coming down on E-Day, make an appointment to see your Senator and Delegate(s) now. Floor sessions generally run from 11ish to 12ish. Committee meetings eat up part of the day, but there will be time for an appointment. Fifteen minutes should be plenty of time. We will have handouts of our legislative agenda available for you to use.
2. If you are not coming down on E-Day, make your appointment but also call the office (304) 346-5905 or e-mail Denise Poole at deniseap@earthlink.net (subject title "lobby"), and we will set up a time and place for you to meet a lobby team member.
3. Pick up the **76th Legislature of WV 2004** reference booklet in the **Reference Center office (MB-27)**, located in the lower basement level of the capitol near the cafeteria. This booklet contains all the information on each Senator and Delegate, including their office location, committees they serve on, and even their photo! **We have several on hand in our office as well, so unless you are going to the capitol "on your own" we will be able to supply you with one.**

To Contact your Representatives on Issues:

Legislative Reference & Information Center

MB-27, Building 1- State Capitol Complex - Charleston, WV 25305
304 347-4836 toll free: 1 877 565-3447 **On Line:** www.legis.state.wv.us

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Under The Dome *cont. from page 1*

stand the effects of greenhouse gases by introducing legislation to require facilities to register their emissions of greenhouse gases. This soon will be required from the federal government. West Virginia needs to be a leader and act now.”

Remember, this is the state more controlled politically by King Coal than any other. Not bad, Governor.

And he added, “We must not lower our expectations of the coal industry . . . West Virginia’s stronger protections should not be lowered to the minimum federal standard.”

That pretty much shot down the coal boys’ “no more stringent than” whine. You are on a roll, Governor.

But the Governor really hit the big homerun when he said, “We also must continue to protect the quality of water in our streams and rivers to preserve them for future generations. We must reject any attempt to weaken our water quality rules.”

Well, alright, Mr. Governor! I couldn’t have agreed more.

Now I don’t want to get into a big debate here with all my enviro friends and politico fellow travelers about whether or not Bob Wise is “the environment Governor.” Please save that for another time and another beer.

But words are powerful tools and weapons.

And it’s my observation that the Governor’s words that night completely changed – for the better — the tone of discussion in the statehouse on a multitude of serious environmental issues.

The real question is, as we approach the session’s half-way mark, will that positive tone continue.

It’s still winter out there, so please remember to feed the birds this week.

All Terrain Vehicles (ATVS)

Conni Gratop Lewis, WVEC

Depending on who you spoke with, the Senate’s floor amendments to the ATV bill either basically prohibited ATVs on paved roads, or opened virtually all roads to ATVs!

The intent of the second amendment was to ban them unless they followed the rules of the road, i.e., the motor vehicle code. The first amendment, sponsored by Sen. Oliverio, inserted the contents of SB 252 into the bill, and removed the other language (child safety bill).

Adding to the confusion, the second amendment was sponsored by Senators Kessler, Snyder and Ross. Since Sen. Ross is considered to be an opponent of ATV regulation, the House was suspicious.

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The House was sufficiently confused to postpone receiving the Senate message of passage for several days. When they finally did receive it, Del. Trump tried to insert some clarifying amendments. They were voted down, pretty much along party lines. The House then sent the bill back to the Senate. The official language is that the House refused to accept the Senate amendments and asked them to recede!

In plain language: It’s going to a conference committee. Stay tuned.

Meanwhile, the DNR’s ability to protect their lands by regulating ATV use remains intact.

The unfortunate aspect of all this is that the issue of strengthening the bill is starting to look like the Republicans are advocating stronger safety standards than the Democrats are. I certainly hope that partisan bickering doesn’t doom a bill that will save children’s lives while keeping ATVs off paved roads (and helping to keep them out of public lands).

The WVEC Lobby Team

Donald S. Garvin, Jr., WVEC Legislative Coordinator

This is my third year serving as our lobby team legislative coordinator. What that entails is working with all the individual and group members of the West Virginia Environmental Council to set our legislative priorities, propose a budget for the session, and then select the members of the lobby team.

Of all the things WVEC has done over the years, I am most proud of the lobby teams we have assembled. Given our small budget, I look at this as a real accomplishment.

This year is no different. Conni Gratop Lewis is a professional at lobbying. And I mean that as a compliment. Allan Tweddle has worked with the WVEC team now for three years, and he is certainly not the typical WVEC activist (Allan is the greenist “shade of green”, he just comes to it from a different direction than many of us!).

