



West Virginia Environmental Council's

Green Legislative Update

Published Weekly During West Virginia's Legislative Session

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Under the Dome

*By Donald S. Garvin, Jr.
WVEC Legislative Coordinator*

Week 7 – Bills, Bills, and More Bills

It's a jungle out there.

According to the Legislature's bill lists, as of Thursday night 1,394 bills have been introduced in the House this session, and 779 have been introduced in the Senate!

Amazing. Surely no one can keep track of all this. I know we can't, even though we try. But I am going to attempt to tell you about a few of them.

HB 4242 is an important bill to our members in the Eastern Panhandle. The area is one of extremely high growth and it is running out of landfill space. The language of the bill is complex, but it would basically allow county waste authorities to contract with additional waste haulers who have recycling capabilities to alleviate the problem (at least that's how I understand it).

This bill is supported by some of our most active members in the area. And it is being opposed it appears, by Waste Management, the mega-corporation that operates the existing landfill. Go figure.

Unfortunately, there's a lot more than local politics involved in this issue. While we have spoken with some of the bill's sponsors and offered our support, it appears that the politics are so thick on this one that the bill does not "have the legs" to advance.

SB 663 would require the Department of Health and Human Resources to prepare a "Public Health Impact Assessment" on any new rule proposed by the Department of Environmental Protection, and would require the DEP to consider these assessments in its rulemaking process.

Senator Dan Foster introduced this bill on behalf of WVEC. Dan's a doctor and knows first hand how the health of West Virginian's is impacted by pollution. The WVEC lobby team has been talking about the need for this

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Green Legislative Update

Blowing In The Wind

*By Allan Tweddle, WVEC Lobbyist
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For 40 years I enjoyed chasing the wind. I had the pleasure of both racing and just cruising 30 to 65 foot sail boats on both coasts and in the Great Lakes. The feeling of holding the wheel of a good sized sail boat is so special it is almost impossible to describe. I do miss it. (The Kanawha River just isn't the same as Long Island Sound or the Santa Barbara Channel Islands).

Knowing the direction of the wind precisely enough to get the most lift from the wind on every leg, every course...that is something one takes a lifetime to learn. Some never achieve it. I don't think that I have yet, but maybe someday.

Not being able to see the wind, one has to feel it. You can see the currents, even the tides and certainly the next marker buoy. But you must stay so alert, because the wind can shift...sometimes dramatically so there is no doubt...sometimes so subtlety that you catch the change too late, miss it and loose on your reach for the mark and you must quickly develop a recovery strategy.

So you take stock of where you are, and plot a new course...one that may compromise your original plan, but one that hopefully will recover a credible position. Sometimes you are too far off course, and must live with a sad finish.

Lobbying is like that.

In sail boat races, we pit ourselves against other boats who want to race the same course, will deal with the same wind and sea, and hope to beat you from the start to the finish.

But we only shout at each other...from boat to boat...when a collision is possible. Otherwise, all is quiet save for the calm, but often screaming orders of the helmsman who is expected to be taking all factors into account as best he can.

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Remember Buffalo Creek Buffalo Creek Day at the Capitol Monday, February 27, 2006

Governor's Press Conference Room ~ (Sec. of State's office)

See the films. Support the Sludge Safety Bill.

12:00 noon ~ 4:00 p.m.

Buffalo Creek Day at the State Capitol will be held this Monday - **February 27th**. In remembrance of the **Buffalo Creek disaster**, and as a reminder of the ever pending possibility of just such another - the **Sludge Safety Project (SSP)** will hold **Buffalo Creek Day** in the **governor's press conference room** - located in the **Secretary of State's office** - anytime between **12:00 noon until 4:00 pm**.

Legislators are invited to attend and see clips of:

"Buffalo Creek – An Act of Man" and "Buffalo Creek Revisited"

SSP members whose health and safety suffers because of coal sludge impoundments and coal slurry injection will be present to speak with the public and legislators.

