



# Capital Eye

Volume 1, Issue 9  
March 2002

## Social Event of the Season!

- What:** CAG Spring Extravaganza  
**When:** Friday, April 26, 2002  
**Where:** Coonskin Park Clubhouse, Charleston  
**Why:** To have a great time, eat wonderful food, hear great speakers and bid on some cool stuff at the silent auction!

Join us for our third annual CAG Spring Extravaganza! Start your evening with a reception and music and begin the bidding on your favorite item in this year's auction. Next, sample a vast variety of delectable dinner selections, many created by the CAG board and staff. Then, listen to CAG's version of the State of the State with a panel of local speakers discussing issues important to you: Cindy Rank on the environment; Mary Pearl Compton on good government; Jill Milles on consumer issues; and Julie Pratt on women and children's health. Join us as we honor two from the progressive community with our Don Marsh Public Service Award and Defense of Democracy Award. Cap off the evening with more music, the conclusion of the silent auction and great discussion with friends from West Virginia's progressive community! Tickets are just \$25 and include our infamous dinner buffet.

Last year, the variety of items in our silent auction went beyond our wildest dreams and this year we plan to outdo ourselves. If you have anything in your closet or attic that you'd like to donate, let us know (no item too weird, this we guarantee). We'll have art, pottery, overnight accommodations, books, personal services, stuff we got for Christmas that needs a new home and who knows what else!

For tickets, call WV-CAG at 346-5891 or e-mail us at [linda@wvcag.org](mailto:linda@wvcag.org). We've sold out the past two years so call today!



# Saving Bridges

by Norm Steenstra

A couple of “little” things happened during the session that are typical of how WV-CAG operates. Traditionally, WV-CAG has produced timely and original research on public policy issues. We do this to provide the media and decision-makers with pertinent information that government should provide but doesn't. Veteran WV-CAG watchers will recall that our research reports on such varied topics as air toxins, generic drugs, groundwater contamination, timber tax breaks and soaring health care costs. Most recently, our role in creating the PERC database on special interest donations has helped to frame issues ranging from gambling to tort reform to mountaintop removal.

At the height of the legislative debate on coal trucks, I asked our staff to “drop everything” for two days and create a database of every overweight truck citation over the past nine months. We entered over a thousand violations, analyzing them according to weight, cargo, company and location. Forty-eight hours later we were able to provide key legislators with a much clearer picture of the problem. Among other things, our research showed that of the 300 heaviest trucks ticketed, 297 were hauling coal, nearly all of which were in the southern coalfields. The *Sunday Gazette-Mail* ran a major article based on our research. A few days later, after an accident involving an overweight truck, we were able to provide local media with the trucking companies' less-than-stellar history of weight violations.

Also during the session we were successful in a behind the scenes effort to have a bridge named after a courageous and tenacious young African-American named Craig McGhee. WV-CAG had worked with Craig for nearly five years in his attempt to replace a hundred-year-old bridge with a modern wheelchair-accessible one to the Orchard Manor Housing Project in North Charleston. Orchard Manor is one of the most economically disadvantaged areas of Charleston and it took five years of Craig nagging government to build the new bridge. Those of us who watched Craig redefine tenacity thought it would be a nice change of pace to break the norm of naming bridges only after dead white men and instead honor a young, very much alive neighborhood activist. On the last day of the session, HCR-70 passed both Houses and now we have the Craig McGhee Bridge.

These are just two small things that escaped the radar but remind me that WV-CAG continues to couple research, knowledge of the political system, and grassroots empowerment to effect change.

# Announcements/Dates To Know

**John McCutcheon in Concert, Saturday, April 13** at 4 PM at the Civic Center Little Theater in Charleston. Tickets are \$10 and on sale at Taylor Books and the Ramada Inn in South Charleston or by calling 744-4646, ext. 256, or 342-7870. John has performed with Pete Seeger, Nanci Griffith, John Prine, Tom Chapin, Arlo Guthrie, Richard Thompson and Odetta. Sponsored by Mountaineer Montessori School.

**Friday, May 24** - Kevin Danaher with the Global Exchange will speak at the Unitarian Universalist Church in Charleston on the Global Economy at 7:30 PM. Call 346-5891 for more information.

