



## Capital Eye

Volume 9, No. 11 ~ September 2009

### Health Care Reform Summer

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

Unless you vacationed on Mars this summer you have probably heard a lot about health care reform – both good and bad, depending on which TV pundits you watched. Here at WV-CAG it's been a summer of Town Hall meetings, petition drives, honk and waves and homecoming fairs – all geared to support the major overhaul that's so desperately needed in our broken health care system.

Congress adjourned this summer without passing reform, which gave our opposition the month of August to lie about what was and wasn't in the House bill. We worked closely with our WV HCAN ([www.HealthCareforAmericaNow.org](http://www.HealthCareforAmericaNow.org)) coalition partners in organized labor as well as the faith and social justice communities to counter the mud-slinging and get the real facts out about how our market-driven health system is literally killing four West Virginians every week just because they don't have health insurance (see "[Dying for Coverage](#)" on the WV for Affordable Health Care web page at [www.wvahc.org](http://www.wvahc.org)).

Our summer intern, Jeremy Brannon, filmed many of our activities and you can view much of the action at [www.youtube.com](http://www.youtube.com). Type our name in their search line - you'll find lot's of footage of our HCAN campaign. **Thanks, Jeremy, for the long hours of editing and uploading!**

Now that Congress is back in session, the focus is on the Senate. I found a handy comparison chart today from the [washingtonpost.com](http://washingtonpost.com). The Baucus "compromise" bill is a study in how NOT to do health care reform – no public insurance option, no employer mandate, not affordable or comprehensive. Our own Senator Rockefeller is on the Finance Committee and has already publicly stated he will not vote for this as it stands. Please take a minute and call toll-free to thank him for his outspoken support for REAL health care reform with a public insurance option (1- 877-264-HCAN). Rockefeller also sent a letter to the top 15 health insurance companies, asking them for their "Medical Loss" ratios to reveal how much of the premium money they collect is actually spent on providing health care. Notice the industry term for providing care for people is "Medical Loss".

No doubt something called health care reform will pass Congress this year. The debate about health care has come down to this: **If the insurance companies win, we lose!** What reform ultimately looks like will be determined in the next few months. Vocal citizens like YOU and ME can still speak up and advocate for what we want the health care system to be. Do we want a system that still forces thousands of our fellow West Virginians into bankruptcy every year because of medical bills? Do we want a system that treats medical care as a market commodity or as a human right? Please watch for and respond to our (numerous, I realize) calls for action. Lawmakers **do** count the

numbers of calls and letters in support of or opposing controversial legislation. Your calls make a difference!



WV Governor Joe Manchin signs the Health Care For America Now petition on August 2, 2009 while WV-CAG's Julie Archer looks on.

### WV SORO Launches Video Project

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

WV SORO will begin shooting our video project later this month. We will document industry abuses of West Virginia's surface owners through video tours and interviews with property owners. Several members are lined up but we need others to share their story.

Just this week, several members told us that EQT (formerly Equitable Resources) is trying to get surface owners' contact information and Social Security numbers in an apparent attempt to force surface owners to pay taxes on the free gas they are entitled to. We are interested in talking to anyone who has had a similar experience with Equitable or any other company.

WV SORO will attend a WV Division of Forestry meeting in Flatwoods on November 18. We will give a presentation on the impact and effects of drilling on surface owners who practice forestry on their property. The presentation will show foresters, scientists, and other wilderness experts how surface owners' livelihoods are affected by the Marcellus drilling surge.

**Other news:** WV SORO has joined the WV Environmental Council, WV Highlands Conservancy and others to comment on DEP's proposed oil and gas regulation rule changes. We signed onto a letter from the Wilderness Society and Friends of Blackwater objecting to Berry Energy's plans for further drilling and land application hydraulic fracturing fluids in the Fernow Experimental Forest. We are also pushing Congress to remove a "loophole" that exempts hydraulic fracturing from regulation under the Safe Drinking Water Act (SDWA). For more information visit [www.wvsoro.org](http://www.wvsoro.org).

