



HOUSE OF DELEGATES WEST VIRGINIA LEGISLATURE

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VIA HAND DELIVERY

The Honorable Tim Armstead
Speaker
West Virginia House of Delegates
1900 Kanawha Boulevard, East
Building 1, Room 228-M
Charleston, WV 25305

Dear Speaker Armstead:

As you know, the West Virginia House of Delegates passed on its first day of this session (just two days ago) a change in rules that permits you, as Speaker, to request an 'Economic Impact' Statement on legislation that has been introduced. Also on the first day of the 82nd Legislative session, HB 2001 was introduced. This bill has been described and touted by many members as a 'jobs creation' or, at the very least, a 'jobs saving,' bill for the coal industry and the coal miners that depend on these coal jobs to support their families. Furthermore, it has been asserted that HB 2001 would reduce electricity costs for hard working West Virginians.

Given the publicly proclaimed benefits of passing HB 2001 (and repealing what you and your colleagues have claimed to be a Cap and Trade Bill) it seems only fitting that, for the first time under your leadership, you use your discretion provided to you pursuant to newly passed House Rule 95 (c), and request an Economic Impact Statement to determine the benefit, if any, of passing HB 2001.

In making many public statements touting the benefits of passing HB 2001, supporters of this repeal, including yourself, have created hope and expectation for the citizens who live and work in our coalfields and whose very livelihoods depend on the survival of the coal industry. To publicly proclaim this bill to be the panacea for the ailing coal industry risks this legislature of being accused of **crushing** the hopes and dreams of so many out-of-work coal miners if HB 2001 doesn't result in a resurgence in the coal industry. Further, the future of our coal industry may hinge on the development of alternative methods of burning coal, and this legislation may actually remove incentives to develop those alternatives and could arguably harm the long term viability of that industry.

My colleagues and I want to support bills that genuinely have a meaningful and, most importantly, **MEASURABLE** impact on our state's economy. I think our constituents not only deserve that, but also demand that from us as their elected representatives. The last thing our constituents want is for us to come to Charleston and spend our time on meaningless or counterproductive legislation. I can also say with certainty that my colleagues do not want to return to their districts and have to tell their constituents that they were misled about the economic impact of certain legislation.

I should also note that HB 2001 repeals sections of the W. Va. Code that may yield benefits to several different industries. Indeed, the oil and gas industry may be adversely affected by HB 2001, as well as other alternative energy producing industries. Many have been led to believe that the repeal will also result in reduced electricity rates and I for one question the veracity of that assertion. It has also been reported that businesses and consumers have spent millions of dollars in reliance upon the net metering benefits provided by this law that will be repealed by HB2001. I do not think we understand the full ramifications of HB2001 and it is imperative that these ramifications be fully explored prior to action by the House of Delegates. It seems that the leadership of the WV House of Delegates will be sticking its head in the ground if it refuses to request an Economic Impact study **PRIOR** to passage of HB 2001.

I understand that you did not have the authority to request an Economic Impact study prior to the passage of the rule two days ago, however, given that: a) the implementation of this law is just beginning in 2015, and b) utility representatives have indicated that they already meet the requirements of the 2015 thresholds, is it not reasonable and prudent to do a careful and deliberate assessment of the potential impacts of this legislation prior to its passage? This statute has been in place five years and from the beginning was intended to facilitate the expansion of use of our coal resources by furthering the development of technology that burns clean coal. It is difficult to believe that the sponsors of the legislation would advance a proposal without truly knowing the impacts of its passage, and there is no reason whatsoever that a study could not, and would not, have been completed in the past five years if there were sincere concerns about it having a negative impact on our coal industry. Alternatively, it may have had a positive impact on other industries. Who will ever know unless a comprehensive economic analysis is done.

Given the heightened expectations that have been created in the minds of every coal mining family in this state, I believe it only prudent that an Economic Impact study be performed so that we are not asked to vote on meaningless legislation having no benefit whatsoever to the citizens of this state and which succeeds in destroying the hope you may have given to so many West Virginians. Accordingly, consider this letter a request for an Economic Impact study to be performed on HB 2001 prior to asking the members of the legislature to vote on legislation which touts economic prosperity.

Yours very truly,



Tim Miley
Minority Leader