



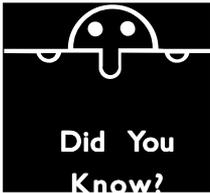
**Inside This Issue:**

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You Believe It?



**Did You  
Know?**

*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](mailto:linda@wvcag.org)

## Clean Elections, the Public Campaign Financing Act (SB 124) on Senate Judiciary Agenda for Monday

SB 124 is set to be on the Senate Judiciary agenda on Monday, February 13, at 3 p.m, in Room 208 West. We have some very strong support in the committee, but can still use your help. Please come to the Capitol, or send some people from your organization. A strong citizen presence would let legislators know that West Virginian's are ready for "voter-owned" elections.

Thank you for your calls, letters and e-mails to Senators urging their support for the bill. These contacts have already made a difference. We especially need you to call the following Senate Judiciary members who may be swing votes:

- Senator Chafin (Mingo) 357-7808, [htchafin@mail.wvnet.edu](mailto:htchafin@mail.wvnet.edu)
- Senator Minard (Harrison) 357-7904, [jminard@mail.wvnet.edu](mailto:jminard@mail.wvnet.edu)
- Senator Lanham (Mason) 357-7843
- Senator Oliverio (Mon) 357-7919, [cglagola@mail.wvnet.edu](mailto:cglagola@mail.wvnet.edu)

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## Wanted: Citizen Lobbyists

This E-Day **put on your favorite green shirt** and give lobbying a try. We'll make it easy for you. Call us at 1-866-WVB-FAIR (toll-free) or 346-5891, let us know where you live and we'll set up appointment for you with your legislators. We'll help you navigate your way around the marble halls to make the most efficient use of your time.

Your timing will be perfect. There are two WVEC issues poised to be taken up in Senate Judiciary this week: Clean Elections and the Bottle Bill. Your visit to legislators on these issues will help us let them know that citizens, not just powerful special interest groups, have an interest in how they vote and you are watching.

Remember, wear your favorite green shirt, blazer or sweater so we can identify each other! See you there!



CapitalEye  
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Citizen Action Group  
(WV-CAG)  
1500 Dixie Street  
Charleston WV  
25311

WV-CAG STAFF  
Norman Steenstra  
Gary Zuckett  
Linda Frame  
Julie Archer  
Marge Michau  
Ted Boettner

PUBLICATION DESIGN  
Damienne Dibble

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member or to  
send comments  
and suggestions,  
visit**

**www.wvcag.org,  
call us at  
304-346-5891,  
or e-mail us at  
linda@wvcag.org**

# Red Carpet Privilege

by Norm Steenstra, [norm@wvcag.org](mailto:norm@wvcag.org)

I had an interesting conversation at the Red Carpet Lounge earlier this week. "The Carpet" is the closest bar to the state Capitol. It is a place where redneck meets liberal and yuppies drink with street people. It's not unusual for governors to stop in late at night. Anyway, two high-powered lobbyists were sitting in the next booth. They are men I've known for years but we seldom say anything more than "hello" to each other. They represent the kinds of special interests like drug manufacturers, banks and insurance companies and basically anyone else who will pay them. You get the idea ~ the kind of interests that always seem to be on the other side of our issues.

I was pleasantly surprised when one of the guys bought me a glass of wine. I thanked him and he said something like, "Almost every day I thank God for Citizen Action Group – with all the issues you raise and the hell you stir up, my clients keep spending and spending." I agreed and suggested that we ought to invoice the 200 or so lobbyists we go up against and request a cut of their retainers. It kind of makes you sick that as you fight the good fight you're making some people richer and richer.

As the conversation continued I was amazed that we actually shared some values. Although these two men were masters of manipulating the political system they were disgusted how the legislative process is so closed and that only 2 or 3 people out of the 134 legislators control the legislature. They (and I) believe that the most important issue to be decided in November's election is who will become the next Speaker of the House of Delegates.

Bob Kiss after, 10 years of iron-handed control of the House, is not seeking reelection. Richard Thompson a progressive delegate from Wayne County is running for the job. He will challenge someone hand-picked by Kiss. Neither you nor I can vote for the next speaker, but our own delegates can. For that reason it is so important this year to elect progressive democratic delegates to the House. If you are curious as to how your delegates are leaning, e-mail me or, better yet, ask your delegate where he or she stands on

*(continued on page 3 - see "Red Carpet")*

# Health Bill Getting VIP Treatment

by Gary Zuckett, [garyz@wvcaq.org](mailto:garyz@wvcaq.org)

The House Health & Human Resources Committee, chaired by Delegate Don Perdue, had two hearings this week on HB 4021. As we wrote last week, the bill left the House early in the session with significant additions including setting up a Commission on Health Care Reform with a mandate to map out a plan for universal coverage by 2010. The Senate then gutted the Commission and sent back a version including only the governor's proposals for baby steps in expanded coverage.

