



Capital Eye

Volume 8, No. 4 ~ February 1, 2008

Inside This Issue:

Lots of Chances to Lobby!
SORO Movement Continues To Grow
WV Shows Nation We Need Clean Elections
Halfway Through Session!
Please Update Your Membership!

Turning up the Heat

By Gary Zuckett, garyz@wvcaag.org

Almost halfway now and the session is heating up to a simmer.

The Supreme Court scandal I spoke of last week bubbled over on the Senate floor on Tuesday after best-selling author John Grisham mentioned WV as inspiration for his new book. *The Appeal* is a story of how the CEO of a big polluting corporation got tired of being sued and decided to “invest” in a Supreme Court Judge. Sound familiar? See the Clean Elections update inside and watch Grisham’s MSNBC interview here: <http://www.msnbc.msn.com/id/21134540/vp/22896642#22896642>

Last night, the WV-SORO team went to Spencer and 110 local citizens showed up at our Town Hall meeting to find out how they can help change oil and gas laws to protect the landowner from being run over by drillers. Many of these folks had their own horror stories to tell and Delegate Bob Ashley, who represents the district, got an earful. Many of these folks are coming down for SORO’s citizen lobby day next week.

Next week will be super busy with a bottle bill proponent flying in from California on Tuesday, WV-SORO (landowner rights) day on Wednesday with the possibility of a public hearing in one of the committees. Several of us will be interviewed on Metro News network’s live broadcast from the Capitol hosted by Hoppy Kercheval.

Clean Elections is scheduled be discussed on February 5th at 11:30 AM and the Bottle Bill on February 6th at 11 AM. Calls from supporters are always welcome. Tune in to Hoppy’s show if your local AM or FM station carries Metro News. To find a local station see: <http://www.wvmetronews.com/main.cfm?content=affiliates>

Hoppy is the legitimate voice of the right in West Virginia. We may not agree with all of his opinions but he’s not afraid to debate the issues or let other’s viewpoints be heard, and he never stoops to name-calling. He’s worth tuning into if you want to hear about what’s going on at the Capitol.

Keep those calls and letters coming into your legislators! It really makes a difference when we show up on their doorstep to

advocate for an issue if they have a stack of calls, e-mails and letters on the subject sitting on their desks. Lawmakers do pay attention to the pulse of their voters and figure that for every contact they receive from a constituent there are probably ten or twenty out there who feel the same way but didn’t take the time to call. See the toll-free number inside and be sure to give your hometown and phone number so they know you’re in their district and can get back to you if they need more information.

February 5 ~ Support the Bottle Bill at the Capitol

By Linda Frame, linda@wvcaag.org

This Tuesday, February 5 the House and Senate will hold a joint committee meeting in the House Chambers to hear from John Ferrari, President of NexCycle in California, part of the largest glass recycling company in the U.S. John is going to talk about the success of California’s bottle bill and how having such a law in West Virginia would impact recycling and job creation.

It is important to get Bottle Bill supporters to attend in the House gallery to show the strong citizen support the WV Bottle Bill receives. No doubt there will be representatives from industry opposing the bill, so please come out and show your support!

If you would like to arrive early or stay late to talk to your legislators, give us a call so we can coordinate you with others and help you make appointments.

Help Patriots For Peace and Citizen Action Group

The web-based straw poll we launched earlier this week (VoteWV.net) gives West Virginia voters a chance to express their choices for a presidential nominee prior to February 5th, when the primary races may be effectively over. In the process, we are hoping to underscore the importance of the Iraq War, and its disastrous effects on the economy, as issues in this election.

We also want to stress the importance casting a real ballot on Election Day and participating in the political process at all levels. This poll draws attention to the fact that many West Virginians feel closed out of the primary process because West Virginia is one of the last five states to hold a primary election (May 13). Polls close on February 5 so go on-line and vote today!

Capital Eye comes out weekly during the Legislative Session and bi-monthly throughout the rest of the year. If you have questions or comments about its content, please contact us. If you’d rather receive the *Eye* on-line, e-mail linda@wvcaag.org *What do you think of our new format? Let us know what YOU want. Our members are important to us. Send your comments to linda@wvcaag.org or call us at 346-5891 or 1-866-WVB-FAIR.*

THANKS!

Blankenship Boosts Clean Elections

By Carol Warren, Citizens for Clean Elections

This has been an exciting week at the Capitol! On Tuesday, an unexpected debate took place on the Senate floor about public financing for judicial candidates. The fact that Clean Elections was mentioned as a possible solution shows that we are gaining attention and awareness!