*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 about us at [www.wvcag.org](http://www.wvcag.org).*

## Will Commission Support Public Financing In Judicial Elections?

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

Should West Virginia continue to elect its judges? If judicial elections continue, should they be non-partisan? Should judicial candidates who voluntarily accept fundraising and contribution limits and demonstrate broad public support be eligible to receive public campaign financing? These are among the topics being explored by Governor Manchin's Commission on Judicial Reform, which is holding a series of meetings around the state seeking input from experts and the public. Last month, the Commission held its first meeting in Huntington, devoted primarily to campaign financing. Meetings are also scheduled for Morgantown and Charleston (see details below) on judicial selection and organization.

At the Huntington meeting, the Commission heard several presentations on the virtues of public financing. Senate Judiciary Chairman Jeff Kessler (D-Marshall) briefed the committee on the legislation he sponsored during the 2009 legislative session, which would have established a pilot project to make public financing available to state Supreme Court candidates. Senator Kessler was followed by a number of speakers from North Carolina, where Supreme Court and Court of Appeals candidates have had the public financing option since 2004.

Judge Wanda Bryant serves on the North Carolina Court of Appeals and has run as both a privately and publicly financed candidate. She credited the system with helping to dispel the notion that justices are influenced by contributions from attorneys and others who appear before the court. In addition to leveling the playing field and making it possible for more qualified people to run for office, she said the system empowered people who couldn't donate much money. "Many people who had never written a check in any political race could do so, and they could do so feeling they had made a difference," she said.

The Commission also heard from Jonathan Crook of Raleigh, NC based Public Policy Polling. He reported on a survey he conducted which found that 73% of voters in West Virginia favor adopting a program similar to North Carolina's. "Although respondents claimed that they are against the concept of public financed systems, it seems that they are for many of the upsides that such programs can produce," Crook said.

Others warned that public financing won't touch expenditures by third party groups and wealthy individuals, an area of particular concern in the face of ongoing challenges to West Virginia's electioneering disclosure law. The law, passed in response to millions of dollars spent on negative political advertising during the 2004 state Supreme Court race, could become moot if the US Supreme Court overturns a ban on corporate spending in elections which has been in place since 1907.

Public financing proponents acknowledged that the system doesn't fix all the problems, but both Judge Bryant and Damon Circosta of the North Carolina Center for Voter Education said that the public financing option helps shield candidates from third party attacks. Mr. Circosta said North Carolina has escaped national trends and that

independent expenditures haven't risen to the levels seen in West Virginia.

**Based on the experience in North Carolina, we believe the best way to rein in campaign costs, keep special interest money out of the courtroom and eliminate the perception that justice is for sale is to adopt a system of full public financing for judicial campaigns.**

Help us keep public financing on the Commissioners' minds by speaking out at an upcoming meeting (see below). During the public comment portion, the Commission will accept comments on any judicial elections/selection issue. The meetings start at 9AM, with the public comment period expected to begin at 2PM. The Commission will also accept written comments. For more information visit <http://www.judicialreform.wv.gov>.

### **Monday, September 21, 2009 ~ 9:00AM**

Commission Meeting on Judicial Selection  
West Virginia University School of Law  
One Law Center Drive, Morgantown, WV

### **Tuesday, September 29, 2009 ~ 9:00AM**

Commission Meeting on Judicial Organization  
State Capitol, Senate Judiciary Committee Room  
(208W), Charleston, WV

## **Viral Membership Campaign – You're It!**

Running a non-profit while working to save the planet (and pass health care reform) can be challenging. So often we wonder how to reach out and contact citizens who might like to join with us if they only knew we existed. Believe it or not, there are still folks out there - lots of them – who have not heard about WV Citizen Action Group and its tireless work for the citizens of this state and nation. You probably know several of them.

That's where you come in! Please take a minute and forward this newsletter to 5-10 of your friends with a note asking them to join us to make things better for us all. Please cc us so we can add them to our database. If you're getting the paper version, give it to a friend after you're done with it – or call or send in the names and addresses of folks who might like a six-month trial membership. You're our best advertizing and this viral campaign can help us be even more effective. Thanks in advance!