Normally, when a bill is amended in the Senate and sent back to the House it goes to a conference committee. However, using an obscure parliamentary move, the House send the Senate version back to committee for further consideration.

On Tuesday, the committee heard from Kenny Perdue, president of the WV AFL-CIO and State Chamber of Commerce Director Steve Roberts. Both concluded that the present health care/insurance situation in WV was not sustainable and was hurting both labor and business. Much of the discussion focused on the cost shifting involved to cover those with out insurance.

Greg Smith, CEO of Mountain State Blue Cross/Blue Shield testified at Thursday's meeting. He claimed that the average cost of family coverage will rise to \$15,000/year in 2007. He also estimated that \$3,000 of that was cost shifting to cover uninsured and underinsured patients. He also faulted government health plans for not paying their share of treatment costs. "You cannot continue to put pressure on the private sector to make up the difference. It's the greatest hidden tax in the state. Every time you underfund a public program, you're raising costs in the private sector," concluded Smith.

West Virginia Hospital Association CEO Steven Summer told the committee, "Clearly our current health care financing and delivery system is unsustainable..."

The Health committee will open up the discussion to a public hearing after it has heard from the experts. More next week...

*("Red Carpet" - continued from page 2)*

the Speaker's race.

It was eye-opening to me to learn that the disgust of the abuse of power is not limited to progressive value-based people. Maybe it was the wine, but that night I felt a little bit better about the future of state politics. I hope soon to begin feeling that way about the future of our Congress in Washington, too.



Special interest groups spent more than \$700,000 to defeat the expansion of Connecticut's bottle bill according to CT Common Cause. Even though the measure passed the Senate 31-3, it died in the House. Two days after the release of Common Cause's report, CT Governor Rell called a special session to consider public financing of campaigns. "The death of the bottle bill is a case study of how campaign contributions have corrupted the legislative process," said Andy Sauer, Executive Director of Common Cause.

# Senate Judiciary Poised to Take Up Bottle Bill

by Linda Frame, [linda@wvcag.org](mailto:linda@wvcag.org)

After receiving technical clean-up in subcommittee, the WV Container Recycling and Litter Control Act (SB 136) will probably be taken up by Senate Judiciary next week. Legislators are getting lots of calls from the Pro-Litter Coalition, made up of the beverage industry and retailers, who thinks a litter tax is the best way to clean up trash along our roads and in our streams. Unfortunately they refuse to acknowledge that a Bottle Bill is the time-tested way to clean up a large percentage of our state's litter and is an incentive for the trash to not get there in the first place. A litter tax would simply fund others to clean up after litter bugs.

We've said it before, we'll say it again - **now is the time to call the committee!** Calls to Senate Judiciary members are crucial at this time. Please ask them to vote for SB 136. Members are: Senators Kessler (Marshall), Oliverio (Mon), Caruth (Mercer), Barnes (Randolph), Harrison (Kanawha), Dempsey (Lincoln), Jenkins (Cabell), Lanham (Putnam), Weeks (Raleigh), Fanning (McDowell), Chafin (Mingo), Minard (Harrison), Deem (Wood), Foster (Kanawha) - bill sponsor, Hunter (Mon), White (Webster) - bill sponsor, McKenzie (Ohio) - bill sponsor.

Link to their e-mails at [www.legis.state.wv.us/committees/senate/judiciary/sencomJUD.cfm](http://www.legis.state.wv.us/committees/senate/judiciary/sencomJUD.cfm) or call them toll-free at 1-877-565-3447. In your message, ask them to support SB 136 to increase recycling in West Virginia and to follow the lead of 11 other states in adopting a Bottle Bill, the most effective litter prevention policy, for our state.

Remember, **February 14 is the Third Annual Deposit Day at the state Capitol.** Bring your empties to our booth and we'll "refund" you 10-cents for each one (up to 50). Wear green and meet your legislators. We'll let you know if the SB 136 is on the agenda for that day.

Thanks so much for your time and to those of you who have already called your senators. If you have any questions contact me at [linda@wvcag.org](mailto:linda@wvcag.org) or 304-346-5891.

# A Bill to Ban Sludge Impoundments and Injection

by Ted Boettner, [ted@wvcag.org](mailto:ted@wvcag.org)

One of the top legislative priorities for the WV-Environmental Council is the issue of coal sludge impoundments and the inherent risks they pose to public health and safety.

Sludge impoundments are large dams (sometimes over a billion gallons), or artificial lakes, of mine refuse located in the heads of hollows close to coal mining operations, such as the Massey Shumate dam above March Fork Elementary school. Many of these impoundments are not built to proper engineering standards and have received numerous citations by MSHA inspectors. Citizens are concerned that if these impoundments fail and release this slurry, which mounting evidence has shown as a distinct possibility, that they could not only cause environmental catastrophe but loss of human life.

