



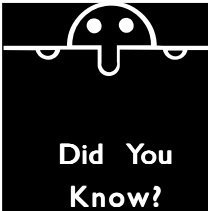
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Did You Know?

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

Forest Bill Poised to Pass Senate

by Norm Steenstra, norm@wvcag.org

What started out as a "local" effort to protect the 9,000-acre Kanawha State Forest, morphed into a bill that offers some real protection for all nine State Forests. The Morph was a positive lesson in the art of compromise at the legislature. The WV-CAG-backed bill, with great support from the Kanawha State Forest Coalition, was originally intended to provide stringent procedures for citing oil and gas wells as well as restrictions on road building and reclamation. The bill was in reaction to a gas company building a mile-long "super highway" through a section of the forest. As these clowns built their highway they needlessly chopped down many 100+ year old trees.

The drillers arrogantly created a real mess and showed no respect to this most-used State Forest. The compromise did sacrifice mandatory public hearings and some innovative reclamation requirements for future drilling activities but added the public comment provisions to include all State Forests. Actual details of the reclamation and road building requirements will be developed in the rules and regulations that the DNR would issue before August 30th. Forest users across the state would then have ample opportunity to comment on the proposed rules. These rules would then be debated by the Legislative Rules Committee chaired by WV-CAG member Delegate Bonnie Brown.

We are guardedly optimistic that early next week the bill will pass the Senate and then has a reasonably good chance of final passage in the House. The "forest bill" has been a great team effort between the Forest Users represented by the Kanawha State Forest Coalition, WV-CAG lobbyists and friendly legislators. Special thanks and appreciation go to attorney David McMahon, long-time WV-CAG member and avid mountain biker. David authored the original bill and then negotiated with the legislative staff.

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1500 Dixie Street
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WV-CAG STAFF
Norman Steenstra
Gary Zuckett
Linda Frame
Marge Michau
Ted Boettner

PUBLICATION DESIGN
Damienne Dibble

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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.



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

Consumer Bills in the News

by Gary Zuckett, garyz@wvcag.org

HB 2061 - Prohibiting the use of credit scoring as a consideration in calculating insurance rates in homeowners or automobile liability policies – The insurance company practice of “Credit Scoring” can increase your car or home owner’s insurance just for getting a divorce, getting behind on a student loan or anything else that lowers your credit score. We say it has nothing to do with how a good a driver or homeowner you are. Contact Delegates Steve Kominar & Larry Barker, chair & vice-chair of House Insurance committee and ask them to pass HB 2061.

SB 78 - To let a consumer implement a security freeze to prohibit a consumer-reporting agency from releasing all or any part of the consumer’s credit report, other than those records from open public records, or any information derived from it to entities with whom the consumer has no existing relationship without the express authorization of the consumer. It passed the Senate mid-week and is in the House Judiciary Committee.

The Insurance Consumer Advocate, now housed in the Insurance Commission, **would become an independent office** under HB 2813. We need an independent advocate similar to Billy Jack Gregg’s office that goes to bat against utility rate increases before the Public Service Commission. The Insurance Commission behaves as if its job is to protect the insurance industry from pesky claims from policyholders. This bill is in House Government Organization Committee – Call Chairman Jim Morgan at 340-3162 and ask him to move it out of committee.

Another bill, HJR 15, would allow voters to elect the Insurance Consumer Advocate. We believe this is misdirected as voters should really be electing the Insurance Commissioner as we do the Agricultural Commissioner.

HB 2762 & SB 374 on Asbestos/Silica liability – These companion bills are terrible “tort deform” measures that would cut off any meaningful compensation to workers and others harmed by these lethal substances. Manufacturers and big corporations have known about the dangers of Asbestos and silica since the middle of the last century yet still exposed workers and their families to cancer-

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Bottle Bill Latest

by Linda Frame, linda@wvcag.org

Next week bills need to either get on a committee agenda or die and we are lobbying the House Judiciary Committee to take up the Bottle Bill so the former will happen. Key delegates to call, if you are in their district, are: Delegate Proudfoot (D-Randolph) - 340-3248, Delegate Ellem (R-Wood) - 340-3394, Delegate Mahon (D-Summers) - 340-3102, Delegate Pino (D-Fayette) - 340-3170, Delegate Lane (D-Kanawha) - 340-3275, Delegate Overington (R-Berkeley) - 340-3148. All can also be reached toll-free at 1-877-565-3447.