For more information: Call Abe Mwaura, (304) 522-0246

**Prevent another Buffalo Creek Flood.
Support the Sludge Safety Bill.**



Legislative Session 2006 Information Sources:

Legislative Reference & Information Center:

MB-27, Bld. 1 - State Capitol Complex, Charleston WV 25305

WV Legislative web-site: www.legis.state.wv.us

(For bill tracking, bulletin board (journals), legislators' e-mails.)

To Call Toll Free: 1-877-565-3447 or local Charleston area:

(304) 347-4836

WV Environmental Council Web-site: www.wvecouncil.org

Ohio Valley Environmental Coalition: If you want to easily get the latest news during the legislative session, check

www.ohvec.org/ovec_news.html and www.ohvec.org/news_gen.html daily.

Every morning, OVEC checks scores of news sources and post links to make it easier for you to stay informed.

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Under the Dome ... cont. from pg. 1

legislation for a couple of years, and this is our first effort to promote the concept. We don't expect the bill to move this year, but it is getting a lot of attention.

On the other hand, **SB 153** would require a "jobs impact assessment" on any bill the legislature considers. This is a concept that the Chamber of Commerce has been supporting for many years as a method of thwarting the passage of any new industry regulation. We are watching this one. Enough said.

SB 278 and **HB 4336** are also Chamber of Commerce bills that would create an "energy czar" within the Governor's office primarily to promote the traditional fossil fuel industries in the state.

In contrast, Senator John Unger has introduced **SB 567**, which would create a Division of Energy within the Department of Commerce. This new DOE (many of you may remember the old DOE, and even the name causes me to shudder) would be charged with developing a comprehensive energy plan for the state.

Unlike the Chamber's proposal, Senator Unger's bill mandates the development of a renewable energy component in any state energy plan, including establishing an actual "Renewable Energy Portfolio." Of course, the devil is always in the details, so we are actively participating in the discussions on this bill. Funding for this idea seems to be a major roadblock at this time.

This was the last week for bills to be introduced, and some new ones have popped up out of the blue.

HB 4723 would place a 5-cent tax on each bottle of water sold in the state, "to benefit West Virginia University Institute of Technology, the Public Employees Insurance Agency, Marshall University and West Virginia University." Amazing. Wonder if this bill's sponsors support the Bottle Bill?

HB 4697 is a reincarnation of a bill that the Governor vetoed last year that attempted to pack the DEP Advisory Council. This new version comes from the Farm Bureau and increases the membership of the Advisory Council by adding one member from the agricultural community.

That's not a bad idea in itself, but the bill also contains language that would allow the council to "upon majority vote of the members, offer suggestions to the secretary for proposed new or amended legislative rules." This is simply industry's attempt to turn the Advisory Council into the rulemaking arm of the DEP. As long as this language remains in the bill, WVEC cannot support it.

And finally, hanging over our heads like the sword of Damocles, is **HB 3343**, a carryover bill from last session that would change state law by inserting the federal definition of "fill material" into state statute. Even worse, this bill would change the state law that currently forbids waste materials "extracted" during mining operations from being

dumped into state waters and streams.

In effect, **HB 3343** would give the state's official blessing to mountaintop removal mining, huge valley fills, and the burial of hundreds of miles of pristine West Virginia streams.

This bill has not been taken up the House Judiciary Committee. I am hoping beyond hope that it doesn't see the light of day.

If you want to view a fabulous light show, keep your bird feeders full so you can watch the gold finches morphing into their bright spring colors.

Blowing In The Wind ... cont. from pg. 1

And no one on shore can yell at us because we are out of earshot. Even our supporters, who might have had different strategies and tacks at the starting line, or would have gone higher on the mark and then come down on it rather than shooting a close reach as we did....they are out of earshot.

Lobbying isn't like that.

This week we raced against the big boats from AEP, King Coal, and against a formidable skipper, Captain DF and crew. We tacked, we changed sails, we shifted ballast...we ran a good race. It isn't over as I write this, but the big boat is ahead of us on it's way to the finish.

