



Capital

Eye

Volume 1, Issue 6
February 15, 2002

Over 500 Protest Overweight Trucks

The weather was perfect and the crowds turned out yesterday to let legislators and the governor know that a broad coalition supports HB 4014, Delegate Caputo's bill to crack down on overweight coal trucks. **The House Judiciary Subcommittee will meet on Monday at 10AM** and may move the bill to the full committee. Citizen presence has been strong at these meetings and has made a difference. Please try and attend on Monday. This also means it's time to call House Judiciary Chair Jon Amores and tell him to support this bill with no changes to the current weight limits. See This Week's Apathy Antidotes on page three.

We couldn't have said it any better so we asked Judy Bonds with the Coal River Mountain Watch if we could publish the conclusion to her passionate speech from Thursday's rally that told the big picture:

"Here's some guarantees: I guarantee you the CEO's and fat cat executives' salaries won't be cut. I guarantee you the industry lobbyists won't lose a penny. I guarantee you there will be more innocent lives crushed to death by these trucks. I guarantee you the taxpayers will foot the bill for the damages to our roads. And I guarantee you these crooks, these lawmakers, will not lose a penny in campaign contributions."

Rally Organizers Coal River Mountain Watch's Judy Bonds and Donna Halstead (background) and WV-CAG's Julie Archer listen to other rally speakers.



Greenspace Planning Workshop

This free workshop is for anyone interested in learning about successful community and greenspace planning and is designed for community leaders, planning commissioners, public land managers, concerned citizens, friends groups and others interested in identifying issues and tools for successful community/protected land partnerships. The workshop is February 27, 2002, 12:15 PM to 3:30 PM at the South Charleston Public Library, 312 4th Avenue (behind "the mound").

For more information, contact West Virginia Land Trust at 346-7788 (before 2/23/02) or the West Virginia Trails Coalition at 755-4878 (after 2/23/02) or visit info@wvlandtrust.org or wvtc@wvtrails.org.

To pre-register, e-mail your name, mailing address, e-mail address, and workshop site location (South Charleston Public Library) to Ann Desmarais, The Conservation Fund, desmarais@conservationfund.org or call Ms. Desmarais at 703-525-6300. Pre-registration is not required, but pre-registration will ensure that you receive workshop materials.

Hemp Research Proposed

by Gary Zuckett

The Senate Ag Committee continued its deliberation on the bill to legalize the growing of industrial hemp this week. Steve Hanna, Deputy Agricultural Commissioner, testified that it was important to find an alternative for tobacco farmers, but that a lack of processing facilities may hinder local production of hemp. Hanna suggested WVU do research on its experimental farm and explore the economics of hemp as a cash crop. Dave Miller of WVU admitted that the university has not done any research on hemp and raised the legal question of opposition by the federal DEA (Drug Enforcement Administration). Discussion then focused on the need for some enabling legislation to allow the university to seek DEA exemption for research purposes. Passage of such legislation would put WV in line for cutting-edge research and eventual production of hemp when DEA finally gets its head out of the sand on this issue. We are watching for an amended version of SB 447 to be offered to the committee next week concerning WVU research on hemp.

We need your support! Please make a contribution, renew your membership or join WV-CAG! Please clip and mail to WV-CAG, 1500 Dixie St., Charleston, WV 25311 or donate on-line at www.wvcag.org.

Name: _____

Address: _____

Here's my donation of: \$ _____

This Week's Apathy Antidotes

There is a federal government program that pays counties that contain significant federal public land. The payment in lieu of taxes (**PILT**) is especially important to counties like Randolph and Pocahontas that have thousands of acres of Monongahela National Forest land.

The new Bush budget proposes cuts in the PILT program. This is the wrong direction for those of us who would like to see more public land in West Virginia. Counties do not collect property taxes from the federal government and PILT taxes offset that revenue loss. Timber and mining companies would love to see a reduction in PILT funds because it makes the acquisition of more public land unattractive to local governments. Rep. Nick Jo Rahall has vowed to reverse Bush's proposed cuts. Call Rep. Capito at 202-225-2711 and Rep. Mollohan at 202-225-4172 and ask them to do the same.

