



## Capital Eye

Volume 10, No. 5 ~ February 12, 2010

### Health Care Reform Rally at Capitol

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

West Virginians United for Social and Economic Justice will rally on Wednesday, **February 17** at the State Capitol to support the passage of Health Care Reform and to urge Congress to create jobs and fix the economy. **The Rally for Health Care, Jobs and the Economy** will begin in the lower Rotunda (ground floor under the dome) at **11AM**.

Senator Rockefeller is scheduled to address the crowd at 11:30AM. Representatives from the WV AFL-CIO, AARP, West Virginians for Affordable Health Care, National Association of Social Workers-WV and WV-CAG will also speak. I know it's a work day but it would be great if some of our Charleston members could take an early lunch hour and come support these progressive issues and our Senator who has fought so long and hard for health care reform.

February 17 is also Children's Day at the Capitol and there are activities all day in support of children's issues. This is the second year for their YouTube Youth forum at the Culture Center. See their web page for all the details:

<http://preventchildabusewv.org/childrensday2010/>

As I said last week, media reports that health care reform is dead are dead-wrong. There is still a path to passing health reform that will do a lot of good for a lot of West Virginians so come show your support if you can. If you can't make it call in to Senator Rockefeller's office (202-224-6472) and give him a BIG thank you for keeping up the fight!

### Help Collect Signatures Against Verizon Sale

Here is an easy way to help keep your land-based phone service from going bankrupt. Grab the enclosed petition, get signatures from your friends and neighbors and mail it back in to us right away. The WV Public Service Commission (PSC) has already held its hearing on Verizon's proposal to sell all its land lines to Frontier, a much smaller and underfunded company. Now is the time to collect signatures and make our opposition known to the PSC as it sorts through the testimony and prepares its ruling. Visit [www.wvcag.org](http://www.wvcag.org) for more info on why you'll be worse off with Frontier as your carrier. You can also download the petition there.

Please return the petitions to:  
WV-CAG  
1500 Dixie Street  
Charleston, WV 25311

Visit [www.bad4wv.org](http://www.bad4wv.org) to find out more about why this sale is a bad deal for West Virginia!

### Shameless Republicans

They were against it before they were for it - the Federal Stimulus, that is. ALL House Republicans voted against the Stimulus Package that most experts credit with keeping the recession from becoming a full-blown 1930's-type depression. That was a year ago this month.

They must think we have very short political memories. Since that vote, Shameless Republicans have fallen over themselves to show up at countless ribbon cuttings and BIG CHECK presentations to fire departments, schools, and libraries to claim credit for the funding they voted against! This is really the pinnacle of hypocrisy. I hope 2nd District voters get the message about the "party of NO" that Rachel Maddow aired this week. Let me know if you hear of Congresswoman Shelley Moore Capito taking any credit for federal stimulus cash.

### 'Hallway Deal' Weakened Oil and Gas Rule

by Julie Archer, [julie@wvcag.org](mailto:julie@wvcag.org)

If you are a member of the West Virginia Environmental Council (WVEC), read the blogs at *the Charleston Gazette* and/or listen to or watch West Virginia Public Broadcasting you've probably already heard about the "hallway deal" between industry and DEP brokered by Senator Joe Minard (D-Harrison). This sneaky maneuver weakened the requirement in the oil and gas rule that required drilling waste pits and impoundments to use impermeable synthetic liners.

We thought the Legislative Rule-Making Review Committee had advanced the rule without changes and we expected an uphill battle to ensure it wasn't weakened by industry as it worked its way through the legislative process. Little did we know that it had already been weakened without the knowledge of many of the committee members and our lobby team.

In case you missed it you can read WVEC Legislative Coordinator Don Garvin's account of how the deal went down at [http://www.wvecouncil.org/legisupdate/2010/02\\_05.html#under](http://www.wvecouncil.org/legisupdate/2010/02_05.html#under).

Don's article prompted Ken Ward to post about it at *the Gazette's* Sustained Outrage blog and Erica Peterson did a story for West Virginia Public Broadcasting that was featured on *the Legislature Today* and on Public Radio's local morning news segment. We have links to Ken's post and Erica's story at [www.wvsoro.org](http://www.wvsoro.org).

We will be working with the WVEC to strengthen the rule in the House. We'll continue to keep you posted.

*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](http://www.wvcag.org)*

## Immigration Reform Boosts Economy

by Lisa Diehl

Recently, the Center for American Progress and the Immigration Policy Center released a study showing Comprehensive Immigration Reform (CIR) would provide widespread economic growth. The Gross Domestic Product would rise dramatically, by \$1.5 trillion over 10 years, if Congress creates a legalization procedure for undocumented immigrants and sets a flexible visa program that responds to changes in the U.S. economy. These procedures would create millions of new taxpayers by requiring undocumented workers to register, go through background checks, pay taxes, and study English on their way to becoming full U.S. citizens. To read the full report, go to

[http://www.americanprogress.org/issues/2010/01/raising\\_the\\_floor.html](http://www.americanprogress.org/issues/2010/01/raising_the_floor.html)

Congress is home for the Presidents' Day recess next week. **Call or stop by to support reform** between now and February 19 at one of Senator Rockefeller's district offices to express support for a common sense approach to our broken, chaotic immigration system.

