



## This Week's Issue

**Clean Elections Calls Needed!**

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**Bad Faith = Good Idea**

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**Big Industry vs. the Bottle Bill**

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*Much more Inside*

Call Governor Manchin toll-free at 1-888-438-2731 and ask him to include the Bottle Bill in his REAP (litter control) plan.

If you live in the 2nd congressional district, call Congresswoman Capito toll-free at 1-800-839-5276 and ask her to get of the Social Security fence and oppose Bush's plan.

## Tough Week, Dutch Treat

by Norm Steenstra, norm@wvcag.org

Being Dutch I should take exception to Senator Kessler's comment on "bad faith." Kessler said, "I still think it may be the worst deal since the Indians sold Manhattan" after hearing Governor Manchin's plan to take the Insurance Industry up on its "offer" to lower our car insurance rates in turn for eliminating bad-faith laws. If the governor bargains away our right to sue insurance companies, we are the Indians and the insurance companies are the lucky Dutchmen!

The regular session is now 25% over and the pace will soon pick up. There's a lot of grumbling among legislators concerning the governor's proposals and it is already a cliché but the "honeymoon's over."

This week the Clean Elections bill was sent back to the House Judiciary Committee so concerns expressed by delegates could be addressed. This good move will help ensure the bill's eventual passage. We remain convinced that Speaker Kiss and Judiciary Chair Amores are committed to passing a bill that enables ordinary people to run for office without having to take special interest money.

Also we met with the Teamsters this week and are disappointed to learn they are buying into Coke and Pepsi's propaganda and are now speaking out against our Bottle Bill.

Yes, it was a busy week here at Lake Logicbegone. In addition to all the bills we are watching, our Save Social Security Coalition met and held a well-attended press conference. Today, WV-CAG's Gary Zuckett and Marge Michau met with Congresswoman Shelley Moore Capito to encourage her to reject Bush's Social Security Plan. This weekend Gary and I are off to Baltimore to plot and scheme with groups from 28 other states on how to help derail the Social Security Scam.

There are some key things you can do next week to help make our issues become policy. One is to keep calling your delegates asking them to support the Clean Elections Pilot Project, HB 2486. See sidebar for two other quick actions!

# € Capital Eye

is published weekly during each state legislative session by West Virginia Citizen Action Group (WV-CAG) 1500 Dixie Street Charleston WV 25311

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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.

# Paper Ballot Legislation In A Nutshell

Verified Voting newsletter excerpt

A lot of Federal legislation has been introduced in the last few weeks on voter verification and other voting issues. For more details and links to the bill texts, please see: <http://verifiedvoting.org/leg>

Verified Voting's opinions are based on the technical merits of the bills. It's not clear at this point how the politics will work out. Verified Voting will monitor what's happening on Capitol Hill and keep you posted as the situation evolves. Meanwhile, we hope you will visit their alerts page to take action, if you have not already done so, and visit often to see if there are new actions to take.

## Bills Verified Voting Supports:

H.R. 550, the "Voter Confidence and Increased Accessibility Act of 2005" was introduced by Rep. Holt (NJ). In only two weeks, it has over 100 cosponsors. H.R. 550 is the "gold standard" of verified voting bills. It not only requires voter-verified paper ballots (VVPB) but also mandatory manual audits, requires increased security, prohibits undisclosed software, and more. It was carefully written after extensive consultation with many experts. VerifiedVoting.org supports H.R. 550 in the strongest possible terms and encourages all members of the House to become cosponsors.

The "Voting Integrity and Verification Act of 2005" (VIVA 2005) was introduced by Sen. Ensign (NV) as S. 330 in the Senate and by Rep. Gibbons (NV) as H.R. 704 in the House. These bills are narrowly focused on voter-verified paper ballots. They don't do everything we want, but they do what they do very well. Verified Voting supports these bills and encourages all members of Congress to cosponsor them (as well as H.R. 550).

**TAKE ACTION:** To view Verified Voting's current action alerts and join their campaigns for verifiable voting legislation, please visit <http://verifiedvoting.org/alerts>.

# Anti-Bottle Bill Lobby Out in Force

by Linda Mallet, [linda@wvcag.org](mailto:linda@wvcag.org)

For more  
info

Check out the  
Bottle Bill website  
at  
[www.wvbottlebill.org](http://www.wvbottlebill.org)

The 10 bottle bill  
states recycle more  
beverage containers  
than the other 40  
states combined!  
(Hawaii has recently  
become the 11th  
bottle bill state).