You can read Conni’s and Allan’s personal vita in this issue of the Update (*see page 5*). Most of you know me, but I will write something about my own “green odyssey” in the future. And perhaps we can convince Don Alexander and Denise Poole to do the same.

I think we have an excellent lobby team this year, and I want you to know more about us.

And don’t forget to come to the capitol on E-Day and meet the team up close and personal.

Think Globally ... Act Locally

Allan Tweddle, WVEC lobbyist

Grist Magazine reported this week a Pennsylvanian Coup. The PA Governor must have been reading our minds and has stolen our ideas.

GREENSYLVANIA

Pennsylvania Governor Unveils Eco-Friendly Budget

Pennsylvania Gov. Ed Rendell (D) unveiled a \$22 billion state budget yesterday with numerous eco-friendly provisions that promise to protect green space, return abandoned mine sites to productive use, improve state parks, and revitalize aging city centers, asserting that such measures would spur economic development.

While this sounds like quite a visionary approach, it doesn't mention energy conservation as a hallmark of his administration. So maybe Governor Wise still can be first in Appalachia to realize that energy conservation leads to saving more serious money in the State Coffers, Kittie, Pushke, and Rainy Day Fund, as well as reducing emissions!

Well, I doubt seriously if The Governor of PA was listening to us brainstorming how to ramp up energy conservation into the thinking of our Governor and the legislature. Those States that have shown leadership and aggressively pushed for energy savings have had remarkable results.

We are however still (maybe naively) optimistic that we can work with the Governor and set out a plan to achieve real savings in energy. It would not only be badly needed help for the budget but an across the board aggressive energy conservation program in all state buildings and vehicles would save on emissions as well.

But here's my dilemma. It has been my observation since arriving here in '98 that if it works in California, then "wur not innerest'd". This State's leaders usually don't seem to be open to what's happened in the State of _____ (you fill in the blank). And as many of you have reminded me, "don't use a success in another State as a reason for trying something here...especially California". And yet, when Governor Davis asked Californians to cut back on their energy during their energy crisis a few years ago, (he asked for 10% as I recall), they responded by cutting 12 to 15%! My dilemma is "How do we get the attention here of our leaders".

What can be done you ask? Well, to start with, we could engage the energy conservation professionals who are willing to show a building owner how to save, then the professionals buy and install the necessary systems to achieve the savings, and ultimately share the savings as a means of recovering their costs and make a modest profit for their work. In fact, that has already happened here in the State. One High School in the State engaged such a firm and **with no cash laid out**, achieved a net saving of over a **million dollars** within the first three years. They converted the

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building to a geothermal HVAC system and now enjoy a savings annually that is significant to that school's operating budget.

So following up on that example here in the State, we will seek to present a comprehensive plan to Governor Wise to aggressively explore such concepts for all State buildings. I keep saying aggressively, because it is my observation, (*based upon my years of experience with building design in California...whoops, there I go again*), that "pushing the envelope" works...and there has been too much lip service here in WV and no real progress.

An example? Last year when the governor broke ground for the new DEP building, he announced that it was to be an energy efficient building as certified by a national energy conservation system known as L.E.E.D.S. There are several levels of this certification, and the lowest relies on such things as how far the building materials are shipped to the job site...ergo fuel savings in transporting them. I am told that the certification that the DEP building will get is the lowest possible.

The problem is the mindset of the controlling bureaucrats. The staff personnel controlling the design dismissed those who suggested that a truly GREEN building was not only possible, but would be a desirable landmark, a shining example for the State and the community. Instead we are getting a 1950's design that is oriented wrong on the site and **will cost three times the energy to operate than the PA DEP building will.**

Instead, (for just one example,) of open architecture with natural light, with light wells and reflectors, our "new" DEP building has old fashioned fixed walls and interior offices that need the lights on all the time. Do you suppose that has anything to do with coal fired electricity?