Comprehensive Immigration Reform will help get the economy back on track, raise wages for ALL Americans, give people a path to legalization, and add \$1.5 trillion in economic growth. Senator Rockefeller's offices are located at:

220 North Kanawha Street, Suite 1  
Beckley, WV 25801-4514  
(304) 253-9704, (304) 253-2578 Fax

405 Capitol Street, Suite 508  
Charleston, WV 25301-1749  
(304) 347-5372, (304) 347-5371 Fax

118 Adams Street, Suite 301  
Fairmont, WV 26554-2841  
(304) 367-0122, (304) 367-0822 Fax

217 West King Street, Suite 307  
Martinsburg, WV 25401-3211  
(304) 262-9285, (304) 262-9288 Fax

## Rally on February 15 – State Capitol

On Monday, February 15th, UE Local 170 – WV Public Workers Union, their families, supporters and community allies will gather for a press conference at 10:00 a.m. in the Lower Rotunda of the State Capitol in support of improved wages, benefits and working conditions for all public workers. After the press conference they will march to Governor Manchin's office and present him with more than 1,700 petition signatures asking for a cost of living increase for all public workers.

Estimated amount of glucose used by an adult human brain each day, expressed in M&Ms: 250 - Harper's Index
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## Help Support These Good Green Bills

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

There are several pieces of legislation that could impact how our state regulates recycling and landfills in years to come. As in any Legislative Session, there are good bills and bad bills.

One bad change would actually come from a rule tucked into the Department of Environmental Protection's (DEP) solid waste management rule that would reduce the amount of material that can be taken to the landfill on "Free Day." This event helps prevent open dumping and assists those who cannot afford to pay to dispose of their trash. Unfortunately, we expect this to pass without much opposition.

SB 398, introduced by Senator Karen Facemyer (R-Jackson), is one of the good bills and would prohibit the landfilling of certain electronics. Twelve other states already have prohibitions on throwing away various types of these materials. SB 398 has passed Senate Judiciary and now goes to Senate Finance. Call Chairman Helmick (304-357-7980) and your senators and ask for their support.

SB 489, introduced by Senator John Unger (D-Berkeley) and Senator Truman Chafin (D-Mingo), would require the WV Solid Waste Management Board (WV SWMB) to perform a one-time study to measure the county and state recycling rate. This bill has the support of the WV SWMB and the Association of WV Solid Waste Authorities. The state was mandated by the 1991 Recycling Act to increase recycling to 50% by 2010. Gathering data on how much we recycle and how well we are complying with state law is long overdue and could go a long way to convincing legislators and state agencies to strengthen our existing recycling programs and create new ones. This bill sits in Senate Judiciary and calls to Chairman Kessler (304-357-7880) and your senators can help get it moving.

## Have a Heart!

Happy Valentine's Day to all of our members! We hope you will think of us with affection during this busy time and take a moment to renew your membership or send in a donation.

Thanks to the following members who have recently donated: Suzanne Thorniley, Catherine Turner, Catherine and John Lozier, Kathy Bisbee, Dave McMahan, Roy and Sue Price, Evan and Theresa Buck, Laura Goff Davis, Clarence and Shirley Aleshire, Richard Gross, James and Mary Tarleton, Mel Hoover, Rosemary Edington, Eve Firor, Steven Mewaldt, Anne Barth, Eldon Winston, James Luzier, Ellie and Steve Conlon, Jerry Mark, Doyle Coakley, Carl Schultz, Ray and Hedda Haning, Eleanor Spohr, Doris Magan, Jordan Rinehart, Charles DiSalvo, Kathleen Kennedy, Marie Decker, Peg Wilkinson, Joyce D'Auria, Kira Miskimmin, Beatrice and Ann Quigley, William Watson, Helen Thalheimer, Loren and Bill Howley and Paul and Nancy Hodges.

**THANKS to all of these generous members – we couldn't do it without your support!!!**

## Surface Owners' Rights Recognition Act Introduced

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

Our Surface Owners' Rights Recognition Act has been introduced in both houses. In the House it is HB 4408, sponsored by Delegate Mike Manypenny of Taylor County. On the Senate Side, Senator Larry Edgell of Wetzel County is the sponsor of SB 529. The bill is supported by the WV AFL-CIO, the WV Council of Churches and the WV Environmental Council. While all this organizational support is great, we still need you to call, email or personally visit your legislators and tell them why the bill is important for you.

Please contact the members of the House Judiciary Committee and the Senate Energy, Industry, and Mining Committee, to urge support and get the committee members to take up our bill. We are out numbered about 5 to 1 by the industry lobbyists, so everything that you can do will help us out. If you have any questions, please contact us. We've provided a list of the committee members to make it easier to contact them.

