



Capital Eye

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Sweet Victory

by Norm Steenstra

Last September when the WV-CAG staff decided to make overweight coal trucks a major legislative priority, we never could have imagined the outcome of the campaign. Wow! Unless you've been traveling out of state all summer, you already know that the ad hoc coalition against raising truck weights scored a major victory during the July special legislative session.

In my 13 years of organizing coalitions and lobbying I have never seen the coal industry take it on the legislative chin like they did last month. After all, this is West Virginia, where coal is king. Add to the equation the fact that the Speaker of the House, the Senate President, and Governor Wise all actively supported coal's position and the magnitude of this populist victory can be better appreciated.

What won it? As in every victory there's a slew of factors. Certainly the able leadership of Delegate Mike Caputo (D-Marion) and the generosity and energy of Ken Hechler were among the most important elements. Hechler's "We the People" TV and radio ads inspired thousands of people to literally get off their couches and express their opinions to elected officials. We joined forces with groups like the Coal River Mountain Watch, Citizens Coal Council and the United Mine Workers to convince delegates of the folly of raising legal truck weights. And we must remember that there were 48 courageous House members that withstood tremendous pressure from Coal, Speaker Kiss and the governor and voted their conscience.

Corny as it may seem, this victory was like a lesson we learned in 8th grade Civics class: Democracy is about the power of average citizens getting involved in their government. All political victories are temporal and the coal truck issue will resurface in the months ahead. WV-CAG will be managing the "We the people" campaign in conjunction with Ken Hechler. Our challenge is to sustain the outrage and organize the opposition to increasing truck weights. You may be thinking coal trucks? Is that the most important issue facing the state? Maybe, maybe not but this resurgence in citizen involvement in state politics certainly makes the truck issue a very important catalyst.

We the People Win

by Ken Hechler

The surprise victory of the Caputo amendment to the overweight coal truck bill last month signals a new era in West Virginia politics.

The sleeping giant of West Virginia Public Opinion has at last been awakened. The overwhelming public reaction against increasing weight limits was reflected in the courageous response of a majority of the House of Delegates. The skids had been greased by the governor and leadership to jam through an increase of the weight limit to 120,000 pounds.

Then the voice of the people suddenly intervened and said, "Enough is enough."

The most exciting aspect of this victory is that it proves that with popular participation, democracy can work. This means that West Virginia can reflect the philosophy of Abraham Lincoln that this is truly a "government of the people, by the people, and for the people."

Thanks To All

The WV-Citizen Action phone lines were completely inundated with calls while Ken Hechler's We the People television and radio ads were aired. We estimate we received over 1,500 calls during that crazed 10-day period. The staff would not have made it through this amazingly busy time had it not been for the generous efforts of the following volunteers: Katie Lyon, Regina Hendrix, Kathryn Stone, Doc Davis, Greg Anthony, Karen Bradford, Sherri Sager, Greg Carroll, Hal Weber, Michelle Hogan, Winter Ross, Jan White, Tabitha Settle, Jill Oxley, Tim Dent, April Greiser, Norm Steenstra III and Mel Tyree. You helped us direct people to their delegates so they could express their outrage and it is because of this organized effort, we believe, the weight limit increase was stopped in its tracks. Thank you to you all!

Capital Eye is a publication of the West Virginia Citizen Action Group (WV-CAG). You can 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!

Announcements/Dates To Know

The Premiere of the WV-CAG Video Series. From time to time we will feature important progressive videos that *Eye* readers should see: On Friday, August 16, come to the Brick Cellar on Washington St. (less a block from the Capitol) to see Michael Moore's latest video based on his book *Stupid White Men* and the 9-11 aftermath. Join us for great food and conversation from 7:30 - 9 PM. Call 346-5891 for more info.

September 6 - 8 - 14th Annual Fall meeting of the WV Environmental Council at the Bluestone Conference Center, Hinton, WV. Featured events include a Coal Sludge Impoundment Forum and a discussion with Delegate Mike Caputo, both on Saturday. Tent and cabin bed lodging available. Call 346-5905 or visit www.wvecouncil.org for more information.