The discussion was no doubt sparked by the negative publicity our state has been getting at the national level. First, we had the photos of Judge Maynard and Massey Energy's Don Blankenship in the *New York Times*. Then on NPR, John Grisham mentioned West Virginia as an example of a state having a situation like the plot in his new novel – in which an industrial magnate decides to "buy" himself a Judge. Although our bill currently does not include judicial offices, Senators obviously recognize that such a proposal could be crafted. We have supplied Senator Kessler with a copy of the North Carolina and Wisconsin judicial bills. Here's hoping the discussion invites legislators to take a closer look at our bills S240 and H4050! (Links to related newspaper articles appear below.)

<http://www.dailymail.com/News/statenews/200801290561>

<http://www.herald-dispatch.com/homepage/x607063136>

Julie Archer (CAG), Todd Garland (Catholic Conference), House Lead Sponsor Del. John Doyle, and I met with House Judiciary Chair Carrie Webster on Monday. She was very positive, and interested in helping us answer some questions about how the bill could be financed, and what it would take to put those mechanisms in place. Del. Doyle was a real asset in the conversation, as he, too, is able to anticipate questions and possible objections from his fellow Delegates. We left with a number of tasks on which we can move forward. Sponsor Richard Browning is aiding us in obtaining a meeting with State Treasurer John Perdue.

Julie and I have been talking to House members in general this week, and continue to find supporters we did not know about! You can help us by contacting your Delegates and members of the Judiciary and Finance Committees and asking for their support for public financing.

Plans are proceeding well for our fundraising event on February 28 to honor the work of Senator Jon Hunter. Invitations should be sent out soon. We will also send our supporters electronic copies of the invitation so you can share with your members and community. We are asking that people RSVP so we have an idea how many attendees to expect. Contact Marge at 304-346-5891 or marge@wvcag.org

The Good, Bad & Goofy

By Gary Zuckett, garyz@wvcag.org

So many bills are introduced during the session that it makes one wonder why...like this one yesterday, HB 4358, which would prohibit "abusive behavior towards elephants by an owner or manager." I'm sure no one wants to see an elephant abused but I didn't realize this was a problem in our state.

What is a problem is dental health. House Bills 2398 & 2806 would allow that "A licensed dental hygienist may also perform any duties set forth in this section without direct supervision in the following settings: hospitals; schools; prisons; community clinics; long-term care facilities; nursing homes; home health agencies; group homes; state institutions under the Department of Health and Human Resources; public health facilities; and accredited dental hygiene education programs." This expanded dental service is desperately needed in our state but the dental lobby doesn't want to give up their control. Both bills are in Health & Human Resources (HHR) and need your legislators' support.

Speaking of dental hygiene, HB 4051 would allow the state Board of Education to set nutritional standards for beverages in schools (ban sugary soft drinks). It's already passed HHR and needs help in the House Education Committee. I wonder how much sweetener is in the "vanilla milkshake" flavored milk they serve my daughter in elementary school?

SB 441, the reporting rule for the Rx Drug Cost Management Council, would force drug companies to report how much money they spend lobbying doctors to prescribe their high-priced drugs. We desperately need to know this information to negotiate lower drug prices. It's passed the Senate Health Committee and goes to Senate Judiciary.

As usual, many tax giveaways are rolling through the session. The biggest one so far is the elimination of the Business Franchise Tax. It'll cost the state \$75 million and was sponsored by all but two or three senators. The problem with big tax cuts for business is the citizens have to make it up or take a cut in services.

SB265 reduces the property tax on airplanes to salvage value (5%) of real value. It costs nothing for the state to give away revenue that goes to the counties such as property taxes. How much this will cost local county governments is unknown.

Stay tuned and thanks for your support and we enter the session's halfway point in just a couple of days!

Surface Owners' Bill of Rights -- We Need You

By Julie Archer, Julie@wvcaq.org

As anticipated, the Surface Owner's Bill of Rights was introduced in the Senate earlier this week. SB 482 sponsors are Senators Larry Edgell, Jon Blair Hunter, Brooks McCabe, Randy White and Jeff Kessler. Like our House sponsors, they deserve a big "thank you" from citizens for standing up for property owners' rights.

