



# Capital

# Eye

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## Pro-Life Plates and Growing Hemp

The authorization of special license plates for pro-life advocates dominated the House this week. This incredibly important concept occupied the attention of House members, sparing them the task of more mundane issues such as coal trucks, education and mental health. The debate was representative democracy at its best. The issue was defeated last year but now is being used like a McCarthy-era loyalty oath to discredit moderate and liberal democrats. Nearly every legal mind we've talked to agrees that the bill, if enacted, would be declared unconstitutional. Already a "family values" score card is being circulated by pro-life groups identifying folks who voted against the bill as "anti-family." The bill has passed the House and now valuable state time and public money will be expended debating this inane and illegal bill.

Tuesday, with very little fanfare, conservative senator Karen Facemyer (R-Jackson) introduced the Industrial Hemp Development Act (SB 447). The cultivation of hemp (*cannabis sativa*) has been illegal in West Virginia since about the time Dupont invented nylon rope. For thousands of years hemp has been one of the most widely used and versatile renewable resources available to civilization. Industrial hemp has as much in common with marijuana as Campbell's mushroom soup has with psychedelic mushrooms. Facemyer's bill, which emulates similar legislation passed in Maryland and Canada, was motivated by her concern for providing alternatives to tobacco growers in her district.

We believe that the hemp bill will not go very far this session but it is an opportunity to begin public debate on hemp's potential economic value to small West Virginia farmers. The debate also provides the chance to debunk once and for all the bogus link between industrial hemp and pot.

This week's **EYE – FIVE AWARD**  
**GOES TO Republican Senator Karen**  
**Facemyer.**



# Mental Health Parity – A No-Brainer

We've come a long way as a society in treating mental illness. Used to be we would lock up those with mental illness and throw away the key or lobotomize individuals to pacify them. Modern medicine now has an array of medications and therapy for those who need a reality adjustment beyond "happy hour." Unfortunately, this help is being withheld by our insurance industry by excluding mental health coverage from our policies.

In his state of the state address, Governor Wise proposed legislation (HB 4039 & SB 205) to require insurance to cover mental illness on par with other medical illness. Way to go! This will help many who need medical intervention and counseling but can't afford the out-of-pocket expense.

These bills need your help. Contact the Chair of the House Insurance Committee, JD Bean at 340-3117, and Senate Judiciary, Bill Wooton at 357-7880 and ask them to pass the Mental Health Parity bill.

## Hey, Kentucky!

According to a WAMX (FM 106.3) news story today, Kentucky's House Majority Leader Greg Stumbo (D-Prestonsburg) is proposing legislation to levy a half cent tax on beverage containers and a \$1 increase per ton on landfill tipping fees to aid in litter control and open dump clean up. It is estimated that the new taxes would generate \$30 million in revenues. But, there's a better way! A 5 to 10 cent deposit on all beverage containers would solve the litter problem without an increased burden on all taxpayers (you'd get your whole nickel back instead of paying more for your container). A container law (bottle bill) would reduce beverage litter by at least 75 to 80% (documented through data from the 10 bottle bill states); put the financial burden on beverage consumers and distributors; serve to create an ethic away from the single use "throw-away culture"; significantly reduce air pollution emissions (from producing new containers); and save enormous amounts of energy from the production of containers from virgin materials.

We know you've got everybody asking you for money but this is the time we need your support the most! Please make a contribution, renew your membership or join WV-CAG for the first time!

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Here's my donation of: \$ \_\_\_\_\_

# The Fastest Way To Get the Eye

**Remember**, you can **get the Eye on-line** by visiting our website at [www.wvcag.org](http://www.wvcag.org). If you'd like to switch to the on-line version, please e-mail Linda at [linda@wvcag.org](mailto:linda@wvcag.org). You'll get the Eye in your virtual mailbox on Friday night!

Also, to make a tax-deductible donation, visit our website and click on the Donate Now! button on the bottom of any page. Joining WV-CAG or making a donation couldn't be easier!

