



Capital Eye

VOLUME 5 NO. 11 November 2005

What A Difference A Year Makes

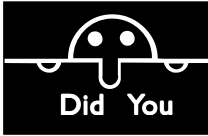
by Norm Steenstra, norm@wvcag.org

It's hard to believe that it has only been a year since the reelection of George Bush, the election of Joe Manchin and the defeat of Judge Warren McGraw. A year from now we'll have just voted in the 2006 election. It is really hard to think about the next election but we, as progressive West Virginians, must do so.

Few of us dared to hope that in the past year the national Republican Party would find itself in such a mess as it currently does. Even though the GOP controls the Executive, Judicial and Legislative branches of government in Washington, public opinion is beginning to have a lot of Democrats believing there is a chance that they could take back one house of Congress. Some balance of power in Washington must be restored.

As you know we are affiliated with groups from 24 other states, all of which are gearing up for next year's election. Together, last year we registered over 600,000 new voters. Our combined forces are prepared to launch a massive civic engagement campaign that will involve voter registration, issue education and innovative grassroots media techniques. This effort will likely be the largest coordinated campaign in a non-presidential election ever. The goal is to take back Congress and elect local and state progressive candidates.

Three of the most important races in our state will be the reelection of Robert C Byrd, the defeat of Shelley Moore Capito and the reelection of Supreme Court Judge Larry Starcher. In addition to these races all of the House of Delegates and half of the State Senate will be elected. Yes, it seems early for us to be thinking of the next election but the growing excitement over the organization and planning going on across the country is infectious. There is an opportunity to dramatically shift the direction and mess our country is in, so **stay tuned and get involved.**



Capital Eye comes out weekly during the Legislative Session and bi-monthly throughout the rest of the year. If you have questions or comments about its content, please contact us.

If you'd rather receive the *Eye* on-line, e-mail linda@wvcag.org

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W V - C A G
was founded in 1974
as a non-profit
membership
organization
dedicated to
increasing citizen
participation
in economic and
political decision-
making.

Our members work
for progressive
changes in federal,
state, and local policies
by educating people
about key public
interest issues ranging
from environmental
protection and
consumer rights to
good government &
health care reform.



To become a
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We Had A Bake Sale! Read About The Icing on the Cake

Last month WV-CAG and the FACES Coalition had a tongue and cheek bake sale in downtown Charleston. Faces stands for Family And Children Educating the State – About Medicaid. The sale was an attempt to focus public attention on the severe cuts that Congress and the state are considering for Medicaid. Without really trying to raise much money, in one hour we raised \$104.30.

The event received great media exposure but not near as much as when we presented an oversized check to the West Virginia State Treasurer's Office. So, for one small bake sale two days of Medicaid news was achieved. Treasurer Perdue's office accepted the check in good humor.



**November 9, 2005: Sam Hickman, Executive
Director, National Association of Social
Workers, WV Chapter presents big check with
bake sale proceeds to Jerry Simpson, Assistant
State Treasurer**

Social Security – A “Win” for Now

by Gary Zuckett, garyz@wvcag.org



Bush claimed a “mandate” from the 2004 election to enact Social Security Privatization. He promised to spend his “political” capital on the effort. Now he’s broke.

“House Ways and Means Chairman Bill Thomas has dropped his proposal to include a Social Security overhaul as part of a broad ‘retirement bill’, signaling that Republican leaders have abandoned efforts to restructure the program this year.” *Congressional Quarterly*, Nov. 8, 2005

One of the Administration’s top priorities, the “privatization” of Social Security, has finally been laid to rest for this year. Next year is an election year so chances of major tinkering with the system are slim. This is a big win for the progressive community which fought hard all spring and summer to prevent the dismantling of this time-tested social insurance program.

West Virginians United to Protect Social Security, a coalition of labor and social justice groups coordinated by AFL-CIO and WV-CAG, played a significant role holding scores of town hall meetings around the state and a dozen parties in August on the program’s 70th birthday. Thanks to all of you who made calls, volunteered and helped out in other ways.

Wal-Mart Expose’ Premiers This Week

“Wal-Mart, the High Cost of Low Prices” is probably showing near you this week as 6,000 house parties and showings are listed on the www.walmartmovie.com web page. WV-CAG sponsored a Monday (Nov 14th) night showing at the Unitarian Church in Charleston, but if you missed it, type in your zip code at the web page to bring up a list of showings near you. You can also sign up to host a showing and buy a discounted copy of the flick. For more info on this sociopathic corporation see www.walmartwatch.org

WV Passes Landmark “527 Reform”

by Julie Archer, julie@wvcag.org



This landmark legislative success would not have been possible without your help! Thank you SO much for making calls to your legislators and asking them to pass this important reform!