We could have had a gold standard, as PA got in their new DEP building near Pittsburgh. I am told that School Children in PA are bussed to see it, it is so attractive and energy efficient... a model for budding designers to **think green!**

Then there is the State fleet of vehicles. That is a whole 'nuther subject, and we have some ideas there that we intend to "suggest" to the governor. (Details to follow next time). We should give kudos however to Dave Bassage of the Office of Innovation at DEP. Dave bought a Toyota Prius hybrid for his personal use, and we hear that Dave's friendly persuasion has reached his boss, Stephanie Timmermeyer. DEP has, or will shortly, order a Prius for the office pool car. CONGRATULATIONS DAVE AND STEPHANIE. Now on to the rest of the fleet. Think HYBRID CARS...and soon.. TRUCKS...and BUSES.

So folks, let us know your ideas. We are counting on how the Governor could, in his last days as our leader, unencumbered as he is with re-election worries, really take a positive stand and aggressively seek a comprehensive energy conservation program for all the State's energy systems. What would you like to see in that portfolio? His State of the State address gave us hope that he will be open to our ideas.

Get to know your Lobby Team!

Conni Gratop Lewis

I was born and raised in the Midwest and am convinced my family has roots in Lake Wobegon. And I thought I had a normal childhood. But that wasn't exactly true. I was raised to respect people who were different. Family members got along with each other. My grandfather was a public official and Democratic party activist, so I got a taste of politics as public service from an early age.

Toledo is populated by lots of hyphenated Americans who like to celebrate their roots. Diversity is normal. Also, I spent a lot of time in quiet pursuits like reading. Dad went to work every morning and Mom was content to stay home. (Until the 70s-then she became a librarian) So it wasn't really normal, was it?

I was once asked to describe something that formed my character. That's easy: Girl Scouting. Ours was an active outdoor group and for city girls we got in a lot of camping, even backpacking. Did I tell you that I was the smallest girl in the troop and it was a challenge to keep up with girls who were at least 6" taller than me? I learned a lot: respect for the natural world and how to succeed when you're not supposed to. Thousands of acres of city parks also helped form my outlook on the environment. I learned teamwork playing viola for eight years. It's not an instrument for people with large egos, since it rarely carries the melody and it's never the center of attention.

After college at Ohio University in the late 60s, I married a Kanawha County native and let him return home. You know how it is when a West Virginian puts down roots. Actually his are deeper than almost anyone. Ray tells folks he's descended from the first white people to settle in the Kanawha Valley and live long enough to breed. We have one son, Brian, who has joined the West Virginia diaspora and lives in St. Louis. Ray and I now share our home with 5 cats and one box turtle who really likes bananas and fried chicken.

The public phase of my life began in the late 1980s after I recovered from an automobile wreck (recovery took a long time due to medical errors). I began with the League of Women Voters, and moved on to lobbying and community work. Highlights include the successful effort to stop the Kanawha City Walmart. And the term as Charleston League of Women Voters.

I began lobbying in 1990 for the Quakers. It was full time and volunteer and more fun than anything I had ever done. It was, as we say "a leading." I didn't think I would be any good at it, but I was drawn into it almost against my will. That I was successful beyond imagining the first several years was proof that God wanted me to do this work. Quakers generally believe that there is that of God in

everyone and that we are all redeemable human beings. This belief forms the basis of my lobbying ethic and has served me (and West Virginia I trust) well over the years.

There is also the matter of my Lutheran roots, which contribute to an overdeveloped sense of responsibility. Past clients include CORL(the timber reform group), the domestic violence coalition, the Lesbian and Gay Coalition, Safe Roads and Bridges and local health departments. I have been blessed to have such wonderful people to work with. Unfortunately, none of these groups are blessed with deep pockets. Oh well.

Allan Tweddle

A native of Toronto, Canada, (b.1932), after graduating in Industrial Engineering (Michigan '61) I worked in industry tackling and solving air pollution problems first in Canada and then 30+ years in California. I come by it honestly...my grandfather was a "smoke abatement inspector" in Toronto in 1910 until he retired in 1955. I was a high school dropout, but after realizing the futility of a lack of education, I returned to high school in my mid 20's and then on to Michigan.

I repeated that scenario, when at 48, I entered Pepperdine University's Presidential Key Executive MBAd program. I graduated at age 50, but came away with more than a degree...I met my wife Barbara Braun who also received her coveted PKE MBAd.

In California, I worked as a consultant to Industry and government agencies. I like to claim that every pollution system I designed and had installed for my clients had the added distinction of improving their bottom line. My mantra is that clean air and water is cheaper than pollution. With the California agencies, I helped them to find new ways to push the envelope of regulations that reduced air pollution.

