



## In This Issue

**Campaign Reform**

**Paper Trail Bills**

**E-Day on Wednesday!**

**Countdown to End of Session**

WV-CAG has made campaign finance reform its major issue for the past 7 years. We call it “the reform on which all other reforms are possible.” Join the Ohio Valley Environmental Coalition and us in our continuing campaign to achieve the mother of all reforms. For more information, visit [www.wvoteroowned.org](http://www.wvoteroowned.org)

## March Mineral Madness

by Norm Steenstra, [norm@wvcag.org](mailto:norm@wvcag.org)

Yes, West Virginia is open for bidness! And guess who doesn't want to pay taxes? Hint: disturbing things are happening in Charleston concerning OUR natural resources.

You may recall that in the January Special Session, coal, oil & gas, and timber agreed to pay a temporary higher severance tax to pay down the workers compensation deficit. Mighty neighborly of them, considering they largely created it.

Now, SB 684 is making its way through the Senate and would lower the severance tax on natural gas from 5% to 2% on newly drilled wells. The industry is pushing this bill at a time when natural gas prices are at an all-time high and new exploration in West Virginia is booming. Not to be outdone by their partners in crime, timber is following suit. Thursday, Senator Plymale (D-Wayne), a former employee of coal and timber baron Buck Harless, introduced a bill that would lower the already pathetically low timber tax from 3.2% to 1.2%. They cite increased taxes on workers comp as the reason for the raise. Timber is most dangerous industry in the state and is largely responsible for the fund's deficit.

This week some of West Virginia's largest coal producers have appealed to the State Supreme Court arguing that they should not have to pay severance taxes on coal that they export. They are also asking for a refund that could be as much as \$500 million on taxes already paid. These same coal companies bought themselves a judge for a mere \$3.5 million. Not a bad return on investment. Maybe the best fix for Social Security is for Big Coal to handle the private accounts.

Coal, oil & gas, and timber companies contributed hundreds of thousands of dollars to Joe Manchin's campaign and tens of thousands more to state senators and delegates. Add the more than \$5 million to defeat pro-consumer Judge Warren McGraw and we see the magnitude of the problem.

There is no limit to the greed of the extractive industries, greed that adversely affects not only our environment but also many aspects of our daily lives.

CapitalEye

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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  
& health care reform.



**To become a  
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and suggestions,  
visit**

**www.wvcag.org,  
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or e-mail us at  
linda@wvcag.org**

# Resolution 49: No More Wilderness

by Norm Steenstra, norm@wvcag.org

Just when you think that you've seen all the evil, dishonest or downright bad ideas floating around the Capitol, another one pops up.

This week 40 House of Delegate members co-sponsored a resolution opposing any further federal wilderness acreage in the Monongahela National Forest. The three-page resolution is filled with such gems as "additional federal wilderness acreage would replace scientifically justified natural resource management with an unfounded philosophical ideology of forest abandonment."

Honest to God! They are calling wilderness abandoned forests! And did you know that "imposing additional wilderness would damage the biodiversity of the Monongahela Forest"? Download the entire resolution from the state site.

Call your House of Delegate members and give them this simple message: "Wilderness: GOOD! Resolution 49: BAD!" This really works. When told what the resolution was all about, six delegates listed as sponsors asked to have their names removed. Call toll-free at 1-877-565-3447 or e-mail them from the state's website at [www.legis.state.wv.us](http://www.legis.state.wv.us).

## Rx Fairness Legislation Goes Before Full House

The WV Prescription Fairness Act cleared legislative hurdles this week – passing both House Banking and Insurance and House Judiciary on consecutive days – and is now headed to the House floor. The bill only requires that insurance companies cover the cost of contraceptives for their policy holders and their spouses, and exempts coverage of dependents. While we would like to include dependents, this bill is a first step toward equity in contraceptive coverage.