As the September special session drew to a close, the West Virginia legislature passed a landmark bill requiring disclosure by the sponsors of “sham issue ads” and limiting contributions to 527 groups that get involved in state elections to \$1,000 per election from any source. Referred to as the “527 bill,” after the shadowy groups that spent millions of dollars on negative advertising during last year’s state Supreme Court race, the bill passed the Senate unanimously and was approved by the House 91-4. Governor Manchin signed the bill into law on September 30.

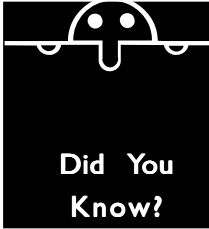
Although other states have adapted language from McCain-Feingold to state elections in order to regulate electioneering communications that masquerade as issue advocacy, the West Virginia law covers the broadest range of media that might be used to disseminate such communications. West Virginia is also the first state to place a limit on contributions to 527s.

While some have criticized the contribution limits as an attempt to prohibit free speech, we see it as leveling the playing field and making 527s play by the same rules as candidates and political action committees. The legislation will require 527s to register with the with the Secretary of State’s office and once they spend \$5,000 or more will be required to disclose where their money comes from. Ads like the ones sponsored by ‘And for the Sake of the Kids’ and ‘West Virginia Consumers for Justice,’ that attack a candidate’s character without calling specifically for the candidate’s election or defeat could continue, the contributions paying for them would just need to be disclosed to the Secretary of State.

WV-CAG is proud to have played a role in the passage of such ground-breaking legislation and to be asked to participate in the Secretary of State’s advisory committee to provide input on drafting the regulations for the new law. As always, we would like to thank all of our members for their support on this issue and for contacting their legislators. We’d also

like to send out special thanks to allies and Clean Elections coalition partners for their efforts and work lobbying on this issue.

CAG Joins Lipitor Class Action



Lipitor, manufactured by Pfizer, Inc., is currently the best selling prescription drug in the world.

As part of the PAL (Prescription Access Litigation) Project CAG has joined a court action against drug giant Pfizer, Inc. The drug giant's deceptive advertising and promotional campaign attempts to convince both doctors and patients that Lipitor (originally used to lower cholesterol levels) reduces heart disease and heart attacks for nearly everyone with elevated cholesterol, even though no studies have shown it to be effective for women and those over 65 years of age who do not already have heart disease or diabetes. In fact, women who had no prior history of heart disease who took Lipitor actually had 10% more heart attacks than the 1,000 women taking a placebo in the "ASCOT" study used for FDA approval.

To move into this class action we are looking for women & seniors who have:

1. Taken Lipitor since 2001;
2. No history of heart disease or diabetes; and
3. Paid for some or all of the cost of the drug (i.e. co-pay etc.).

If you or someone you know has taken this anti-cholesterol since 2001 please call Gary Zuckett at 346-5891 or 866-WVB-FAIR and we will get you in touch with our counsel. For more info see our web page under prescription drug litigation or the PAL site at

www.prescriptionaccess.org

The PAL project has settled four cases so far resulting in \$344 million being allocated to reimbursing consumers and third-party payors from overcharges and anti-trust verdicts.

Misplaced Priorities

by Ted Boettner, ted@wvcaq.org

In the wake of Hurricane Katrina, while hundreds of thousands of Americans are still living through a horrid nightmare, members of Congress are aiming to create even more economic inequality by cutting over \$50 billion from government welfare programs during the next five years.

For perspective, perhaps it should be noted that the United States has one of the stingiest welfare systems among industrialized nations. It ranks 26th out of 29 of industrialized nations and has the highest poverty and infant mortality rate of OECD countries.

After approving several hurricane-relief and reconstruction measures, Congress is poised to take up a two-track agenda that includes cutting taxes for the super rich while introducing a budget reconciliation bill that makes major cuts to Medicaid, The Food Stamp Program, student aid, and Temporary Assistance for Needy Families (TANF). Some of these programs not only assist low-income children and families, but also can be a matter of basic human survival.

On November 3rd the US Senate narrowly approved a budget bill, 52 to 47, that cut \$35 billion from these vital programs. The votes were mostly along party lines. The US House will be voting on a more damaging budget bill on Thursday, November 10th that plans to cut over \$50 billion from government services. Amid these devastating cuts Republicans in Congress are proposing to give tax breaks to the wealthy totaling \$70 billion.

Clearly, this legislation is out of step with the values of the American people who revealed after Katrina a generosity based in moral responsibility to do what is right.

In a national poll by Hart Research last month over 2/3 of Americans questioned felt these cuts were the wrong direction for our country.

