



Halfway Over the Hill

by Gary Zuckett, garyz@wvcag.org

This week was a flurry of activity as the session broke the halfway mark in its 60 days to oblivion. I'm writing this on the second Friday the 13th of the 2009 session and it is indeed beginning to feel like some kind of bad dream or grade B horror movie.

After leisurely plodding through the first half of the session, committee chairs are now looking at deadlines coming up to get bills out and moving. However, this effort doesn't appear to be directed towards any of our legislation.

The Bottle Bill (HB 3037) is now bottled up in a House Judiciary subcommittee. See Linda's article about our five minute meeting with the governor and recycling industry leaders from several bottle-bill states who want to open up new markets (and jobs) in WV. Manchin seemed more interested in keeping GoMart happy than exploring how to keep our roadsides clean or recycling and creating jobs with the 30,000 tons of glass we pitch every year into our landfills. These recycling business people want to buy it from us! West Virginia could become a leader in glass recycling for the mid-Atlantic region with the passage of the bottle bill.

The Surface Owners' Bill of Rights, after being sent to three committees in the Senate (a mark of malice) is being treated like a hot potato in the House where leadership seems to be afraid of handling anything that might generate a controversy. We thought we would at least get a public hearing next week but it seems even that appears too much to handle.

Our powder-puff allies on this issue, the WV Farm Bureau, spoke at a press conference yesterday in support of mandatory drug-testing for welfare and unemployment recipients. I think we should have drug testing for the dead chickens on our grocery shelves instead. We should have expected tepid support from them as their lobbyist spends much of his time on such non-farm issues and hob-knobbing with the oil and gas drillers' lobby team.

Public Campaign Financing is huddling with all the other progressive election bills, such as Same-Day Registration during early voting, in the same House subcommittee as the Bottle Bill, waiting for someone to feed it some votes before it, too, withers and dies. However, Senate Judiciary is planning to move forward on several election bills including a pilot project on public financing for Supreme

Court Judges, similar to what North Carolina is already doing.

This article is beginning to sound like a bad dream. It is hard to keep positive sometimes when the forces of avarice and self-interest seem to hold such sway at the legislature. That being said, there are many diligent and professional public servants there who are trying to do the right thing for their constituents. They tend to be outnumbered and overwhelmed with the task of plowing through all the BS thrown at them. To them I say thank you and please keep fighting for WV citizens and sanity.

Thanks also to you, our members, who give us the encouragement and support to keep up the fight. As you can see, we need you to help us by calling your legislators!

Health Care and Economy Top Federal Issues

Obama's Health Care Summit last week has set the stage for the fight to reform our nation's sick health care system into something that stops killing thousands every year because of lack of insurance (see report at www.healthreform.gov). It'll be a tough fight and Senator Rockefeller is positioned to be a major player. He needs to hear from you about the need for a strong Public Health Insurance Plan as part of any reform. The private insurance giants are posturing as "supporters of reform" as long as their profits (and their ability to "cherry pick" healthy people) remain intact.

HCAN and Single Payer advocates staged a demonstration outside the Ritz in DC where they delivered "The Best Protector of Profits at the Expense of Our Health" award to AHIP (Americas Health Insurance Plans trade group) President Karen Ignagni at their national conference. This is what democracy looks like:

http://www.huffingtonpost.com/2009/03/10/eric-massa-protests-outsi_n_173520.html

On the budget scene, Congress passed an omnibus bill to keep the government funded until they pass the first Obama Budget. The first step in this nine-month process is the president's budget resolution in which he outlines issues and attaches BIG numbers to them. This is where the \$600 billion down payment on health care reform is, along with increased funding for education, an end to the Bush tax cuts for the Rich, and Cap and Trade of carbon emissions and other green energy funding.

This critical document will be dealt with over the next month or so and our own Senator Byrd is the go-to guy on this issue. He needs to hear about your support for the Budget Resolution so give his office a call, too. See www.rebuildandrenue.org

SORO Calls Needed THIS WEEKEND!

By Julie Archer, julie@wvcag.org

The Surface Owners' Bill of Rights (HB 3023) was finally introduced this week in the House. As expected, it was assigned to Energy, Industry & Labor/Economic Development & Small Business (EIL/EDSB), then Judiciary. House Speaker Rick Thompson (D-Wayne) has set a deadline of next week for bills to be passed out of minor committees. We have been working to get HB 3023 on the EIL/EDSB agenda, but EIL Chair Larry Barker (D-Boone) has gotten cold feet about taking up the bill, unless he gets the OK from House leadership. While there is no merit to the industry arguments that a surface owners' bill will inhibit economic growth, slow down drilling and interfere with royalty owners making money, apparently, some members of the leadership are saying that with current troubles facing the industry it is not politically expedient to pass any bill the industry doesn't like.

