



Capital Eye

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Clean Elections Passes Judiciary Committee

by Norm Steenstra, norm@wvcag.org

After three years of hearing about the concept, the full House of Delegates will get the opportunity to debate the concept of publicly financed legislative elections next week. Late Thursday afternoon the House Judiciary Committee narrowly approved HB 2486, which creates a Clean Elections pilot project for the 2006 legislative elections. This proactive bill was vehemently opposed by ultra conservative Republicans and a few self-serving democrats.

It's been a long time since House Leadership has lent its power to a WV-CAG issue but this time it pulled out all the stops to get the bill out of committee. The vote was 12 –10 with 3 members not voting. Because the vote was a show of hands, and not a formal "roll call vote", even though we know how everyone voted it isn't fair to publish the individual names. On Monday the full House will debate HB 2486 and a flurry of amendments is expected.

Real heroes Thursday include Speaker Bob Kiss, Judiciary Chair Jon Amores and Delegates Mike Caputo and John Doyle. Anti heroes include a Democratic delegate whose former spouse was recently convicted of vote buying. The delegate was perhaps the bill's most mean – spirited opponent repeatedly stating that there are "no problems" with the way we elect legislators. Another Democratic delegate opposes spending up to \$500,000 to fund the pilot project yet voted to give \$700, 000 of taxpayer money to a tournament at a golf course owned by a state senator.

With the backing of House Leadership, hard work by the Clean Elections coalition lobby team and your calls to House members, West Virginia may soon become only the second state to launch such a pilot project.

Remember! Election Reform is the reform in which all other reforms are possible.

Welcome to the new *Capital Eye!*

We've overhauled our layout to bring you an easier to read weekly newsletter. Special thanks to Damienne Dibble for designing this fresh new look. We hope you like it! As always, we welcome your comments and suggestions. Contact us at 304-346-5891 or linda@wvcag.org.

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W V - C A G

was founded in 1974
as a non-profit
membership
organization
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 and
health care reform.

Consumer Advocate Strengthened Under New Insurance Bill

by Gary Zuckett, garyz@wvcag.org

A bill (HB2388) introduced this week would set up an Office of Consumer Advocate (OCA) independent of the WV Insurance Commission. Appointed by the governor, this new consumer advocate would be more like the one watching out for consumers in matters of the Public Service Commission.

The bill gives the OCA powers to intervene on behalf of consumers in any matter before the commission, not just health insurance as the law now restricts. It also would allow the OCA to issue subpoenas and join in court actions. This is a good start to having someone in state government looking out for the little guy. The problem with most state regulatory bodies is they end up assuming their mission is to facilitate instead of regulate and the consumer gets lost in the shuffle. An independent OAC will counteract this trend and help give the consumer a little more protection against unnecessary rate hikes and unethical industry practices.

HB 2388 has been referred to House Committee on Banking and Insurance. Contact members of this committee, especially Delegates Thompson (Chair) and Perry (Vice-Chair) and ask them to pass this out of their committee.

As We Go To Press....

We have just learned that the Clean Elections Bill, HB 2486, was not reported to the House floor and languishes somewhere in purgatory. Your calls supporting this Pilot Project Bill are even more critical NOW than when we wrote page 1!

Thanks!

House Bottle Bill Out

by Linda Mallet, linda@wvcag.org

For more info

Check out the Bottle Bill website at www.wvbottlebill.org

HB 2330 was introduced this week by Delegates John Doyle (D-Jefferson), Joe Talbott (D-Webster), Tim Manchin (D-Marion), Carrie Webster (D-Kanawha), Nancy Houston (D-Monongalia), Ray Canterbury (R-Greenbrier), and Allen Evans (R-Grant). Please call these sponsors to thank them.

HB 2330 was single-referenced to the House Judiciary committee. Committee Chair Jon Amores (340-3252) also needs to hear from you. Ask him to put HB 2330 on his committee's agenda.

As you recall, the Senate version was introduced last week. Unfortunately, it was last year's bill! We are working with our sponsors to get the updated version introduced as soon as possible. The good news is we expect to have more sponsors! We will get you that new bill number as soon as we have it.

Please call your legislators. Tell them that the Bottle Bill is a Jobs Bill and that under this year's version, bottlers and the retailers will no longer handle the empty containers. Redemption centers statewide would collect the containers and get paid out of unclaimed deposits. Also, tell them we need this proven litter control measure in beautiful West Virginia!

A West Virginia Bottle Bill would create hundreds of jobs and clean up as much as 80% of beverage container litter.

Ask Delegates to Support Pilot Project!

Thursday's Clean Elections victory in the House Judiciary Committee (see page one) wouldn't have happened without your calls and letters to delegates!

On Tuesday, we expect the bill to be voted on in the full House. It's time again to contact your Delegates (see last week's insert for contact info.) and ask them to support voter-owned, publicly-financed elections by passing HB 2486, the WV Public Campaign Financing Pilot Project. Tell them that based on its success in states like Maine and Arizona, where it is now the political norm to run for office free from direct dependence on private donations, this voluntary alternative to special interest driven campaigns deserves a trial run in West Virginia. Thanks for your continued support and we hope to have more good news next week!

More information on Clean Elections is available at the new Citizens for Clean Elections webpage www.wvoter-owned.org and at www.wvcag.org

Need to contact your legislators? Check out last week's Capital Eye for a complete insert or visit our website at www.wvcag.org

Class Actions Curbed by Congress

by Gary Zuckett, garyz@wvcag.org

West Virginia's representatives voted along party lines in passing S5, the bill moving almost all class action suits out of state courts and into federal courts. The result of this action is

Attention Randolph County Members!