This legislation comes at a time when poverty is steadily rising (12.7%), pension benefits are shrinking, working hours are increasing, and wealth is being deliberately concentrated to a tiny part of the population.

It would seem that now is a time for shared sacrifice. But many in Congress seem unfamiliar with the term, determined instead to move ahead with an out-of-touch and pathologically selfish agenda.

Under the budget package pending on Capitol Hill, Medicaid could be cut by as much as \$10 billion over five years. These cuts will especially hurt the elderly in nursing homes, the disabled needing special care, children and low-income working families.

The Food Stamp Program, which is one of the most efficient and error-free

in the federal government, plays a central role in reducing hunger and helping over 23 million low-income Americans put nutritious food on the table every day. The House is considering cuts of \$4.5 billion from Food Stamps, which would cut off approximately 4.7 million people.

Despite college tuition increasing at its largest rate in decades, the House aims to cut student financial aid by \$15 billion over the next five years. The cuts, if signed into law, would require loan recipients to pay back \$5,800 extra in loan costs. There are over 49,000 students in West Virginia receiving student aid. These students will be particularly vulnerable.

\$7 billion in cuts from vital initiatives such as TANF, SSI, and child welfare services are also on the chopping block. These cuts will especially hurt low-income families with children or low-income seniors or people with disabilities.

What do West Virginia families lose from this budget bill?

According to a recent report by the Emergency Campaign for America's Priorities (ECAP), these spending cuts would cause West Virginians to lose: \$84.4 million from Medicaid cuts, \$83.2 million from Food Stamps, and \$53.3 million from child care, Temporary Assistance to Needy Families and other low income initiatives.

Despite the harmful affects of these budget cuts to West Virginia's poor and middle class, Representative Shelley Moore Capito stated in the *Charleston Gazette* that, "this budget reflects our national priorities." Capito went on to say, "Voting for the budget is voting for savings and eliminating waste in government programs. Cutting taxes leads to a stronger economy; a stronger economy helps reduce the deficit."

Let's hope Rep. Capito reconsiders her misplaced priorities and recalls that during the Reagan period cutting taxes for the rich led to larger deficits, higher interest rates and lower economic growth. If any vote this fall is important, it is this one.

Editor's Note:

Just an hour after Ted wrote the above, we received word that the Republican leadership pulled the budget bill off the agenda for Thursday.

Thousands of people calling have swamped the Congressional switchboards. The Leadership is in disarray and fighting among themselves. Latest word is that they will try and run the bill by the middle of next week. This is real democracy in action.

Keep those calls coming folks!!!!

“We need to get serious and act quickly to improve the security of electronic voting machines. The (GAO) report makes clear that there is a lack of transparency and accountability in electronic voting systems - from the day that contracts are signed with manufacturers to the counting of electronic votes on Election Day. State and local officials are spending a great deal of money on machines without concrete proof that they are secure and reliable.”
Rep. Henry Waxman (D-CA)

Counties Choose Voting Systems

by Julie Archer, julie@wvcag.org

In our last newsletter we encouraged everyone to be in touch with their local election officials and urge them to choose optical scan voting systems to bring their county into compliance with the Help America Vote Act (HAVA). Counties had until October 12 to make their decision and Secretary of State Betty Ireland has released the type of system chosen by each county. (Go to www.wvsos.com to see which system was selected by your county).

Out of 55 counties, 26 chose optical scan systems and 27 opted for electronic touch screen voting machines. Braxton and Wyoming counties rejected both options in favor of traditional paper ballots counted by hand. We are certainly disappointed that more counties didn't choose optical scan — the most reliable, accurate, verifiable and cost-effective system available.

Of those counties that chose optical scan systems, we believe the efforts of WV-CAG and WV Citizens for HAVA played a significant role in Kanawha County's choice for replacing its old punch card system. Furthermore Kanawha is the only county which followed our recommendation to use ballot marking devices to provide access for disabled voters. The Kanawha County Commission made the right choice with the best interest of its citizens in mind, and should be commended for its due diligence in information gathering before making this important decision. To show our appreciation WV-CAG is committed to using every available resource to help the Commission and County Clerk Vera McCormick educate voters about the new system.

As for those counties that chose electronic touch screen machines, the West Virginia legislature fortunately had the foresight to pass legislation to require a voter-verifiable paper ballot (VVPB) to give voters confidence that their ballot will be counted as cast, and to provide election officials with a paper back-up to recover the intent of voters if voting equipment malfunctions. However, it has become apparent, through attending demonstrations of the various voting equipment, that many county officials don't really understand the different technologies, or the new VVPB law particularly, as it relates to recounts.