Please call Chairman Barker and Speaker Thompson over the weekend. Tell them the citizens of West Virginia deserve more than the same tired excuses and that the Surface Owners' Bill of Rights should get a fair hearing.

**Speaker Richard Thompson – (304) 523-5658
Delegate Larry Barker – (304) 369-3367**

We requested a public hearing on **Tuesday, March 17 to coincide with WV SORO Day at the Legislature.** This is seeming increasingly unlikely given the sudden reluctance to take up the bill; however, we should know by Monday whether our request will be granted. Either way, we hope you will join us that day at the Capitol and encourage your legislators to support surface owners' rights. We'll gather in the Governor's Press Conference Room (located in the Secretary of State's Office, Room 157-K) at **9AM for refreshments and a short legislative briefing** before heading out to speak with legislators. We'll meet back at the **Press Conference Room for a media event at 2PM.**

Our lobby team will be available throughout the day to direct and guide you to the right places. (If you arrive after 10AM please call Norm (304) 881-8664 or Julie (304) 610-9094 to meet up.) We recommend you contact your legislators in advance to schedule an appointment for that day.

Whether or not you're able to join us next Tuesday, we hope you will contact EIL/EDSB members and urge their support of the HB 3023, the Surface Owners' Bill of Rights. More importantly, call the Speaker and

Chairman to help ensure that the bill is taken up.

Energy Industry & Labor/Small Business & Economic Development Committee Members:

Delegate Larry Barker (D-Boone) - Chair EIL - (304) 340-3149, barker100@verizon.net
Delegate Stan Shaver (D-Preston) - Vice-Chair EIL - (304) 340-3146, sshaver@mail.wvnet.edu
Delegate Steve Kominar (D-Mingo) - Chair EDSB - (304) 340-3186, kominar@verizon.net
Delegate Kevin Craig (D-Cabell) - Vice-Chair EDSB - (304) 340-3350, kcraig1@mail.wvnet.edu
Delegate Kelli Sobonya (R-Cabell) - Minority Chair EIL - (304) 340-3175, ksobonya@mail.wvnet.edu
Delegate Carol Miller (R-Cabell) - Minority Vice-Chair EIL - (304) 340-3176, carolmil@mail.wvnet.edu
Delegate Craig Blair (R-Berkeley) - Minority Chair EDSB - (304) 340-3122, craig@delegatecraigblair.com
Delegate Troy Andes (R-Putnam) - Minority Vice-Chair EDSB - (304) 340-3121, tandes@mail.wvnet.edu
Delegate Bonnie Brown (D-Kanawha) - (304) 340-3106, bbrown1@mail.wvnet.edu
Delegate Greg Butcher (D-Logan) - (304) 340-3113, gbutcher@mail.wvnet.edu
Delegate Mike Caputo (D-Marion) - (304) 340-3249, caputo@mail.wvnet.edu
Delegate Barbara Fleischauer (D-Monongalia) - (304) 340-3169, barbaraf@mail.wvnet.edu
Delegate Nancy Guthrie (D-Kanawha) - (304) 340-3156, nguthrie@mail.wvnet.edu
Delegate Orphy Klempa (D-Ohio) - (304) 340-3378, oklempa@mail.wvnet.edu
Delegate Virginia Mahan (D-Raleigh) - (304) 340-3102, vmahan@mail.wvnet.edu
Delegate Mike Manypenny (D-Taylor) – (304) 340-3139, mmany@mail.wvnet.edu
Delegate Charlene Marshall (D-Monongalia) - (304) 340-3900, chmarsh@mail.wvnet.edu
Delegate Dale Martin (D-Putnam) - (304) 340-3134, dmartin1@mail.wvnet.edu
Delegate Brady Paxton (D-Putnam) - (304) 340-3337, bpaxton@mail.wvnet.edu
Delegate Doug Skaff (D-Kanawha) - (304) 340-3362, dskaff@mail.wvnet.edu
Delegate David Walker (D-Calhoun) - (304) 340-3135, dwalker@mail.wvnet.edu
Delegate Bill Hamilton (R-Upshur) - (304) 340-3167, bhamilt@mail.wvnet.edu
Delegate Pat McGeehan (R-Hancock) - (304) 340-3120, mcgeehan@mail.wvnet.edu
Delegate Patty Schoen (R-Putnam) - (304) 340-3141, pschoen@mail.wvnet.edu
Delegate John Shott (R-Mercer) - (304) 340-3179, jhshott@mail.wvnet.edu

(bold indicates bill sponsors)

Governor and House Subcommittee Consider Bottle Bill

by Linda Frame, linda@wvcag.org

It was a busy week for the Bottle Bill. On Tuesday, HB 3037, a revised version of our bill, was introduced, lowering the deposit to 5 cents from 10 cents. We hope this change will address the concerns of some legislators who are worried about border retailers losing business, a phenomenon that has not been documented in other Bottle Bill states.