Of course, we are in more than one race at the same time. Several in fact. Some we didn't know until after the starting gun went off, and our "shore friends" hadn't even told us about the race.

And it was the shouting from shore that became bothersome...even totally 180 degree opposite demands for strategies and courses in the same race that yelled at our captain from the distance...as if their course was the only one worth considering.

Sailing through the rough and unpredictable waters of the legislature requires careful thought and at times very quick analysis of the currents, the tides of opinion and rhetoric, the facts of position, compass, and what is really in the wind. And we are not always right on course and often get the wind taken right out of our sails.

Other times, we can fly a spinnaker and lead the pack to the finish...but not often enough.

Choices will always require compromise. Success comes rarely enough, but it comes by finding the right course and common ground...(well, not ground in sailing).

Capturing the wind is not possible. Taking it for a brief time to send you forward to cleaner air is the key. As I have many a time in a fog shrouded race at sea, our efforts to achieve clean renewable energy for all of us will require a course that, with the sun, and the wind, we can emerge out of the smog.

But it will require reason...and less shouting.

'My Prius'

It Is Easy To Be Green!

By Dave Bassage

WVDEP Innovation Administrator, Walton, WV.

Greenies, techies, and cheapies. Those are the loose terms I've coined to describe the three general categories of people who are attracted to hybrids. Some like the environmental benefits, others are fascinated by the technology, and many folks just want to save at the pump.

Most hybrid owners, of course, have a bit of all three characteristics.

I bought my 2004 Prius just ten days after the new model hit the showrooms. My primary motivations were environmental, wanting to minimize my personal environmental footprint and set a positive example for other drivers, but the technology is certainly fun and it's great to not even notice when gas prices rise.

Over two years and nearly 70,000 miles later I'm just as thrilled as I was in October, 2003 to be driving my Prius every day. I know I put out only ten percent of the pollutants of a normal car, that my Prius includes plastic made from sugar cane, and that it's designed to be easily recycled at the end of its usable lifespan.

I also love the way it handles on slick roads, where I feel safer in the Prius than in my Tacoma 4x4. The hatchback style and seats that fold flat lets me slide my favorite kayak inside for whitewater weekends, or lay out my camping pad in the car to convert my transportation into 'hotel Prius'.

In response to the widespread myth that hybrid cars cannot achieve their EPA fuel economy numbers, a group of us who met online converged near Pittsburgh one weekend last summer to see just what the Prius was capable of if driven for an entire tank using the most fuel efficient techniques. We exceeded even our own highest expectations, averaging 110 miles per gallon over the 1,397 miles it took to run the tank dry, exactly double the EPA estimate of 55 mpg. HBO covered the event, and plan to include it in a climate change special to air near Earth Day this Spring.

I don't get 110 mpg in my daily driving of course. My best tank to date was 71 mpg, and I generally get in the low to mid sixties in the Summer, low to mid fifties in the Winter. By slowing down a bit and focusing on fuel economy rather than speed, I find I arrive where I'm going in a much more relaxed state of mind, which only goes to show that maybe Kermit the Frog was wrong:

It **is** easy to be green!

Green Legislative Update



Dave Bassage and his 2004 Prius



Anti-Wilderness Resolution Sent to Sub-Committee

Senate Natural Resources Committee had on its agenda again this week **SCR 13**, a really, really, really bad resolution that urged the U.S. Forest Service not to propose any new wilderness areas in the Monongahela National Forest.

Thankfully, through lots of pressure from phone calls and e-mail messages placed by our members - and especially members of the coalition of groups that comprise the WV Wilderness Coalition, committee chairman Senator John Pat Fanning moved this **ridiculous** resolution to a sub-committee.

Hopefully, that's the last we will hear about **SCR 13**.

But don't hold your breath.

Thanks also to the 20 or 25 folks who showed up for the committee meeting - which was cancelled, due in large part to your participation.

Bill Would Establish New Division Of Energy

(excerpted from 'The Associated Press', Wednesday, February, 15, 2006 - Charleston, WV)

Existing state programs that deal with energy policy would be merged into a new Division of Energy under a bill a Senate committee approved on Tuesday.