## House Subcommittee Meets to Discuss Public Financing

by Julie Archer, [julie@wvcag.org](mailto:julie@wvcag.org)

A House Judiciary Subcommittee met for the first time this week to take up HB 4130, which would establish a pilot project to provide public campaign financing to candidates for the WV Supreme Court of Appeals. The committee heard an explanation of the bill by a staff attorney, followed by a question and answer period. The subcommittee also heard from representatives of the Governor's office and Secretary of State Natalie Tennant, who told that committee that her office favors public financing. The subcommittee directed counsel to get information on North Carolina, which has had public financing in place for Supreme Court and Court of Appeals candidates since 2002, and on Wisconsin, which adopted 'impartial justice' legislation last year. We expect the subcommittee to reconvene early next week and will continue to keep you posted. Please see last week's newsletter for subcommittee members and continue to make those calls – thanks!

## Supreme Corporate Cash Slow-Down

As a push-back on the US Supreme Court opening the floodgate of corporate cash in our elections, *The Washington Post* reports that Senator Charles E. Schumer (NY) and Congressman Chris Van Hollen (MD) will introduce a ban on companies with more than 20% foreign ownership, government contractors and bank bailout recipients from participating in U.S. elections. They also want to require companies to inform shareholders about political spending and to mandate that corporate chief executives appear in any political advertising funded by their companies. Many more interesting ways to slow down corporate cash are included in the proposed legislation.

"If we don't act quickly, the court's ruling will have an immediate and disastrous impact on the 2010 elections," said Schumer, the Senate's third-ranking Democrat.

## Rail Planning: Support SB 527

by Bonni McKeown, [barrelhbonni@hotmail.com](mailto:barrelhbonni@hotmail.com)

West Virginia can get on track for a beefed-up, energy-saving passenger and freight network by passing a rail planning bill introduced by Senator John Unger, D-Berkeley. Train riders say statewide planning is the first step to keeping and improving commuter lines in the Eastern Panhandle, as well as Amtrak trains in and near major cities in northern and southern West Virginia. The plan would open the way for funding of safer and faster tracks, better rail stations with more parking and an intermodal transportation network that coordinates trains, buses, and bicycles.

Unger's bill, SB 527, would require the West Virginia Rail Authority, now a small agency within the WV Department of Transportation, to take on statewide rail and intermodal planning. Planning would be financed by a \$1 million federal stimulus grant, announced by Senator Jay Rockefeller last week, and matched by \$1 million in state funds.

The bill's current wording allows, but does not require, freight railroad and passenger group input on the plan. The bill has been referred to the Senate Transportation and Infrastructure Committee and then to the Finance Committee. Please ask your legislators to support rail planning that REQUIRES input throughout the planning process by rail passenger groups, freight railroads, and local governments.

## From WVBlue Blog: [West Virginia - In the Dark on the Future of Energy](#)

posted 2/9/2010 by wv voice of reason

Today a mixed bag of WV state senators sponsored legislation to create a governor's commission to "Seize the Future of Energy for America." What could have been a step forward for America's energy independence and West Virginia's economy looks to be just another give-away to the extraction industry.

SB 518 - establishing THE GOVERNOR'S COMMISSION TO SEIZE THE FUTURE OF ENERGY FOR AMERICA completely ignores solar energy and gives only a passing reference to wind and biomass. Further the bill cites coal-fired power plants as producing 50% of the nation's electric when 44% is a more realistic figure. To define the future of energy by placing nearly all the emphasis on a limited and declining resource is not exactly progressive thinking. Surely our legislators could have done better than this. ([www.wvablue.org](http://www.wvablue.org))

## Contact Your Representatives!

### WV Senators and Delegates:

Call toll-free: 1-877-565-3447

On the web: [www.legis.state.wv.us](http://www.legis.state.wv.us) where you can find legislators' e-mails. Or e-mail any legislator at [cglagola@mail.wvnet.edu](mailto: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:

Call toll-free: 1-888-438-2731

e-mail: [governor@wvgov.org](mailto:governor@wvgov.org)

You can also visit [www.wvcag.org](http://www.wvcag.org), type in your zip code and find info on all your federal and state representatives. **Make your voice heard!**

WV Citizen Action  
1500 Dixie Street  
Charleston, WV 25311

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## Upcoming Events and Actions!

**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 23:** Seneca 2 Forum. 7:00 PM. WVSU Student Union. Only Informed Citizens Can Save US Democracy. Featuring investigative reporters Ray McGovern and Robert Perry. Free and open to the public.

**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. Tickets are \$30, student-\$10 and are available now. If you have something you'd like to donate to our silent auction, please e-mail [linda@wvcag.org](mailto:linda@wvcag.org).



**Dopeler Effect - the tendency of  
stupid ideas to seem smarter when  
they come at you rapidly.  
- Greg Oetjen**



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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](http://www.wvcag.org)!**