



*West Virginia Environmental Council's*

# **GREEN Legislative Update**

*Published Weekly During West Virginia's Legislative Session*

Volume: **22** Number: **4**

Date: **February 3, 2012**

**Note:** One of the pdf links in the February 10 email for the GREEN Legislative Update incorrectly led to an older update. The February 10 update is at: [www.wvecouncil.org/legisupdate/2012/02\\_10.pdf](http://www.wvecouncil.org/legisupdate/2012/02_10.pdf)

## **Under the Dome**

*By Donald S. Garvin, Jr.*

*WVEC Legislative Coordinator*

### **Week 4 – Oops!**

Last week in this column I ranted and raved about HB 4283, a bill that would allow circuit courts or the Surface Mine Board to award attorney fees and costs in administrative proceedings arising under the West Virginia Surface Coal Mining and Reclamation Act – against plaintiffs who bring the action.

I complained that while the legislation says that the fees and costs can be levied against either party, it is clearly aimed at only one group – the plaintiffs.

And because the bill was filed at the request of the Department of Environmental Protection, I said some nasty things about DEP.

Well, as much as I hate to admit it folks, this was a case of my speaking before I had all the facts. And I should have known better.

Here is what I learned this week from DEP and others:

The bill provides that the fees and costs can be levied upon “a finding that a claim was brought in bad faith or for the purposes of harassment.” This is similar language to what is contained in the federal Surface Mining Control and Reclamation Act.

In fact, the SMCRA language goes even further, and says that the fees and costs can be levied upon “a finding that a claim was brought in bad faith or for the purposes of harassment, *or for the purposes of embarrassment of the government.*”

And here I have thought all along that it was my *job* to embarrass DEP!

I discovered last weekend that the language in HB 4283 is already contained in the rules for the WV Surface Coal Mining and Reclamation Act.

Kristin Boggs, chief legal counsel at DEP, explained to me this week that the language was in the WV act in 1973, but was inadvertently omitted when the act was revised in 1985. And although the language has remained in the rule, the federal Office of Surface Mining and Reclamation is now telling DEP that the state needs to put the language back in the statute.

And in actuality, while attorney fees and court costs have been awarded *to* plaintiffs in mining court cases and appeals, no one I have talked can recall a case when plaintiffs have been ordered to pay attorney fees and court costs.

So much for my hysteria. HB 4283 and its companion SB 497 probably do have “legs” and we are probably just going to have live with it.

Enjoy the mild winter we are having. But please remember to keep your bird feeders full.

## **Talking Drill Cuttings with DEP**

*By Leslee McCarty, WVEC*

Last week, we wrote that we temporarily stopped the DEP rules bill on solid waste from being considered in committee because of our concerns about Marcellus drill cuttings going into landfills and about new cells being constructed just for Marcellus waste.

That enabled us to begin a dialogue with DEP about how drilling mud and drill cuttings waste is being managed. DEP has provided us with more information, and we have provided DEP with a list of additional questions. The meetings are continuing.

Below is the list of chemicals that DEP is mandating landfills taking Marcellus drill cuttings test in the leachate coming out of the landfills. Somehow this list does not make me feel any better about the “Marcellus play.”

The good news is that they require expensive testing for all of these components, costing \$3,000 to \$5,000 twice monthly. The bad news is that we did not regulate the industry before we permitted drilling and we are not properly prepared for such a massive impact on our state’s water, land and people.

total suspended solids  
ammonia nitrogen

dibromochloromethane  
total recoverable boron

total mercury  
total recoverable nickel

nitrogen nitrate	chlorobenzene	fluoranthene
nitrogen nitrite	sulfate	free cyanide
total recoverable cadmium	total recoverable beryllium	bis(2-ethylhexyl)
total recoverable silver	hexavalent chromium	phthalate
total recoverable aluminum	gross alpha radiation	total recoverable chromium
chloride	gross beta radiation	total vanadium
total fluoride	total radium 226	1,2-dichlorobenzene
benzene	total radium 228	1,3-dichlorobenzene
phthalate esters	total strontium	1,4-dichlorobenzene
total recoverable selenium	total strontium 90	total recoverable arsenic
total lithium	total barium	total nitrated hydrocarbons
total antimony	total recoverable copper	total recoverable lead
total recoverable zinc		

We are continuing our talks with DEP aimed at transparency in the permitting process and working towards a comprehensive long term solution to the solid waste issue. We'll keep you posted.