## **Thank you!**

**A shout out to our members who recently renewed their memberships or made a donation: Joyce Manyik, Geroge Ebbert, Timothy Bailey, Ron Wright, Mary Smith, Elsie and Will Carter, Robert Ward, Dave Steckel, Tom White, Carrie Webster, Ray and Hedda Haning, Joe Carney, Brooks McCabe, Dave McMahan, Harold Newman, Timothy Alderman, John Doyle, Benjamin Crutchfield, Robin Mills, Donnie McGraw, Roger Forman, and Barbara Steinke. We couldn't do it without you!**

## Get Digital Figital with Us!

by Jeremy Brannon, [jeremybrannon@hotmail.com](mailto:jeremybrannon@hotmail.com)

WV-CAG launched our very own YouTube channel in April and Facebook account and group in May. Activists and supporters from all over West Virginia and maybe even the world (who knows?) can now get a glimpse into our world. Currently, 202 people are subscribed to our Facebook group and seven subscribed to our YouTube channel, and we want more!

Our YouTube channel contains nearly 20 videos of our actions, ranging from health care to election reform. We have videos of press conferences, protests, rallies, town halls – some with content that television, print and radio dare not air.

The media concerns itself with things they can twist, exploit and make money off of, and some of our causes are just not that bendable to them, so they don't bite. With our Health Care for America Now campaign, they are biting like snapping turtles and keeping us on our feet. However, some state media outlets are trying to make the opposition appear as if it is the dominant voice in the health care reform debate, WHICH IT IS NOT!

Our YouTube channel was created to bring out the truth and reality from the web of lies the opposition is weaving about our issues. Look at our videos, comment, email to your friends and family, and repost on Facebook, YouTube, Twitter and/or other social networking sites.

With our Facebook group and account, you get videos and, on top of that, photographs, updates and notices on actions that you may or may not have received via our e-alerts.

It's just another way that we are keeping in touch with you and other social activists who might not be aware of the progressive movements taking place in their neck of the woods in W.Va., and by getting those people active.

Remember, if the media doesn't bite, you become the media! YouTube, blogging, vlogging, Twittering, smoke signals - the opportunities to reach the masses using all this great technology is endless.

Visit [www.youtube.com/user/WVCAG](http://www.youtube.com/user/WVCAG) or click on the Facebook icon on our homepage to learn more!

## PSC To Rule on Electric Rate Hike Soon

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

By the end of this month the WV Public Service Commission should rule on the AEP rate request in which we intervened this summer. Besides opposing the 43% hike, WV-CAG had two reasons to weigh in. First, we want the PSC to require electric companies to begin a serious campaign on Demand Side Management and Electrical Efficiency (DSM/EE), which is the industry code for energy conservation. AEP and others already do this in other states, but have not been required to do so here. Aggressive DSM/EE programs could reduce our state's energy consumption as they have in Vermont and other states.

We are also asking the PSC to beef up programs designed to protect low and fixed income consumers from spikes in electric bills.

The old way of central electric generation and distribution over giant, high-tension power lines running hundreds of miles may be the dinosaur in our living room. The "Microgrid" may be an upcoming paradigm shift that the electric companies are fighting (a losing battle). Small-scale, decentralized, renewable power generation is taking hold in many parts of the world such as Germany. China is now a major producer of solar panels and is beginning to realize it may not be able to pollute its way to prosperity. Check out two articles that came across my desk from [FastCompany.com](http://FastCompany.com): [Microgrid as the Answer to Our Energy Crisis](#) and an op-ed in the New York Times entitled [Have a Nice Day](#). [Have a Nice Day](#) explains why an American company with the high-tech expertise to build solar panel factories is finding buyers everywhere but here.

This planet needs some out-of-the-box thinking to solve the enormous power vs. climate challenges. Here at WV-CAG we're working to do our part.

## Legislature Looking Into Voting Machine Problems

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

We were disappointed when a bill to eliminate the use of direct record electronic voting machines (more commonly referred to as touch screens) failed to advance during the 2009 regular session. With the help of both Judiciary Committee chairs, however, we were able to get the legislature to study the issue during interims.