The new division in the Department of Commerce would streamline existing bureaucracy, not create a new one, and position West Virginia to take advantage of the new national interest in energy independence, said Sen. John Unger, D-Berkeley, chairman of the Senate Transportation and Infrastructure Committee.

A federal energy bill signed by President Bush in August gives tax breaks of \$14.5 billion over 10 years for energy companies, renewable energy sources and promotion of efficiency. It gives loan guarantees and other subsidies for clean energy technologies and establishes a \$1.8 billion program to promote clean coal research and development.

Unger said West Virginia has the natural resources to become a leader in those areas.

And focusing on new energy technology would create jobs and encourage children to pursue math and science so they can get those jobs, Unger said.

The changes “would send a strong message West Virginia is open for business for energy and we are connected to the world,” Unger said.

His committee originated the bill and sent it to the Senate Finance Committee on a voice vote. It does not yet have a bill number.

The new division would assume authority over state energy policy and development, which the Development Office now oversees. The Office of Coalfield Community Development and energy efficiency program also would move from the Development Office to the division.

The West Virginia Public Energy Authority would continue in its current form, run by a seven-member board. But the Division of Energy’s new executive director would manage its day-to-day operations.

The governor would appoint the division’s director, with the consent of the Senate.

The Public Energy Authority would be required to develop a five-year state energy policy by Dec. 1 and then regularly update it.

The authority also would have to submit an annual energy development plan, including proposed legislation, to

the governor and Legislature by Dec. 1 each year. The plan would be developed in coordination with the Department of Environmental Protection and Public Service Commission.

Gov. Joe Manchin supports the bill, said Brian Helmick, deputy commerce secretary.

The Division of Energy director would be the point person for companies interested in expanding their energy business or starting a new one so they don’t have to go to several offices, Helmick said.

Still, the streamlined system would not necessarily speed up permitting for projects like new power plants, Helmick said.

Allan Tweddle, a member of the Public Energy Authority, said the authority also welcomes the change.

The authority already is working on a state energy policy.

“It’s terrific we are going to have this kind of support,” Tweddle said.

Under the bill, the authority’s long-range and annual plans must address efficiency, new energy sources, energy self-sufficiency, water as a resource and component of energy production, energy distribution systems, siting of energy facilities, energy infrastructure and the development of advanced energy products that can be marketed.

“There’s a lot going on in this whole field of energy around the country, around the world. Katrina gave it a big push,” Tweddle said.

The state plans would help individuals as well as businesses, he said.

For example, 41 other states authorize “net metering,” which allows homeowners who have solar panels or wind-power mechanisms and generate more power than they can use to sell that unused power to utilities. Their power meters run backward, Tweddle said.

Some new manufacturing plants are net energy producers, he said.

Net metering, tax breaks and tax credits could encourage homeowners to install energy-generating equipment, Tweddle said.

Although it can cost up to \$30,000 to put solar panels on the roof of a modern suburban-style home, those systems are becoming better deals as the price of oil and gas rises. It used to take up to 25 years for solar panel systems to pay for themselves. Now it takes as little as nine years.

“Imagine the jobs you’d create putting solar panels on every house in West Virginia,” Tweddle said.



Fate of Clean Elections Uncertain

By Julie Archer, WVEC Lobbyist / WV-CAG

Although by most accounts the WV Public Campaign Financing Act (**SB124**) appears dead for this session, we are still holding out hope that the bill will be taken up and voted on by the Senate Finance Committee. The bill was on the committee's agenda Thursday morning so members could hear testimony from Todd Lang, the executive director of the Citizens Clean Elections Commission in Arizona, one of the nation's pioneering Clean Elections state's.

Todd's appearance before the committee was a boost to our efforts, as he spoke about the success and popularity of Clean Elections in Arizona, and we are extremely grateful to the Reform Institute for arranging and sponsoring Todd's visit to West Virginia. We are also grateful to Senator Brooks McCabe, who encouraged Senate Finance Chairman Walt Helmick to allow time on the agenda and to Senator Helmick for granting the request.