## To “Frac” or Not to “Frack”

According to recent news articles, the natural gas industry is debating the shorthand used by the industry, media and the public to describe the process of “hydraulic fracturing.”

Should it be called “frack” or “frac” or whatever?

Charleston Gazette columnist Rick Steelhammer said recently that one approach may be to come up with a harmless-sounding acronym to replace “frack.”

He then suggested the following five soon-to-be rejected acronym root words for frack:

Fracture Reactive Injection Compound Kinesis (FRICK)  
 Fluidized Agent Recovery Technology (FART)  
 Deep Earth Fracture-Injected Liquid Extraction (DEFILE)  
 Pressurized Liquid Underground Dispersed Energy Retrieval (PLUNDER)  
 Kinetic Introduction of Lateral Liquids (KILL)

If you can think of others, email them to us here at WVEC, [dsgjr@aol.com](mailto:dsgjr@aol.com). We'll make it a contest!

## Join Us for E-Day Festivities Wednesday

Our 23<sup>rd</sup> annual **E-Day at the Capitol** will be held this Wednesday, February 8<sup>th</sup>. We are excited to be coordinating and joining forces with several progressive organizations as “One WV

– Justice For All”. This means more of a collective progressive presence at the capitol than we have seen in years.

The **WVEC Benefit and Awards Dinner** will follow E-Day at the capitol from 6 PM – 9 PM at the Women’s Club of Charleston. We are bestowing our 2012 awards to seven exceptional individuals this year. Our dinner includes a soup entrée’ and salad from Fish Hawk Acres prepared by Chef Dale Hawkins, our Green Entrepreneur. And, we have several chefs among us preparing the rest of the dinner.

Take a look at the E-Day agenda below, and list of our award recipients. We hope to see you Wednesday at the capitol, and again in the evening to relax with friends after an intense day.

## **E-Day! - Wednesday, February 8<sup>th</sup>**

### **At the Capitol**

Senate & House Hallways & Upper Rotunda Alcoves

- Displays: 9 AM – 3 PM
- Music & Performance pieces: Jude Binder, Rebecca Kimmons & others
- Visibility: 10:45 - Outside House & Senate Chambers. Signs on issues and bills
- House Gallery & Senate Gallery – Introduction of Day by Legislative Rep.
  - Press Conference 12 Noon (Gov. Conf. Room)
  - Lunch: 12:15 Noon – 1:30 PM (Gov. Conf. Room)

### **E-Day Benefit Dinner & Award Ceremony**

Women’s Club of Charleston, 1600 Virginia Street East

6:00 PM – 9:00 PM

#### **Deluxe Soup & Salad Buffet Dinner**

##### **Menu:**

**Ms. Cassie’s Chicken & Shrimp Gumbo (Fish Hawk Acres)**

**Poole’s Potato Soup, *vegetarian***

**Binion’s Pumpkin Bisque, *vegetarian***

**Poole’s Vegetable Soup, *vegan***

**Todd’s Black Bean Chili, *vegan***

**Variety of Salads**

**Bread from Charleston Bread Company**

**Desserts, Coffee, Drinks / Cash Bar**

(Cost: \$15 donation at the door to WVEC)

#### **Award presentations: 7:00 p.m. – 8:00 p.m.**

Mother Jones: **Leslee McCarty** – Presented by D.L. Hamilton

Mother Jones: **Carol Warren** – Presented by Janet Keating

Chuck Chambers Public Service: **Delegate Bonnie Brown** – Presented by Don Garvin

Chuck Chambers Public Service: **Delegate Mike Manypenny** – Presented by Denise Binion

Green Entrepreneur: **Dale Hawkins (Fish Hawk Acres)** – Presented by Myra Bonhage-Hale

Linda Schnautz Courage: *Maya Nye* – Presented by Pam Nixon  
Laura Forman Grassroots Activist: *Kathy Cash* – Presented by Gwen Jones

## Think Renewable

### Update on Coal Slurry Injection Bills

HB 4316, which would prohibit the underground injection of coal slurry (without any tax incentive) was introduced last week in the House. The bill was referred to the Energy, Industry and Labor committee.

