



Health Reform Must Move Forward

by Gary Zuckett, garyz@wvcag.org

Tuesday's vote in Massachusetts was not a referendum on health care reform. It was a referendum on a particular candidate in a climate in which voters, hard pressed and frustrated by the economic recession, are impatient for change.

When it comes to the need to make good health care affordable, nothing has changed. Congress must keep going and finish reform right. Our elected representatives must complete the mandate they received from voters in 2008.

We **must** fix health care **now** to keep improving our economy. We cannot continue to allow medical expenses to bankrupt our nation's families and businesses. Until we stop spiraling health costs we can't fix the economy since one out of every six dollars is spent on health care.

Insurance companies and other special interests have spent millions to turn voters against health care reform. However, when voters are asked about key elements - no more denials for pre-existing conditions, access to quality, affordable coverage for all, or rules that force insurance companies to spend premiums on health care and not profits - they agree with Congress' and the President's plans.

Massachusetts has already achieved a measure of health reform, with 98% of people covered and insurers barred from denying people based on pre-existing conditions. For voters in Massachusetts, the issue was jobs and the economy, not health care.

Now is the time to redouble our efforts to get reform passed! Please take a few minutes and use the quick on-line "letter to the editor" tab at www.wvcag.org to make your voice heard, or write a regular letter, but please weigh in. Letters to editors are read widely by both voters and elected officials. Make your opinion count! Use the bullets below for ideas or visit www.healthcareforamericanow.org. You can also check out the press conference we held this week at www.vvwatchdog.org.

- **People want more change, not less.** Congress must keep going and finish health care reform right.
- **Incremental change isn't going to work. It hasn't worked over the past 30 years, and it won't work now.** Our nation's health care crisis is not an

incremental problem and cannot be fixed with incremental solutions. We cannot ban denials for pre-existing conditions without mandates; we cannot institute mandates without providing subsidies; and we cannot provide subsidies without raising revenue. All of the most popular elements of true meaningful reform are intertwined.

- **Massachusetts has shown that health reform is possible.** 98% of people are covered and insurers are not allowed to deny people based on pre-existing conditions. It's time for the rest of the country to have the same access to quality, affordable care. Before Tuesday, we were on the verge of coming to an agreement on comprehensive reform. The only change is that we now have one less vote in the Senate but we still have a solid majority.
- **There is a way forward and Democrats should take it rather than retreating.** We can still get most of these health care reforms done with just a shift in procedure. One way to do this is to have the Senate pass a "fix" bill that includes changes negotiated with the House. The House would pass the original Senate bill AND that "fix" bill. We must fix health care now to keep improving our economy. **We cannot continue to allow medical expenses to bankrupt our nation's families and businesses.**
- **Conservatives want to stop everything – to make Democrats fail with the cynical hope that voters will then give the Republicans another chance.** It's up to the President and Congress to figure out the best way to finish reform right. It's time to put our health care ahead of politics and pass reform that guarantees us coverage we can afford.

Letters to the Editor Links:

Charleston Gazette: gazette@wvgazette.com

Charleston Daily Mail: editor@dailymail.com

Huntington Herald-Dispatch: <http://media.herald-dispatch.com/forms/hdinfo/letters.asp>

Morgantown Dominion Post: opinion@dominionpost.com

Clarksburg Exponent: https://secure.townnews.com/shared-content/perform/?domain_name=exponent-telegram.com&form_template=letter

U.S. Supreme Court Strikes Down Campaign Finance Laws

by Julie Archer, julie@wvcag.org

Yesterday the U.S. Supreme Court released its long-awaited decision in *Citizens United v. FEC*, striking down a century-old ban on independent expenditures by corporations. The decision makes a bad campaign financing system even worse by enhancing the ability of the deepest-pocketed special interests to influence state and federal elections.

An analysis of the decision from our partners at Public Campaign stated:

"In its decision, the Court ruled that there can be no limits to independent expenditures by corporations aimed at electing or defeating a specific candidate. The Supreme Court declared outright – beyond overruling prior decisions – that corporate expenditures cannot corrupt elected officials, that influence over lawmakers is not corruption, and that appearance of influence will not undermine public faith in our democracy.

These are bald-faced, unsubstantiated claims that will change the ground rules of American democracy, starting today. Without a comprehensive response from Congress, elections will spiral into a fundraising arms race and war of negativism."

