



## Capital Eye

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### End of Week Two – the Dome Heats

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

It's now seventeen days into the 2013 legislative session. 1168 bills have been introduced as of this morning and more will be added to the list for the next three weeks. Keeping track of all these moving parts is a major task for our lobby team. The excellent WV legislative web page is a big help for us and all you citizens out there looking for current information on bills and contact info for lawmakers. Anyone can set up a person bill tracking list that the site will keep updated. Click on "Bill Tracking"

**Still time to Double Your Donation!** A big Thanks to all of you who have taken us up on the two-fer, double yer money challenge by our cranky major donor (see last issue for more details) We still have a ways to go to match the \$5,000 he put up as an incentive for you, our loyal members to have your contributions to our legislative efforts doubled. Please take a minute to donate on line ([www.wvcag.org](http://www.wvcag.org)) or send a check to keep us going down here at the legislative sausage grinder. Any amount is appreciated and will be matched!

**Governor's Bills in Trouble** Most all of the governor's bills are now on paper and are causing heartburn for teachers, solar advocates, prison reformers and many others. His alternative fueled vehicle tax credit bill HB2506 totally eliminated existing tax credits on electric powered cars in favor of those run by (you guessed it) natural gas. Even the coal lobby has enough sense to realize that promoting electric plug-in cars in WV usually means burning more coal. I'm assuming they've pointed this out to our coal-field governor.

Teachers groups are unhappy with the governor's 170 page SB369 because they say it guts the hiring process (set up to prevent nepotism) and does

nothing to address the top heavy state administration that eats up a large amount of funds that could be going into the classrooms. This will be a knock-down fight between organized labor and the governor it supported in the last election. Tomblin's prison reform bill was panned in an ACLU alert yesterday "...his criminal justice reform bill does nothing to fix the problem, and his latest budget dumps millions of dollars into building new prison beds while cutting funding for low-cost, effective alternative punishments." Who is giving him all this bad advice?

One of the governor's bills that hasn't surfaced yet is the one to privatize Brownfields clean up now done by the WV-DEP. If it's as bad as last year's bill, we'll have yet another one to fight over. Geesh!

**Coal Don Gets Heat** Speaking of Coal, today's Gazette reported that Baron Von Blankenship (former Massey CEO) was directly implicated "...in a decade-long conspiracy to hide safety violations from federal (mine) inspectors." We hope this Don may soon be joining the others who now enjoy three squares a day courtesy of the nearest federal corrections institution.

**Solid Waste Ethics** "State Finds no Ethics Violation" was the Daily Mail headline clearing Greg Sayre, Director (and lobbyist for) of the WV Assoc. of Waste Haulers and Recyclers, of using his position on the Kanawha Co Solid Waste Authority for personal (or business) gain. Hogwash! Sayre's Association has for years been one of the major obstacles to public recycling efforts around the state and at the state legislature. This group is one of the major reasons that we don't have a bottle bill in WV (they must see it as a threat to their profits collecting aluminum & other metals). Having Sayre as the Dept. of Environmental Protection appointee to this public board is a joke and the governor should tell the DEP to toss him back to the private solid waste pile where he belongs. Kanawha County citizens should call the governor on this one!

### Defunding Libraries

Many public libraries in our populous counties are wondering how the WV Supreme Court decision that allows the Kanawha School Board to pull out

historically required funding will play out in their area. The legislature should address this problem this session to keep all our public libraries solvent.

*Remember we've gone to an every-other week publication of Capitol Eye. Make sure you are signed up on our "alert list" to get up to the minute news on public hearings and actions needed to be a citizen activist!*

## **Statement from West Virginia Rivers Coalition on Toxic Selenium**

**Bill** by Angie Rosser, Director WV Rivers Coalition, [arosser@wvrivers.org](mailto:arosser@wvrivers.org)

The West Virginia Rivers Coalition is the statewide advocacy organization focused on protecting state waters. Despite HB 2579's title, this bill actually undermines the protection of state waters. The bill poses a serious threat to the health of our waterways and citizens by weakening the standards for selenium discharges into rivers and streams.

Selenium discharges from coal mining operations have already contaminated rivers and streams in West Virginia, such as the Ohio River and Mud River. The Upper Mud River Reservoir attracts anglers, but the fish are not safe for human consumption because of selenium poisoning. Yet this proposed legislation seeks to further degrade our water and quality of life.

Citizens deserve the government's protection from dangerous toxins such as selenium that is known to cause damage to humans and aquatic life. WVRC urges the committee to take time to fully examine scientific research to determine selenium standards that are safe.

In addition to health concerns, there are severe financial consequences to consider. Selenium contamination is very expensive to clean-up. This bill would cost the state millions of dollars to try to restore water to health following selenium contamination – a concern to all taxpayers.

Healthy rivers and streams play a large role in the state's outdoor recreation economy which generates annually over \$2 billion in wages and salaries for West Virginians and \$532 million in state and local tax revenue<sup>1</sup>. We simply cannot afford to allow our "wild and wonderful" become a contaminated wasteland.