Barbara is a native of Charleston, so in 1998, we decided to move to Kanawha City where we now reside...in her grandfather's home. Theoretically, we are here living a more gentle and quiet life...except that I am on the WVEC lobby team as a full time member this session, I am starting a new manufacturing business here in West Virginia, and I have dedicated whatever time is left over to establish the Republicans for Environmental Protection www.REPAmwerica.org here.

I have this strange philosophy. I think that the issues of the environment are bipartisan, and the "special interests" that E-Council represent are those who breathe, want clean water and conservation. I claim that "Conservation IS Conservative."

Clean Elections Hearings on Horizon

Julie Archer, WV-CAG

Clean Elections legislation was introduced this week in the House (HB 4260) and the House subcommittee is scheduled to meet Monday afternoon. If your legislator serves on this subcommittee please contact them and ask them to support the "WV Public Campaign Financing Act." Subcommittee members are Delegates Fleischauer (chair), Brown, Craig, Ellem and Webster. Other Judiciary Committee members should be hearing from their constituents as well. For a list of Judiciary committee members and contact information visit the legislative website at <http://www.legis.state.wv.us>.

We still anticipate the Senate version (SB 270) to be taken up by the Judiciary Committee at anytime. Chairman Kessler plans to run the bill, but our understanding is he has held off at the request of House Chairman Amores who wanted his subcommittee to have an opportunity to meet. So this could be the week! **If you haven't contacted your Senators yet asking them to support Clean Elections please do so. If you've already sent a letter or e-mail follow up with a phone call.**

The legislature will only pass this reform if the public is clamoring for them to do it! Please call or write today, or consider attending the Citizens for Clean Elections meeting Monday, February 9 at 11 am in the Capitol cafeteria and stick around to lobby your legislators after the meeting. **More information on Clean Elections is available at www.ohvec.org and www.wvcag.org.**

Fight Brewing Over Changes to Coal Truck Rules

Julie Archer, WV-CAG

Last year the legislature passed SB 583, making it legal for coal trucks with special permits to haul up to 120,000 pounds on more than 2,000 miles of road in 15 southern counties. The new law went into effect in October and the Public Service Commission (PSC) has issued nearly 1,000 permits so far. About 700 of those permits were for the heaviest legal loads.

The new law requires shippers and receivers of coal to report weight and other transport data to the PSC. That provision applied to all 55 counties. During the January interims the Rule-Making Review Committee adopted an industry amendment to the rules the PSC uses to enforce the new law. The amendment, offered by Delegate Sam Cann, would change the reporting provision and limit it to those trucks operating in the 15 southern counties that make up the Coal Resource Transportation System (CRTS). The PSC objected to the amendment saying the rule change was inconsistent with the intent of the new law.

Delegate Mike Caputo, who fought against passage of SB 583, said that changing the reporting provision took the teeth out of the bill. Last week he told MetroNews that the one thing he liked about the bill was that companies would have to show what they'd been hauling. Trucks driving through every

county had to be accounted for. Caputo said he plans to challenge the committee's decision.

The bill that would make the rule change has been introduced in the Senate (SB 392) and was taken up Wednesday by the Industry, Energy and Mining Committee. We expected EIM to rubberstamp it, but the committee agreed to hold the bill for a week after Senator Hunter raised a question about the change. Ted Hapney with the United Mine Workers told the committee that the rule change would allow truckers operating outside the CRTS to skirt the language of the law. SB 392 must also pass the Judiciary Committee before it goes to the floor and is likely to be our best chance of stopping it if EIM accepts the industry amendment.

Bring Those Empties to the Capitol!

Linda Mallet, linda@wvcag.org

Last week the West Virginia Bottle Bill was introduced in both the House and Senate. **This week** we've been talking to senators and delegates about the bill, educating them on the concept and encouraging them to talk with leadership and get the bill placed on the House and Senate Judiciary Committees' agendas. **Next week** you can help support the Bottle Bill by showing up at the Capitol on E-Day with your empty beverage containers. We'll even pay you 10 cents for each one (up to 50)!