Order your free  
bumper sticker at  
[www.wvbottlebill.org](http://www.wvbottlebill.org)

The correct version of the Senate Bottle Bill, SB 273, was introduced yesterday. We used this delay to get more senators signed on and sponsors are now Senators Brooks McCabe (D-Kanawha), John Unger (D-Berkeley), Randy White (D-Webster), Dan Foster (D-Kanawha), Clark Barnes (R-Randolph), Andy McKenzie (R-Ohio), and Larry Edgell (D-Wetzel). Thanks to the WVEC's Allan Twedde for helping shore up support for this bill! Please call these senators and thank them for their support.

Also, please call House Judiciary Chair Jon Amores (340-3252) and Senate Judiciary Chair Jeff Kessler (357-7880) to ask them to put the Bottle Bill on their committees' agendas.

As expected, anti-bottle bill lobbyists, now joined by the Teamsters, are coming out in full force to fight this legislation. Unfortunately, the bottlers have misled the Teamsters with the usual fear tactics (it will take away your jobs!) and without your calls, your decision-makers will only hear industry's skewed perspective. And let me tell you, they are hearing plenty of misinformation. For instance, a recent letter from the WV Beverage Association states that "the difference in the state's recycling rate between current recycling and post-bottle bill recycling would probably be about 1%." We have some unprintable theories as to where they came up with THAT statistic!

Please call your legislators. Tell them that the Bottle Bill is a Jobs Bill that would create hundreds of jobs, because, 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. JOBS! Tell them that our recycling rates will more than double and that public support runs high for bottle bills. No statewide bill has ever been repealed! Tell them we want this proven litter control that already works in 11 other states here in beautiful West Virginia!

Thanks for your support!

# Kick-Off at Capitol

by Gary Zuckett, garyz@wvcag.org

To learn more about West Virginians for Protecting Social Security call Marge at WV-CAG at 346-5891 or 1-866-WVB-FAIR.

On Wednesday, West Virginians for Protecting Social Security was launched with a well-attended press conference at the Capitol. Speakers included Kenny Perdue, president of WV-AFL-CIO; Frank Bellinetti, State Director of AARP; Larry Beckett, WV president of National Association of Social Workers; Gary Fritz, SEIU local 1199; Ernie Terry president of AFSCME retirees; and myself. The room was full as speaker after speaker stressed the need to oppose privatization and “keep the promise” of retirement benefits that have helped keep many of America’s seniors out of poverty.

Wes Holden read a statement from Senator Rockefeller pledging opposition to any proposal to weaken the Social Security safety net and support for the Coalition’s efforts.

State Delegate Mike Caputo and Senator Jon Hunter were there with other WV legislators to announce a resolution they are introducing next week asking our Congressional Delegation to protect Social Security from privatization and any scheme that would weaken it or cut benefits.

Coalition members met with Shelley Moore Capito on Friday to advise her of our concerns and hear where she is on the issue. As the media has reported, she is still “undecided” on the president’s proposal to privatize social Security. Please contact her and all members of Congress to let them know how you would like them to vote on this critical issue.

## Bad Faith = Good Idea

Scenario: Your car is rear-ended. Repairs will cost \$15,000. The other driver’s insurance company will only pay \$10,000. You need your car repaired now!

Current law: You have the right to sue that insurance company for acting in bad faith. If you win, you collect the full amount, legal fees and punitive damages.

Governor’s proposal: You lose your right to sue. You must borrow a car to drive to Charleston to make your case before the Insurance Commissioner on your own time and expense. If the commissioner rules in your favor, you get the \$15,000 but no expenses or legal fees and if the insurance company is punished for acting in bad faith, the Commission keeps the fine.

If you were an insurance company, wouldn’t you refuse to pay the full estimate every time?

# Clean Elections Bill Gets Cleaner

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

On Wednesday, we asked our on-line members to contact their delegates to ask them to support HB 2486, the WV Public Campaign Financing Pilot Project. That afternoon, WV-CAG lobby team members met with House Speaker Bob Kiss and Delegate Jon Amores, on behalf of the Citizens for Clean Elections coalition.