House Judiciary Committee **Chairman John Amores** has emerged as the most powerful advocate for raising the legal weights on coal trucks. He told the Associated Press, "Any bill increasing enforcement would also have to raise weight limits to keep from putting haulers out of business." We've long waited for the leader to emerge who is willing to carry coal's water and now we have him. Amores is from Kanawha County and is running for re-election this year. **Call him at 340-3252 and tell him we don't need to increase the legal limit on coal trucks.**

Please attend the **Senate Government Organization Committee public hearing on SB 518 on Monday, February 18** at 2PM in Senate Judiciary (room 208-W). This bill pertains to creating the State Flood Damage Prevention Program. Come and let the agency heads there know that we need to control flooding in West Virginia.

WV-CAG would like to hold **regional meetings** this spring and summer to better connect with our members. We're looking for your help to provide agenda items and new people who would like to learn about us. While we'd like to target cities statewide, we plan to start out in Parkersburg and Clarksburg. Please contact us at 304-346-5891 or e-mail linda@wvcag.org if you'd be interested in getting involved.

Want to make a donation but don't have the funds? Tired of us asking you for money? The **next best "gift"** you could give us is a name or two of possible new members - friends, family, neighbors, classmates or co-workers who share your ideals and values and would get something out of the *Eye* and a WV-CAG membership. Please drop us a note or e-mail (see above). And thanks to those of you who already have!

Container Cents

On Friday Senators Jon Blair Hunter and Mark Burnett introduced a Senate Concurrent Resolution No. 19 to call for studying the feasibility of requiring a deposit on certain beverage containers. If passed, this resolution would require the Joint Committee on Government and Finance to study the concept of a WV container law with emphasis on county solid waste redemption centers, infrastructure and economic viability and integration into local recycling programs and would be required to report back to the Legislature next session. We hope that they consider the following:

Ø Assuming a beverage container recovery rate of 75% (most bottle bill states report a 75% or greater), a West Virginia container law could result in the avoidance of 18,500 metric tons of greenhouse gases (GHG) emitted to the atmosphere. This quantity of GHG is the amount of GHG produced annually by the activities of 2,800 people. The GHG emissions reduction is a result of the fact that container laws lead to reuse of existing beverage containers thereby decreasing pollution released through the manufacture of new containers.

Ø Approximately 31,700 tons of beverage containers would be prevented from being deposited along the roadsides and in the state's landfills annually, if a 75% beverage recovery rate were assumed. This amount of avoided solid waste is greater than the combined annual total permit limits of two of the state's 19 municipal solid waste landfills (Pocahontas County Landfill: 1,400 tons/month and Webster County Landfill: 1000 tons/month) according to the West Virginia Solid Waste Management Board's *WV Solid Waste Management Plan 2001*.

Sources: USEPA *Emission Facts* (www.epa.gov): 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.

Our promised recap of upcoming House of Delegates races has been delayed until next week. Please look for our subjective look at House Races 2002 in the next *Capital Eye!*

Definitions of the Week:

Shake-Up Call - a wake-up call to the tenth power. The difference between heartburn and a heart attack.

Prebuttal - formulating the response to an objection before it is even raised. Political candidates, as part of their spin control, develop prebuttals. But almost all of us who try to stay a step ahead of the conversational flow also use this tactic. (both from Dictionary of the Future).

Senate Hearing On “Right To Know”

The Senate Finance Committee held a public hearing today on the “Women’s Right to Know Act,” SB 283. The usual suspects were there to speak for and against the bill. Those speaking against the bill outnumbered those speaking in favor. After everyone had spoken, Senator Anderson assured everyone that he hadn’t been sleeping during the hearing and said he was praying for the sinners who opposed the bill.

The committee did not take any action on the bill so there is still time to contact your Senators and tell them to oppose it. Ask them not to undermine a woman’s right to choose. Tell them that informed consent is already required before undergoing any medical procedure. Tell them not to divert \$250,000 annually from the DHHR budget needed to fund vital programs that are in danger of being cut. This bill has legs, so make your calls right away. Call 1-877-565-3447 to reach your Senators toll-free.

West Virginia’s Congressional Reps Cross Sides on Soft Money Ban

In a bizarre reversal, our Republican Congresswoman Shelley Moore Capito voted with the vast majority of Democrats to pass the Shays-Meehan Bill. More surprising and disturbing is the defection of our two Democratic Congressmen, Rahall and Mollohan, who were two of only twelve Dems to side with the Republican opposition. These two myopics are this week’s co-recipients of our **Double-Cross-Eyed Award** for deserting their party on this issue.