## Some Bills We Are Watching

HB 2354: Prohibits violation of a person's **civil rights** because of his or her sexual orientation or disability. (For)

HB 2477: Provides a business and occupation **tax credit for power plants** that use WV coal in electricity generation. The fact that someone would even introduce such legislation shows the control the coal industry has over some members of the legislature. (Agin)

HB 4151/ SB 451: In response to the controversy over locating the **regional airport** in Lincoln County, Kanawha County delegates and senators introduced legislation to require a statewide referendum to authorize the public port authority to issue bonds or expend state funds in excess of \$1 million. (For)

SB 10: Like a zombie that never dies, **Flood Thy Neighbor** is back, only this time with more sponsors. The bill would allow landowners to enter small streams to bulldoze a channel to prevent flooding. This allows them to disrupt natural stream flow and flood their neighbors downstream. (Agin)

SB 87 & 88: Attempts to crack down on **bad timbering** practices in the state by making changes to strengthen the logging sediment control standards and improving enforcement of sediment control during commercial timber harvesting. (Pro)

SB 282: Woman's Right to Know Act - requires **informed consent** for a woman to receive an abortion. Creates additional hoops for a woman seeking an abortion. (Agin)

And, of course, HB 4014 (see page 6).

## Bush Bytes - Lest We Forget

Cut Environmental Protection Agency budget by \$500 million.

Closed White House Office for Women's Health Initiatives and Outreach.

Refused to fund continued litigation of the government's tobacco company lawsuit.

# **BONDZILLA**

## **Now at Your Local Legislature**

Bondzilla, the \$4 BILLION monster pension bond proposal, escaped from the House of Delegates this week. This corpse from the Underwood administration was resurrected with support of investment firms and legal counsel eager to reap the millions in fees it would produce. The Senate is now the field upon which this monster must be slain.

Should the legislature fail to mortally wound this beast, public defenders, State Treasurer John Perdue and Auditor Glen Gainer III, have conspired to lay a legal trap in State Supreme Court. They will argue this ogre creates new debt and, as such, should be approved by the voters as the state constitution demands.

It's a fact that we do have this really large "unfunded liability" (i.e., promise to pay in the future) in our retirement plans for teachers, state police, and judges. The challenge is how to meet that responsibility.

The way it's been explained is we will sell \$4 billion in bonds at a low interest rate, invest the money in the stock market and make enough off the returns to both make the bond payments and cover upcoming pension payments. Stock market roulettes anyone? Call your Senators and suggest that the voters be asked if they want themselves, their children and grandchildren to be paying off Bondzilla to fatten the wallets of investment bankers.

## **Son of Bondzilla**

"A buck in the hand is worth two in the bush" seems to be the thought behind the Governor's proposal (HB 4019 & SB 178) to cash-in the state's yearly tobacco settlement payments by selling bonds to "securitize" it.

Wisconsin did this last year and put the money (they got less than 50 cents on the dollar) into a "fund" to do good things with the interest. However, this year Wisconsin's economy took a dive and the fund was "borrowed" to balance the budget. They now have a 20-year bond debt to pay off with no income from the "fund."

Living on credit cards doesn't work for anyone, and it doesn't work for state government. This is voodoo economics at its worst.

The legislature should not kill the golden goose by passing these Bonzo Bonds. Close to \$1 billion in tobacco settlement money is scheduled to come in every year until 2025. Let's wait and collect it all without incurring more unnecessary debt.

# Director's D-eye-lemma

by Norm Steenstra

This is the part of my job that I dislike the most. At WV-CAG, we operate on an annual budget far less than what the coal industry spends on advertising alone. Fund-raising is unpleasant for our members and our staff but the fact remains that nonprofits that have a political edge like WV-CAG are always scrambling for funds to keep the lights on. With the terrible stock market trends over the last year, foundation money has been drastically reduced. Indeed, WV-CAG is now completely dependant upon the generosity of its members, research contracts from other nonprofits and fund-raising events.

We hope you're finding our *Eye* to be a worthwhile venture. We're using it to build our member base and keep in better touch with current activists. *Eye* is expensive in staff time and each issue costs us about 50 cents to copy and mail first class. We've been heartened by the generosity and comments from our readers but there's a lot of folks we haven't heard from lately. Please consider helping us keep the lights on. What we really need to keep *Eye*-ing the problems is money and encouragement. Please help us by sending what you can and by sending us the names of folks that are potential WV-CAG members.

