



Factoid: As of today there have been 1,256 bills introduced this session. That averages out to around 97 a day.

## Health Care Reform on Two Fronts;

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

I'm reporting from the HCAN (Health Care for America Now) conference in Baltimore. Activists from across the country are gathered here to strategize on the passage of major federal health care reform this year. President Obama's speech jazzed everyone here as he promised to make health care for all a major item of his first term and put over \$600 billion in his proposed budget to get the ball rolling. Organizers from labor, faith and community organizations are all pulling together in this historic national campaign.

A citizen lobby day is set for June 25<sup>th</sup> in Washington to support what is a once-in-a-generation opportunity to provide everyone with comprehensive, affordable health care. Watch this newsletter for local events in support of this issue or sign up for updates at [www.healthcareforamericanow.org](http://www.healthcareforamericanow.org)

Governor Manchin's proposal to expand Medicaid to cover parents and childless adults (up to 50% of the federal poverty level) might be funded by an increase in the tobacco tax. Actuarial estimates show additional health benefits that go along with increasing the tobacco tax from 55 cents a pack up to the national average of \$1.20 would stop 30,000 kids from picking up the tobacco habit, encourage 20,000 WV smokers to quit (how about it Norm?), save 15,000 lives and defray \$700 million in future health care expenses. Sounds like a win-win-win scenario.

Anti-Bottle Bill lobbyist Greg Sayre told me that I targeted the wrong group last week when I said waste haulers are opposing the Bottle Bill. I stand corrected. It is actually one of his other clients, the private, for-profit recyclers who oppose it to protect their turf in aluminum can recycling. Since they could become redemption centers and collect an extra bounty on every can they take in, I think their opposition is short-sighted.

Read on about the Oil and Gas industry's ambush of the Surface Owners' Rights Bill on the Senate floor where the Senate President himself added a third committee reference to help block its passage. It must be nice to have friends in high places.

We are finishing up the second full week of this 60-day session. It could be worse. In comparing notes at the HCAN conference, some states have 90 or 120 day sessions and some (like PA) have a year-round legislature where the fun never stops.

## Industry Ambushes Land Owners' Bill

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

The SORO bill was introduced in the Senate on Wednesday (SB 374) with three sponsors. It was triple referenced on the floor, going to the Energy, Industry, and Labor committee, Judiciary and then to Finance. We have 11 sponsors on the House side (the maximum) and expect that bill to be out next week.

We also turned in the first batch of petitions for Doddridge, Ritchie, and Harrison counties. We will do this throughout the session to keep our issue on legislators' minds, so keep sending them in and let us know if you need more.

The day our bill was introduced, Senator Helmick of Pocahontas County and Delegate Boggs of Braxton both read the same prepared speech. You can read about and listen to them at these links:

[www.wvpubcast.org/newsarticle.aspx?id=8356](http://www.wvpubcast.org/newsarticle.aspx?id=8356)

[www.register-herald.com/local/local\\_story\\_056202704.html](http://www.register-herald.com/local/local_story_056202704.html)

Please ask your Senators to support the Surface Owners' Bill of Rights (SB 374). We will give you the House Bill number next week. Ask them to encourage their Committee Chairs to take up the bill. These chairmen are Senators Green, Kessler (one of our sponsors), and Helmick (the same one from above). We already have some solid support for the bill in each of the committees, but we need to have the voices of the Surface Owners to emphasize the importance of action in favor of this bill.

We strongly encourage you to come down and meet your legislators face to face. This is a great aid to our cause and really brings home the issue to your senators and delegates. Please let us know if you need a place to stay. Legislators need to hear what you have to say about the important issue that hits us all close to home!

*Capital Eye* is published by WV-Citizen Action, a nonprofit membership organization founded in 1974 and 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. Learn more at [www.wvcag.org](http://www.wvcag.org).

## **Public Financing Proposed for Legislature, Supreme Court**

*by Carol Warren and Julie Archer, WV Citizens For Clean Elections*

The WV Public Campaign Financing Act was introduced in the House this week (HB 2764), and referred to Judiciary and Finance. We still expect the bill to go to a yet-to-be-named elections subcommittee. If your Delegate is a Judiciary Committee member, please ask him or her to support HB 2764.

Senator Jeff Kessler has introduced a bill to provide public financing to candidates for the WV Supreme Court. SB311 is modeled after our legislative bill and would be funded through the Abandoned Property Trust Fund. We anticipate a similar bill to be introduced in the House.