More Reasons For a Bottle Bill

by Linda Mallet

Need another reason for a West Virginia bottle bill? How about an international one? To satisfy our need for single-serve containers, aluminum giant Alcoa wants to build an aluminium smelter and hydro-power development in eastern Iceland. According to the World Wildlife Fund, which has vowed to press for a national park on the site, Alcoa's project would be Iceland's largest ever infrastructure development and would include a 623-foot high dam, other smaller dams, tunnels, power lines, roads and a 22-square mile reservoir.

Is it worth it to destroy Europe's second largest wilderness area for 295,000 tons of aluminum a year? **Last year Americans tossed 790,000 tons of aluminum cans—more than two and a half times the anticipated Icelandic production capacity** (source: Container Recycling Institute - see www.container-recycling.org/publications).

A container law with a deposit on single-use containers is a big part of the solution. WV-CAG is forming a coalition to support the introduction of legislation for a West Virginia bottle bill. With a small deposit on cans, plastics and glass, we expect our recovery rate for these containers to reach close to 80% (based on the experience of other states). Then maybe we can do our part to make sure future industry projects, like the one in Iceland, are needless.

You can help us by supporting our petition drive. Give me a call at 346-5891 and I'll send you what you need. Or visit www.wvcag.org to learn more!

On the Road to Clean Elections

by Julie Archer

This spring the Joint Committee on the Judiciary agreed to do an interim study of the West Virginia Clean Elections Act. On June 9, the subcommittee considering the legislation heard testimony from Citizens for Clean Elections, a new coalition that supports the bill. Modeled after laws in Maine, Arizona, Vermont and Massachusetts, the Act would establish a voluntary alternative to the current system of funding political campaigns. Legislative and gubernatorial candidates qualify for public funding by limiting their spending and rejecting all private donations.

Speaking on behalf of Citizens for Clean Elections were Si Galperin and Bob McDonald of Common Cause West Virginia, Carol Warren, a representative of the WV Catholic Diocese and Janet Fout, coordinator for Citizens for Clean Elections. After testimony by the speakers everyone watched "On the Road to Clean Elections," a video narrated by journalist Bill Moyers, highlighting the success of Clean Elections in Maine and Arizona.

Delegate Randy White (D-Webster) suggested that the subcommittee invite a Maine or Arizona legislator to Charleston to talk about what it's like to run a publicly-funded election. Citizens for Clean Elections will be working with him and legislative staff and hopes to bring a Clean Elections ambassador here for the September interims.

Clean Elections laws are also making headway in Wisconsin, Illinois, North Carolina, Minnesota, New Mexico, Maryland and even Washington, DC. Federally, the House Clean Money, Clean Elections Act (HR 1637) would establish a public financing alternative for congressional campaigns. Introduced last year by Representative John Tierney (D-MA), the bill now has 51 co-sponsors.

Senator Paul Wellstone (D-MN) introduced the bill's Senate version (S 719) and was joined by Senators Maria Cantwell (D-WA), Hillary Rodham Clinton (D-NY) and John Kerry (D-MA). Currently, no members of West Virginia's congressional delegation are co-sponsors. For the most up-to-date co-sponsor list, visit <http://thomas.loc.gov> and enter one of the bill numbers in the bill number blank.

Court Upholds Spending Limits

by Julie Archer

On August 7, a federal appeals court issued a landmark ruling upholding campaign spending limits. It is the first such ruling since the United States Supreme Court struck down congressional spending limits in the 1976 Buckley v. Valeo case when it said that limits on political spending are an unconstitutional violation of the First Amendment.

In this most recent ruling the appeals court upheld Vermont's campaign spending limits for its state elections. The case is likely to be appealed, setting the stage for the Supreme Court to revisit the constitutionality of campaign spending limits in federal elections. Below is an excerpt from the court's ruling from a press release by the National Voting Rights Institute.