SB 466, which would provide a tax credit to coal companies for adopting technologies that “eliminate or reduce” coal sludge was introduced in the Senate on Tuesday. It was referred to the Economic Development committee.

That committee took up the bill Friday morning. The committee adopted an amendment offered by Sen. Herb Snyder (D-Jefferson) that made the tax credit available only to companies that “eliminate or reduce by 50% the generation of coal slurry or eliminate existing coal slurry disposal sites.” The committee then passed the bill, with Sen. Doug Facemire (D-Braxton) and Sen. Karen Facemyer (R-Jackson) voting against the bill. The bill is referred next to Senate Finance.

### Update on Least-Cost Planning

*By Cathy Kunkel, Energy Efficient WV*

It has been an exciting week for Senate Bill 162, which would establish a least-cost planning process (also known as integrated resource planning) in West Virginia. This bill would require the power companies to analyze the costs and benefits of a full range of options (including energy efficiency and demand management) for meeting the state’s long-term electricity needs.

The bill is currently in the Senate Judiciary committee, and most members are supportive of the bill as a means to hold down electric rates. We have thought, for the past week, that Sen. Corey Palumbo, chairman of the Senate Judiciary Committee was ready to put SB162 on the committee agenda for passage. Power company lobbyists have swooped in and are trying to gut the bill. AEP subsidiary Appalachian Power CEO Charles Patton made a special trip to the Capitol on Wednesday to talk with Chairman Palumbo and sponsor Sen. Foster. That is how worried the power companies are about having their decisions reviewed openly in public.

More than half of the states in the US have already established a least-cost planning process. A West Virginia least cost planning process would:

1. Give ratepayers an opportunity to comment on power company plans during the creation of the plan, instead of being forced to challenge individual decisions in rate cases after those decisions have already been made by power companies.
2. Give citizens, the Consumer Advocate and Public Service Commission staff a tool to push the power companies toward increasing efficiency programs and demand management, instead of simply building more plants and buying more electricity.
3. Open real discussion at the PSC about the real costs and benefits of existing generation technologies in comparison with home/business based renewable power generation.

We need your help to keep the power companies from diluting Senate Bill 162. Please call your senator(s) on the Judiciary Committee in support of a strong least-cost planning bill. See below for more information about Monday's energy efficiency call-in day.

### **West Virginia Energy Efficiency Call-in Day!**

Who: YOU!

What: Calling your legislators to let them know West Virginians support Energy Efficiency

When: February 6, 2012

Where: West Virginia

This Monday February 6, Energy Efficient West Virginia (EEWV) is holding a statewide call-in day. We're asking everyone to take a few minutes to let their legislators know they support an Energy Efficiency Resource Standard (**H.B. 4363**) and Least Cost Planning (**S.B. 162**) legislation. Here is more information about each bill and what to say to your legislators when you call.

#### Energy Efficiency Resource Standard (H.B. 4363)

^ [Fact Sheet](#)

^ Sample of [what to say](#) when you call

#### Least Cost Planning (S.B. 162)

^ [Fact Sheet](#)

^ Sample of [what to say](#) when you call

Find your legislators' contact information [here](#), under "Who's my Legislator?" in the bottom right.

### **Energy Efficiency Resource Standard Bill Introduced in House**

*By John Christensen, WVEC*

HB 4363, the Energy Efficiency Resource Standard Act (sponsored by EEWV and WVEC) was introduced this week in the House of Delegates.

The bill would require utilities to develop plans to meet efficiency targets every three years and submit them to the PSC with annual progress reports, who in turn will report annually to the Legislature on the impacts of energy efficiency programs. The bill uses 2010 electricity sales and peak demand for the baseline to be used to evaluate future savings and establishes the goals of 5% reduction by 2018 and 15% by 2025 and allows for PSC modification based on the experience gained in meeting the initial 2018 target.

It also requires the PSC to study the feasibility of setting energy savings targets for natural gas utilities; moreover, it requires them to evaluate whether “smart meter” and “smart grid” technology are good ways to cut consumption.

The bill also requires the PSC to establish financial incentives for the utilities when they meet or exceed the targets.