We've been very impressed with your new senator - Clark Barnes! He is a co-sponsor of our Bottle Bill and a strong advocate for ethics reform. Wow! A pro-environment, pro-ethics senator from Elkins! Call him, encourage him, tell him you are a WV-CAG member. He won't be with us on all the issues, but what an improvement from former Senator What's His Name. You can reach Senator Barnes at 304-357-7973 or 1-877-565-3447 (toll-free) or cbarnes@mail.wvnet.edu.

to virtually eliminate the class action lawsuit. In a press release this week, national Citizen Action said, "Class action lawsuits have been one of the primary vehicles that allow consumers to stand up to large corporations. It is not surprising that insurance companies, drug companies and other members of the Chamber of Commerce have worked so hard to remove the one vehicle that has allowed "the little guy" to stand up to corporate America. We are very disappointed that this Congress has made clear that it represents the interests of big corporations over its own constituents." Enough said. Constituents of Shelley Moore Capito should let her know how they feel about her vote to take away this protection against criminal corporations.

Bills on Third Party Bad Faith and Joint & Several Liability are quietly being circulated in the WV Legislature (see last week's article) but have not yet raised their ugly heads. Watch for more info next week.

Voter-Verifiable Paper Ballot Law On Hold

by Julie Archer, julie@wvcag.org

For resources, news and more on verified voting issues at the national level and in the states, visit these

websites:

www.verifiedvoting.org

and

www.votersunite.org.

Thanks for your calls, e-mails or letters. We couldn't do it without you!

As interims wrapped up last week we hoped to report that Sub-Committee A of the Joint Judiciary Committee recommended legislation to require a voter-verifiable paper ballot (VVPB). Based on conversations with legislators after they heard testimony from Bob Kibrick of Verified Voting, we were optimistic that the committee was prepared to recommend legislation to protect the integrity of our elections in West Virginia. However, the committee declined to recommend legislation requiring a VVPB, at the request of Secretary of State Betty Ireland who has wanted to seek further guidance from the Election Assistance Committee (EAC) and the National Institute for Standards and Technology (NIST). While Secretary Ireland has said she supports requiring a VVPB, she indicated she would prefer to take up the issue in a special session this spring.

We just learned that the NIST Technical Guidelines Development Committee recently voted against requiring a VVPB. The committee's decision is not representative of the overwhelming consensus of the technical community, nor was it unexpected given that those who appointed the committee "stacked the deck" by packing it with known VVPB opponents. The vote is also not considered by the experts to be final, since this was the first time this issue was raised within that committee, and will likely get raised again, but this vote has us concerned none the less. Coupled with the fact the NIST/EAC guidelines process is moving at a glacial pace – it will likely be summer before the guidelines are in place, too late to be of any help. We are hoping for some reassurance from Secretary Ireland and are anxiously waiting to hear her plans for a voter-verifiable paper ballot.

We will continue to keep you up to date on this important issue, as well as provide you with details on actions you can take to encourage your Congressional delegation to support effort to require a VVPB.

To contact your Congressional Delegation, click the "contact your legislators" button at www.wvcag.org, or call toll-free at 1-800-839-5276.

Events and Announcements

Monday through Friday

Talk Radio With a Progressive Twist

Tune into Bob Kincaid's program on
Newstalk 620 AM
out of Beckley.

You can hear the show from
wherever you are via the internet at
www.wvnrnewstalk620.com
(need Windows Media Player).

Bob is on the air

Monday , Wednesday: 8-10 PM
Tuesday, Thursday, Friday: 7 - 10 PM

If you have a "burr under your
saddle" call Bob and talk about it! You
can call from anywhere in the state
toll-free at 1-800-620-9967.

Fridays, 12-1 PM

Weekly Vigils With Patriots For Peace

Join the watch , help hold the
Wall of Remembrance
(names of U.S. soldiers killed in
Iraq), or hand out flyers
every Friday from 12 - 1 PM
at the Charleston Town Center
on Court St., outside Chili's.
For more info, contact Robin
Godfrey
at rlgdfry@yahoo.com.

March 30

Annual E-Day WV Environmental Council

at the State Capitol
details to be announced.
Mark your calendars!

April 29

WV-CAG Spring Fundraiser

at the Coonskin Park Clubhouse.
Keynote speaker Governor Joe Manchin.
Join us to celebrate our 31st year!

You Want It, You Got It

Let us know how you want to get your
newsletter! Paper, electronic or both! If
you want the on-line version only, please
e-mail linda@wvcag.org. We are happy to
send it out however you want it! Just let
us know and give us an issue or two to
make the change. Thanks!

You Heard It Here First

The National Business Coalition has formed a "grassroots" effort to push the privatization of Social Security. "Generations Together" is funded by the Chamber of Commerce, Wall Street investment firms and other business special interests. Watch for a huge media blitz next week to push Bush's assault on Social Security. Call Marge Michau at WV-CAG for more information.

State Coalition Forming to Save Social Security

WV-CAG is working with AARP, the Association of Social Workers, AFL-CIO, the Council of Churches and other groups to oppose Bush's Social Security Plan. We are working closely with Senators Rockefeller and Byrd to help derail the White House's efforts. Call Congresswoman Shelley Moore Capito and tell her to get off the Bush bandwagon and protect West Virginia seniors and workers. You can call her in Washington toll-free at 1-800-839-5276.



We Need Your Support!

We can't do it without you

Please renew your membership, or send in a little something extra to help get us through the Session.

Name: _____

Address: _____

Here's my donation of __\$15 __\$25 __\$50 __\$100 \$__Other.

Please e-mail me action alerts to:

Clip and mail with your check to West Virginia Citizen Action Group,
1500 Dixie St., Charleston, WV 25311