Many Bottle Bill states are working hard to update their legislation to include plastic water bottles and other containers that didn't exist when their laws were passed. In Connecticut more than \$700,000 in campaign contributions helped the beverage lobby derail expansion of that state's deposit law. Even though the bill passed the State Senate 31-3, it was never taken up by the House.

In addition, several counties seem to be chomping at the bit hoping the federal Election Assistance Commission will say that a VVPB isn't necessary so they can push to have the legislature repeal the West Virginia law. They definitely see the VVPB requirement as a nuisance and something that detracts from the functionality and convenience of using touch screen machines. For these reasons it is more important than ever for us to encourage our Congressional delegation to support a federal bill requiring a VVPB.

In February, Senator Ensign of Nevada introduced S.330, the "Voting Integrity and Verification Act" (VIVA 2005), which is currently on referral to the U.S. Senate Committee on Rules and Administration. It addresses the problems encountered during recent elections when electronic votes were irretrievably lost, and no meaningful audits could be performed. But the bill needs more co-sponsors. Help ensure all our votes are accurately recorded by urging Senators Byrd and Rockefeller to co-sponsor S.330.

Container Deposit Law

by Linda Frame, linda@wvag.org

Even though we are still waiting for legislators to take up the WV Container Deposit Law (Bottle Bill) at interims we have been busy promoting it across the state. As it turns out, offering people 10-cents for their beverage containers is a great way to get their attention. Almost all sign the petition calling for legislators to pass a Bottle Bill in West Virginia.

At the Solid Waste Authority Association conference late last month, many municipal decision makers learned more about the legislation and what they could do to support the bill in their area. Many plan to pass resolutions of support within their communities and associations. These local measures are a tremendous support when we talk to legislators and it will be extremely helpful to add to our 30+ list of coalition members.

We continue to hold our "Deposit Days" as often as funding allows. Also, we'll be at American Recycles Day to promote the Bottle Bill. Since the 11 bottle bill states recycle more than the other 39 combined it's hard to think of a better way to promote recycling! Look for updates at www.wvbottlebill.org.

Important Events

Patriots For Peace Vigils Every Friday at Noon

Weekly one-hour vigils continue at noon every Friday outside the Public Library at the corner of Quarrier and Capitol Street. Please help hold the Wall of Remembrance which lists all the service men and women lost in Iraq and Afghanistan.

Attorney General Town Hall Meetings

Arm yourself with answers, and aim to eliminate your debt. WV Attorney General Darrell McGraw presents **The Truth about Credit — What We All Must Know**. See list of dates, times and locations below to find a town hall meeting near you. For more information call the Attorney General's Consumer Protection Hotline at 1-800-363-8808 or visit www.wvago.us.

Wednesday, November 16, 5:30pm West Virginia Wood Technology Center, Elkins

Tuesday, November 29, 6:30pm, Center for Community Education, WVU
Parkersburg

Wednesday, November 30, 3:00pm, Marshall University Student Center, Huntington

Wednesday, November 30, 7:00pm Cabell Midland High School, Huntington

Monday, December 5, 6:00pm, Serbian-American Cultural Center, Weirton

Wednesday, December 7, 5:30pm, CASE of West Virginia Senior Center, Princeton

WVEC Fundraiser - Tuesday, November 22

WV Environmental Council's Fall Benefit at the "Blue Grass Kitchen", corner of Washington and Elizabeth Sts. (about two blocks from the Capitol). 6:30 to 10PM!

Music and poetry by Kodac Harrison. Great menu of affordable items, wine and beer available. Suggested donation of \$15 but give what you can - be it more or less!

Raffles for various donated items will go on all night, including a drawing for "Go Byrdy Go", a sculpture by Mark Blumenstein, at 9:00 pm. Raffle tickets for this item will be available from 6:30 til the time of the drawing! For more info call 346-5905.

First Fridays

Mark it on your calendar - the first Friday of every month, WV-CAG will host an alternative to "Happy Hour." Join us for light snacks, stimulating conversations and an opportunity to meet fellow WV-CAG members.

Do you have a good book, video or DVD that you'd like to pass along? Bring it and trade it with someone.

First Fridays are free but please BYOB.

From Roget's Thesaurus :

LIBERAL

-Tolerant, Generous, Enlightened,
Broadminded, Lavish, Charitable



Antonym :

CONSERVATIVE

-Stingy, Miserly, Regressive, Narrow-Minded,
Reactionary, Bigoted, Prejudiced, Biased



Please renew your membership or send a donation.

Name: _____

Address: _____

Here's my donation of __\$15 __\$25 __\$50 __\$100 Other \$ _____

Clip and mail with your check to West Virginia Citizen Action
Group, 1500 Dixie St., Charleston, WV 25311

NEW! Now you can donate on-line at www.wvcag.org!!!!

THANKS!