In powerful judicial language, the appeals court states: "Fundamentally, Vermont has shown that, without expenditure limits, its elected officials have been forced to provide privileged access to contributors in exchange for campaign money."

The court confirms that "absent expenditure limitations, the fundraising practices in Vermont will continue to impair the accessibility which is essential to any democratic political system. The race for campaign funds has compelled public officials to give preferred access to contributors, selling their time in order to raise campaign funds."

"In our view," the court continues, "the influence of campaign contributors is pernicious because it is bought. Certain private citizens and organizations should not be given greater access to public office holders - and thus greater influence - on account of those citizens' ability and willingness to pay for candidates' campaigns. Similarly, quid pro quo corruption is troubling not because certain citizens are victorious in the legislative process, but because they achieve the victory by paying public officials for it."

Fight Against Insurance Abuse: WV-CAG Joins New Coalition

by Gary Zuckett

Following on the heels of the Coal Truck victory was a battle won in Congress against "tort reform" proponents. An amendment by Mitch McConnell (R-Ky) to restrict victims' rights was added to prescription drug bill the Senate was considering. McConnell's amendment was a insurance industry wish-list that would have destroyed patients' rights; protected negligent hospitals, HMOs, nursing homes and drug companies; discriminated against women and babies; and made insurance companies richer (for more info see: <http://centerjd.org/McConnell.htm>)

After a short but intense campaign against the amendment, the Senate voted to table (kill) it 57 to 42!

Rising to the occasion was a new coalition called AIR (Americans for Insurance Reform), breathing a fresh perspective into the debate. AIR is a coalition of over 70 consumer and public interest groups (including founding member WV-CAG) representing more than 50 million Americans. On July 30th it sent a 14-page letter to all 50 state's Insurance Commissioners demanding an end to industry price gouging by instituting major new regulatory reforms and an immediate freeze on insurance rates.

Locally, a continued push for "tort reform" will crop up in the next legislative session if it doesn't appear in a special session this fall. Doctors are surely being squeezed hard by insurance price gouging but limiting victims' rights through "tort reform" will never lower their insurance rates. It never has and never will!

Matters will get worse if Evan Jenkins, who beat Marie Redd in the Democratic Senate primary (Huntington), wins in November. He is head of the WV Medical Association and has vowed to champion "tort reform" if elected. Stay alert for more attempts to limit your access to the court system by disgruntled docs and greedy insurance companies...

Join WV-CAG, renew your membership or make a donation. **We could use your help!** Please clip and send to: WV-CAG, 1500 Dixie St., Charleston, WV 25311. Remember - it's easy to donate on-line at www.wvcag.org!

Name: _____

Address: _____

Send me future newsletters on-line at: _____

Enclosed please find my contribution of:

\$25 \$50 \$100 \$250 \$ _____ Other

We Got Mail

August 5, 2002
Fort Gay, WV

We The People,

Thank you for your letter. I was disappointed in some of our delegates, voting for increasing the load limits on those murdering coal trucks, and they will sure hear from me.

I will do what you ask me to do and if there is anything I can do let me know.....

Thanks for asking! Here's what you can do:

Five Things You Can Do To Keep Monster Trucks Off Our Roads:

1. Call your House of Delegates members and either thank them for their vote to keep the current weight limit or tell them how disappointed you are in their vote to raise the weight limits (see how your delegates voted at www.wvcag.org).
2. Talk to your friends. Keep overweight trucks on everyone's mind.
3. Write a letter to your local newspaper. Most of them will publish short letters.
4. Call the following Reader's Comment Lines:

*Charleston Gazette at 357-4451 or
Charleston Daily Mail at 357-4330*
5. Keep in touch with us at 304-346-5891 or e-mail us at wethepeople@ntelos.net (put "coal trucks" in the subject line).
6. Consider sending us a contribution for our work against raising coal truck weight limits.