We were disappointed, however, that there was no discussion of the West Virginia legislation, which in many ways mirrors Arizona, and that the bill was not put to a vote. We believe we have the votes to advance the bill, although as in Senate Judiciary, we expect it to be close. Even Senator Helmick acknowledged that Todd's presentation "may have answered many critic's questions," adding to our frustration that further discussion was not allowed. Helmick also told the Associated Press, "I think next year is the year that campaign finance will be looked at very strongly."

If the bill is dead we'll most certainly return to the legislature with a proposal next year, but there is still time this session to advance **SB 124** ahead of the deadline for bills to be out of committee in the house of origin.

"They came in here and stole our land, killed a hundred thousand miners, polluted our streams, ground our roads into dust with their coal trucks, and they have the nerve to tell us that they should be able to destroy our mountains because they have created jobs. Well, the Mafia creates jobs, the Colombian drug cartel creates jobs and pimps create jobs."

Denise Giardina

The Sludge Report

By Ted Boettner, WVEC Lobbyist

As many of you know, the sludge safety bill (HB 4583) was introduced last week in the House of Delegates and sent to the judiciary committee upon introduction. However, after this week any pending bills have to move out of committee(s) if it's going to be voted upon in the house or senate.

The sludge lobby team met with House Judiciary Chairman Jon Amores to discuss putting HB 4583 on the agenda or scheduling a public hearing. Amores said he would not consider putting the bill on the agenda, or schedule a public hearing, but agreed to move forth with a study resolution on banning sludge impoundments and injection and the alternatives that exist.

On Thursday, Senator Jon Hunter introduced a study resolution (SCR-49) that would study sludge impoundments and mining subsidence. The good news is that both of these resolutions can move out of committee and onto each floor anytime before the legislative session ends.

Before the legislative session ends on March 11th, the sludge lobby team will work toward getting both resolutions passed. In all likelihood, they will combine each of these resolutions into one study before passing them in both houses.

On Monday, Feb. 27th the Sludge Safety Project will host a "Remember Buffalo Creek Day" from noon to 4 p.m. in the Governor's press conference room. The event will clips from two Appalshop films – *Buffalo Creek* and *Buffalo Creek Revisited* – and give legislators and the public a chance to talk with people whose lives are affected by coal waste impoundments.

During the afternoon, coal field residents will meet with legislators about supporting the Sludge Safety Bill. Please come and show your support for this important piece of legislation and listen to the stories of why banning coal sludge is important to all of us.

**Remember Buffalo Creek
Buffalo Creek Day at the Capitol
Monday, February 27, 2006
Governor's Press Conference Room ~
(Secretary of State's office)
12:00 noon ~ 4:00 p.m.**

See the films. Support the Sludge Safety Bill.

Bottle Bill Hits Special Interest Wall

By Linda Frame, WV-Citizen Action Group
linda@wvcag.org

Despite a promising start, SB 136, the WV Container Recycling and Litter Control Act has gone where most progressive legislation appears to end up - Study Resolution Land. While having the bill get closer scrutiny is certainly our goal, we were in this same position last year with the promise of a study that never came.

Your support on the Bottle Bill has been tremendous as well as inspiring and without it, our lobbying would have been impossible. Going against the likes of the beer and softdrink industry, which apparently has money to burn (have you checked out those Budweiser commercials lately? Remember Spuds McKenzie?) is a daunting challenge. When people ask me, "What's the hold up in getting this bill passed?" I can only answer that we are blocked by enormous greed and self-interest so strong that it blocks this legislation from even a serious look, let alone passage. We never thought it would be easy but to have a Senator look me in the eye and tell me that he really doesn't see many soda and beer cans on the roadways in his district, one has to wonder if power and greed can also make you blind. After bemoaning this to one of my favorite people and who just so happens to live in a bottle bill state, he simply replied, "You are going up against tremendous greed."