Now that the bill has been introduced, we are gearing up for WV Surface Owners' Rights Day next Wednesday, February 6. Legislators will only be impressed by a strong turnout. The oil & gas industry is powerful and well financed. As noted last week we've heard they have signed on several extra lobbyists. This means they are taking our efforts seriously and we need to respond accordingly by being vocal and visible. E-mail info@wvsoro.org or call (304) 346-5891 if you plan to attend.

If you can't make it Charleston next week, please be sure to contact your legislators. Tell them what happened to you and what you think should be done to protect surface owners from industry abuses. Tell them to support the Surface Owners' Bill of Rights (HB 4286 & SB 482).

If your legislator serves on one of the committees where the Surface Owners' Bill of Rights was referred, it's especially critical they hear from you. The House version was sent to the Committee on Industry & Labor/Economic Development & Small Business where it may be taken up next Wednesday (WV-SORO Day). (See <http://www.legis.state.wv.us/committees/house/HouseCommittee.cfm?Chart=il>) for a list of committee members.) We'll know Monday if the HB 4286 will be on the agenda and plan to request a public hearing so the committee can hear from WV-SORO members. If the committee holds a hearing, they will also accept written comments. We hope you can attend and take advantage of this opportunity to share your story. If you can't make it but have comments you'd like to share, send them to info@wvsoro.org and we'll make sure they are distributed.

In the Senate, the bill has been sent to Energy, Industry and Mining (<http://www.legis.state.wv.us/committees/senate/SenateCommittee.cfm?Chart=EIM>).

Regional Town Hall Meetings Update & Thanks Yous

WV-SORO held its second Regional & Information meeting Thursday, January 31, 2008 at the Heritage Park Community Center in Spencer. We had a great turn out (*more than 100 people*) and got folks fired up to help us

push for passage of the Surface Owners' Bill of Rights.

Special thanks to: Chuck Wyrstock for helping with logistics and getting the word out; Robin Wilson for getting us there and back, and other behind the scenes support and assistance; and John Snyder, founding member, citizen organizer & researcher extraordinaire. John has put together a great informational CD covering a variety of topics affecting surface owners. Get in touch if you would like a copy.

We're still planning a meeting for the Boone, Lincoln, and Logan County areas in the near future.



*SORO's Julie Archer talks to landowners in Spencer on January 31, 2008
Photo by Gary Zuckett*

WV-SORO Day agenda:

WV-SORO Day at the Legislature, State Capitol, Charleston

8AM to 11AM ~ Gather in Governor's Press Conference Room (located in the Secretary of State's Office, Room 157-K; coffee & danish provided)

10AM ~ Press Conference on Surface Owners' Bill of Rights

11AM to 3PM ~ Lobbying, Meetings with Legislators

Contact Your Legislators and the Governor!

WV Senators and Delegates:

The Honorable _____
West Virginia Senate/House of Delegates
Building 1
State Capitol Complex
Charleston, WV 25305
Call toll-free: 1-877-565-3447
On the web: www.legis.state.wv.us

The Governor's office:

The Honorable Governor Joe Manchin
1900 Kanawha Blvd East
Charleston, WV 25305
Call toll-free: 1-888-438-2731
e-mail: governor@wvgov.org

WV Citizen Action
1500 Dixie Street
Charleston, WV 25311

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Free Movie Night!

February 6: 5:30PM at Taylor Books.

Free movie – **“Field of Flowers”**. A video by Jude Binder addressing domestic violence.

Jude will present the film and lead the post-film discussion. Field of Flowers combines song, drama, dance, animation and masks with poetry and symbolism to convey the breadth and depth of the impact of domestic violence.

This film shows a fantastic world of timeless drama that fuses personal testimony, historical court records and artistic invention to link the phenomenon of domestic violence to the universal human struggle for freedom from violence and shame. Field of Flowers features the work of Jude Binder, Gideon Kendall, David Wall, Ethel Caffie-Austin, Neil Grahame, Ilene Evans and Ira Bernstein. Field of Flowers is a collaboration of Heartwood in the Hills and the West Virginia Coalition Against Domestic Violence.

Sponsored by WV Citizen Action Group and WV Patriots for Peace. Call 346-5891 for more information.



We Need Your Support

We can't do it without you!

Please renew your membership or send a donation.

Name: _____

Address: _____

E-mail: _____ Phone: _____

Here's my donation of ___\$15 ___\$25 ___\$50 ___\$100

Other \$_____

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

THANKS!

Donate quickly & securely at www.wvcag.org!