The benefits of investing in energy efficiency far outweigh the costs; furthermore, our proposed energy efficiency resource standard is estimated to save West Virginians between \$200-500 million by 2025. West Virginia’s residential electricity consumption per household is 25% higher than the national average and saving energy through efficiency will be cheaper for customers than paying for expensive new power plants.

AEP and First Energy are already offering energy efficiency programs in other states including Ohio, Pa., and Maryland. West Virginians must have the same opportunities for saving money through efficiency as residents of other states.

EE measures create jobs that cannot be outsourced. The weatherization programs that have been started in WV have only begun to scratch the surface and were terribly mismanaged by the previous administration. We can build and improve on that program here and now. In Pa. for example, the first two years created over 4,000 new jobs, in Ohio an estimated 1700 jobs were added due to the EE programs instituted by utilities there. In a time when our unemployment figures are too high this initiative promises more jobs for in-state residents.

This is a great bill that we hope gets some consideration.

## **Beth Wheatley Honored by WV Land Trust**

Beth Wheatley, the Nature Conservancy’s director of government affairs in West Virginia and a long-time friend of WVEC, was honored Thursday night at the West Virginia Land Trust’s annual dinner.

Beth was presented the Guardian of the Year Award for helping to get special legislation passed that will protect wildlife habitats, forests and farmlands across the state. That legislation was called the Outdoor Heritage Conservation Fund, and that fund will eventually provide \$1.6 million a year to help save habitats, forests and farmlands throughout West Virginia.

Congratulations, Beth, for this recognition. There is no one more deserving.

## Center on Budget and Policy Annual Meeting

Tuesday, February 7, from 7:30-10:30 a.m. the West Virginia Center on Budget and Policy will host a breakfast meeting at the Charleston Marriott. Titled, “Creating Sustainable Wealth from Non-Renewable Resources,” the forum will feature Ambassador Mike Sullivan, former Governor of Wyoming. He will talk about Wyoming’s experience with a permanent mineral trust fund.

WVEC will be doing whatever we can to encourage lawmakers to pass this type of legislation as soon as possible. It is such a simple idea that would have profound effects on our state. The Center has issued a report on the subject, which can be found at [www.wvpolicy.org](http://www.wvpolicy.org).

According to the report, if West Virginia had created such a program in 1980, the state would now have a trust fund with assets of nearly \$1.9 billion — that’s BILLION, with a B. If started now, the fund would generate revenues of \$5.8 billion by 2035. The report says:

*If West Virginia wants future generations to benefit from the extraction of its natural resources, it must set aside a portion of the severance tax revenue from all natural resources to invest in important public structures that will build a stronger, more vibrant future for the state. To accomplish this task, West Virginia could follow the lead of six other energy states by creating a permanent severance tax trust fund (hereafter referred to as a permanent fund) that converts non-renewable natural resources into a source of sustainable wealth that serves the state today and in the future through targeted investing. Even after the state’s natural resources are depleted, West Virginia could use income from the fund to diversify the economy, make much-needed investments in infrastructure and human capital, lower future tax burdens, and deal with costs associated with past and future mineral extraction.*

In all, it is a modest proposal - and one that we should all support. We all know that coal and natural gas will not last forever, and the costs of recovering our natural resources are too often paid in destruction of our land and in human lives and suffering by residents. Coal operators keeping selling us jobs, jobs, jobs and the coal counties have the lowest standard of living in the state. This is an attempt to change that dynamic.

## Receptions, Candidates and You

*By Leslee McCarty, WVEC*

During the session, receptions are key to picking up information on all things political. We can’t afford to wine and dine the legislators except for E-Day, so thanks to our friends the social workers and the AFL-CIO for letting us come to their reception on Wednesday night. Actually, we can’t really compete with the lavish spreads some groups put out, but again, thanks friends!

Wednesday night I spoke with Sally Shepherd and learned she has thrown her hat into the ring for Agriculture Commissioner. Sally has long been a fixture of the recycling world and ran about



twenty years ago. It's great to see her back, and as the only woman in the race (and an actual farmer,) she will give them a run for their money!