So it goes. We are going to work hard to get the Bottle Bill studied during the interims. We have to continue to play a game for which someone else makes the rules, and usually we don't even get to see a copy. We can take pride though, that this year we got further than ever before with the help of some forward-looking legislators, legislative staff and our wonderful members, who, even though we ask them over and over, still make those calls and help us with this fight.

Last week I forgot to thank a couple of folks who made Deposit Day possible: Navneet and Noreen Bhullar who made the trek from Princeton for the third year in a row, and Abram Racin who was among the WVU students who brought over 26,000 cans to the Capitol.

Thanks!

" Think Renewable Energy "

Wind Power and the Legislature

By Donald S. Garvin, Jr.,
WVEC Legislative Coordinator

This week Senator Jon Hunter introduced legislation, **SB 665**, which would basically put a moratorium on the construction of wind farm projects in West Virginia until the Public Service Commission develops more comprehensive regulations regarding their construction.

These large corporate wind farms have become a divisive issue within the environmental community. Many of our members support them; many of our members oppose them. Almost everyone has strong emotional feelings about the issue.

At this time the WVEC board of directors has not established a position on this issue. While we have taken a position in our Renewable Energy Campaign to support smaller technologies such as "personal" wind power units for individual homes and small businesses, we have not developed a position regarding large corporate wind farms.

Therefore, until the board develops a policy position, the WVEC lobby team will not be lobbying for or against **SB 665**.

Coal and John McCain

So you liberal thinkers out there have been thinking John McCain is progressive. Well, consider the following.

The U.S. Congress is about to consider S.1003, sponsored by Senator John McCain (R-AZ), a bill that will permanently displace indigenous Navajo families of Big Mountain and surrounding communities on Black Mesa from their ancestral lands in Arizona so that Peabody Coal, the world's largest coal company, can expand its strip mining of coal on American Indian lands.

S.1003 will relieve the federal government of any further responsibility for the relocated people, and draw down a high-quality residential aquifer in the process.

Now would be a good time to contact West Virginia's Senators Byrd and Rockefeller in opposition to this new land grab of Native American lands.

You can get more information at the following Internet link:

http://www.democracyinaction.org/dia/organizationsORG/blackmesais/campaign.jsp?campaign_KEY=2552