In August, we worked with VerifiedVoting and legislative staff to bring computer security researcher Micah Sherr to brief the study committee regarding vulnerabilities with our voting machines. Micah, a postdoctoral researcher at the University of Pennsylvania, was part of a research team that conducted a federally funded review of voting systems used in Ohio and throughout the country. The study led Ohio's Secretary of State to recommend the elimination of DREs. It was beneficial for the committee to hear about the Ohio study and that the same iVotronic touchscreen DREs are currently used in West Virginia.

This month, the committee focused on voting equipment problems encountered during the 2008 election. It heard from voters who experienced problems. Also, I summarized problems reported in the media and to voter protection hotlines sponsored by national non-partisan organizations and the state Democratic Party. We talked about the more serious DRE problems in other states in recent elections and recommended that West Virginia follow the lead of other states that are replacing their DREs with optical scan machines. My testimony and supporting documents will soon be available at [www.wvcag.org](http://www.wvcag.org), and you can view a portion of my presentation and those of other speakers at <http://www.youtube.com/watch?v=Ce5M-KypceQ>.

We'll continue to keep you posted as this process moves forward, so stay tuned.

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## RETURN SERVICE REQUESTED

### ***Upcoming Events and Actions!***

#### **September 25 – 27: 20<sup>th</sup> WVEC Fall Conference**

Holly Gray Park, Sutton WV  
20th Anniversary of WVEC Celebration & Program, setting 2010 legislative priorities, workshops on enviro issues, silent auction, live music, booths, nature outings & recreation Key-note address- by Jim Hightower, nationally known progressive commentator and co-editor of America's hottest newsletter, the **Hightower Lowdown**. Friday evening reception for Jim and he will give Saturday morning keynote address. Please visit [www.wvecouncil.org](http://www.wvecouncil.org), for complete agenda and updates!

#### **September 26 – ACLU Civil Rights Dinner**

Enjoy yourself with friends and like minded people at the Clay Center in Charleston. Jim Hightower, a funny, irreverent, intelligent populist, is the speaker. He is a *New York Times* bestselling author and America's funniest activist who gives the lowdown on how to put up-not shut up-in the fight for our future. Get a taste of Jim and a review of his new book Swim Against the Current: Even a Dead Fish Can Go with the Flow. For tickets or more information, please call the WV-ACLU at 304-345-9246.

#### **October 2 and 3 – Trail Design Workshop**

Coonskin Park, Charleston, WV  
Free but please register by September 20—class is limited to 30 participants  
Each session combines interactive learning, hands-on trail work, and topnotch instructors to develop skilled trail workers and crew leaders.  
The workshop will focus on the art and science of trail building through topics such as: Sustainable trail design, Basic construction and much more.  
For registration information, contact Betty Michael at [betty.michael@canaanvi.org](mailto:betty.michael@canaanvi.org) or 800-922-3601 ext. 252, or visit [www.canaanvi.org/events](http://www.canaanvi.org/events)

#### **October 18: Good Jobs, Green Jobs Workshop**

1:00-4:00 PM, Big Sandy Arena, Huntington, WV.  
Sponsored by the WV Center on Budget and Policy. What are “green jobs,” and how can they help shape a vibrant future for West Virginia? Join us for a stimulating afternoon of ideas and discussion about green strategies for economic growth and jobs that support families. For more information, visit [www.wvpolicy.org](http://www.wvpolicy.org) or call 304-720-8682.

#### **October 20: An Evening with Gloria Steinem**

WV Cultural Center, 7:00 PM. Produced by WV FREE. Tickets are \$25 and available by calling 304-342-9188 or visit [www.wvfree.org](http://www.wvfree.org).

**Save the Date! April 16, 2010: WV-CAG Spring Fundraiser** at the Charleston Woman's Club.



We Need Your Support  
We can't do it without you!

**Please renew your membership or send a donation.**

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Here's my donation of: \_\_\_\$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](http://www.wvcag.org)!**