The support, both new and existing, for the bottle bill this session has been amazing and I'd like to thank some folks who have gone above and beyond. Laura Phillips and Cyndi Bolton with The Phillips Group managed the returns of the Adopt-A-Highway (AAH) surveys from start to finish. With their professional touches, we were able to present the governor and the media with an official compilation of what our survey respondents had to say. Mark Blumenstein with Friends of the Lower Greenbrier River was the energy and outrage that created the survey idea in the first place. He is now following up with other equally angry AAH volunteers to decide on other actions to help keep the bottle bill on the front burner in West Virginia politics. Fritz Boettner with Downstream Strategies developed and produced a GIS map plotting the statewide AAH survey results, creating a powerful visual we will use in so many ways to promote the Bottle Bill and publicize the survey results.

Many citizen lobbyists turned out on Bottle Bill Day. Special thanks go out to: Rosemary Lockhart, Kathy Lewis, Matt Tate, Mark Blumenstein, Don Garvin, John Christensen, Norm Steenstra III, Don Gasper, Owen and Kathy Stout, Denise Poole, Regina Hendricks, Kathryn Stone, Jay Bowen, Richie Robb, Paul Hamrick, Richard Barnett, Howland and Doris Sharpe, Sue Talbott, Jesse Johnson, Kevin & Samantha von der Heydt, the WVU Student Sierra Club Coalition including Carmen Borsa, Gibron Mancus, Christy Hartman, John Neubert, Charles Holden. Carmen and Gibron delivered an empty soda can with an attached label stating bottle bill facts to each legislator, and Carmen did this despite having a broken foot! It was a busy, crazy good day and if I've left you off the list, I apologize. And thanks, OF COURSE, to everyone who has made phone calls to legislators and the governor, asking for support for SB 370 and HB 2773.

In other news, the Clay County Commission, the Lincoln County Commission and the Lincoln County Solid Waste Authority have all passed resolutions of support for the WV Bottle Bill. If you would like to get a resolution passed in your community, please visit www.wvbottlebill.org where you can download a one-page draft resolution.

Call me if you have any questions and thanks!

Making It Easier to Save for Retirement

by Ted Boettner, ted@wvcaq.org

Late last year I met with Senator Dan Foster to discuss the idea of creating a universal voluntary accounts (UVAs) system that would provide every worker in the state with access to a voluntary, portable retirement savings account. Foster, who is Chairman of the Pensions Committee, introduced the bill (**SB 553**) on Monday. So far West Virginia is only the second state to introduce such legislation this year, the other being Washington.

While Social Security provides a foundation, it's not enough for a comfortable retirement. In 2005, only 43 percent of workers ages 21-64 in West Virginia had an employment-based retirement plan. This means the bulk of the work force is currently approaching retirement with little more than their Social Security benefit to support them in their old age. This is due to a sharp falloff in personal savings and the rapid decline of the traditional defined benefit (DB) pension system. While defined contribution (DC) plans such as 401(k)s have replaced DB plans, most workers with DC plans accumulate relatively little money in their accounts.

This is due to the fact that employers often make limited contributions, workers frequently cash out their holdings when they change jobs, and the administrative fees charged by the financial industry often eat up a large portion of the earnings in these accounts. Small businesses and their employees are especially disadvantaged under the current system since small business owners lack the time and expertise to set up pensions for their workers.

Under SB 553, a system of defined contribution accounts (UVAs) administered through the state would: 1. Immediately give every worker in the state a low cost defined contribution account, to which they could contribute directly from their paycheck; 2. Provide an account that is fully portable; workers could contribute to the same account regardless of where they worked, or if they are self-employed for a period of time; 3. Give small employers the ability to provide their workers with a decent pension (employers could contribute to the accounts as well), with almost zero paper work and with no fiduciary obligations whatsoever.

This would be an important first step towards increasing retirement income. Simply reducing administrative fees from the levels charged by many private managers of DC accounts would increase accumulations in DC accounts by 25-30%. Insofar as the system provided workers and employers more incentive to contribute — by making the process easier, discouraging withdrawals with job changes, and setting the default rule to favor contributions, etc. — the impact will be considerably larger. It would even be possible to offer a DB option in these accounts (e.g. \$1,000 contributed at age 35 buys a worker an annuity of

\$100 a month at age 65), although that may require changes in federal regulations. The point is that a state-based UVA system adds breadth and strength to almost any existing system of retirement security.

The UVA system should be self-supporting (costs to be paid from account fees) apart from some minimal start-up costs (\$5-\$10 million) that may have to be initially borne by the state. The only burden it would impose on employers is the requirement that they pass along at regular intervals (monthly or quarterly) any contribution that their workers elect to make to the UVA system. Employers are not obligated to make any contribution of their own, although they would have this option.

