



THE WEST VIRGINIA VOTER

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State Board Begins Planning Process

The LWVWV board of directors met on September 26, 2009 and began the process of developing a long-range plan. Becky Cain Ceperley, former president of the LWVUS and current President and CEO of The Greater Kanawha Valley Foundation, led the board through the strategic planning exercise.

The board decided to undertake this effort in order to look at where we are as an organization today and consider what we need to do to remain a viable organization in the future. We talked about our strengths and discussed the challenges that face the organization. We considered what we want to accomplish through this process of self-evaluation. At the end of the day, board members agreed to develop a four-part plan to:

- ◆ increase the League's visibility in the state;
- ◆ promote its positions on various issues;
- ◆ increase membership; and
- ◆ initiate leadership development strategies.

The process will continue over the next two years, beginning at the next state board meeting on November 14. If you have suggestions for helping us implement this plan, please email Susan Watkins at susanwatkins@verizon.net.

Independent Commission On Judicial Reform

By Kathy Stoltz

Governor Manchin established the Independent Commission on Judicial Reform to "study the need for broad systemic judicial reforms including, but not limited to, adopting a merit-based system of judicial selection, enacting judicial campaign finance reforms or reporting requirements, creating an intermediate court of appeals, proposing constitutional amendments or establishing a court of chancery." (From the commission's website: www.judicialreform.wv.gov)

The commission held an organizational meeting July 10 in Charleston, a public hearing on judicial campaign financing and reporting on August 28 in Huntington, a public hearing on judicial selection on September 21 in Morgantown, and a public hearing on judicial organization on September 29 in Charleston. The work plan, agendas for meetings, and other relevant materials are available on the commission's website. Their final report to the governor is due November 15.

I attended all four meetings. The array of speakers at the hearings has been impressive and represented a range of viewpoints. Each hearing included the opportunity for statements from interested parties and were not limited to the topic of that hearing. At the Huntington hearing I spoke briefly on behalf of LWVWV in favor of public financing and submitted a written statement (see page 2). The commission is also accepting written comments at any time and by email via its website.

The make-up of the commission includes a wealth of legal expertise and experience. The only criticism I've heard to date is that it consists entirely of lawyers and includes no citizen representatives. Carte Goodwin, former general council to Governor Manchin, is chairman. Sandra Day O'Connor is the honorary chair and participated in the hearing in Morgantown, expressing her strong preference for merit-based selection of judges.

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**STATEMENT TO THE
INDEPENDENT COMMISSION ON JUDICIAL REFORM
August 28, 2009**

The League of Women Voters of the United States believes that the methods of financing political campaigns should ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and allow maximum citizen participation in the political process.

The League of Women Voters of West Virginia believes that public financing of election campaigns advances this goal. While the League supports a selection system of appointing justices with retention elections, that is the topic of another hearing. When judges are elected, the League supports public financing for their campaigns. The League is a member of the Clean Elections Coalition, a broad coalition of organizations advocating for public financing of election campaigns in West Virginia.

- We are concerned that the increasing cost of running for office discourages qualified people from running for office. We believe the criteria for seeking a judicial seat should be one's qualifications, experience, and dedication to public service, not ability to raise money.
- We want candidates for judgeships to campaign based on their experience and qualifications, without being constrained by what may or may not please their donors. Public financing would allow candidates to focus on persuading the voters that their qualifications are superior to those of their opponents.
- We believe that the necessity of seeking and accepting campaign contributions fosters the impression among the public that candidates are beholden to their donors, regardless of whether there is any actual bias shown. In order for the public to have confidence in the fairness of its courts, any perception of bias should be avoided.

The League of Women Voters appreciates the opportunity to share its views with the commission. Should the commission ultimately recommend retaining a system of electing judges, we hope the commission will recommend public financing of judicial campaigns.

In Memoriam Mary Virginia Bee, Wood County LWV's only 50 year member, passed away on August 2, 2009. She joined the local League soon after it was formed in 1954 and became a board member shortly thereafter. She was Wood County's treasurer for 31 years, headed an important water quality study for the state League and contributed in too many other ways to enumerate. In 2004 the local board designated her as a "Director Emeritus" when she (no doubt reluctantly) handed over the treasurer's books to a successor.

Global warming IS here ...