Sponsoring SB 293 are Senators Brooks McCabe, Randy White, John Unger, Herb Snyder, Andy McKenzie and Larry Edgell. Delegates sponsoring HB 4147 are Barbara Warner, Nancy Houston, Donna Renner and John Doyle. **Many thanks to Senator McCabe and Delegate Warner for taking the lead on sponsoring this legislation again this year!**

This year's bill would create a 10-cent deposit on glass, aluminum and plastic beverage containers. Consumers would pay the deposit when they purchase containers and would be fully refunded their dime when they return containers for recycling. SB 293 and HB 4147 are modeled after the Michigan container law but tailored for West Virginia. For instance, we would expect this legislation to generate \$20 million in unclaimed deposits (coming from people who choose to NOT return their containers, travelers buying containers on their way through our state, etc.). This money would fund clean-up programs, pay retailers and redemption centers a handling fee for accepting empty containers, and help fund efforts by solid waste authorities to participate.

Check out our new website: www.wvbottlebill.org. From there you can sign our on-line petition, download information and type in your zip code to contact your legislators. **It's important that YOU let your legislators know that this issue is important to you. Please call today and ask them to support the WV Bottle Bill.**

P.S. Save yourself a trip to the recycling center and bring as many plastic, aluminum and glass containers as you like to Deposit Day (unfortunately we can only "refund" you for 50, but, hey, \$5.00 will buy you a great lunch in the Capitol Cafeteria)!

West Virginia Environmental Council's
15th Annual E~Day! At the Capitol

Tuesday, February 17, 2004

E~Day! Agenda

Exhibits Open: 10:00 ~ 3:00
(Lower Rotunda)

WVEC Brief Announcements ~ 12:00
Welcome: *Fred Sampson, WVEC Pres.*
Introduction of Lobby Team: *Don Garvin*
Recognition of 2004 Award Recipients

Deposit Day – 11:00 am ~ 2:00 pm
Sponsored by WV-CAG & WV Sierra Club
Recycle! Support the Bottle Bill!
Bring your containers, receive 10 cents ea. (up to 50)
See Bottle Bill table

Exhibit Participants Include:

West Virginia Environmental Council
WV Highlands Conservancy
Ohio Valley Environmental Coalition (OVEC)
Coal River Mountain Watch
WV Citizen Action Group (WV-CAG)
Mountaineer Chapter ~ Trout Unlimited
WV Environmental Advocates Office /DEP
Tire Reuse Services (TRUS)
WV Wilderness Campaign
Nat. Republicans for Environmental Protection
Medicine Song Crafts
Stanley Heirs Foundation
Tyler Mountain Community Association
Citizens For Clean Elections
Peoples Election Reform Coalition (PERC)
Friends of Blackwater Canyon
Spring Creek Natural Foods, Inc.
Friends of the Mountains
Wholistic Wellness Network
WV Chapter, Sierra Club
Sierra Club Central Appalachian Env. Justice

Evening Reception & Benefit:

Perfater Office Lobby
1311 Virginia Street East, Charleston

5:30 till 10:00 pm
(\$ 5.00 suggested donation at the door)

Featuring Music by ... Steve Himes
also

Folk/Blues guitarist & vocalist, Debbie Grimm

Silent Auction (nice selection of items)