On Wednesday, stakeholders both supporting and opposing the Bottle Bill met with Governor Joe Manchin. Out-of-state guests speaking on our behalf included Strategic Material's Tex Corley and John Ferrari. Their company has watched our progress closely as it needs all the clean recyclable glass available and prefers to get it from Bottle Bill states. Peter Walters and Katie Flight from Saint-Gobain, one of Strategic Materials customers, came in from Indiana.

Governor Manchin told us he "philosophically supports" the Bottle Bill but is worried about what would happen to retailers on the state's borders. He said he would contact neighboring governors to work on a coalition. We encouraged him to take the lead on this issue to attract recycling industry jobs here first, instead of industry going to other states to invest.

Saint-Gobain is such an industry. It turns cullet (recyclable glass) into new glass bottles and other materials. It, too, prefers feedstock from Bottle Bill states. In fact, by 2013, the Glass Packaging Institute which represents the glass container industry, has set a goal to use at least 50% recycled glass for the manufacture of new glass bottles. With the glass industry setting this high benchmark it will need a container deposit system in place in more states to reach it.

We were also fortunate to have Betty McLaughlin, the Container Recycling Institute's Executive Director, in town for the Governor's meeting. Betty was instrumental in getting Connecticut's Bottle Bill passed in 1980. Not only has that bill enjoyed widespread public support, it was expanded earlier this month to include water and other plastic bottles.

On Thursday, House Judiciary Subcommittee A took up HB 3037. Representatives from both sides of the issue addressed the subcommittee and answered its questions. Please call subcommittee members to ask for their support of the WV Bottle Bill (HB 3037). You can see their phone numbers and e-mail addresses in Carol's article in the next column. Thanks!

Need inspiration? If you recycle just one six-pack of glass bottles a week, you would save enough energy to:

- Light a compact florescent bulb for 1 day, 18 hours.
- Light a standard 60-watt bulb for 10 hours
- Operate a computer for 2 hours
- Operate a TV for 1 hour, 20 minutes

(source: The Glass Packaging Institute)

Your Calls Needed to Move Clean Elections Legislation!

by Carol Warren

Our legislative bill in the House (HB 2764) is now being considered by Judiciary Subcommittee A, along with a number of election and other issues. Please contact the subcommittee members listed below and ask them to take the bill up quickly.

Del. Barbara Fleischauer, Chair - 340-3169

barbaraf@mail.wvnet.edu

Del. Bonnie Brown - 340-3106

bbrown1@mail.wvnet.edu

Del. Mike Caputo - 340-3249

caputo@mail.wvnet.edu

Del. Tal Hutchins - 340-3270

thutch@mail.wvnet.edu

Del. Patrick Lane - 340-3275

patlane@mail.wvnet.edu

Del. Patti Schoen - 340-3141

pschoen@mail.wvnet.edu

WV Citizens for Clean Elections is pleased to announce the winners of our YouTube Video Contest! Please take a look at these super efforts by interested young people - a lot of hard work went into these pieces. The winners will be shared with legislators as we promote the WV Public Campaign Financing Act. To watch the winning videos and the honorable mentions, please visit www.wvoter-owned.org.

A public financing bill for Supreme Court elections is still being worked on, and we expect it to be ready to be taken up shortly. Senator Kessler is the lead sponsor of the Senate bill, and Delegates Fleischauer and Manchin are leading the House effort.

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.

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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 where
you can find legislators' e-mails. Or e-mail any
legislator at 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

Upcoming Clean Elections events:

March 22 at 9:30 AM - Julie Archer will speak
about Clean Elections to the Unitarian
Universalist discussion group in Charleston
(500 Kanawha Blvd. W.)

March 28 at 10:00 AM - Carol Warren will
speak, and Labor Council members will
participate in a panel discussion of Clean
Elections, in the basement conference room at
the Marshall Student Center, Huntington

Please let us know if you need more
information about either event, or if you would
like a speaker for a meeting you are planning.

Mark your calendar: Our next coalition
meeting will be **Thursday, April 16**, at 10:30
AM, place to be announced.
Thanks for all your efforts for Clean Elections!

CAG Fundraiser

Mark your calendars for May 1 at the
Charleston Woman's Club. WV-Citizen Action
will hold its annual Spring Fundraiser with live
music, great food and silent auction. Tickets
are just \$30, students \$10 and are available
now. Call us at 304-346-5891 or e-mail
linda@wvcag.org.



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