Please urge your Delegates to support HB 3138, the WV Prescription Fairness Act. Contraceptives are basic health care for West Virginia women and families, and insurance companies should cover them under their prescription drug plans. It's about basic fairness and equality.

# VVPB Legislation Clears First Hurdle

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

Legislation to require a voter-verifiable paper ballot (VVPB) for all voting systems in West Virginia cleared its first hurdle this week as HB 2950 was passed by the House Judiciary Committee.

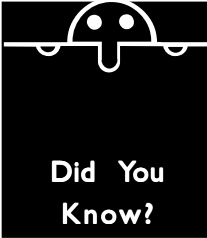
In addition to requiring a VVPB, the bill also requires that elections conducted on electronic voting machines must be subject to random recounts in 5% of precincts, which is currently required of other systems under West Virginia law. In any recount the paper ballot would be the vote of record.

HB 2950 also includes provisions from HB 2933 which would authorize the use of ballot marking devices, an alternative to touch screen or direct record electronic voting machines that would allow voters with disabilities to vote independently.

The Senate Judiciary Committee also acted on SB 477 and SB 487, which together have all of the provisions of HB 2950. We expect all three bills to be voted on in their respective bodies early next week.

If you haven't already, please take a few minutes to thank the sponsors of HB 2950 & HB 2933 and SB 477 & 487, for their efforts to protect the integrity of elections in West Virginia. HB 2950 sponsors are Speaker Kiss and Delegates Longstreth, Manchin, Caputo, Perdue, Martin, Amores and Beane. Sponsors of HB 2933 are Delegates Ashley, Amores, Craig, Hall, Stalnaker, Stemple, Talbott and Trump. Senators White and Yoder are sponsors of SB 477, and SB 487 is sponsored by Senators Facemyer and Lanham.

Marion County Delegates Longstreth, Manchin and Caputo deserve special thanks for supporting HB 2950 despite objections from the Marion County Commission. You may recall that in August, the commission voted to switch to touch screen machines, even though the Marion County League of Women Voters, county residents and community leaders strongly urged them to consider other options.



## Did You Know?

WV-CAG is specifically mentioned in the Coal Truck Bill (HB 3089). The bill provides for a five-member panel to review requests for additional haul records for overweight trucks. Also named in the panel: the Coal Association, United Mine Workers, State Police and the WV Dept. of Transportation.

# Election Reform Update

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

“Some billionaire decides he or she doesn’t like you in office, and they decide to form a 527 and contribute \$10 million or \$20 million and dive-bomb into your state or district. That should alarm every federally elected member of Congress.” — Senator John McCain, R-Arizona, speaking at a Congressional hearing on federal legislation to regulate 527 groups (as quoted in *the NewYorkTimes*, March 9, 2005)



Last week the Senate Judiciary took up SB 245, intended to reign in 527 groups like ‘And for the Sake of the Kids’ and ‘WV Consumers for Justice’ by regulating electioneering that masquerades as “issue advocacy” and requiring significant disclosure about its sponsors. These communications currently escape regulation by stopping short of expressly advocating a candidate’s election or defeat.

The bill was sent to a subcommittee, where, because of the West Virginians for Life requested amendment to exempt 501-c-4 organizations, an amendment offered by Senator Andy McKenzie to exempt 501-c-6 organizations was adopted. Such groups are generally “commercially-oriented” non-profits like the WV Chamber of Commerce and trade organizations like the WV Medical Association or the WV Education Association. In a later meeting the subcommittee reconsidered a revised version of the bill that exempted only 501-c-3 organizations, which are by virtue of their tax status prohibited from engaging in political activity. Unfortunately, an amendment was offered by Senator Weeks to again exempt 501-c-4 organizations. The amendment was adopted by the subcommittee, but the c-4 exemption was removed by the full committee when it adopted an amendment offered by Senator Jenkins. The bill now goes to the Senate floor.