Justice at Stake summed up the decision this way:

"This ruling pours gasoline on the fire of special-interest money that has been overtaking judicial elections. Interest group spending imperils our right to impartial justice by pressuring judges to rule with one eye on big-money contributors."

There was one "silver lining" to yesterday's ruling: states can require those who 'pay to play' in our elections to fully disclose their financial sources. This gives the West Virginia legislature the ability to salvage some provisions of the state's electioneering communications disclosure law, which has been repeatedly challenged by organizations seeking to influence our elections while keeping their identity secret. However, short of amending the U.S. Constitution, our best policy option for ensuring that corporations don't take over the electoral process is to adopt public financing at both the state and federal level. The federal Fair Elections Now Act and state level proposals to make public financing available to candidates for the legislature and the state Supreme Court are our best bet for making real people – rather than corporations – the voices with the greatest influence on our political process.

Follow West Virginia reform efforts through the *Capital Eye* and at www.wvoter-owned.org. For more commentary and analysis visit www.gavelgrab.org, www.scotusblog.com, www.publiccampaign.org and www.justiceatstake.org.

House of Delegates Passes Tougher Ethics Rules

by Julie Archer, julie@wvcag.org

In its first act of the 2010 Legislative Session, the House of Delegates unanimously passed a bill to strengthen the state's ethics rules. HB 4016 would require public officials and candidates to provide more information about their financial interests and employment and those of their spouses. The Ethics Commission asked the Legislature to adopt tougher rules after the Center for Public Integrity (www.publicintegrity.org) gave West Virginia a failing grade for its disclosure requirements.

Charleston Gazette statehouse reporter Alison Knezevich wrote at the paper's "Squawk Box" blog that *"The bill included a House Judiciary Committee addition, dubbed by the media as the "Puccio amendment," after former Manchin chief of staff Larry Puccio registered to lobby a week after leaving the governor's office. It would ban certain public officials from lobbying for a year after they leave their posts.*

They also passed an amendment by House Minority Leader Tim Armstead, R-Kanawha, to make the Ethics Commission post disclosure forms online — and one by Delegate Patrick Lane, R-Kanawha, to make officials and spouses tell whether they serve on the board of any non-profit organization."

The Ethics Commission and the House should be applauded for taking steps to shine more light on the interests of public officials and supporting a cooling-off period for former legislators and executive branch officials with regard to lobbying. Please contact your Senators and urge them to support these needed changes to our ethics laws.

Verizon/Frontier Testimony on Web

In conjunction with our position opposing the sale of Verizon's land lines to Frontier we've created two short You-Tube videos, one of the recent rally and the other of PSC testimony given last week. Both can be viewed at www.youtube.com/user/LairdWilliam. We still need folks to write in to their local newspapers opposing the way this sale is proposed (see LTE link on our web page). Verizon should not be able to walk away from years of sub-standard maintenance laughing all the way to the bank. We don't necessarily like Verizon's service either, but when you look at what they want to pull-off here in WV, the alternative looks a lot worse.

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.

What's Up With the Bottle Bill?

by Linda Frame, linda@wvcag.org

We have worked really hard to promote a WV Bottle Bill over the past seven (is it really?) Legislative Sessions. Last year we were able to get the bill through a House Judiciary Subcommittee, meet with the governor, host wonderful experts and business representatives to tout the benefits of the legislation and work with statewide media to gain grassroots support.

Unfortunately the bill has not won over important House or Senate leadership during our campaign. Governor Manchin has stated that he will not only support the concept but introduce his own bill. Reminders of this promise to the governor have gone unanswered and we can only assume that the business lobby has done its job and talked him out of supporting us.

The bill will be re-introduced this year with amendments and improvements added from last year's debates in subcommittee meetings. We will continue to work to gather support and need your calls to Governor Manchin bring him back around.

We all have so many issues to care about and causes to support in one way or another. WV-CAG remains committed to this important piece of litter control legislation. A Bottle Bill is a win-win for all. It increases recycling, decreases litter and creates jobs! Hopefully Governor Manchin will remember his promises and we will have good news to report soon.

Until then, thanks so much for caring about, making calls for, and supporting this issue!!!

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. Be sure to type the legislators' names in the subject line so your e-mail can be delivered.

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

You can also visit www.wvcag.org, type in your zip code and find info on all your federal and state representatives. **Make your voice heard!**

Strengthening Drilling Rules and Protecting Our Water Resources

by Julie Archer, julie@wvcag.org

In addition to working to advance Surface Owners' Rights legislation, this session we will also be supporting bills to address issues of concern related to the drilling of wells to the Marcellus Shale formation.

