



Capital Eye

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Wise Raises Bar On Legislative Ethics

by Norm Steenstra

This week I asked a friend what he thought about our governor. He said, "In a typical week, on Monday I love him, by Tuesday I think he's a scumbag, by Wednesday I'm thinking maybe he's not so bad, Thursday I'm back to thinking he's just Cecil-lite and by the end of the week I kinda like him again." Obviously I'm writing about a Monday Bob.

In a memo to his staff last week the governor wrote, "As you know, the Ethics Act actually only sets minimum standards of honesty and fairness in public administration. Last year we pledged to do better than those rules allow. This year will be no different. Concisely stated, I am asking you not to accept any offers of food, beverage, gifts of any valuefrom anyone involved in influencing the course and outcome of legislation. Let no one say that this administration tolerated even the slightest appearance of impropriety, conflicts of interest or potentiality of influence peddling."

Wise was right for doing that. Nightlife during the session is very scummy and the flow of drinks, food and less savory pastimes would disgust all but the most jaded Capital observers. I think it's time to demand changes in the ethics laws that forbid spending ANY money on elected officials. We pay our legislators a decent salary and a fair per diem. There is no reasonable argument on why we should allow special interests to continue to lavish money on lawmakers.

Ethics in a democracy transcends all the issues. Bob Wise looked at the status quo and said it wasn't good enough. Regardless of our disagreements with the governor on individual issues, his courage and leadership should be praised and emulated by the leaders of the House and Senate. Don't hold your breath!



Show Your Outrage!

Our friends at Coal River Mountain Watch and the Citizens for Road Safety are circulating a petition asking Governor Wise to maintain the current weight limit on coal trucks and to support legislation that would enable the Department of Transportation to more easily enforce the weight limit. Many signatures have already been collected, but more are needed. A copy of the petition is attached to this week's *Eye*. Please sign and show your support, and get your friends to sign, too. Return petitions to Coal River Mountain Watch, P.O. Box 651, Whitesville, WV 25209, no later than February 1.

(Ed. note: apologies to folks at the Coal River Mountain Watch for last week's typo that misnamed it the Citizen River Mountain Watch).

If you make just one call this week, call Governor Wise and tell him the legal weights on trucks must not be raised. His number is 304-558-2000 or toll-free at 1-888-438-2731.

Container Cents

In addition to container laws resulting in significant energy conservation and pollution emission reductions in states that have passed them, they also are responsible for large net gains in employment as well as in drastic reductions in total solid waste generated.

Ø In the eight states that have published reports regarding employment changes due to their enacted container laws, every one had a net increase in jobs. In California, New York, Connecticut, Iowa and Maine well over 1000 new jobs were created in each state as a direct by-product of their bottle bills.

Ø In nine of the ten states that have reported data (no published data is available for Delaware) container laws have resulted in a total diversion of between 5% and 16% of the solid waste which enters the state's municipal solid waste stream. In 1995 alone 71,199 tons (16% of the total) of solid waste was diverted from the Massachusetts solid waste stream as a result of its bottle bill.

Source: www.bottlebill.org/USA

The energy saved from recycling one glass bottle will light a 100-watt bulb for four hours!

source: 50 Simple Things You Can Do To Save The Earth

Fix Nursing Homes Now!

WV-CAG has joined a coalition of labor, religious and other community groups to “Fix nursing homes now!” Spearheaded by Local 1199 of the Service Employees International Union (SEIU-1199), this effort seeks to set safe minimum staffing ratios, strengthen enforcement of resident care standards, and make sure public money received by nursing homes is used only for direct care of residents.

Executive Director Norm Steenstra spoke Wednesday at a Capitol rally kicking off this campaign to protect our seniors from dangerous conditions in WV nursing homes.

State government action is needed to reverse declining conditions in WV nursing homes. According to SEIU, the majority of WV nursing homes failed to meet minimum federal standards for resident care last year. Low wages (leading to high employee turn-over), understaffing and lax enforcement conspire to endanger residents in these facilities.

How we treat our seniors is a reflection of our values as a society. Do we want our elders treated with respect and afforded proper care and safe conditions? We say yes!

For more information or to send a letter to your state reps on this issue, log on to www.wvnursinghomes.org.

Who's The Lobby Team? - Part II

Julie Archer (Research Analyst) got her start with WV-CAG as a volunteer, helping out with mass mailings and assisting with PERC's (People's Election Reform Coalition) 1998 Election Cycle Report. She has been a part-time staff member since the fall of 2000 and has worked primarily on compiling information for the PERC database and putting together the 2000 Election Cycle Report.

