



# Capital

# Eye

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## Coal: We Must Keep the Pressure On

*by Julie Archer*

With the House Judiciary Subcommittee on coal trucks wrapping up four days of hearings and the possible unveiling of an industry bill, next week is shaping up to be a great time to descend on the Capitol. So please attend Thursday's rally to send a message to our legislators and the governor that we don't want increased weight limits for coal trucks. We want them to leave the limits alone and pass legislation that will enable the current limits to be enforced. HB 4014 will provide those charged with enforcement the tools they need to try to tame these overweight monsters.

We can't promise you great weather, but the line-up of speakers will be worth the trip to Charleston. We have two well-known keynote speakers highlighting the event - United Mine Workers President Cecil Roberts, sure to give a speech to get us fired up, and Attorney General Darrell McGraw, who wants to take legal action against coal companies and dock owners who profit from coal trucks running overweight.

We'll also hear from HB 4014 sponsor Delegate Mike Caputo. Coalfield residents and activists with Coal River Mountain Watch and Citizens for Road Safety will share their stories about overweight and speeding trucks running rampant in their communities. We hope to hear from Kentucky activists, who fought off an attempt by their governor to further increase weight limits. (In Kentucky, trucks weighing 120,000 lbs. are legal on designated coal haul roads. While this limit is not enforced, Governor Patton was proposing to increase it to 156,000 lbs.)

Representatives from the WV AFL-CIO, the WV Trial Lawyers Association, Citizen's Coal Council and WV-CAG will also speak.

The list of groups in this coalition keeps on growing with the Southern Appalachian Labor School as the most recent addition.

So please come to the river side of the Capitol on Thursday at 4 PM. With the coal industry crying jobs and claiming that making them obey the law will lead to economic disaster, we need all the bodies we can get to make sure the governor and the legislature realize that coal isn't the only heat source.

**(Editor's note: the candlelight vigil for Thursday evening has been postponed).**

# Trucks and Motels

For the past several weeks we've touted Delegate Caputo's bill (HB 4014) on overweight coal trucks. After hearing testimony this week by the coal industry, I've started to rethink the issue. Caputo (and CAG) have been focusing on the "overweight" part of the issue and perhaps missing the bigger picture. One coal lobbyist stated, "empty trucks have accidents, too."

The big picture is that coal trucks, empty or full, flaunt and defy state laws. Merely decreasing their weights will address one part of the problem but will probably increase the number of trucks on the road. Caputo's bill, coupled with strict enforcement of weight and traffic laws, is what is really needed.

The coal truck issue is symptomatic of the disease that festers in WV government. We pass strong laws and at the same time encourage a political climate that minimizes enforcement and trivializes penalties. Think about it: current health, safety, environmental, tax and ethics laws all have some real strength, yet the political will to enforce them is almost nonexistent. Caputo's bill is a good step in the right direction but, as always, the real problem is the influence of special interests like coal in our political system. The issue once again reminds me of why WV-CAG's number one priority is campaign finance reform - the reform in which all other reforms are possible.

**The Caputo bill is an important step toward putting coal in its proper place.**

Some may wonder why the legislature is debating the increase in hotel/motel taxes. Opponents spin the bill as a way for Charleston to keep its minor league ball team, but it's an interesting public policy issue as well. Does the legislature give up its nearly exclusive right to levy taxes and allow cities and towns to impose a local tax? Cities have a much better understanding of their individual needs and circumstances.

The bill would give communities the option to increase motel and hotel taxes to finance local economic development projects. If one takes the conservative philosophy that states have a better idea than the federal government about their revenue and expenditures, then it is logical to carry the concept down to an even more local level.

*Norm Steenstra*

# Be There!

**February 14** - rally to **support HB 4014 (see front page).**

**E-Day!** is just around the corner! This **February 22** plan to come to the Capitol from 10-3 PM for displays, speeches, award presentations and lobbying. Then partake in food, drink and live music at the Empty Glass for the annual E-Day! fundraiser from 5-9 PM. \$5 cover charge supports the Environmental Council's lobby team.

WV/Pennsylvania **Wilderness and National Forest Planning** Training and Volunteer Weekend, **April 13-14**. Come learn more about wilderness and forest issues and what you can do to help protect the Mountain State's remaining wildlands. For more information, location and agenda contact Dave with the WV Highlands Conservancy at 304-284-9548 or [daves@labyrinth.net](mailto:daves@labyrinth.net)

**April 26** is the date for **WV-CAG's annual Earth Day fundraiser** at the Coonskin Park Clubhouse. Enjoy great food, beverages and entertainment and help us meet our goal to top last year's tremendously successful silent auction. **Got something to donate?** At past auctions we've seen it all! We're sure you've got something in your closet that's just a little quirky or maybe even just a little valuable. Watch the bids grow and the competition stiffen as the evening progresses.