A number of these issues, such as where the large quantities of water required to drill these wells will come from, what ends up in the water when it is used in hydraulic fracturing and where drillers dispose of that water afterward, have been the subject of monthly meetings of the Joint Legislative Oversight Commission on State Water Resources.

The Commission considered new legislation that would set up a system for regulating water withdrawals as well as addressing some of the issues regarding fracking fluid content and wastewater disposal at its final interim meeting earlier this month, however, only four of ten members were present, so they adjourned without taking a vote to recommend passage to the full legislature. The good news is Delegate Tim Manchin (D-Marion) plans to sponsor it on his own and we look for others to join him as cosponsors.

We will also be working to strengthen DEP's proposed changes to the rules that regulate oil and gas drilling. Some of DEP's proposed changes are beneficial, such as finally requiring synthetic liners for drilling pits and new construction standards for waste pits and water storage impoundments. However, these changes fall short of being protective of the threats to water and land resources and human health. The Legislative Rule-Making Review Committee advanced the rule earlier this month without changes, but we expect it will be an uphill battle to ensure that the rule isn't weakened by industry as it works its way through the legislative process.

Finally, bills to address enforcement issues and funding for inspectors and that give the surface owner the right of first refusal with regard to buying the minerals under their land if taxes are delinquent may also be introduced.

Please watch for updates from us on these issues in the coming weeks. In the meantime you can learn more at www.wvsoro.org.

Prefer Snail Mail?

Several WV-CAG members made the switch this week to the on-line version of the *Capital Eye*. If you are receiving the paper version but would like the on-line version instead, please send an e-mail to linda@wvcag.org. We are happy to send it to you in whatever format you like – **thanks!**

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Upcoming Events and Actions!

January 24: Haitian Relief Concert, **3:00 PM**, Unitarian Universalist Congregation, 520 Kanawha Blvd W., Charleston. Some of West Virginia's finest performers including: The Clementines -- Doug Imbrogno and Casi Null, nouveaux folk and electronica; Ron Sowell -- Songwriter, guitarist, harmonica player from Mountain Stage Band; Kate Long -- Award-winning Appalachian singer-songwriter, autoharpist; Heidi Muller & Bob Webb -- Original to traditional tunes with dulcimers, cello, mandolin; The Peruvian Trio -- Hot Latin guitar stylings with dynamic vocals and percussion; Crystal Good -- Charleston's own award-winning Affrilachian poet. Suggested donation \$5 to \$100, whatever you can afford. Or mail a donation to: UUC (designate Haitian Relief in memo line), 520 Kanawha Blvd West, Charleston, WV 25302. All proceeds will fund Haiti earthquake relief provided by the UU Service Committee. The UUSC works with existing Haitian grassroots organizations to channel aid to those who are marginalized and less likely to receive help from mainstream organizations. Of every dollar donated, \$.92 will go directly to earthquake relief, and the remaining \$.08 is used for administrative costs. To learn more about the work of UUSC, please visit www.uusc.org or call Heidi Muller at (304) 382-9422 or the UUC at (304) 345-5042.

January 28: Citizens For Clean Elections meeting. Join us as we plan our legislative strategy and how we can best support and move public financing legislation forward. 10:30 AM, at the Catholic Diocesan office, 1116 Kanawha Blvd. E, Charleston. Please come and share your ideas! If you have any specific agenda items, just let me know and I will be happy to include them. This is a very exciting opportunity for us to enact a public financing program in West Virginia! For more info, please contact Julie at 304-346-5891.

February 24: E-Day at the Capitol. 9 AM till 2 PM. Lower Rotunda. This is the Environmental Lobbying Day - a perfect opportunity to "go ye out and lobby" for everyone. Booth displays, announcements, press conference and more are planned. **For more information, or for table/booth reservations:** contact Kevin Smith, a_clean_wv@yahoo.com

February 24: E-Day Benefit Dinner & Awards Ceremony. Woman's Club of Charleston. 5:30 PM - 8:30 PM. Celebrate achievements and honor recipients of WVEC awards. Homemade Soup & Salad buffet. Admission is a donation of \$ 15 to WVEC. **E-Day After Party!** Live music at the Empty Glass, 410 Elizabeth Street, Charleston. Admission only \$5. per person.

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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E-mail: _____ Phone: _____

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!