



Prescription Fairness Coalition Pushes to Expand Access to Contraception

by Julie Archer, julie@wvcag.org

WV-CAG has joined the recently revitalized WV Coalition for Prescription Fairness to support legislation that will require insurers to provide contraceptive coverage for dependants. In 2005, this coalition, headed by WV FREE, was successful in getting the legislature to require health insurance plans to cover the cost of contraceptives. At the time, West Virginia's Public Employee's Insurance Agency was already covering contraceptives for its policyholders and spouses, however, there was concern about additional costs for PEIA, so a dependent child exemption was added. Now West Virginia is the only state with a contraceptive equity law that specifically allows insurers the option to exclude dependent minors from contraceptive coverage. And, unfortunately, since the passage of the West Virginia Prescription Fairness Act, the number of West Virginia teens giving birth has risen by nearly 11%. HB 4272 would remove the exemption for dependent children, increasing critical access to birth control, which will enhance the health of young women, prevent unintended pregnancies and reduce abortions.

A recent study conducted for the legislature by the Marshall University Center for Business and Economic Research found that not providing contraceptive coverage creates "cost-shifting" where the expense is shifted from the insured to the family, state or private insurers. According to the report, the costs to West Virginia taxpayers associated with teen pregnancy are:

- \$11 million for public health care
- \$14 million for child welfare
- \$4 million for incarceration
- \$16 million for lost tax revenue

In addition to the financial costs to taxpayers, there are other costs to individuals, their families and their employers. These include developmental losses for children, diminished sense of social equality and self-respect, out-of-pocket expenditures for health care services, financial uncertainty and stress, lost income from inability to continue work and reduced workplace productivity. Covering contraceptives will save money for taxpayers who are bearing these external costs and for the families whose physical and financial well-being is threatened by unintended pregnancy and lack of access to equitable coverage for contraceptives.

WV FREE and the ACLU of WV will hold a lobby day on Monday, February 8 to promote a number of policies including this much-needed legislation to expand access to birth control in West Virginia. For more information contact lida@wvfree.org.

Aggressive Progressive Rally in the Works for February 17

by Gary Zuckett, garyz@wvcag.org

Recent setbacks on health care reform, campaign financing, and jobs and recovery funding have left many of us, along with our coalition members, feeling a need to rally around these important issues. Please join us as we gather to show our lawmakers both in Charleston and Washington, DC that we expect them to follow through with their promises and that we continue to support them in their efforts. As this newsletter goes to press, West Virginians United for Social and Economic Justice, a diverse coalition of labor, faith, and community non-profits, is meeting to discuss these issues and plan a **rally for Wednesday, February 17 at the state Capitol in conjunction with Children's Day**. The rally is tentatively set to begin at noon. More details in next week's newsletter!

Health Reform Lives!

Contrary to media reports, health reform is not dead. Congressional leadership has not given up on passing a reform package and is still in negotiations over a revised plan. Leaders are also pulling together the parliamentary map to passage. At this point it looks like the "reconciliation" route will be undertaken in the Senate to bypass the deadly filibuster that requires a super majority of 60 votes to override. Reconciliation is a special rule related to budgetary issues and only requires a simple majority of 51 votes in the Senate. It was used dozens of times during the Bush years to pass his infamous tax cuts for the rich and other initiatives unpalatable to the minority party in Congress at that time. Watch for screams and lamentations from the now-Republican minority now that the "shoe is on the other foot." See www.healthcareforamericanow.org for more information.

Make the Banksters Pay for Recovery

WV Citizen Action just signed on to a letter to Congress calling for a modest tax on stock and securities trading to help pay for the financial mess the bank industry created. "The Wall Street Fair Share Act" and "Let Wall Street Pay for the Restoration of Main Street Act of 2009" are important steps in the direction of economic fairness and balance. For these reasons, we fully endorse both bills.

Capital Eye is published by WV-Citizen Action, a nonprofit membership organization founded in 1974 and 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. Learn more about us at www.wvcag.org

Comprehensive Immigration Reform

by Lisa Diehl

Reform Immigration FOR America (Ri4A) continues to educate, organize, and mobilize citizens and organizations around the country that support reforming our broken immigration system. Support for comprehensive immigration reform crosses party lines. Democrats, Republicans and Independents agree that immigration reform is overdue.

Ri4A has developed a list of principles it hopes will guide the discussion and our policy makers. These principles are not about immigrant rights, but about reforming the broken, chaotic system currently in place.

Below is a list of those principles. For more details, please go visit www.wvcag.org.

Immigration reform must promote economic opportunity: Helping all low income Americans improve their job prospects.

It must be comprehensive: Recommit our country to being both a nation of immigrants, and a nation of laws.

Long-term reform requires long term solutions: The factors shaping immigration are not just domestic and the issues transcend our borders.

A rational and humane approach to the undocumented population: We must create a rigorous registration process that includes background checks, paying an appropriate fine, paying taxes, and studying English.

Protect U.S. and immigrant workers: We must protect ALL workers' rights to organize and bargain collectively.