On behalf of West Virginians who enjoy and use our state's exceptional rivers and streams, please reject HB 2579 and give thorough consideration to protective water quality standards that are in the best interest of West Virginia's health and long-term prosperity.

## **Welcome to the Sequester**

Today, a series of arbitrary, across the board cuts—called a sequester—kicks in that will cost 750,000 jobs, according to the non-partisan Congressional Budget Office, and threaten the economic security of working families. These cuts will cause suffering for middle-class families, seniors, children and people with disabilities. In West Virginia, local families are bracing for reductions in services and benefits, including:

- A \$3.6 Million reduction in funding for children with disabilities; and 40 teachers & staff could lose their jobs.
- A \$160,000 reduction in funding for nutrition programs for impoverished and homebound seniors.
- A \$669,000 loss in funding for public health issues such as natural disasters, HIV screenings and substance-abuse prevention and treatment.
- A \$52,000 loss in funding for children's vaccinations that will result in 760 fewer children getting protection from mumps, measles, whooping cough and other contagious illnesses.

For a complete list of immediate West Virginia State cuts visit:  
<http://www.whitehouse.gov/sites/default/files/docs/sequester-factsheets/West-Virginia.pdf>

Citizen Action Director Gary Zuckett thanked our two US Senators for voting with the majority in the Senate who favored a plan that would have replaced this sequester with a combination of spending reductions and revenue increases. Two-thirds (\$54 billion) of the \$85 billion in cuts would be eliminated by requiring millionaires to pay at least a 30% income tax rate (the so-called “Buffett Rule”), just slightly above the 28% marginal tax bracket of millions of middle-class Americans. Zuckett also called on the House to find similarly balanced solutions to avert the cuts. Although the legislation failed because of a Republican filibuster in the Senate, the debate about avoiding cuts and addressing the nation’s larger fiscal challenges rages on.

“Either Congress can keep protecting big tax loopholes for millionaires and multinational corporations, or protect West Virginia’s seniors, kids and working families from these cuts. It’s just common sense: if we can’t afford teachers, vaccinations for kids and Meals on Wheels, then we can’t afford to keep giving breaks to the richest Americans and corporations,” said Zuckett.

Instead of cuts like those detailed above, Congress should, besides enacting the Buffett Rule:

- Limit tax deductions for the richest 2 percent, as the President has proposed, which would raise more than \$400 billion and make the tax system fairer and simpler;
- Close loopholes that allow corporations to ship profits – and U.S. jobs – overseas to avoid paying U.S. taxes. We lose \$100 billion a year in taxes from this loophole;

A recent national survey by Hart Research shows 66% of voters nationwide say that the richest 2% should pay more in taxes and 64% of voters believe large corporations should pay more in taxes. Congress has already cut \$2.50 in spending for every \$1 it has raised in new revenues; they have already achieved \$2.4 trillion in deficit reduction since 2011, according to the Center on Budget and Policy Priorities. Of that amount, about \$1.5 trillion

has come from spending cuts and another \$600 billion from new revenues on the richest 1%, with the remainder coming from related interest savings on the debt.

## **Guns, Butter and the Sequestration**

*By Norm Steenstra, norm@wvcag.org*

During the Viet Nam war years the country debated the issue of our ability to afford both the cost of fighting the war (guns) and the various social programs addressing the War on Poverty (butter). A similar policy debate is now occurring as the nation slides into Sequestration. Massive across the board budget cuts are mandated for both social programs and defense spending.

Last Thursday a roundtable discussion entitled “Potluck Budget - Who goes hungry?” was held in Charleston sponsored by Patriots for Peace, West Virginia FREE and West Virginia Citizen Action. Speakers from social service organizations such as Covenant House, WV Women Work, WV Health Right and Manna Meal outlined how essential the Federal Block Grant funding is to their operations. Each of the groups asked representatives from both Senators Rockefeller and Manchin to help keep federal funding from being cut through sequestration. “These programs offer life-saving services to those who otherwise would be falling through the holes of our social safety nets,” explained Gary Zuckett, Executive Director of WV –CAG. “These groups should be receiving more funding and not worrying about automatic cuts to the Federal funds they depend on,” he added.

The logical place to look for federal savings without cutting social services is the Pentagon Budget, which is proposed to receive 57% of all federal discretionary funds in 2013. Cutting the pork out of

the Pentagon was the major theme at the roundtable. Historically as past wars ended, the military budget was significantly reduced and more public resources were directed to domestic needs. Yet today, there are many in Congress who are actually advocating for an increase in defense spending.

One thing to keep in perspective in dealing with the required sequestration cuts is that the US spends more than the next 13 countries combined on defense. The fundamental question is –does the US remain the police force of the world at the expense of police on our streets and adequately funded local social programs? Much of the Pentagon budget needs rethinking. Do we need all of our current strategic nuclear warheads? Do we still need to maintain and operate 11 separate aircraft carrier groups? Could we possibly defend ourselves with 7 nuclear missile submarines instead of the current 14? The world has changed since the cold war. Threats have morphed into smaller more regional concerns.