This is Julie's second year lobbying at the Capitol. Last year she lobbied for the West Virginia Environmental Council. She is interested in coal-related issues and Clean Money election reform. When she's not working for WV-CAG, Julie enjoys spending time on the farm in Lincoln County and roaming the woods with her many four-legged friends.

Gary Zuckett (Development Director) Gary began as a citizen (volunteer) lobbyist in the early 90's. He has been a thorn in the side of polluters and corporate apologists ever since. Universal health care, tax justice and election reform are his specialties. Keeping the CAG computers up and running is his hobby. Gary was a key player in the development of the first PERC database. He now keeps the CAG membership data up to date and works on CAG financial development when he's not watching out for your interests at the Capitol.

Perspective On DEP

by Melvin Tyree

My resignation from the WVDEP after nine years as a geologist with the Solid Waste Management Section was due to the agency's cost-cutting practices, which I believe resulted in understaffing and inadequate service to the public and the environment. However, two other ethical concerns acted as a catalyst for my decision: (1) the agency's corporate philosophy regarding how the permitted community is regulated and (2) the agency's inertia toward positive (environmentally friendly) change.

The WVDEP's practicing mission statement (not the one on the letterhead) is customer service. The concept is that the permitted community (industry) should be viewed as the customer and the permit is the product the agency provides. I always thought the WVDEP was a non-profit regulatory agency responsible for enforcing environmental laws and not a business. Reality once again is stranger than fiction. So...per WVDEP corporate philosophy, adequate customer service is a speedy permit. "Permit streamlining" is now the new catch phrase in DEP administrative circles. The obvious downside to this process is that the quality of the product suffers proportionally to the speed of the service. Don't ask for a gourmet meal at McDonald's. The faster permit applications are rushed through the system the more likely it is that permit writers will miss details and neglect important review comments. Even though the DEP is starting to perceive the inevitable lawsuits that result from "streamlining" as the cost of doing business, it is a terrible waste of valuable legal staff time and taxpayer money.

A second source of professional frustration that kindled my decision to resign was the method in which WVDEP programs were funded. Most WVDEP programs are set up so that the customer directly finances (through permit fees or taxes) the program that regulates it. "Would you like the special sauce with that permit, Sir?" So, not only is the customer paying for its product (the permit), they are paying the salespeople's salaries. To help mitigate possible ethics erosion to the permit writer as a result of this process, program expenses should come from the state's general revenue fund. The permitted community would direct its fees and taxes into the general fund instead of directly to the programs that regulate it. This would reduce ethical dilemmas permit writers sometimes face and the political pressure they often endure.

Finally, I found the WVDEP's resistance to positive change extremely frustrating. Unless a process or organizational change is motivated by industry or political pressure (such as for permit streamlining) it occurs at glacial speed. Initiatives that could benefit the public's right to know or the environment may languish in endless committee gridlock for many years without any real action being taken.

Sausage Mill Politics To Speed Up Assembly Line

by Gary Zuckett

Disturbing changes are being contemplated by House leadership under the guise of “streamlining” its legislative process. Rules affecting public hearings, floor amendments, and bundling of bills would be changed by proposals now under consideration.



Any comments on House procedure must be prefaced by the fact that the House can pass a bill on a voice vote with no record of how your delegates voted on certain controversial legislation. Past efforts to require the House to use a roll call vote on the passage of a bill (as required in the Senate) have failed. This in itself leads to accountability problems.

The proposed changes would limit citizen requests for a public hearing only to those bills actually on a committee’s active agenda (bills often sit in assigned committees for weeks without action and most of these die a quiet death at the end of the session). This proposal is severely restrictive because agendas are often not available until immediately before a meeting, leaving no time to ask for a hearing. Currently, citizens can request a hearing in an effort to get a committee off its duff and put a bill on its agenda. This would be impossible under the proposed changes.

Floor amendments by delegates are allowed on the second reading of a bill with no prior notice to leadership. This can be a messy procedure, but whoever said representative democracy was neat? A new requirement is proposed to require delegates to submit floor amendments a day early so they can be entered into the new laptop computers now on all delegates’ desks. Computers are supposed to be our slaves, not visa versa. Last minute floor amendments can significantly alter a bill being pushed through by leadership. They hate to lose control... Also, good ideas sometimes pop up at the last minute.