Christine Campbell was at the AFL-CIO event also, and is running for County Commission in Pocahontas County. My friend Glenn Singer, an internationally known performance artist, is running for House of Delegates in District 42, which now includes all of Greenbrier, and parts of Summers and Monroe Counties. Another young candidate in that district - labor's pick - Peter Bostic, was at the reception. Both will face two other Democrats for Tom Campbell's seat in the primary.

Running for House of Delegates in Mason County is Samantha Fooce. Donn Marshall, candidate for House of Delegates from Jefferson, held his own reception the other night and was fascinating to talk to. This is the seat being vacated by the inimitable John Doyle, a good friend of the environment. Also running on the Democratic ticket for House of Delegates is another good friend of the environment, John Maxey. John has no opposition in the primary election in the newly created 66<sup>th</sup> district (due to redistricting) in Jefferson County. Democrat Margaret Kerr Beckwith looks to challenge Clark Barnes for the Senate in the large 11<sup>th</sup> District. Steve Skinner is running in the new 67<sup>th</sup> Delegate District and of course, Sue Thorn and others run for Congress against McKinley. Running against Shelly Moore-Capito is Democrat Howard Swint, and "progressive Republican" Michael Davis.

Our friend Delegate Barbara Fleischauer had the most interesting reception of the year for me, as she held it in the exhibit hall at University of Charleston where the Mountain Institute's Memorial Art Exhibit for Dunkard Creek is being shown. It features beautiful works of art from artists around the region, each depicting one of the 90 species of fish killed in that tragic spill.

This list is by no means complete, and we intend to add more information and details in subsequent issues. In checking the Secretary of State's website I see that Bill Wooton is running for House in Raleigh County. Maybe there is a new candidate in your area - maybe you are one! Let us know who is out there running who shares our commitment to a clean environment. Work for them - contribute to their campaigns. Be the change you want to see!

## Bills We Are Tracking

Bill Number	Title	Committee
<b>Senate Bills</b>		
SB 15	Energy Efficient Building Act	Gov Org
SB 25	Public health assessment of DEP rules ( <i>WVEC Bill</i> )	Judiciary
SB 40	Composting tax credit	<b>To Finance</b>
SB 57	Additional regulation of timbering on public lands ( <i>GREAT Bill</i> )	Nat Res
SB 76	Green Buildings Act ( <i>GREAT Bill</i> )	Gov Org
SB 88	Jobs Impact Statement Act ( <i>Devil in the Details</i> )	Econ Dev
<b>SB 157</b>	<b>Dedicating portion of oil and gas severance tax to county of origin</b>	<b>EIM</b>
SB 162	Requiring "least-cost" planning by electric utilities ( <i>EEWV Bill</i> )	Judiciary
SB 180	Granting surface owner right of first refusal to purchase mineral estate	EIM
SB 182	Creating West Virginia Future Fund	Econ Dev

SB 200	Eliminating timber severance tax for additional three years	EIM
SB 220	Management of Coopers Rock State Forest ( <i>GREAT Bill</i> )	Nat Res
SB 348	Quality Control Procedure for Agency Rules Act ( <i>Terrible Bill</i> )	Gov Org
SB 387	Requiring training of floodplain managers	Gov Org
SB 391	Reduced utility rates for low-income residential customers	Judiciary
SB 402	Streamlining legislative rule-making review process ( <i>Devil in the Details</i> )	Judiciary
SB 466	Creating Alternative Coal Slurry Disposal Act ( <i>Incentives Only</i> )	Econ Dev
SB 497	Awarding attorney fees and costs in mining permit appeals ( <i>DEP Bill</i> )	Judiciary