The passage of the Shays-Meehan Reform Bill that bans “soft money” donations to federal political parties is just the first step in cleaning up elections. Public Campaign’s Director Nick Nyhart points out, “Equally important, the stage is now being set to examine the \$2.2 billion hard money side of the campaign finance system. No one should claim that we have just solved the problem of money in politics. Hard money comes largely from the same sources as soft money, and it’s largely given for the same reasons: to influence policy. As the cost of campaigns, funded entirely by hard money, continues to skyrocket and the dollar chase intensifies, the next campaign finance reform debate will focus on ways of freeing public officials from their dependence on private special interests, such as giving them ‘Clean Money’ full public financing.” The WV Clean Election Act would do just that.

Late-breaking local news: The WV Clean Elections Act will be introduced in the WV House and Senate on Monday.

Quotes on Coal

The WV-CAG lobby team attended the House Judiciary subcommittee meetings on Coal Truck Legislation. We thought you might like to hear some interesting quotes that came from those meetings:

Bill Raney, WV Coal Association: “We take our share of the blame for the system that is out there.” “An extended weight is consistent with our equipment.” “It’s like if I had an 8 passenger van but the law only lets me carry 2 people.”

Delegate Dale Riggs on spotters (people who look for DOT enforcement vehicles and warn the coal truck drivers): “Spotters are not unlike average citizens. They’re not like spies in Afghanistan.”

Frieda Williams with the Coal River Mountain Watch: “Wouldn’t you check out the legal haul weight before investing your money (in a coal truck)?”

Gary Kale with Longrun Transport: “The trucking companies I represent are tired of being illegal.” “We do have spotters.” “160,000 pounds is more weight than we like to carry. As time goes on and laws are not enforced, things evolve.” (read: trucks are now hauling more).

Delegate Mike Caputo: “There’s holes in that bridge caused by overweight trucks that you could throw a cat through.”

The WV-CAG **Eye-Five** of the Week goes to **Delegate Richard Thompson** (D-Wayne) for his role as the Chair on this House Judiciary Subcommittee and his exceptionally thorough treatment of the coal truck issue.



WV-CAG Executive Director Norm Steenstra calls for no weight limit increases at Thursday's rally.

What's the Buzz?

by Phanny High There! Our Eye On Gossip

Not to start a trend here but there seems to be a lot going on in the animal kingdom this session. Last week it was the hawk, this week there's something else to crow about. Apparently if we don't start hunting those pesky omnivores our state stands to lose \$2 million in federal funding. Who knew?

I drew some flak from my column last week when I suggested that the Capitol squirrels were a suitable snack for a hawk living there. And the Charleston Gazette even gave the hawk a "scowl" in its weekly Saturday editorial feature. A scowl to a bird of prey that is just doing its job? Surely, there must be other warm-blooded creatures more deserving. Anyway, there are certainly at least two sides to every issue. We love all wildlife here at WV-CAG but think we all need to cut the hawk a little slack. Let's think about crows for a while.

We eyed a really galling and inappropriate example of coal's special relationship with House Speaker Bob Kiss this week when WV Coal Association President Bill Raney held a mini news conference on overweight coal trucks in the "**Speaker's office.**" Talk about buying access!

Speaking of coal, on Monday Delegate Mike Caputo asked K.O. Damron, A.T. Massey's Vice President for Government Affairs, "How do you determine who hauls your coal?" In response, Mr. Damron displayed a sign showing the standards to which Massey coal truck drivers must adhere to haul coal safely and efficiently. One of them was "Comply With All Highway Laws and Regulations" after which he stated that 90% of coal trucks run overweight and can't compete financially if they obey the law. For this twisted logic, WV-CAG awards its first-ever **Crossed-Eye Award to K.O. Damron.**

Our **Black Eye Awards** go to Bill Perry with Kanawha River Terminals for working for the company that passed out citizen activists' phone numbers to his employees with their pay checks yet still claims that his company is a good corporate neighbor. Quotes on Coal

West Virginia Citizen Action Group (WV-CAG) publishes Capital Eye during the Legislative Session. You can visit our website at www.wvcag.org, call us at 304-346-5891 or e-mail us at 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!