



West Virginia Environmental Council

Legislative Update – In Brief

March 15, 2013

Listed below are House & Senate bills and rules we are tracking, with brief descriptions of each. Due to the hectic pace at the capitol and our E-Day event this week, our regular **Green Legislative Update** will go out on **Monday, March 18th**. Stay Tuned!

Bills We Are Tracking

Bad Bills:

Coal Industry Bills:

* **HB 2571**, which would further weaken the conflict-of-interest provisions for members of the state Environmental Quality Board.

* **HB 2579** (same as **SB 472**), which would delay efforts to force the coal industry to clean up its selenium pollution. Passed the House 99 - 0 on 3/08/13. Passed Senate EIM 3/12/13, to Senate Judiciary.

The Governor's Bills:

* **SB 187** (same as **HB 2507**), which would allow the Governor, or the Speaker of the House, or the Senate President to require a "Jobs Impact Statement" on any proposed legislation. Passed Senate Economic Development with amendment this week 3/13/13, to Senate Finance.

* **HB 2590** (same as **SB 342**), which would create a "WV Land Stewardship Corporation" that could by-pass current brownfields law. Passed House EIL with amendment 3/13/13 to House Judiciary.

* **SB 185** (same as **HB 2506**), which would remove electric and hybrid-electric vehicles from eligibility for the alternatively fueled vehicle tax credit.

Others:

* **SB 56** (same as **HB 2214**), creating the Intrastate Coal and Use Act, which would eliminate federal oversight of coal mined and burned within the state.

* **SB 98**, creating the Shale Research, Education, Policy and Economic Development Center at WVU. In Senate Education Committee.

* **SB 424** (same as **HB 2826**), Terminating state's jurisdiction over certain surface mining operation sites.

Good Bills:

* **SB 158** (same as **HB 2494**), Creating the "Complete Streets Act". Passed Senate Transportation 3/12/13, to Senate Gov Org.

* **SB 167**, Creating the "West Virginia Future Fund".

* **SB 196**, Partial Transfer of Management of Coopers Rock State Forest to DNR Parks from Division of Forestry.

* **SB 413** (same as **HB 2805**), Continuing the Supreme Court Public Campaign Financing Act. Passed House Judiciary 3/12/13, to House Finance.

* **HB 2747**, Relating to open Government proceedings.

* **HB 2748**, Requiring reporting & publication of all compensation, including the source of that compensation paid to lobbyists.

* **HB 2803**, Requiring electric utilities to implement integrated resource plans (EEWV bill)

* **HB 2210**, Relating to energy efficiency for utilities and their customers (EEWV bill)

* **HB 2875**, Continuing residential solar energy tax credits.

* **HB 2200**, EnergyStar tax credit for building or renovating buildings.

Rules We Are Tracking

[35CSR8](#) (**SB 245**), the DEP rule that implements the Horizontal Well Control Act, was passed out of Senate EIM 3/12/13 to Senate Judiciary, with an amendment weakening

the “trade secrets” provisions for frac fluid contents contained in the proposed rule. What is Halliburton trying to hide?

[33CSR12](#) (**SB 246**), the DEP rule implementing the ban on disposing of “certain electronic devices” such as televisions and computers in landfills, was passed out of Senate Judiciary, with an amendment allowing more time for solid waste authorities to construct the buildings required under the rule.

[47CSR30](#) (**SB 249**), DEP’s proposed WV NPDES Rule for Coal Mining Facilities, would remove from state law a measure requiring coal mine facilities to meet not only their specifically permitted effluent discharge limitations, but all of the state’s water quality standards. The rule was passed out of Senate EIM to Senate Judiciary on 3/05/13.

[87CSR4](#) (**SB 251**), the Fire Commission rule updating the energy code within the state building code to the 2009 International Energy Code standards, was passed out of Senate Gov Org 2/27/13 to Senate Judiciary.

[61CSR28](#) (**SB 261**), the Agriculture rule relating to poultry litter and manure movement into primary poultry breeder rearing areas, was passed out of Senate Agriculture 2/25/13; next passed out of Senate Finance 3/06/13 to Senate Judiciary.