**Reform That Makes All Other Reforms Possible - Campaign Finance Reform.** The People's Election Reform Coalition (PERC), of which WV-CAG is a founding member, is leading the charge to introduce Clean Money Elections in West Virginia. Under this plan, candidates could voluntarily choose to take the Clean Money route when running for office. Instead of accepting money from and becoming beholden to special interest groups like coal and gambling, candidates would raise money from the voters themselves, at \$5 a pop. This program is already in place in Maine, New Mexico and Arizona and it's getting candidates elected. Like what you hear? PERC has a concise, easy-to-understand Power Point presentation that we'd love to make to you and your organization (your church, garden club, Rotary Club, neighborhood association, you name it). Call us at 346-5891 to make arrangements. And now that we are in campaign season, ask your candidates where they stand on the issue of Clean Money Elections!

**Watch for the next Capital Eye in your mailbox in April when we'll announce WV-CAG political endorsements for the 2002 primary election.**

**What do you think?** WV-CAG plans to survey its membership in the near future. Are you pro-life or pro-choice? Republican, Democrat, Independent or other? Peanut or plain? Got a question you'd like us to ask our members? Call us at 346-5891 or e-mail us at [linda@wvcag.org](mailto:linda@wvcag.org) and we'll include it on our survey.



# Bill Blow-By-Blow

*by Gary Zuckett*

So, how did it all end, all those bills we were watching during the Legislative Session? Here's a recap of some of the highlights (or should we say lowlights?) of the 2002 Legislative Session.

Dubbed "Victoria's Secret Mall," Wheeling's bid for \$80 million to "dress up" their downtown into a Victorian era outlet mall got thumbs up from the legislature in HB 4005. This could also be called "the mother of all Budget Digests" as it also gives free reign to a small committee hand-picked by the governor and legislative leadership to dole out hundreds of millions in state bond money for a variety of projects. So the new law poses a dilemma for WV-CAG which supports the new baseball stadium and opposes the regional airport.

By far the worst is "Bondzilla" (HB 4021), the \$3-4 billion Monster Bond. Actually it's not even being sold as economic development, but it creates new debt to pay off old debt. Sort of like putting a second mortgage on your house to pay off your credit cards. Depending on whom you ask it's not even paying off "old debt," but really a promise to pay the teachers' pensions when they retire. Our esteemed lawmakers find it easier to make big promises to teachers than to actually find the money to pay up when the promise comes due. Thus the teachers' retirement fund is so under-funded that our courts forced lawmakers to finally pay up.

The good news is all of these Bondzilla schemes may have constitutional flaws. The Auditor and Treasurer say the state constitution demands a vote of the people to create new bond debt and may sue. The lowly appliance repairman who's threatened by Wheeling's "eminent domain" has hired Washington attorneys to fight this "takings" issue. He feels it's just not right to take his building and sell it to an outlet boutique so some one else can profit from his business location.

One genuine development issue passed almost unnoticed by the media paved the way for an old agricultural crop to make a comeback in WV – Industrial Hemp. That's right, hemp had been grown in the US for most of our history until it was banned along with its cousin, the pot plant, back in the thirties. During WW II industrial hemp got a temporary reprieve. "Hemp for Victory," a promotional film made by the US Dept. of Agriculture during the war encouraged farmers to grow hemp to make rope for the navy. "Hemp for Victory" is still making the rounds and I recently had the opportunity to again view this film which demonstrates the absurdity of including this plant in the "war on drugs."

Thus, WV has joined the handful of states leading the movement to reinstate hemp production and give tobacco farmers an alternative to growing their killer weed. This bill allows WVU to begin trial plantings at

their experimental farm as soon as the US Drug Enforcement Agency admits this variety of hemp is useless for “rolling your own.” Don’t hold your breath, it’ll take a while longer for that to happen.

Our state’s collective mental health will be looking up now that insurance companies will be required to cover serious mental illness on par with other more physical maladies. The Mental Health Parity Bill passed after 4-5 years of hard lobbying by social workers and other health care reform advocates. Good work!

## Clean Elections: Progress Possible in Interims

As we reported in the last *Eye*, neither version of the WV Clean Elections Act made it out of committee this year. However, the fact that we were able to get the bill introduced this session is a step in the right direction. Resolutions to conduct an interim study on campaign finance laws and consider enacting the Clean Elections Act were also introduced in both houses. The House version, HCR 95, was introduced but never given a committee assignment by the House Rules Committee. The Senate version of the resolution, SCR 42, which originated in the Senate Judiciary Committee, was stuck in the Senate Rules Committee until the session’s last day. When put before the full Senate the measure was adopted, but the House did not receive the message and never took up the measure.