On Thursday, February 7, 2002 from 7:00 until 8:30 PM at the St. Albans Public Library (2<sup>nd</sup> floor), the second session of the Charleston Area Financial Independence Study Group will meet. The only cost to the public is \$14.00 for the book (*Your Money or Your Life*) used in the study group. The course is designed to help the participant get out of debt, accumulate savings and eventually reach financial independence. If you have questions, call (304) 562-3968 or call Mel Tyree at WV CAG (346-5891).

# This Week's Apathy Antidotes:

Keep those calls and e-mails going to Governor Wise at 558-2000, 1-888-436-2731 or governor@wv.gov asking him to support HB 4014. Tell him it's time to protect West Virginians from overweight coal trucks and to support Delegate Caputo's bill. Your legislators can be reached at 1-877-565-3447. **Plan to attend the Valentine's Day rally** at the Capitol at 4 PM, followed by a candlelight vigil at 7PM, to show your concern for overweight coal trucks. The coalition is growing and includes the Coal River Mountain Watch, the United Mine Workers, the WV Troopers Association, the Kanawha County Commission, OVEC, and WVEC. Remember, coal's answer is to raise the weight limits!

The House Judiciary **Subcommittee on Coal Truck Legislation** is meeting on Wed., **February 6** at 2:30PM. If you are following this issue, this would be a good meeting to attend to lend your support to **HB 4014**.

## Container Cents

States with container laws enjoy a drastic reduction in litter compared to states with no deposit/return programs. In addition to the obvious aesthetic improvement and solid waste reduction benefits of decreased litter production, human injuries resulting from litter are also significantly reduced in states having container laws.

Ø States that have reported a 75% or greater reduction in beverage container litter as a direct result of their container laws include: California, Iowa, Maine, Michigan, New York, Oregon and Vermont. Massachusetts, Michigan and Vermont have reported a 30 to 38% reduction in total litter produced as the result of their container deposit/return programs.

Ø According to a report titled *Understanding Beverage Container Recycling: A Value Chain Assessment*, "in the year after Massachusetts enacted its bottle bill, outdoor glass-related injuries to children treated at Children's Hospital in Boston dropped by 60 percent, while other childhood injuries remained steady or increased slightly."

Sources: [www.bottlebill.org](http://www.bottlebill.org) and *Understanding Beverage Container Recycling: A Value Chain Assessment*, by Businesses and Environmentalists Allied for Recycling, January 2002.

# What's the Buzz?

by Phanny High There! Our Eye On Gossip

Well, I was wrong in a couple of my predictions and I need to admit that being the Capitol's coolest gossip columnist doesn't always mean being the most accurate. So here's my *Eye* wash for this week. OK, Cecil Underwood didn't run for the state senate. He was thinking about it but then just before the filing deadline he forgot. Also, I had sort of hoped and sort of predicted that Speaker Bob Kiss would not run for reelection. Oops - that was probably more wishful thinking than truthful winking.



Prepare for the West Virginia burp. I just heard that the Beverage Industry Recycling Program (BIRP), an industry-funded coalition in Kentucky, has spent several million dollars over the past year touting recycling in order to defeat a bottle bill in that state's legislature. I suppose we can expect a rebirp of the idea soon in our state. Just what we need - more hot gas over the airwaves.

Watch for a neat little bill to be introduced next week that creates a consumer insurance advocate position in state government. Much like the already-existing Environmental Advocate and the Public Service Commission's Consumer Advocate positions, such a concept has already saved consumers in New York tens of millions of dollars in insurance company fraud and overcharges.

Last, but not least, and I swear this is true. Pro-overweight coal truck advocates have raised the bar of citizen intimidation by getting truckers to call and threaten activists at home who are working to tame the trucks. One woman who lost four members of her family to an overweight truck was repeatedly singled out for the truckers' wrath. Coal is such a class act.

*West Virginia Citizen Action Group (WV-CAG) publishes Capital Eye during the Legislative Session. You can visit our website at [www.wvcag.org](http://www.wvcag.org), call us at 304-346-5891 or e-mail us at [linda@wvcag.org](mailto: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!*