**Dinner Buffet featuring Spring Creek
Natural Foods and lots of other goodies**

Music begins at 6:00 ~ Debbie Grimm

Welcome: 6:45

2004 Award Presentations ~ 7:00:

**Laura Forman Grassroots Environmental
Activist....Freda Williams**

Presented by: Judy Bonds

**Linda Schnautz Environmental Courage..... Patty
Sebok** *Presented by: Janice Nease*

Green Entrepreneur.....Spring Creek Natural Foods
Presented by: Chuck Wyrostok

Chuck Chambers Public Service....Jack Spadaro
Presented by: Julian Martin

Mother Jones Award Janet Fout
Presented by: Dianne Bady

Music resumes at 8:00 ~ Steve Himes

Bills We Are Tracking

Bill Number	Title	Committee
Senate Bills		
SB 39	Allowing landowners to remove debris to prevent flooding ("Flood Thy Neighbor")	JUD
SB 60	Transferring water quality standard rule-making authority to water quality board (eliminate EQB)	JUD
SB 63	Requiring verification of notice to adjoining landowners of timbering operations	NR
SB 89	Relating to beneficial use of water treatment plant sludge	JUD
SB 90	Regulating of all-terrain vehicles	TRANS
SB 153	Establishing All-Terrain Vehicle Safety Regulation Act	TRANS
SB 155	Creating environmental excellence program	EIM
SB 156	Establishing Public-Private Transportation Act (Governor's version) ("Regional Airport"??)	ECD
SB 163	Creating Water Resources Management Act (Governor's Water Quantity Bill)	Passed Senate – H Jud
SB 215	Regulating all-terrain vehicles	TRANS
SB 221	Establishing Public-Private Transportation Act of 2004 ("Regional Airport"??)	ECD
SB 231	Authorizing county commission to establish flood plain enforcement agency	Passed Senate — H PS
SB 252	Creating Child Safety All-Terrain Vehicle Act	TRANS
SB 253	Relating to all-terrain vehicles generally	TRANS
SB 264	Regulating of all-terrain vehicles	TRANS
SB 270	Creating Public Campaign Financing Act ("Clean Elections")	JUD
SB 293	Creating Beverage Container Deposit Act ("Bottle Bill")	JUD
SB 323	Continuing office of explosives and blasting	Passed Senate – to H Gov Org
SB 340	DEP legislative rule relating to nitrogen oxide budget trading program as means of control and reduction of nitrogen oxides from nonelectric generating units	JUD
SB 341	DEP legislative rule relating to emission standards for hazardous air pollutants	JUD
SB 342	DEP legislative rule relating to standards for new stationary sources	JUD
SB 343	DEP legislative rule relating to air pollution from hazardous waste treatment, storage or disposal facilities	JUD
SB 344	DEP legislative rule relating to emission standards for hazardous air pollutants for source categories	JUD
SB 345	DEP legislative rule relating to requirements for determining conformity of transportation plans, program and projects developed, funded or approved under Title 23 U.S.C. or federal transit	JUD
SB 346	Authorizing DEP legislative rule relating to surface mining reclamation	JUD
SB 347	DEP legislative rule relating to solid waste management	JUD
SB 348	DEP legislative rule relating to hazardous waste management	JUD
SB 349	DEP legislative rule relating to NPDES rule for coal mining facilities	JUD
SB 353	EQB water quality standards rule	NR
SB 367	DOH rule relating to transportation of hazardous wastes	JUD
SB 386	DNR leg. rule relating to public land corporation rule controlling sale, lease, exchange or transfer of land and minerals	FIN
SB 444	Requiring county litter control officers to enforce litter laws	NR
SB 446	Relating to posting of unenclosed land	NR
SB 454	Relating to land-use planning	GOV
House Bills		
HB 4022	Creating "The All-Terrain Vehicle Safety Regulation Act"	Passed House and Senate – In Conference
HB 4026	Establishing the water resources management act (Governor's water quantity bill)	JUD
HB 4027	Establishing a voluntary environmental excellence program	FIN
HB 4029	Establishing a program to report emissions of greenhouse gases	JUD
HB 4047	Creating a high growth business investment tax credit to encourage investment by state citizens and businesses in certain companies started by fellow West Virginians	FIN
HB 4068	Allowing the hunting of coyotes by use of amber colored artificial light with certain restrictions	Passed House – to Senate NR
HB 4120	Establishing all-terrain vehicle safety measures for persons operating and riding such vehicles	JUD
HB 4121	Providing for safety and training for children operating and riding all-terrain vehicles	JUD
HB 4147	Providing for the use of returnable containers for various drinking containers ("Bottle Bill")	JUD
HB 4166	Removing the description requirements in deeds for easements and rights-of-way for mineral leases	JUD
HB 4167	Creating the Exotic Animal Control Board to protect the health and safety of humans and the state's agricultural and forestry industries, its wildlife and other natural resource interests from the introduction or spread of disease	Gov Org
HB 4185	DEP—Air Quality, NOx budget trading program	JUD
HB 4186	DEP—Air Quality, emission standards for hazardous air pollutants	JUD
HB 4187	DEP—Air Quality, standards for performance for new stationary sources	JUD
HB 4188	DEP—Air Quality, prevent and control air pollution from hazardous waste treatment, storage or disposal facilities	JUD
HB 4189	DEP—Air Quality, emission standards for hazardous air pollutants for source categories	JUD
HB 4190	DEP—Air Quality, requirements for determining conformity of transportation plans, etc., under Title 23	JUD
HB 4191	DEP—Mining and Reclamation, surface mining reclamation rule	JUD
HB 4192	DEP—Waste Management, solid waste management rule	JUD
HB 4193	DEP—Waste Management, hazardous waste management rule	JUD
HB 4194	DEP—Water Resources, WV/NPDES rule for coal mining facilities	JUD
HB 4198	EQB water quality standards	JUD
HB 4212	DOH transportation of hazardous wastes upon roads and highways	R&T
HB 4231	DNR public land corporation rule	JUD
HB 4248	Continuing the office of environmental advocate	Passed House – to Sen Gov
HB 4260	Creating a system for public funding of election campaigns ("Clean Elections")	JUD
HB 4262	Creating the environmental excellence program	JUD
HB 4266	Requiring regulatory agencies of government, with exceptions, to study ways to expedite the issuance of licenses, permits and certificates	Gov Org
HB 4270	Creating the north central West Virginia regional trails and recreation authority	Gov Org
HB 4272	Requiring all-terrain vehicles used off of private property to be registered with the division of motor vehicles	JUD
HB 4310	Removing the exemption from annual registration, license plates and fees for all-terrain vehicles	R&T
HB 4312	Verifiable Science Act	ED
HB 4322	Establishing a state trail authority	Gov Org