Separate bills have been introduced in both houses calling for non-partisan election of Supreme Court justices (HB 2603 & SB 136). Although, this perennial proposal doesn't usually get any traction, we'll keep an eye on these bills as well. Some see non-partisan elections as the way to ensure a fair and impartial court system and restore public confidence in the judiciary. However, the heart of the problem is the pervasiveness of money in judicial elections, particularly donations by those with cases before the court. Public financing would do more to reduce undue influence on the courts from wealthy and powerful groups and individuals accused of wrongdoing.

### **Upcoming events include:**

March 8: A presentation on voter-owned elections hosted by the Jefferson County Democratic Women in Charles Town. Thanks to Virginia Graf for making the arrangements.

March 28: A town hall style meeting in Huntington from 10:00 to noon in the basement conference room of the Marshall University Student Center. Co-sponsored by the WV Citizens for Clean Elections and the local Labor Council.

For more information, contact Carol Warren at [peacelovemom@gmail.com](mailto:peacelovemom@gmail.com) or (304)847-5121.

## **STOP PATH Power Line Rally on E-Day!**

*by Frank Young*

In connection with the WV Environmental Council's annual E-day! events on March 11th, WV E-Council, other organizations and interested individuals will sponsor a late afternoon rally and informational meeting in opposition to the proposed PATH electricity transmission line. PATH is an

acronym for *Potomac-Allegheny Transmission Highline*.

PATH is a proposed joint venture between American Electric Power Company (AEP) of Columbus, Ohio and Allegheny Energy Company of Greensburg, PA. PATH, if approved by regulatory agencies and constructed, would be a giant 765 Kilovolt electrical power transmission line that would run 290 miles from AEP's John Amos power plant substation near St. Albans, W.Va., to a new substation near Frederick, MD.

PATH would include a right-of-way swath 200 feet wide through farms and forests and other public and private properties, across up to a dozen or more WV counties, and through the state's Eastern Panhandle into Virginia and Maryland. The apparent purpose of PATH is to transfer coal-fueled electricity from the Ohio Valley to eastern cities near the Atlantic Coast.

Strong local citizen opposition to PATH has developed over several months, with STOP PATH rallies and informational meetings held or soon to be held in almost every county through which PATH would pass.

The STOP PATH rally in Charleston on E-day! will be held at the same location as the WVEC E-day! dinner and awards ceremony- at the Charleston Woman's Club at the corner of Elizabeth Street and Virginia Street East, less than two blocks from the state Capitol, from 3:30 to 5:00PM.

Citizens Against PATH will have an informational table at the Capitol on E-day!, with maps, petitions against PATH and other information.

For further information or to help with the STOP PATH rally, contact Frank Young at [fyong@mountain.net](mailto:fyong@mountain.net), or 304-372-3945.

## **March 11, 2009 – E-Day at the Capitol!**

Lower Rotunda - State Capitol Complex, Charleston. Environmental organizations and sustainable business exhibits from 9 AM - 3 PM. Citizen / Grassroots Lobby Day! Join WVEC for a full day of lobbying, press conference, program, and visit exhibits. To reserve a table for your sustainable business or environmental organization, contact Denise at: [deniseap@earthlink.net](mailto:deniseap@earthlink.net) or call Chelena McCoy at: (304) 533-8878 or WVEC office at (304) 414-0143.

Then stick around for **E-Day! Benefit Reception Dinner & Award Presentation Ceremony**. 6:00 PM - 9:30 PM. To be held at the Woman's Club of Charleston located on the corner of Elizabeth and Virginia Street. Join us after E-Day at the Capitol to unwind, visit with friends, honor our award recipients and lobby team! Dinner will be served. Live music. \$15 suggested donation at the door.

## Same Day Registration, Voting Integrity Top Election Reform Agenda

In addition to voter-owned, publicly financed elections, same day registration and voting integrity round out WV CAG's election reform agenda. This week, Delegates Carrie Webster, Barbara Fleischauer, Nancy Guthrie, Bob Tabb and Tom Azinger introduced HB 2798 that would allow individuals to register *and* vote on the same day during the early voting period. Considered a compromise to allowing individuals to register *and* vote on Election Day, the bill would extend the voter registration period through the Saturday prior to an election and make it convenient for voters to register *and* vote in one visit to their county clerk's office. It would also allow those who are already registered to update their voter information during early voting, although they could not change their party affiliation prior to a primary election.