**Remember the overweight coal trucks petition that was in an earlier Eye?** There's still time to get more signatures and mail it in by **February 11** to: Citizens For Road Safety, P.O. Box 651, Whitesville, WV 25209.

**Sorry to disappoint you!** In last week's *Eye* we promised you a subjective look at the 2002 House of Delegates races. As we went to press on Friday, the information was not yet ready from the Secretary of State's office. We hope to have that analysis for you in next week's issue.

The **mental health parity bill (HB 4039)** passed out of the House Banking and Insurance this week. Supporters of companion bill SB 205 will meet with Senator Craigo, Senate Finance chair, early next week. Please contact him with a "kind" letter or phone call to say you support mental health parity and ask him for his help in getting this legislation passed this year. He can be contacted at 357-7980 (Senate Finance Office where you can leave a message) or [cglagola@mail.wvnet.edu](mailto:cglagola@mail.wvnet.edu) (be sure to write "Senator Craigo" in the subject line).

**Even if you're on the right track, you'll get run over if you just sit there. -Will Rogers**

# Responsible Logging Needed

*Bob Marshall, CORL Chairman and WV-CAG President*

Last summer's devastating floods in southern West Virginia left many of us wondering what we can do to prevent such destruction in the future. The Coalition for Responsible Logging (CORL) has spent the last two years working hard to improve the laws governing timber operations, which are mostly voluntary and poorly enforced by the understaffed WV Division of Forestry. This year, several bills have been introduced that would greatly aid the proper regulation of logging activities, thereby reducing the chances of a repeat of last summer's floods. We will need the help of all you concerned folks to pull this off, as the timber industry has a well-financed campaign to mislead the public into thinking everything is fine in the woods (tell that to the folks who lost everything in the floods)!

Stay tuned to the next *Eye* to find out how and when you can help us get meaningful legislation passed this session. Let's stand with our neighbors in southern West Virginia and help them save their homes and property from more devastation due to improper logging.

CORL is planning a press conference at a timbered site very soon after all legislation has been introduced. We are working out the details even as the *Eye* goes to press. For more information, please call Conni Lewis at 543-5811 or Bob Marshall at 372-7501.

## Smoking Telephone Poles – Understanding Hemp

The Agriculture Committee is holding a series of meetings on SB 447, a bill that would legalize growing hemp for making rope, cloth, paper, and hundreds of other products. Promoted as a way to help farmers who want to convert from growing the "killer weed" tobacco, several members reminisced on how hemp was grown during WW II in WV as part of the Victory effort to make rope for US warships.

When asked if one could smoke this type of hemp, the sponsor of the bill replied, "You can smoke anything. You can roll up your tube socks and smoke them." Another senator offered, "You could smoke a hemp cigarette the size of a telephone pole and just get a headache."

More serious discussion noted that hemp could become a significant agricultural crop for our state. The committee meets again next week to hear comments from the Dept. of Agriculture and the Farm Bureau on this proposal.

# Hating Hate Crimes

On Wednesday afternoon there was a public hearing on the annual attempt to add the categories of "sexual orientation" and "disability" to the state's law against hate crimes, which already includes race, religion and political affiliation. Different year, same faces. Religious conservatives use this issue to rail against gays, and a succession paraded up to the podium to denounce the "homosexual agenda."

However, opponents were outnumbered 2-1 by supporters of the bill, who pointed out that it does not endorse or provide special rights for any sexual orientation or the disabled, it just makes crimes against individuals because of their bedroom partner or disabilities a more serious offense. Hate crimes don't just affect the individual, but are meant to instill fear in the whole community. As such, there should be greater punishment for such acts. Contact your delegates and ask them to pass the Hate Crimes Bill (HB 2354).

## Container Cents

Ø Assuming a conservative beverage container recovery rate of 50% (most bottle bill states report a 75% recovery rate), a West Virginia container law could save the state the energy equivalent of 54,000 barrels of oil annually (conserved energy from the processing of cans from virgin aluminum) for recovered aluminum cans alone. This is equal to saving over 1,000,000 gallons of gasoline each year. Assuming a typical car gets 20 miles per gallon, this amount of gasoline could power a fleet of 1,000 automobiles over 20,000 miles a year.

Ø Also, a future West Virginia container law that results in a 50% beverage container recovery rate would prevent over 21,000 tons of waste beverage containers from being deposited along the state's highways and in landfills. This amount of recovered waste is nearly equal to the total solid waste generated by Parkersburg in an entire year (24,719 tons in 2000) or over half the total solid waste generated by Charleston, West Virginia in a year (41,247 tons in 2000).