Allocate sufficient VISAs to close unlawful migration channels: The level of legal immigration is set by Congress without regard to labor market needs.

Enhance our nation's security and safety: Prioritize enforcement actions and prosecute unscrupulous employers who are exploiting vulnerable workers to enhance their competitive advantage.

Establish a strategic border enforcement policy that reflects American values: We must create comprehensive border solutions that balance enforcement with economic development and human and civil rights along the border.

Keep American families together: Reform must include restoring our commitments to promoting family unity.

Promote immigrant integration: We must provide help for new immigrants to learn English, understand our laws, and restore funding for English and civic classes.

Protect fundamental rights of all: Congress must restore basic civil liberties of all individuals and renew our commitment to core American values of fairness and justice.

Clean Elections Pilot Project Sent to Subcommittee

As anticipated, the House Judiciary Committee formed a subcommittee to look at the public campaign financing pilot project for Supreme Court races. The subcommittee members are:

Delegate Bill Wooton (D-Raleigh) – Chair
Delegate Larry Barker (D-Boone)
Delegate Michael Ferro (D-Marshall)
Delegate Linda Longstreth (D-Marion)
Delegate Mike Ross (D-Randolph)
Delegate Danny Wells (D-Kanawha)
Delegate Robert Shadler (R-Mineral)

The legislative clock is ticking. Please contact Chairman Wooton at (304) 340-3164 and let him know you support HB 4130 and encourage him to get the committee working on this legislation right away.

New Robes for the US Supreme Court ~ Hopefully West Virginia Can Avoid This Fashion Statement With Public Financing of Judicial Elections!



Talk to Us!

Each Friday during the Legislative Session the WV-CAG staff writes, edits, copies, folds and mails (or e-mails) the *Capital Eye* to you. Our goal is to keep you up-to-date on what's happening at the state Capitol for those crazy 60 days. Here's how you can let us know how we are doing:

Send us an e-mail. If you have comments or suggestions about this or other issues of the *Eye*, contact linda@wvcag.org or call 304-346-5891.

Renew your membership. Nothing says you are with us more than a current membership. Use the cut-out coupon on the address page or donate at our website.

Call your legislators. Too many issues? Pick one you care about most and call even just one legislator today. Contact information is on the next page.

"Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen."

Winston Churchill

Governor's Budget Masks Cuts to Agencies, Programs, and Services

When Governor Manchin ordered agencies to make mid-year cuts of 3.4 percent via Executive Order, he not only bypassed the legislature's constitutional vote on budget changes, he made the cuts in haste to reduce the size of state government. The governor claims he ordered the cuts because of November's \$13.8 million revenue shortfall and an estimated \$120 million deficit projected for FY 2010, however, the WV Budget Office revealed that the state was \$56 million above revenue projections between July and January. The likelihood that the state will be \$120 million short by fiscal year-end in June is doubtful. While most of these cuts will be restored with federal stimulus funding, many agencies will struggle to avoid lay-offs and be unable to fill their vacancies.

To make matters worse, the governor also proposed more than \$3 million in cuts to state health programs including a \$650,000 cut to a Primary Health Center in Mann, WV, a \$256,000 cut to the Osteoporosis and Arthritis Prevention program, elimination of the WV End of Life Care program, a \$1.6 million cut to Maternal and Child Health Clinics, and a \$656,000 cut in the Tobacco Prevention program. (Remember the billions in tobacco settlement money the state cashed in?)

These budget cuts are preventable. The governor has access to \$48 million in unallocated federal stimulus money that he could easily put toward these programs. We don't believe for a second that these cuts were "necessary." They are just part of Governor Manchin's philosophy to "Reaganize" state government with no regard for the poor or state employees.

Surface Owners: Time to Speak Out

by Norm Steenstra III, norm@wvsoro.org

Over the past couple of weeks we have recruited sponsors for a slightly pared down version of our Surface Owners' Bill of Rights called the Surface Owners' Rights Recognition Act. Our supporters in the legislature believe this compromise bill will improve our chance of gaining some rights for surface owners this year. We expect the bill to be introduced next week. **We need your help to ensure that surface owners' rights are recognized and respected by oil and gas well drillers. Here's what you can do:**

Tuesday, February 9 is Farm Bureau and Forestry Association Day at the Legislature. If you are a member of either of these organizations and plan to attend we hope you will meet with your legislators while you're in town to urge their support. If you're not a Farm Bureau or Forestry Association member, we hope you will **join us in Charleston that day (or any day during the next couple weeks) to meet with your legislators. A face-to-face meeting and your first-hand accounts of needless destruction of timber, lost home sites, destructive road building and ruined pastures caused by drillers can have a big impact.** Please contact Norm or Julie at 1-866-WVB-FAIR. We'll be happy to make appointments with your legislators and show you around the Capitol. Invite your friends and neighbors to come

with you. The more voting landowners our legislators meet and hear from, the more seriously they are going to take this issue.