A companion bill (HB 2464), sponsored by Delegates Guthrie, Sharon Spencer, Bobby Hatfield and Jim Morgan, would also allow counties to establish satellite locations for early voting and voter registration in places other than the county clerk's office. These bills are positive steps toward making it easier for individuals to exercise their right to vote. Unfortunately, many county clerks are opposed to same day registration, suggesting it will be an administrative nightmare and citing concerns about fraud. However, studies have shown this has not been the experience of local election officials in states with Election Day Registration (EDR). In fact, a great majority of officials surveyed by Demos ([www.demos.org](http://www.demos.org)) said they were able to handle EDR in an efficient and orderly way without much, if any, added expense. According to the Demos survey, virtually all the officials expressed confidence in existing anti-fraud measures, and none could cite even one case of EDR-related fraud.

This legislative session, we will also encourage legislators to phase out touch screen voting machines (or DREs) currently being used by 33 of the state's counties. Nothing has changed in computerized voting security since 2005, when the legislature heeded the warnings of computer security experts, and required a Voter Verified Paper Ballot (VVPB) statewide as the ballot of record (for all purposes, including audits). Unfortunately, the majority of the county clerks do not accept the science. Moreover, the majority of counties selected DREs with a reel-to-reel VVPB, over the less expensive and more reliable, optical scan system.

Given security and other issues with touch screen machines, as well as the fact that many are probably close to the end of their useful lifespan, we believe now is a reasonable

time to prohibit counties from purchasing DREs when they replace existing equipment and require that DREs be phased out altogether by a certain deadline. DREs could be replaced with optical scan or hand counted paper ballots with HAVA compliant equipment to provide privacy and accessibility to voters with disabilities. Although making the switch will save money and improve voter confidence, like same day registration, it will be met with fierce opposition by the county clerks. Rather than yielding to their resistance, we hope the legislature will implement these reforms despite their objections. If you would like to contact your county clerk and legislators to encourage their support visit [www.wvcag.org](http://www.wvcag.org).

## Kanawha Valley Connection: Creating Pathways to Sustainability

Citizen volunteers are planning a community event promoting economic, environmental and social sustainability in the Kanawha Valley and seek exhibitors with green or sustainable products, services or practices for "Kanawha Valley Connections: Creating Pathways to Sustainability," which will take place at the Habitat for Humanity ReStore in Charleston on May 30, 2009. The event is partially funded through a \$20,000 grant from the Sustainable Kanawha Valley Initiative.

Volunteer Jeff Miller explains why sustainability is important for this area: "Given the economic and environmental challenges we're facing right now, we have to start taking a thoughtful look at how to nourish and grow our communities, for our own and for future generations. This means involving citizens, businesses, non-profits, and government in a coordinated and collaborative effort to make our area both prosperous and livable."

The fair will showcase sustainability themes including locally grown food, conservation, energy, green building, government and community resources, recycling, health, economic development, transportation, culture and history. It will feature interactive and hands-on exhibits, activities for children, performances, and practical ideas for residents and businesses. Volunteers currently include staff from Step by Step WV, Habitat for Humanity Kanawha and Putnam County, Kanawha County Solid Waste Authority, Charleston Area Alliance, Hunter /Miller+Associates, the Unitarian Universalist Congregation, and the WV Department of Environmental Protection. The group welcomes participation by businesses and organizations interested in promoting sustainability in the Kanawha Valley. For additional information and an application to be an exhibitor please contact Will Taylor at (304) 382-1233.

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### Breaking News!!

We have just learned that Delegate Harry Keith White introduced a bill today (HB 2864) that would prohibit the use of touch screen voting machines (see previous article). This bill would create the reform needed right away instead of any kind of phase-in and we applaud the House Finance Chairman's efforts toward voting machine reform. We'll keep you posted!

### Contact Your Representatives!

#### 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](http://www.legis.state.wv.us) where you can find legislators' e-mails. Or e-mail any legislator at [cglagola@mail.wvnet.edu](mailto:cglagola@mail.wvnet.edu). Type the legislators' names in the subject line.

#### 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@wv.gov](mailto:governor@wv.gov)

You can also visit [www.wvcag.org](http://www.wvcag.org), type in your zip code and find info on all your federal and state representatives.

### Submit a Question to WV Public Broadcasting

The WV Public Television program "The Legislature Today" airs at 6:30 and 11:30 PM every day during the Legislative Session. You can submit questions to your lawmakers as part of their Friday broadcast but you must e-mail them in advance to [sfinn@wvpubcast.org](mailto:sfinn@wvpubcast.org). Please include your name, how to pronounce it and where you are from.



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