



Capital Eye

Volume 3, Issue 1

January 16, 2004

Leadership With Prime Time Fluff

by Norm Steenstra, norm@wvcag.org

Pre State of the State hype promised Governor Wise's final speech would be that of a bold leader and not the musings of a lame duck. Actually it contained a bit of both and a lot of sentimental warm and fuzzy cameo appearances.

On the positive side, Wise announced reviving the West Virginia Water Preservation Bill. In doing so, he takes on polluting industries in a visionary attempt to declare the waters of the state as a natural resource for its citizens. The passage of a strong water preservation bill would, possibly, go down in history as Wise's biggest accomplishment. The governor also took a tough stand against the tobacco lobby and supported increasing the inheritance tax on the wealthiest of West Virginians.

Perhaps the most disturbing thing about this year's speech was not what the governor said or didn't say but how he did it. For the past decade or so the State of the State speech has become increasingly less substantive and more of a feel-good variety show. This year's speech included Jessica Lynch and other Iraq war vets, the announcement of a PGA golf tournament, the obligatory presentation of the teacher of the year, promise scholarship college students, cancer survivors and the bereaved parents of a victim of drunk driver. The latter's presence to advocate lowering the legal blood alcohol limit was apparently successful and the governor's bill is likely to be passed by the Senate as early as Monday. Certainly we applaud such action but can't help wondering how the world would have been different if the governor had featured a parent of an overweight coal truck or ATV accident victim at last year's event.

Keep reading for more on the issues we'll be working on and, as always, many more will surface in the next seven weeks. Your comments, suggestions and wisdom are always appreciated.

Hotline Reveals Need for Change

by Gary Zuckett, garyz@wvcag.org

WV-CAG's new consumer hotline (**866-WVB-FAIR**) has taken off with lots of calls coming in every day. As we collect consumer's complaints on insurance industry abuses, several issues are coming to the foreground.

The item that has folks the hottest is the new industry practice (recently allowed by the WV Insurance Commission) of linking rate increases to consumers' credit reports. Yes, you heard it correctly. Unless you have a stellar credit rating, expect to pay as much as \$100 more per month on your car insurance. One gal called in to say her homeowners' insurance had been cancelled because her credit rating suffered as a result of her divorce. Another fellow complained his car insurance went up because his mother was late paying off a loan he had co-signed.

What does your credit rating have to do with how well you drive? Nothing! Neither does it reflect on what kind of housekeeper you may be. This is just another industry scam to claw more money out of your wallet and into their bank accounts. Watch for legislation to surface early in the session to correct this insurance scam.

Insurance Fraud Works Both Ways

by Gary Zuckett, garyz@wvcag.org

Governor Wise introduced a bill this week to set up a fraud investigation unit in the WV Insurance Commission. While this is probably a good idea, the devil is in the details. Obviously, those who scam insurance companies should be caught and punished. However, protections for consumers must also be written into the law. For instance, when your insurance company wants to low-ball you when settling a claim for, say a totaled automobile, the law must also protect you from having an insurance adjuster threaten to tie any settlement up for years in a fraud investigation. Let's do it right!

We also must be on guard for the governor's bill to become a vehicle for other anti-consumer amendments, such as making it easier for companies to cancel insurance or further restricting citizen access to the civil justice system (so called "tort reform").

Issues and Allies For 2004

Favorite baseball teams, relatives and political allies all have one thing in common - eventually they will break your heart. On virtually every WV-CAG issue over the past 30 years we have worked with a baffling collage of political allies. Quite commonly we work with a group on a particular issue only to later find ourselves on the opposite side of a different issue. The following is an overview of our 2004 issues and other groups both for and against that issue.

Consumer Advocate Office at the Insurance Commission

Our goal is to create an effective advocacy office that challenges insurance companies' rate increase requests, similar to the Consumer Advocate's office within the Public Service Commission and the Environmental Advocate's office at the DEP. Allies: consumer attorneys, trial lawyers, victims' rights groups and organized labor. Opponents: the insurance industry, pro tort reform advocates and, most unfortunately, the WV Insurance Commission.

Prescription Fairness Act

This bill would require health care insurance companies to include coverage of contraceptives in any prescription plans. Although many plans, including PEIA, do so already, this act would standardize the consumer's access to contraceptives. Allies: WV Free, Planned Parenthood, consumer attorneys, and the WV Social Workers Association. Opponents: The insurance lobby and certain right wing religious groups.

Pay Day or Predatory Lending

Any attempt to legalize or increase small loan interest rates should be stopped. WV is one of a handful of states that still has strong consumer protection laws limiting high interest short-term loans. States that have "payday" lending report a 900% APR interest. Obviously such a loan scheme preys most heavily on those who can least afford it. Allies: Legal Aide, payday lending victims, AARP, and consumer attorneys. Opponents: the Banking industry and the powerful national payday-lending lobby "Community Financial Services Association." WV-CAG has already documented thousands of dollars in political donations from out-of-state payday lenders during the 2002 election. 2003 and 2004 will be no exception.

West Virginia Water Rights

The so-called "Unger" bill (Sen. John Unger, D-Berkeley) would

(continued - see Issues)

State/National Coalition to Fight for Medicare Rx Changes

On Thursday, WV-CAG's Gary Zuckett, President of AFSCME Retirees Ernie Terry and Rev. Jim Lewis participated in a press conference to announce a coordinated campaign to demand major changes in the recently passed Medicare Prescription Drug bill.