Bills We Are Tracking

<u>Bill Number</u>	<u>Title</u>	<u>Committee</u>
Senate Bills		
SB 7	Establishing Flood Protection Planning Act	Passed Senate – to H Gov Org
SB 52	Redefining “managed timberland”	Finance
SB 59	Requiring notice to adjoining landowners of timbering operations	Nat Res
SB 62	Providing tax incentive to nonresidential owners of managed timberland	Nat Res
SB 106	Creating West Virginia Regulatory Flexibility Act	Gov Org
SB 124	Creating Public Campaign Financing Act	Finance
SB 136	Creating Beverage Container Recycling and Litter Control Act	Judiciary
SB 153	Establishing Jobs Impact Statement Act	Econ Dev
SB 206	Relating to floodplain management and flood debris cleanup (also SB 207 and SB 208)	Judiciary
SB 247	Creating Mine and Industrial Accident Rapid Response System	Signed by Governor
SB 278	Creating office of State Energy Coordinator (Chamber of Commerce bill)	Gov Org
SB 302	Voluntary Farmland Protection Program Rule	Judiciary
SB 352	State road rights-of-way and adjacent areas Rule (Coal Haul Roads)	Judiciary
SB 371	Reducing severance tax on timber	Passed Senate – to H Fin
SB 411	Providing Agricultural Land Protection Authority power to retain executive director and staff	Agriculture
SB 425	Expanding counties participating in Hatfield-McCoy Regional Recreation Authority	Gov Org
SB 434	Reducing petroleum-based fuel consumption by state and political subdivisions	Transportation
SB 443	Continuing hazardous waste management fee	Finance
SB 461	Water supply replacement requirements for surface mine operators	Judiciary
SB 567	Creating Energy Policy and Development Act	2/24 Second Reading
SB 572	Restricting underground longwall mining permits	Nat Res
SB 655	Creating opening day for trout fishing season (heaven forbid!)	Nat Res
SB 663	Requiring public health impact statement relating to certain air or water rule (WVEC bill)	Health
SB 665	Requiring Public Service Commission promulgate rules relating to wind power projects	Judiciary
SB 688	Establishing Voluntary Wetland Protection Program	Nat Res
SB 697	Creating Managing for Results Act	Finance
SB 756	Creating net greenhouse gas inventory	EM
SB 764	Creating 2020 Rural West Virginia Agricultural and Resource-Based Industry Development Act	Agriculture
SB 774	Organizing offices in Department of Environmental Protection	Judiciary
SB 777	Replacement of underground water supplies damaged by coalbed methane wells	Judiciary
SB 778	Relating to State Conservation Committee and conservation districts	2/24 First Reading
SB 779	Clarifying county commission authority regarding voluntary farmland protection programs	2/24 First Reading
House Bills		
HB 2330	West Virginia Beverage Container Recycling and Litter Control Act	Judiciary
HB 3318	Requiring jobs impact statement for certain proposed legislation	Industry and Labor
HB 3343	Defining “fill material” in the Water Pollution Control Act	Judiciary
HB 3344	Regarding Army Corps of Engineers permits for surface mines	Judiciary
HB 4006	Adding counties to the Hatfield-McCoy Regional Recreational Authority	Gov Org
HB 4057	Public Land Corporation authority to condemn abandoned structures in waters of the State	Judiciary
HB 4059	Relating to flood plain management and flood debris generally	Judiciary
HB 4114	Providing for a two percent rebate to the taxpayer of the timber severance tax	Ag and Nat Res
HB 4116	Increasing the amount of timber that can be sold on state Wildlife Management Areas	Passed House – to S Nat Res
HB 4131	Providing for the election of members of the Public Service Commission	Judiciary
HB 4242	Allowing certain county or regional solid waste authorities to designate carriers of solid waste	Political Subdivisions
HB 4267	Creating a New River and Gauley River Citizens’ Board	Gov Org
HB 4277	Establishing the West Virginia Clean Elections Act	Judiciary
HB 4290	Relating to establishment of coal resource transportation roads	Roads and Trans
HB 4294	Providing Agricultural Land Protection Authority power to retain executive director and staff	Ag and Nat Res
HB 4322	Removing the severance tax for timber	Judiciary
HB 4336	Creating office of State Energy Coordinator (Chamber of Commerce bill)	Gov Org
HB 4374	Providing for the election of Public Service Commissioners	Judiciary
HB 4496	Relating to qualifications of the Commissioner of Agriculture	Gov Org
HB 4550	Clarifying current law requiring legislative approval of final designation of Tier 2.5 streams	Passed House – to S Nat Res
HB 4583	Banning Coal Sludge Impoundments and Underground Injection of Sludge (WVEC bill)	Judiciary
HB 4622	Reducing certain oil and gas well and methane gas well performance bonds	Judiciary
HB 4667	Establishing the position of state trails coordinator within the West Virginia Development Office	Gov Org
HB 4678	Exempting land-based finfish aquaculture facilities from certain sludge management requirements	Judiciary
HB 4697	Increasing the membership of the environmental protection advisory council	Gov Org
HB 4704	Classifying wind power projects as pollution control facilities	Judiciary
HB 4723	Placing a five cent tax on bottled water	Judiciary

(SB 310 – SB 327 are the DEP rules bills; HB 4135 – HB 4150, and HB 4186 and 4187 are identical versions of the same rules. All the DEP rules have passed out of committee on the Senate side and are now being considered in House Judiciary Committee).