This past week the sludge safety lobby team, along with the critical support of lead sponsor Del. Larry Barker, was able to get five delegates to co-sponsor an anti-sludge bill. They are Charlene Marshall (D- Monongalia), Bobbie Hatfield (D- Kanawha), Cliff Moore (D - McDowell), and Lidella Hrutkay (D - Logan).

The sludge bill does the following:

- After June 2006, the DEP can no longer issue permits authorizing the construction, enlargement or modification of any sludge pond.
- Bans disposal of coal mine waste by injecting it into underground mines.
- Calls upon the DEP to conduct a study of existing sludge ponds by looking at their structure, chemical makeup and whether current mapping indicates all existing abandoned mines. The report is to be completed no later than June 2007.

These six delegates should be applauded for supporting this bill; it's certainly not easy these days to take a stand against the coal lobby when reelection is just around the corner. On Thursday, the bill was sent down to bill drafting and it will be introduced some time early next week.

**During E-Day, Tuesday, Feb. 14<sup>th</sup> at noon, there will be a press conference at the State Capitol in the lower Rotunda (First Floor) on the introduction of this bill.** We hope to see you there.

## ("Clean Elections" - continued from front page)

In the past, lawmakers wondered how to fund the West Virginia Public Campaign Financing Act. Thanks to State Treasurer John Perdue – a Clean Elections supporter, we now have an answer. **State Treasurer Perdue has agreed to provide \$1 million from the sale of unclaimed property to help fund the program.** This will provide the “seed money” to get West Virginia’s program started and will likely be enough to provide public financing to those candidates who opt for and qualify for funds during the program’s first year. This is great news and we are extremely appreciative of the Treasurer’s support of our efforts to change the way campaigns are financed in the Mountain State.

Here are a few other talking points:

- This past November, Connecticut passed a public financing bill, joining seven other states and two cities that have done the same over the past decade.
- In Maine in 2004, where the movement started, more than 80% of last year’s legislative candidates rejected private money, freeing them to spend more time talking to voters about the issues instead of having to spend time raising campaign contributions. Nearly 83% of Maine’s Senate and 77% of the House is composed of legislators who ran on public funding.
- In Arizona (not exactly the hotbed of liberalism), 56% of all candidates in 2004 ran with “clean money.” Arizona is the first state to elect a Clean Elections governor, Janet Napolitano, who ran a successful campaign against a candidate funded by wealthy special interests.
- Vermont, New Jersey and New Mexico have also adopted public financing on a limited basis, as have Albuquerque and Portland, Oregon.
- Elections are the bed-rock of democracy and it’s time that the public claim ownership of them—not big special interests who are currently financing them **at the public’s expense.**

We appreciate your support for Fair and Clean Elections in West Virginia, and hope to see you Monday.

*Special thanks to OVEC’s Janet Keating for submitting this article!*

## Protest Karl Rove’s Visit

Patriots for Peace is inviting all opposed to Karl Rove’s dirty tricks / vengeful politics to protest at his visit to Charleston, Thursday, February 23, 2006 - 5:15 at the Civic Center. The Patriots for Peace will have the Wall of Remembrance, with all US military casualties, on display. However, if others (i.e. environmentalists, fair trade folks, campaign finance reform, etc.) opposed to Rove want to have parallel demonstrations it would be very powerful. Following the event, the documentary *Bush’s Brain* will be shown - check [www.wvpatriotsforpeace.org](http://www.wvpatriotsforpeace.org) for more info.

# Important Events

## Weekly Vigils Continue

WV Patriots for Peace Vigils every Friday from noon to 1:00 p.m. at the Town Center Mall, across from Chili's. Help hold the Wall of Remembrance, which is nearly a football field long. For more info, visit [www.wvpatriotsforpeace.org](http://www.wvpatriotsforpeace.org).

## Buffalo Creek Day

**February 27** at the State Capitol. Join members of the Sludge Safety Project (SSP) in Room 252 of the House Side (Lewis McManus room). Legislators will be invited to attend and see clips of "Buffalo Creek – An Act of Man" and "Buffalo Creek Revisited". SSP members whose health and safety suffers because of coal sludge impoundments and coal slurry injection will speak with the public and legislators.

## Stay In Touch!

The legislative website is a great resource where you can find legislators' contact info and committee assignments, and track bills. Add it to your favorites at [www.legis.state.wv.us](http://www.legis.state.wv.us). Call your delegates and senators toll-free at: 1-877-565-3447 or write to them at West Virginia Senate/House of Delegates, Building 1, State Capitol Complex, Charleston, WV 25305. Contact Governor Manchin toll-free at 1-888-438-2731 or e-mail at [Governor@WVGov.org](mailto:Governor@WVGov.org).



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

**Donate safely and securely on-line at [www.wvcag.org](http://www.wvcag.org)!!!!**

# THANKS!