"This is the beginning of a continuing, state-by-state effort to inform Americans over the coming months about the hidden costs and giveaways in this Bush Medicare package, as well as the serious omissions that will make life harder for millions of older Americans," Zuckett said. "The Bush Medicare package means that most people on Medicare will end up paying more out-of-pocket for health care and prescriptions than they did before the law was passed."

The conference's highlight was the unveiling of the newest MoveOn.org TV commercial depicting what Bush should say in his State of the Nation speech next week: **Bush imitator: "My fellow Americans. My Medicare bill has real drug benefits...but not for you - for my contributors at the big drug companies! My bill actually forbids Medicare from negotiating lower drug prices...so you'll probably have to pay more for your prescriptions than you do now; and you won't be able to get cheaper prescriptions from Canada."**

To see more on the event and the full script of both the new commercial and the one currently airing, visit www.wvcag.org.



Clip From New MoveOn.org commercial to begin airing this month in West Virginia

Help WV-CAG Get Out the Vote

by Julie Archer, julie@wvcag.org

WV-CAG hopes to effect the outcome of the upcoming elections is by putting time and energy into voter registration and get out the vote (GOTV) efforts. As part of this effort we will be partnering with the WV Women's Commission on a voter registration drive during the month of February. Other partner organizations include the AFL-CIO, American Association of University Women (AAUW), Coalition for WV Children, League of Women Voters, NAACP, National Association of Social Workers – West Virginia and student organizations at WVU and Marshall University. We need your help in order to make this voter registration drive a success. **The Women's Commission will hold a voter registration drive training teleconference on Thursday, January 22 from 4 to 5 pm.**

Please plan to attend the teleconference at:

- ◆ Charleston - Inspector General's Conference Room, Bldg 6, Room 819 at the state Capitol.
- ◆ Martinsburg - Berkeley Public Library, Martinsburg Room
- ◆ Morgantown - Morgantown Public Library, 2nd Flr Board Rm
- ◆ Parkersburg - Wood County Library Board Rm, Emerson Ave
- ◆ Wheeling - WV Northern Community College, Small Side of Auditorium, 1704 Market St.

If you plan to attend please let us know by Tuesday, January 20. Send an e-mail to julie@wvcag.org or call 346-5891 and indicate which location you prefer so we can register you. Upon completion of the training, you will receive a packet of information and supplies for setting up a voter registration booth. **Please consider volunteering your time and effort to this worthwhile cause. We need your help to make sure that every vote counts!**

Dates To Note

February 17 - WV Environmental Council's annual **E-Day!** at the state Capitol. Come and lobby your legislators! More details to follow. Also **Deposit Day** at the Capitol. As part of E-Day! celebrations and to highlight the WV Bottle Bill, we will collect beverage containers and "refund" a 10-cent deposit for each one redeemed!

April 23 - WV-CAG's annual fundraiser at the Coonskin Park Clubhouse. More details to come.

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provide for a quantity inventory of the state's water resources, legislate that the people of the state own its water and regulate large withdrawals of our water to out-of-state consumers. WV and Rhode Island are the only two eastern states that do not have such a law. Allies: the environmental community, the WV Attorney General's office and the Public Service Commission Consumer Advocate's office. Opponents: the Chamber of Commerce and the usual bloc of polluters such as coal, power generation, chemical, and oil and gas.

West Virginia Bottle Bill

This bill, modeled after the successful Michigan law, would require a ten-cent deposit on single-use containers. It is anticipated that such a law would generate \$25 million annually in uncollected deposits. We're calling it the West Virginia "slob tax." Allies: the WV Farm Bureau, WV Grange, and more than twenty cities, counties, and solid waste authorities. Opponents: bottlers, distributors, retailers and the Stone Age-thinking Chamber of Commerce.

Public Campaign Financing Act

The Clean Elections bill that we've been promoting for the last couple of years, has an impressive coalition of labor, religious, civic and

Now is a great time to renew your membership or send in a little something extra to help get us through the Session. Please clip and mail to WV-CAG, 1500 Dixie St., Charleston, WV 25311:

Name: _____

Address: _____

Enclosed please find: ___ \$15 ___ \$25 ___ \$50 ___ \$100
Other \$ _____

Send me action alerts at my e-mail: _____

THANK YOU!!

What's the Buzz?

by *Bill Gabbler, Our Eye On Gossip*

While we were sleeping, someone tried to sell West Virginia right out from under us! You've probably heard by now that someone tried to sell West Virginia on eBay and the bidding was halted at just under \$100 million. I say technology has gone too far when you can auction an entire state on-line!

To get to the bottom of this farce and find out just who had the nerve, I followed a hunch, as all good reporters do. The not-so shocking truth is that the entity trying to sell West Virginia actually really does own the state and its government! You guessed it! King Coal. The eBay seller nosnam1488 is actually none other than the WV Coal Association. The fine print of the sale stated its only caveat: "Buyer gets the state's surface, decapitated mountains and all. Seller keeps the minerals, water rights and legislators." Hey, maybe Joe Oliverio can check out eBay to find his future First Lady!

Volunteers Needed!

It's the Session and we need you - an hour or a day each week, whatever works for you! Help us with the phones, the *Capital Eye*, you name it! Call us at 346-5891 or e-mail linda@wvcag.org.

February 17: help us collect containers during Deposit Day at the state Capitol. Bring your containers, get 10-cents for each one and then help us hand out dimes to others! Call Linda for more information.

Contact Your Legislators:

Call 1-877-565-3447 or visit www.wvcag.org, type in your zip code and send an e-mail directly.

Visit www.legis.state.wv.us for bill tracking, floor calendars and public hearing announcements.

West Virginia Citizen Action Group (WV-CAG) publishes Capital Eye weekly 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!