## House Bills

HB 2024	Green Buildings Act ( <i>WVEC Bill</i> )	Gov Org
HB 2025	West Virginia Energy Efficiency Act ( <i>WVEC Bill</i> )	Gov Org
HB 2030	Additional severance tax for Surface Mine Reclamation Fund ( <i>Great Bill</i> )	EIL
HB 2056	West Virginia Renewable Energy Act ( <i>Great Bill</i> )	EIL
HB 2136	Plastic Shopping Bag Excise Tax Act ( <i>Good Idea</i> )	Finance
HB 2153	Requiring DEP to remediate waste tire piles ( <i>Failed Last Year</i> )	Judiciary
HB 2219	Verifiable Science Act ( <i>Perennial Terrible Bill</i> )	Gov Org
HB 2232	Allowing planning and zoning restrictions for mining and manufacturing activities	EIL
HB 2401	Renewable Portfolio Standards Sustainable Energy Act ( <i>WVEC Bill</i> )	EIL
HB 2740	Preventing covenants restricting the use of solar energy systems ( <i>WVEC Bill</i> )	Judiciary
HB 2741	Exempting active solar energy systems from taxation ( <i>WVEC Bill</i> )	Judiciary
HB 2795	Jobs Impact Statement Act ( <i>Devil in the Details</i> )	EIL
HB 2814	Bottle Bill ( <i>Great Bill Again</i> )	Judiciary
HB 2940	Requiring liners in all new surface coal-waste impoundments	EIL
HB 3088	West Virginia Energy Efficiency Act	Gov Org
HB 3129	Creating Renewable Energy Expansion Fund	Gov Org
HB 4016	Supreme Court Public Campaign Financing Fund revenues	Judiciary
HB 4044	Tax credits for energy efficient buildings	Finance
HB 4049	Requiring DEP to maintain an Office of Internal Auditing	Finance
HB 4086	Governor’s ethane “cracker” plant tax credit bill	<b>Signed by Governor</b>
HB 4074	“Complete Streets” Bill	Transportation
HB 4094	Eliminating timber severance tax for additional three years	Finance
HB 4283	Awarding attorney fees and costs in mining permit appeals ( <i>DEP Bill</i> )	Judiciary
HB 4313	Requiring that the building code be the state building code	Pol Subdivisions
HB 4316	Prohibiting underground injection of coal slurry ( <i>Sludge Safety Project Bill</i> )	EIL
HB 4363	Energy efficiency for electric and gas utilities ( <i>EEWV Bill</i> )	Judiciary
HB 4416	Extending WV Supreme Court Public Campaign Financing Pilot Program	Judiciary

(NOTE: We are tracking all of the legislative rules bills separately).

## Delegate Manypenny’s Marcellus Shale Bills

Bill Number	Title	Committee
HB 2834	Relating to water pollution control	Gov Org
HB 2851	Permitting surface owners to purchase the mineral interests	EIL
HB 3254	Regulation of oil and gas air pollution	Judiciary
HB 4066	Relating to ground water contamination and spills associated with fracking	Judiciary
HB 4067	Remediation of ground water contamination caused by fracking	Judiciary
HB 4265	Requiring flowback plans for oil and gas wells	Judiciary
HB 4266	Requiring documentation of fracking fluid components	Judiciary
HB 4267	Studying the environmental and health impacts of shale gas development	Judiciary
HB 4347	Requirements for oil and gas landmen	EIL
HB 4348	Relating to revocation of current and future horizontal well permits	Judiciary

HB 4349 Well bonding provisions	Judiciary
HB 4350 Providing information to landowners of property adjacent to proposed well sites	Judiciary
HB 4352 Enacting zoning ordinances for drilling and hydraulic fracturing activity	Judiciary
HB 4353 Permitting mineral owners and producers to negotiate a new lease	Judiciary
HB 4355 Requiring operators and surface owners to enter into surface use agreements	Judiciary
HB 4358 Permitting surface owners to receive a two percent royalty	Judiciary
HB 4359 Disclosing to surface owners the impacts of drilling	Judiciary
HB 4360 “Cradle to grave” monitoring system for water withdrawals	Judiciary
HB 4361 Creating publicly accessible database for horizontally drilled wells	Judiciary
HB 4362 Requiring greater distances for gas wells from water wells	Judiciary
HB 4386 Requiring an emergency, temporary and permanent water supplies	Judiciary
HB 4393 Permitting surface owners to purchase the mineral interests	Judiciary
HB 4394 Studying injection induced seismic activity	Judiciary

## Calendar of Events

**February 8:** E-Day At the Capitol. Senate & House hallways / Upper Rotunda area. Featuring displays, demonstrations, citizen lobbying & more. 9 am – 3 pm. Join us for our annual environment day at the state capitol. Over 30 environmental organizations, green businesses, artisans, musicians and other progressive groups representing a visionary future for WV will be on hand this year. For more information or to reserve a space: [deniseap@earthlink.net](mailto:deniseap@earthlink.net)  
*See full agenda in this Legislative Update newsletter.*