Even though the resolution for an interim study was not passed by the legislature, the People’s Election Reform Coalition and its member groups will continue to promote Clean Elections and urge the Joint Committee on the Judiciary to study the Clean Elections Act. Clean Elections is a solution whose time has come. Please call House Judiciary Chairman Jon Amores (340-3252) and Senate Judiciary Chairman Bill Wooton (357-7880) and ask them to put the WV Clean Elections Act on their agendas for an interim study.

Join WV-CAG, renew your membership or make a donation. **We could use your help!** Please clip and send to: WV-CAG, 1500 Dixie St., Charleston, WV 25311. Remember - it’s easy to donate on-line at [www.wvcag.org](http://www.wvcag.org)!

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

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

Send me future newsletters on-line at: \_\_\_\_\_

Enclosed please find my contribution of: \$ \_\_\_\_\_

# Apathy Antidotes:

Please call Governor Wise and tell him that WV-CAG and other citizen groups need to have a seat on his panel looking at the overweight coal truck issue (see article on page 7). You can contact him at 558-2000 or toll free at 1-888-438-2731.

Please take a few minutes to write to Delegate Caputo who has been our champion on this issue. Thank him for insisting that the current weight limits be maintained and encourage him to keep up his firm stance. Send letters to:

The Honorable Mike Caputo  
WV House of Delegates  
Room 231 E, Building 1  
State Capitol Complex  
Charleston, WV 25305

Thanks to all of you who have collected signatures and sent in petitions urging Governor Wise to call a special session. Please keep them coming.

## It's In Wise's Hands

After passing the House with a 75-25 vote, the Women's Right to Know Bill is now on the governor's desk. Governor Wise, who has a congressional record of voting pro-choice, has not spoken publicly on whether or not he will veto the bill.

In the waning days of the session, both pro-choice and pro-life lobbyists anxiously awaited the bill's appearance on the House Judiciary Committee's agenda. That day came and went with no debate thanks to Delegate Coleman who used a rare motion to prevent discussion and force a committee vote. Once the bill made it to the House floor, its opponents held off debate until its third reading. It's now up to Governor Wise. Let him know how you feel about this issue (see number above). To see how your legislator voted, check out [www.wvfree.org](http://www.wvfree.org).

*Capital Eye is a publication of the West Virginia Citizen Action Group (WV-CAG). 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!*

# Axles of Evil Descend on Charleston

by Julie Archer

Two days after the session's end about 85 coal trucks converged on the Capitol. Coal haulers parked their trucks around the Capitol, blocked traffic, and blocked in legally parked cars. While no accidents occurred, there were several near misses because the coal trucks blocked the view of drivers who were turning. While the trucks were empty and not traveling at excessive speeds, their presence still gave folks in Charleston a little taste of what coalfield residents experience every day.

Coal haulers came to Charleston not only to urge the governor and the legislature to raise the weight limit, but to protest the previous day's crackdown on US 52 in Wayne County. According to *The Charleston Gazette*, weight enforcement crews stopped 14 trucks weighing between 156,000 pounds and 181,000 pounds. The coal haulers would like us to believe that they are just reasonable people trying to make a living. Their actions show just how reasonable they are. Not only do they blatantly violate the law and then protest being caught, these "reasonable" people threaten activists and legislators who are working within the system to try and make our roads safer. One driver thought it was reasonable to threaten to run over a TV news crew as it filmed trucks being weighed in Chelyan.

Citizens have an obligation to urge our elected officials to change laws that place an undue hardship on citizens, even if they have to violate the law to encourage them to do so. However, this is not one of those situations. The current limit was established to protect the public and minimize damage to infrastructure. Coal haulers say that they can't earn a living with the existing weight limits yet they were aware of the legal limits when they invested in trucks that weight up to 55,000 pounds empty. To give in to these admitted scofflaws would mean more lives will be lost, coalfield residents will be held hostage in their communities and have their lives endangered as they travel the roads, and West Virginia taxpayers will continue to subsidize the coal industry by paying for repairs to crushed roads and bridges.

Parties on both sides are pushing for a special session. The governor has said he will probably call one in late May or early June. In the meantime a "stakeholders" panel is being set up to study the issue and recommend legislation. It will be modeled after the 1998 panel that studied mountaintop removal. It is uncertain who and how many will be on the panel, although press reports indicated that it would have nine members. Both sides have submitted names to the governor. House Speaker Bob Kiss and Senate President Earl Ray Tomblin will each appoint two members.