This retirement savings bill offers a simple, convenient solution that helps provide long-term financial security for West Virginia's retirees. While it may take many years for this bill to pass, this is a giant step for West Virginia and its workforce.

Seven Days in February

The next week will determine the fate of Clean Elections this year. Will Walt Helmick Chair of the Senate Finance once again kill the bill by not placing it on the Committee's agenda? Or will he honor his pledge made late last session to consider the bill this session? The world wonders. The next logical question is: if indeed he does permit debate, will he do so early enough next week to give the bill a chance to pass the whole Senate? Next Friday we'll know. Rumors are swilling around that Helmick will probably place the bill on the agenda but really doesn't like it. Why should he? He normally runs unopposed in both the primary and general elections.

Let's hope Walt does the right thing in the coming week. As we reminded everyone last week, each of you has a senator on Helmick's Finance Committee. The best thing everyone reading this can do is call your senator and urge him or her to urge Chairman Helmick to start working the bill. If he moves the bill out of his Committee by Friday we still have a chance to effect positive electoral change in West Virginia this year.

News Flash

We just heard that the long awaited bill to permit the McDowell County landfill to expand to 100,000 tons per month has been introduced. SB 629 would fly in the face of everything we did to stop the flood of out of state garbage back in the early nineties. Nearly every ton of the proposed 100,000 tons would be brought in on rail cars from major eastern cities. We all should be watching this.

Very late news flash...

Expect a bill next week to be introduced that allows oil and gas drilling on state park property. It's being pushed by the major mineral owners including AT Massey and the Mineral Owners' Association. This is particularly worrisome because the people who own the minerals in Chief Logan State Park are proponents of the bill. This measure will most likely affect all state parks and we will need your help to kill this potentially devastating bill and what it would mean for our public lands.

Anti-Surge Resolution Introduced in House

by Gary Zuckett, garyz@wvcag.org

On Friday, 25 members of the WV House of Delegates (one fourth of the whole body) introduced a resolution in support of the US military forces in Iraq but opposed to President Bush's proposal to send over 20,000 additional troops to the war-torn nation. "I've been waiting for someone to bring this up," said one enthusiastic House member when signing on to co-sponsor HCR 37. "Sending more of our sons and daughters over there just doesn't make any sense!" The introduction was timed for the same day that our US House of Representatives was scheduled to pass the same Resolution opposing Bush's unpopular proposal after a full week of debate. Like the federal version, HCR 37 will be sent over to the Senate when passed by our WV House. Contact your House member ASAP to express your support for a quick passage of this first step in turning around the Bush disaster in Iraq.

This local effort was coordinated by, you guessed it, WV-CAG, in coordination with the Progressive States Network (www.progressivestates.org) and the new national coalition Americans Against Escalation in Iraq (AAEI) led by our national affiliate USAction. As we go to press, plans are in the making for a **press conference at the Governor's Conference Room in the Secretary of State's office at 3PM on Monday, February 19, Presidents' Day**. Please call us at 346-5891 on Monday to confirm the details.

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**.

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.

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causing levels of these industrial compounds. Now they are trying to change the law to get off the hook from paying compensation to folks they've poisoned. Both these bad bills are in Judiciary committees. Contact Chairs Senator Kessler at 357-7880 and Delegate Carrie Webster at 340-3252 and ask them to deep-six them.

E-Day at the Capitol

March 2, 2007, 10:00 a.m - 3:00 p.m., House & Senate halls and upper rotunda area. Environmental organizations and sustainable businesses from across the state will be there and it's a great opportunity for citizens to come together to lobby. *For more information and to register your organization contact : Denise Poole at deniseap@earthlink.net or call the WVEC office: (304) 414-0143.* Annual E-DAY RECEPTION & BENEFIT will be held the same evening.

Extending Low-Income Tax Credit for 2007

Last November when the legislature held a special session on tax reform, it passed a low-income family tax credit for those below the federal poverty line. The bill (SB 2010) only allowed qualified taxpayers to receive fifty percent of the credit in FY 2007, with the full credit being implemented every year thereafter. Working with Senator Barnes (R- Randolph), we introduced a bill (SB 451) that will extend the credit to one hundred percent in FY 2007. While this might not sound very significant, it will put \$10 million back into the pockets of low-income tax payers. Other sponsors of the bill are Senators Minard, White and Unger. Now let's just hope Senate Finance Chairman Helmick takes up the bill.



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

Donate safely and securely on-line at www.wvcag.org!!!!

THANKS!