A "Table Setting" symbolizing program cuts and Pentagon Spending at Wednesday's Roundtable.

Meals for the poor, health care and job training for those who need it most coupled with a smarter, leaner and cheaper post cold war weapons program seem to make more sense. Communications to your member of Congress and Senators Manchin and Rockefeller are important to this debate.

## **Don't Forget to Sign Our Petition for Clean Elections, Fair Courts**

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

WV Citizens for Clean Elections' petition to The West Virginia House of Delegates, The West Virginia State Senate, and Governor Earl Ray Tomblin now has nearly 200 signatures -- 3 times as

many as we had just a few days ago! Please help us keep up the momentum and show your support of Clean Elections, by signing the petition.

Please add your name to our petition by visiting: [http://signon.org/sign/make-permanent-public?source=c.fwd&r\\_by=6372677](http://signon.org/sign/make-permanent-public?source=c.fwd&r_by=6372677)

If you've already signed the petition, you can help us get more visibility for this issue by writing a quick letter to the editor. Decision-makers regularly read letters to the editor to see what residents are talking about. You don't need to write a lot. Your letter should be no more than a few sentences and it should reiterate the main message of the petition, which is:

"Please pass the bill that would make permanent the successful program for a public campaign finance option in state Supreme Court elections. We need fair and impartial courts and clean elections in West Virginia to make sure outside money is not corrupting our democracy. Make this program permanent and expand public finance to other races!"

To find your local newspaper and submit your letter, visit: <http://www.signon.org/tools/lte.html?id=9679-7049748-CPU1s1>

Thank you for making your voice heard on this important issue.

## **From Our Allies at WVFREE: Support SB22, Maternity Coverage for Dependent Daughters**

We all agree our daughters deserve the best: So, why are they singled out from receiving insurance coverage for pregnancy?

Despite an increasing amount of teen pregnancies, many young, pregnant women do not have access to pregnancy care. In fact, the West Virginia's Public Employees' Insurance Agency (PEIA) does not cover pregnancy care for dependent daughters.

Don't our state employees and our daughters deserve better?

West Virginia's Senate Banking & Insurance Committee is taking up this issue of pregnancy care coverage for daughters on Monday, March 11th at 2pm in Room 208 West at the State Capitol and they need to hear from you!

Can you call and email the members of Senate Banking & Insurance? Tell them: I support Senate Bill 22: Maternity coverage for dependent daughters and I hope you will too.

Early access to prenatal care is fundamental in ensuring that a mom has a healthy baby. And when we don't provide coverage for this care we put moms and babies at risk for further health problems and cause undue financial stress on West Virginia families and our state budget.

Please, call the members of Senate Banking & Insurance today and tell them to pass Senate Bill 22: Maternity coverage for dependent daughters.

## **Integrated Resource Planning Bill to Be Introduced Next Week**

by Cathy Kunkle, [cathykunkle@gmail.com](mailto:cathykunkle@gmail.com)

Energy Efficient West Virginia has been garnering support for our integrated resource planning bill, which will require utilities to evaluate investments in energy efficiency as part of their long-term planning processes. The bill will be introduced next week by Delegates Manchin, Iaquinta, Mary Poling, Guthrie, Marshall, and Manypenny. We will update you next week with how you can support this bill, once we know which House committee will be taking it up.

In other news, EEWV volunteer Chris Shepherd hosted a presentation in Morgantown earlier this week to talk about how MonPower is working to raise electricity rates by 6% to transfer ownership of the Harrison power plant from a deregulated subsidiary of FirstEnergy onto WV ratepayers. An AP article by Vicki Smith was picked up by news outlets across the country found here:

<http://www.wvgazette.com/Business/201302250037>  
More information about our intervention in MonPower's proposal at the Public Service Commission can be found on [www.eewv.org](http://www.eewv.org).

## **Contact House Rules Committee to Advance Resolution to Overturn *Citizens United***

HR 9, the House Resolution to overturn Citizens United (and similar rulings) is now in the House Rules Committee, and we need you to make some calls to ensure that WV goes on record demanding a right to a democracy not overshadowed with dark money.

As we mentioned last week, West Virginia's efforts to become the 12th state on record to adopt a resolution for a Constitutional amendment abolishing corporate personhood is making a splash in the media. Let's keep the momentum going -- contact the rules committee with a simple message, "When dark money floods our democracy, the people of West Virginia suffer. Pass HR 9."

Next week, the Senate, with the support of Senate President Jeff Kessler, will introduce their version of the resolution. We will keep you posted on its progress.



*Senate President Jeff Kessler speaks in favor of a Constitutional Amendment overturning Citizens United at the February 19th Rally For Democracy.*

West Virginia Citizen Action Group  
1500 Dixie Street, Charleston 25531



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We can't do it without you!

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Action Group, 1500 Dixie St., Charleston, WV 25311 -

**THANKS!**

**Donate quickly & securely at [www.wvcag.org](http://www.wvcag.org)!**