**February 8:** E-Day Awards & Benefit Dinner. Woman’s Club of Charleston, 1600 Virginia Street East (corner of Elizabeth St. & Virginia St.), Charleston. From 6 PM – 9PM. Our annual dinner will follow a full day at the capitol - relax and help us celebrate as we bestow our 2012 awards to seven exceptional honorees this year! Dinner will include an array of homemade soups (vegan, vegetarian & meat based), salads, breads, desserts and beverages. Cash bar available. Cost: A donation of \$15 per person.  
*See full agenda in this Legislative Update newsletter.*

**February 25:** Buffalo Creek Day. Commemorating the 40<sup>th</sup> Anniversary of the Buffalo Creek disaster. State Capitol Lower Rotunda. 2 pm – 5 pm. Speakers, music, press event & more.

**March 5:** Coal Heritage Public Lecture Series: “Violence in the Coal Fields” by Paul Rakes, former coal miner and currently on the faculty of WVU-WV Tech. He recently completed research and published an article about the early coal camps and the violence that was a way of life for coal miners. Location: Beckley Center of Concord University, Beckley WV. Room E10, Erma Byrd Higher Education Center on Airport Road. 7 PM. Free and open to the public.

**March 10:** Legislative Session ends.

**March 27:** Shades of Green Conference. Charleston WV. Exact location TBA. 8 AM – 2 PM. Hosted by Discover the Real WV Foundation, Inc.; Center for Economic Options; Bio Sustainable Institute. For more information: Sara Dearing, [sdearing@drwvfoundation.org](mailto:sdearing@drwvfoundation.org)

**April 2:** Coal Heritage Public Lecture Series: “Coal Mine Health & Safety.” The Honorable Ken Hechler speaks about his work as a former West Virginia Senator in US Congress and passing the most far-reaching coal mine health and safety legislation in American history. Location: Beckley Center of Concord University, Beckley WV. Room E10, Erma Byrd Higher Education Center on Airport Road. 7 PM. Free and open to the public.

**May:** Sustainable Fair. Huntington WV. Co-sponsored by Sustainable Living for WV and Center for Sustainability Studies, Davis & Elkins College. Exact location and details to be announced.

**November 3: Bizarre – Bazaar.** To be held at the Pink Moon Coffee House, Weston. 10 AM – 4 PM. Local vendors with handmade arts, healing arts, decorative accessories, gourmet foods and fine arts. For more information: Lee Stalnaker, [bellabrucie@gmail.com](mailto:bellabrucie@gmail.com)

If you have events you would like published in our newsletter, please send to:  
Denise Poole, editor: [deniseap@earthlink.net](mailto:deniseap@earthlink.net)

### Legislative Session 2012 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](http://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

**Listen Live:** West Virginia Legislature page <http://www.legis.state.wv.us/> and click on "listen live."

**WV Environmental Council Web-site:** [www.wvecouncil.org](http://www.wvecouncil.org)

WVEC Office: (304) 414-0143

**Ohio Valley Environmental Coalition:**

[www.ohvec.org/ovec\\_news.html](http://www.ohvec.org/ovec_news.html) and [www.ohvec.org/news\\_gen.html](http://www.ohvec.org/news_gen.html) daily.

Every morning, OVEC checks scores of news sources and posts links.

*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 regular Legislative Session.

We welcome letters, articles, and artwork from readers and reserve the right to edit or reject submissions. Please send materials to Denise Poole, editor at [deniseap@earthlink.net](mailto:deniseap@earthlink.net)

---

## Support the West Virginia Environmental Council

2206 Washington Street East, Charleston WV 25311

Phone: (304) 414-0143 [www.wvecouncil.org](http://www.wvecouncil.org)

\_\_\_\_\_ Membership

\_\_\_\_\_ Change of Address

\_\_\_\_\_ Donation

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

County: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

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

WVEC is a 501-C4 not for profit organization registered with the WV Secretary of State.  
Donations are not tax deductible.

---

*WVEC Legislative Update Newsletter*

*February 3, 2012*