If you're unable to join us please contact your Delegate(s) and Senators on Tuesday, February 9. Tell them how you've been treated. Ask them to protect the rights and interests of West Virginia surface owners by passing the Surface Owners' Rights Recognition Act this year. **Make your voice heard!** Call toll-free 1-877-565-3447 or visit www.wvsoro.org for other ways to contact your legislators.

We hope to hear from you and see you in the next couple of weeks so that we can all make a difference in protecting our property rights.

Legislative Outlook

by Gary Zuckett, garyz@wvcag.org

Even in a slow session there are lots of good bills to track. One of the first to pass the House is the Ethics bill (HB 4016) which would require high-level state workers (such as Manchin's aide Puccio) to sit out a year before returning to lobby state government. Many states have this limitation to slow down the "revolving door" that turns close relations with lawmakers into high-paying influence peddling for special interests. Also included is the requirement that legislators reveal their spouses' incomes. This is a much-needed financial disclosure that will ensure transparency on family business dealings. See the editorial by Speaker Thompson in today's [Charleston Gazette](#) for more. Call Senate Judiciary members to keep this "open government" bill moving!

Delegate Tim Manchin's bill to expand the Insurance Consumer Advocate's office is another positive. HB 3297 would allow the Advocate to intervene in insurance rate cases, similar to the PSC Advocate who goes to bat for consumers when electric and gas utilities apply to raise their rates. This bill is a good step toward an independent advocate in the Insurance Commission. Thanks, Delegate Manchin!

Contact Your Representatives!

WV Senators and Delegates:

The Honorable _____
West Virginia Senate/House of Delegates
Building 1, State Capitol Complex
Charleston, WV 25305
Call toll-free: 1-877-565-3447

On the web: www.legis.state.wv.us where you can find legislators' e-mails. Or e-mail any legislator at cglagola@mail.wvnet.edu. Be sure to type the legislators' names in the subject line so your e-mail can be delivered.

The Governor's office:

The Honorable Governor Joe Manchin
1900 Kanawha Blvd East
Charleston, WV 25305
Call toll-free: 1-888-438-2731
e-mail: governor@wvgov.org

You can also visit www.wvcag.org, type in your zip code and find info on all your federal and state representatives. **Make your voice heard!**

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Upcoming Events and Actions!

February 7: A National Legislative Overview. Presented by Wes Macleod-Ball, Director of ACLU's Washington Legislative Office. 2PM. Charleston Woman's Club, 1600 Virginia Street East, Charleston. This free presentation is part of the ACLU's Annual Membership Meeting and is open to everyone. This overview will be followed with an update on current events at the Legislature and an assessment of civil liberties in the Mountain State. Light hors d'oeuvres and refreshments will be served. For more information, e-mail mail@acluwv.org or call 304-345-9246.

February 8: ACLU-WV Lobby Day at the Legislature. Join the ACLU of WV Staff to visit your legislators and make your voice heard on individual liberty issues. Meet at 9AM at the State Capitol Rotunda. For more information, e-mail mail@acluwv.org or call 304-345-9246.

February 17: Citizens For Clean Elections meeting. 10:30 AM at Temple Israel (corner of Chesapeake Ave. and Kanawha Blvd., a few blocks east of the Capitol). The Temple is convenient for folks who want to walk from the Capitol, and there's plenty of parking for those driving in. For more information, please call 304-346-5891.

February 24: E-Day at the Capitol. 9 AM till 2 PM. Lower Rotunda. This is the Environmental Lobbying Day - a perfect opportunity to "go ye out and lobby" for everyone. Booth displays, announcements, press conference and more. **For more information, or for table/booth reservations:** contact Kevin Smith at a_clean_wv@yahoo.com

February 24: E-Day Benefit Dinner & Awards Ceremony. Woman's Club of Charleston. 5:30 - 8:30 PM. Celebrate achievements and honor recipients of WVEC awards. Homemade Soup & Salad buffet. Admission is a donation of \$15 to WVEC. **E-Day After Party!** Live music at the Empty Glass, 410 Elizabeth Street, Charleston. Admission only \$5 per person.

April 16: WV-CAG Spring Fundraiser at the Charleston Woman's Club. Music, silent auction, food and great people. If you have something you'd like to donate to our silent auction, please e-mail linda@wvcag.org.

April 17 & 18: WV Sustainable Fair. Davis & Elkins College Elkins, WV. Speakers & Workshops on Energy, WV Agriculture & Organic Foods, Community Gardening. Green Booths . "A Sustainable Feast" Benefit Dinner Friday evening. Live Music throughout the event, culminating with a Saturday evening concert from 7 PM - 10 PM. Musicians include Mike Morningstar, The Ginsangers and others to be confirmed. **For more information,** contact Denise Poole at deniseap@earthlink.net.

Corporation, n. An ingenious device for obtaining individual profit without individual responsibility. - Ambrose Bierce (1842 - 1914)



We Need Your Support
We can't do it without you!

Please renew your membership or send a donation.

Name: _____

Address: _____

E-mail: _____ Phone: _____

Here's my donation of: ___\$25 ___\$50 ___\$100 Other \$___

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

Donate quickly & securely at www.wvcag.org!