*Sources: Characterization of Municipal Solid Waste in the United States: 1996 Update, USEPA, 1996; Understanding Beverage Container Recycling: A Value Chain Assessment, by Businesses and Environmentalists Allied for Recycling, 2002; and West Virginia Solid Waste Management Plan: 2001, by the West Virginia Solid Waste Management Board, 2001.*

**Every year Americans go through 2.5 million plastic bottles every hour, and throw away enough office paper to erect a 12 foot high wall from New York to Los Angeles.**

# Where, Oh Where Does the Money Go?

In each *Capital Eye* we ask you to lend us a financial hand. This week we thought we'd let you know where our money comes from and why your contribution is so important. In other words, take our begging up a notch or two.

Based on our 2001 budget, our income was:  
25% memberships and fundraising  
25% grants  
30% research contracts  
20% special gifts



Since so much of our work is politically-based, it's hard for us to get grants anyway. This year we expect an even greater struggle, and that goes for other nonprofits that contract with us. That means that more than half of our funding is up in the air. So, we are asking you to help out. And, as another enticement, here's a breakdown of where your contribution might go:

\$25 pays for the paper for the *Capital Eye* for the entire session.

\$50 pays our electric bill for a month.

\$250 keeps our phones on, both local and long distance, plus our internet service, for a month.

\$500 pays for two part-time staff for two weeks.

We hope this shows that we are a low-budget organization that gives you a real bang for your buck. Donations are important to us because we take on a lot of issues for which we are not funded. We love that flexibility because it allows us to respond immediately to a crisis or an unexpected issue.

So please send us what you can. Remember, you can make a contribution by visiting [www.wvcag.org](http://www.wvcag.org) and clicking on the Donate Now! button on the bottom of each page or clip below and send to 1500 Dixie St., Charleston, WV 25311. Thank you!!

Yes, your harping has paid off! Here's my contribution of:

\$25 Eye supplies level

\$50 Keep the lights on level

\$250 Stay wired level

\$500 Two staff/two weeks level

\$ \_\_\_\_\_ Other

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

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

\_\_\_\_\_

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

# What's the Buzz?

by Phanny High There! Our Eye On Gossip

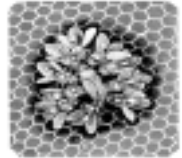


This has been an unusually quiet legislative session so how about we talk about the birds and the bees? Life at the Capitol is unpredictable and that goes for all forms of fauna. A big story this week was the Wise Administration's decision to trap and remove a red-tailed hawk that is eating some Capitol squirrels. The state proposed hiring a Concord College professor to catch the hawk and release it fifty miles away. I can tell you, the Capitol is overrun with squirrels. They're cute, they're furry, they're fun to feed, but let's face it, they're a link in the food chain.

Well, I am happy to report that on Thursday the state reversed its position and pulled the permit to trap the hawk, leaving it alone to do what it does naturally. Thank goodness! How many state capitols can boast of a resident red-tailed hawk?

But all this hoopla made me wonder... Within 24 hours of appearing in the press this issue was squashed and the hawk was spared. Saneness reappeared. We've shown that citizens' phone calls to the Capitol expressing outrage over an extremely silly policy decision could nip it in the bud. Citizens were heard, government reacted responsibly. Hmm... there's a concept. So, for its part in bringing a sense of satisfaction to citizens who learned that their calls DO make a difference, the Capitol bird of prey receives WV-CAG's **Hawk-Eye Five** this week.

There's a good chance that West Virginia will soon have a state insect. The honeybee lobby appears to be stronger than those of the Tavern Association's grasshopper, the NRA's cockroach, or the Christian Coalition's praying mantis, and is certainly causing a buzz around the Capitol. Surprisingly, neither Walker Machinery nor the Coal Association pressed for the caterpillar.



Just announced - Eye Fives to the city of Charleston for passing Hate Crime legislation that includes sexual orientation and disabilities, and to the city of South Charleston for its early-on support of HB 4014 (the overweight coal truck bill). Way to go!

*West Virginia Citizen Action Group (WV-CAG) publishes Capital Eye during the Legislative Session. You can visit our website at [www.wvcag.org](http://www.wvcag.org), call us at 304-346-5891 or e-mail us at [linda@wvcag.org](mailto:linda@wvcag.org) to give us your comments and suggestions and to become a member. Since 1974, WV-CAG has been a nonprofit membership organization dedicated to increasing citizen participation in economic and political decision-making. By educating people about key public interest issues and involving them in the decisions that affect their lives, WV-CAG works for progressive changes in federal, state and local policies - ranging from environmental protection and consumer rights to good government and health care reform. Thank you for your support!*