Calendar of Events



February 17: WVEC 15th Annual E-Day! at the Capitol. 10:00 - 3:00 p.m. Lower Rotunda area. Environmental Displays, 2004 Award announcements and best opportunity to join citizens from around the state to lobby your legislative representatives!
For more information / reserve a space contact: Denise Poole at the WVEC office, (304) 346-5905 or deniseap@earthlink.net

February 17: Annual E-Day! Benefit Party & Award Presentations! Perfater Law office lobby, 1311 Virginia Street East, Charleston - 5:30 p.m. - 10:00 p.m. **Music by Steve Himes; Debbie Grimm.** Dinner Buffet, refreshments! Join us half way through the session to honor our 2004 award recipients and support WVEC lobbying efforts! Don't miss - lots of fun!!! Suggested donation: **\$5.00**

Public meetings for Management of the Monongahela National Forest:

- February 21: Elkins, WV:**
Davis and Elkins College Gym. 10 am - 2 pm.
- February 23: Morgantown, WV:**
Holiday Inn. 4 - 7 pm
- February 25: Petersburg, WV:**
Public Library. 4 - 7 pm
- February 26: Pocahontas County:**
WV High School. 4 pm - 7 pm
- February 27: Richwood, WV:**
City Hall. 4 - 7 pm

March 14: Last Day of Legislative Session.

April 17: Planning Your Herb Garden: What to Grow, Where and How. 10 am - 4 pm. La Paix Herb Farm, Alum Bridge. Preregistration required. \$55 includes complimentary lunch.

To register & more information: (304) 269-7681, lapaix@iolinc.net, www.lapaixherbfarm.com

May 15: 2nd Annual "Artists for the Environment" Spring Fund-raiser. Perfater Law office building lobby. Beautiful day with the arts! Visual arts, music, poetry, performance, and more. Booths, art auction, yummy edibles and drinks!

For more information and to participate: Contact Denise Poole, deniseap@earthlink.net or call her at the WVEC office: (304) 346-5905.

June 19 & 20: Lavender & More Fair! La Paix Herb Farm, Alum Bridge, WV. Workshops, demonstrations, garden tours, lunch, music and slide shows. Admission \$5.

For more information: (304) 269-7681, lapaix@iolinc.net, www.lapaixherbfarm.com

July 17: Hydrosols, Essential Oils and Distillation Workshop. La Paix Herb Farm, Alum Bridge, WV. Complimentary Lunch. Cost is \$55, pre-registration required.

For more information and to register: (304) 269-7681 or lapaix@iolinc.net, www.lapaixherbfarm.com

E-Day! At the Capitol!

Tuesday, February 17, 2004

10:00 am ~ 3:00 pm

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

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

_____ Renewed Membership _____ New Membership
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- _____ \$ 10 Student / Senior
- _____ \$ 25 Regular
- _____ \$ 50 Seedling
- _____ \$ 100 Sustaining
- _____ \$ 250 Enviro Steward
- _____ \$ 500 Canopy
- _____ \$ 1,000 Old Growth
- _____ \$ Other

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

Time sensitive materials - please deliver promptly. Thank you.

**West Virginia Environmental Council's
15th Annual **E~Day!** At the Capitol
Tuesday, February 17th**

Reception & Benefit
Perfater Office Lobby ~ 5:30 till 10:00 p.m.

See details inside