## Clean Elections Still in Senate Judiciary

SB 247, which would establish a pilot project to provide full public financing to legislative candidates in two Senate and three House races in single member districts has yet to be placed on the committee agenda, but we have had assurances from the Chairman and we are still holding out hope that it will be taken up. Your calls can still make a difference.

**Editor’s Note: As we go to press at 3PM, Senate Judiciary is meeting and has SB 247 on its agenda. We’ll let you know what happens!**



From the Numbers  
Never Lie File:

**SB 666:** “RELATING  
TO EXEMPTIONS  
FOR CERTAIN  
INSURANCE  
COMPANIES FROM  
BUSINESS  
FRANCHISE TAX  
AND  
CORPORATION  
NET INCOME TAX

# Senate Passes Bad Faith, Uncertain Reception in House

by Gary Zuckett, [garyz@wvcag.org](mailto:garyz@wvcag.org)

## **SB 418 – Third Party Bad Faith**

This bill, which would take away your ability to sue insurance companies who negotiate with you in bad faith, passed out of the Senate this week (see previous issues of the *Capital Eye* for more info on the bill). However, in the House of Delegates, this governor’s bill may not get such an easy ride.

Talk is that House Dems don’t think much of giving the insurance industry carte blanc to low-ball policy holders when they are required to pay up on a settlement. The fight will now be in the House Judiciary Committee.

Contact members of that committee (see [www.legis.state.wv.us](http://www.legis.state.wv.us) ) Especially contact Chair Jon Amores, 304-340-3252, with the message that you don’t want your right to sue insurance companies taken away.

# Social Security Coalition Joins National Effort

West Virginians United to Protect Social Security has affiliated with the national effort – Americans United to Protect Social Security (Americans United). In a massive show of unity, simultaneous press events were held in 25 states last week to announce the formation of the national group and the affiliation of state groups.

Americans United has the support of the AFL-CIO, AFSCME, US Action, and a multitude of other national groups working together to oppose any attempts to privatize, cut benefits, or borrow from Social Security.

# Important Events

*Every Friday*  
**Patriots For  
Peace Vigil**

noon to 1:00 pm  
outside Charleston Town Center  
Mall

Please join this weekly vigil and help  
hold the Wall of Remembrance. For  
more information, visit  
[www.wvpatriotsforpeace.org](http://www.wvpatriotsforpeace.org)

*First Fridays*  
**WV-CAG  
Office**

Starting May 6, WV-CAG will host  
an alternative to "Happy Hour."  
Join us for light snacks, stimulating  
conversations and an opportunity to  
meet fellow WV-CAG members.

Mark it on your calendar - the first  
Friday of every month.

Do you have a good book, video or  
DVD that you'd like to pass along?  
Bring it and trade it with someone.

First Fridays are free but please  
BYOB.

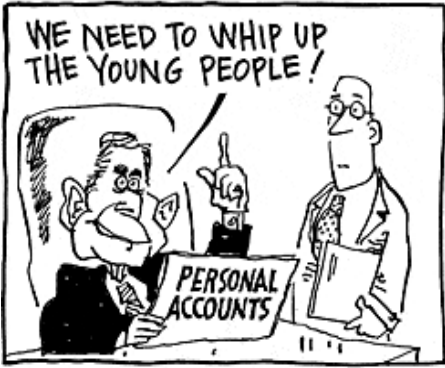
*April 29*  
**WV-CAG  
Annual Spring  
Dinner**

Doors open at 5:30  
Cooskin Park Clubhouse  
Keynote speaker: **PSC Consumer  
Advocate Billy Jack Gregg**

\$35/person or \$60/couple  
For tickets call us at 346-5891 or e-mail  
[linda@wvcag.org](mailto:linda@wvcag.org)  
Come and help us celebrate our 31st  
year!  
We'll have great food, beverages and  
silent auction.



Next week,  
April 1, is our last  
*Capital Eye* of the  
2005 Legislative  
Session!



# 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