Calendar of Events



Feb. 27: Buffalo Creek Day at the State Capitol. Anytime between **noon and 4 p.m.** Join members of the [Sludge Safety Project](#) (SSP) in the **Governor's press conference room, in the Secretary of State's office.** Legislators will be invited to attend and see clips of "Buffalo Creek – An Act of Man" and "Buffalo Creek Revisited". SSP members whose health and safety suffers because of coal sludge impoundments and coal slurry injection will be present to speak with the public and legislators.

For more information, call Abe Mwaura - (304) 522-0246.

March 11: Regular Legislative Session ends.

March 11, 2006: 7 p.m. West Virginia premiere of "Black Diamonds - Mountaintop removal and the fight for coalfield justice." The film screens at the LaBelle Theatre/Museum, 311 D Street, South Charleston. Documentary charts the escalating drama in Appalachia over the alarming increase in large mountaintop removal coal mining. Filmmakers Catherine and Ann Pancake were born and raised in West Virginia. Catherine has become an award-winning filmmaker and Ann is an award-winning author. Working for more than 4 years on this project, they have traveled throughout Appalachia to chronicle the unparalleled destruction. . See www.blackdiamondsmovie.com/ . and www.geocities.com/scmuseum/. Admission is a \$2.00 donation to the museum.

March 22: Cultural Heritage Lecture Series: William C. Blizzard discusses his book, "When Miners March". Begins at 7 p.m. at the Cultural Center (on the state Capitol Grounds). Presented by the WV Division of Culture & History.

March 25: WVEC Board of Directors Meeting. 11:00 a.m. ~ 3:00 p.m. *Location to be announced.* All WVEC members are welcome.

For more information: WVEC office (304) 346-5905.

April 22: OVEC's Annual Meeting & Spaghetti Dinner (Fund-Raiser). St. Cloud Commons, 17th Street West, Huntington. Begins at 5 p.m.

Suggested donation: \$5.00

For more information: Call OVEC office, (304) 522-0246.



April 22: Earth Day Celebration. Appalachian South Folk Life Center all day. Highlights include several high quality music acts, children's craft activities, food, informative tables and speakers. *More details to be announced.*

For more information: Lori McKinney, (304) 320-8833.

April 29: Greenbrier River Trail Association's 20th annual "Race of the River & Trail" - Marlinton, WV.

For more information: www.greenbrierrivertrail.com.

May 19-21: Annual Greenbrier Trail Bike Trek. Sponsored by the American Lung Association of WV. This three-day, 100 mile ride begins at the Inn of Snowshoe - and takes participants along the Trail through Pocahontas & Greenbrier counties - ending at Greenbrier County Youth Camp near Lewisburg.

For more information, and to register: Rachelle Beckner, (304) 342-6600 or visit www.alawv.org

May 25-29: "Healing The Mountains" - The 16th annual Heartwood Forest Council and the 6th annual Summit for the Mountains. Cedar Lakes Conference Center, Ripley, WV (38 miles north of Charleston).

Includes programs on Forests, Mountains, and Coal: the connections between them; their impact on air, water, and climate; their role in our history, economy, and culture; with a special focus on ending the devastation of Mountaintop Removal coal mining. Invited and confirmed speakers include: Granny D*, Cynthia McKinney, David Orr*, Jack Spadaro*, Woody Harrelson, Judy Bonds, Maria Gunnoe*, Larry Gibson*, Willie Nelson, Bobbie Ann Mason, Erik Reece, Ed Wiley, and more. (*confirmed)

For more information & to register: Janet at (304) 522-0246. ohvec@ezwv.com or Andy Mahler atandy@blueriver.net (812) 723-2430.

June 24: 4th Annual Lavender & More Fair, entitled "Livin' Easy". LaPaix Herb Farm, Alum Bridge WV (Lewis County).

Highlights include: garden tours; sustainable initiatives; workshops; demonstrations; plants; presentations; wood walks; artisan, environmental, sustainable business, plant & herb booths. Live music, gourmet food prepared by chef Dale Hawkins. **Admission:** \$5. per person or \$10. per family.

Stay tuned for more detailed information & updates as this event draws closer. Please visit the website listed below!

For more information & to register: lapaixherbfarm.com

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

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

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