In the past only rules bills were bundled, or voted up or down all on one vote. Now other non-controversial (passed out of committee on a unanimous vote) bills are proposed for bundling instead of being taken up one by one and deliberated upon by the full House. I’ve seen some really awful bills passed out of committees by a unanimous vote of all present. I would hate to see those bills on a fast track to passage.

Call your delegates at 1-877-565-3447. Tell them you oppose these procedural changes in how they make your laws. Remember, they are working for you and you have a say in their job description.

This Week's Apathy Antidotes:

Send a donation to WV-CAG! What better way to abate your apathy! Remember, it's easy to donate on-line at www.wvcag.org. Or clip and snail mail to 1500 Dixie St., Charleston, WV 25311:

Name: _____

Address: _____

Here's my donation of \$ _____

*** Wanted: One late model microwave. Apparently we've worn ours out! If you've got one to donate, give us a call at 346-5891!**

* Cool website: www.newdream.org/turnthetide brought to you by the Center for a New American Dream. Visit this interactive website to tally your impact on the environment and how some simple lifestyle changes can affect that impact!

* Like to get out of debt & reach financial independence? Join the Charleston Area Financial Independence Study Group on Thursday, January 31 in the first of 5 weekly sessions (2 hrs. each) at the St. Albans Library. This free class, based on the book *Your Money or Your Life* by Joe Dominguez and Vicki Robin, teaches value-centered spending & lifestyle simplification concepts. Call 562-3968 for more info and times.

Think Prescription Drugs Are Too Expensive?

WV-CAG is part of a national coalition filing lawsuits against pharmaceutical companies for illegal activities that inflate the price of prescription drugs. Have you had chemotherapy or a colonoscopy? Been treated for a severe infection, asthma, allergies or rheumatoid arthritis in a doctor's office? Had an autoimmune disease or been treated for kidney disease? Were you on Medicare when you were treated for these problems? Would you like to join a class-action lawsuit to stop these practices? Call Gary Zuckett at 304-346-5891 to find out if you are eligible.

Verizon Vex - Trying to reach us but can't get through? The current phone book has our number listed incorrectly. We are still at 304-346-5891.

***"We make ourselves rich by making our wants few."
Henry David Thoreau***

What's the Buzz?

by Phanny High There! - Our Eye on Gossip

Apparently a previously unknown radical grassroots group, SALT, is preparing a new strategy in the fight to clean up state government. SALT (Snacks Attacking Legislative Turkeys), having lost all faith in the electoral process, has instructed its members to send massive amounts of pretzels (the bigger the better) to conservative lawmakers. SALT Spokesperson T. Wisted Munchy, in a prepared statement, said, "These jerks will eat anything if it's free - let's knock 'em off their couch. Our goal is to give government the black eye it deserves."



Rumor has it that at a coal-sponsored karaoke party last week, House Speaker Kiss amused fellow coal folks with his rendition of "people who need people are the unluckiest fundraisers in the world." After completing the parody of the Streisand hit, a hat was passed and...

There seems to be an undercurrent of hostility toward the governor eddying through the offices of certain legislative leaders. It seems that these leaders resent Wise's staff directive requiring that they reject any gifts, drinks, etc. from lobbyists. As one senator told a WV-CAG lobby team member, "It looks like he's trying to embarrass us."

WV-CAG member Dr. Wayne Spiggle of Mineral County has announced his candidacy for the State Senate and was in Charleston this week to meet with education and labor leaders. Wayne is running in the district that includes Barbour, Taylor, Preston and southern Monongalia counties and would oppose Sarah Minear (R-Tucker) in the general election. Minear takes credit for brokering the Blackwater Canyon sale to timber baron John Crites and has been one of coal and timber's best friends during her senate tenure. Contact WV-CAG to learn more about Wayne Spiggle.

WV Citizen Action Group (WV-CAG) publishes Capital Eye during the Legislative Session. Visit our website at www.wvcag.org, call us at 304-346-5891 or e-mail us at linda@wvcag.org to give us your comments and suggestions and to become a member.

Since 1974, WV-CAG has been a nonprofit membership organization dedicated to increasing citizen participation in economic and political decision-making. By educating people about key public interest issues and involving them in the decisions that affect their lives, WV-CAG works for progressive changes in federal, state and local policies - ranging from environmental protection and consumer rights to good government and health care reform. Thank you for your support!