The Speaker is reluctant to put the bill up for a vote because of concerns raised by House members, but, because he believes the Clean Elections concept has merit, he wants to work out the kinks. Delegate Amores agreed to rework the bill in House Judiciary, and both deserve credit for their commitment to changing the way we finance elections in West Virginia. This a positive step, and, as the debate over this much needed reform continues, we are optimistic that the bill will pass.

Although the vote has been delayed, your calls are more important than ever! Many legislators are on the fence and calls and personal letters from you DO make all the difference. This cannot be stressed enough since delegates are telling us that their constituents don't support publicly financed elections. Ironically, many legislators object to using taxpayers' money for this concept that would help all citizens, but last year nearly all incumbent delegates voted to give nearly \$800,000 to a golf course to benefit just affluent West Virginians.

In a time of budget deficits, lawmakers have legitimate concerns about how much publicly-financed elections might cost the state, but doing a pilot project is a very conservative approach. The cost is capped at \$500,000 – just 28 cents per state resident – less than the price of a first class stamp! Please keep those calls and letters coming. Tell legislators to keep the money it would cost to mail you a response and put it toward cleaning up elections in West Virginia.

Legislators tell us phone calls and letters are more effective than e-mail.

Contact them toll-free at 1-877-565-3447

Save a stamp! Fund Clean Elections!

More information on Clean Elections is available at the Citizens for Clean Elections webpage [www.wvoter-owned.org](http://www.wvoter-owned.org) and at [www.wvcag.org](http://www.wvcag.org)

# Events and Announcements

*March 21*

## **Patriots For Peace Public Forum**

6:30-8 P.M.

'IRAQ: How Long Should We Stay?'  
Speaking from  
the Bush perspective will be Monty  
Warner; Dr. David  
Mills, professor of Modern Middle  
East History at  
Marshall U., will speak on behalf of  
Patriots For Peace

*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](mailto:rlgdfry@yahoo.com).

*March 30*

## **Annual E-Day WV Environmental Council**

10:00 am ~ 3:00 pm  
State Capitol

Make this your own lobby day!

Organizations and sustainable businesses  
will display the latest news on bills of  
interest circulating throughout the Senate  
and House. Let your representatives  
know you care!

To register your group, organization or business  
contact: Denise Poole at 304- 346-5905 or  
[deniseap@earthlink.net](mailto:deniseap@earthlink.net)

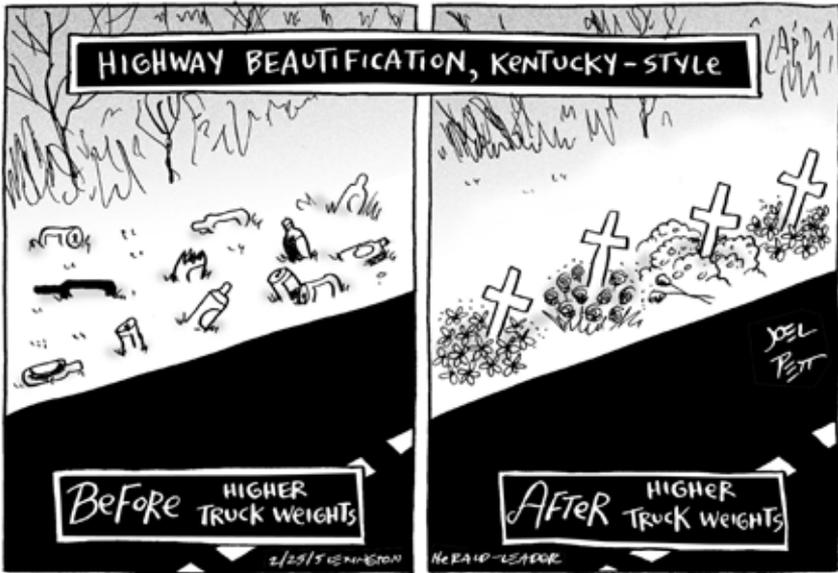
## **WV-CAG Spring Fundraiser**

Friday evening, April 29, at the  
Coonskin Park Clubhouse, Charleston.  
Invited keynote speaker Governor Joe  
Manchin. Enjoy the great food and silent  
auction as we celebrate our 31st year!

## **End Your Week With Us!**

We put the Capital Eye together on Fridays  
starting around 3PM. Join us for great  
conversation and refreshments!

# Sad but also true in West Virginia..



## **CAG** 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.  
**Thanks!**

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