By Helen Gibbins

... and is on the way to becoming worse even though some skeptics are trying to divert us from legislation that would reduce the use of fossil fuels. In June the House of Representatives passed a "cap-and-trade" bill, a market system approach to force CO2 emitters to cut back their CO2 emissions. The Clean Jobs and American Power Act was introduced in the Senate but committee work has just begun. It is envisioned that new technologies and conservation mandates will help us attain our goals to reduce CO2 emissions.

"There is broad scientific agreement that a 2 degree Fahrenheit increase beyond the warming we've already seen would pose severe risks to natural systems and human health," said Union of Concerned Scientists Climate Scientist Brenda Ekwurzel. To have a reasonable chance of avoiding that threshold and the worst effects of global warming, the United States must reduce global warming pollution 25 percent from 1990 levels by 2020 and by at least 80 percent by 2050.

"We've already pumped so much carbon into the air that we're diminishing the ocean's ability to absorb any more," said Ekwurzel. "That means a larger proportion of each ton of carbon dioxide emitted today, compared to decades ago, will remain in the atmosphere to trap even more heat over the centuries."

Because burning fossil fuels is responsible for more than 80 percent of total U.S. global warming emissions, we will need to dramatically change the way America uses and produces energy to sufficiently reduce emissions.

The League of Women Voters is part of a broad-based coalition representing investor, low-income, faith-based, environmental, and other groups. The coalition supports market-based legislation to cap global warming pollution and calls for the following principles:

- ◆ Establish science-based pollution reduction targets, including reducing U.S. emissions by 25 percent below 1990 levels by 2020, and periodically update them as science evolves;
- ◆ Auction all pollution allowances and devote the proceeds to helping the nation shift to clean energy and addressing impacts on consumers, workers, vulnerable communities, and natural resources;
- ◆ Ensure strong rules for any carbon "offsets" so that our efforts to reduce pollution are effective.

Because low and moderate income households spend

a larger share of their income on energy and other basic costs of living compared to wealthier households, the groups recommend that Congress designate a portion of the revenues from carbon trading to assist consumers' transition to clean energy.

Proponents of legislation to reduce greenhouse gases say that it will result in a creation of jobs, reduction in oil consumption, and an increase in new technologies devised by our scientists to be available at home and around the world.

To achieve success in the Senate Mary Wilson, president of the League of Women Voters stated,

"Washington must hear from all of us - clean energy entrepreneurs, mayors and local officials, and most of all from parents and grandparents who are alarmed about their children's future. We are eager to work with congressional leadership and the administration on this landmark legislation."

Trying to convince our members of Congress that our future depends on new

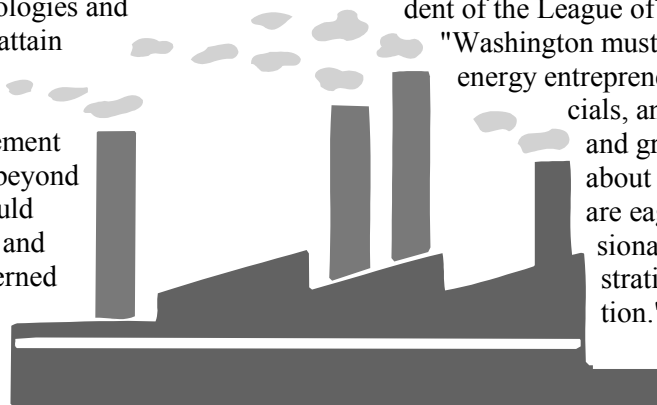
kinds of energy will be challenging. Many in the fossil fuel industry and other West Virginia industries discount global warming as a problem. However, a longer view would be to recognize the problems of global warming for the future of our children and the economy of West Virginia. We do not want to be left behind in the development of new energy sources and industries that do not depend so heavily on fossil fuels. Many environmentalists would like for legislation to be passed before the international climate talks in Copenhagen in December, but leaders in Congress are not promising quick action.

A Create West Virginia conference will be held in Huntington, October 18-20. Speakers will talk about new prospects for green energy and efficiency. Consult www.createwv.com/2009conference for more information.

For more information about legislation to curtail global warming, contact Kelly Ceballos, League of Women Voters, 202-263-1331, kceballos@lwv.org. (Information for this article was taken from the League of Women Voters' website, www.lwv.org.)

ENERGY STAR TAX INCENTIVES

Purchases of ENERGY STAR® products are eligible for a sales tax exemption in West Virginia if they are purchased by November 30, 2009. Such purchases will save household energy costs. Qualified purchases of an ENERGY STAR® product must cost \$5,000 or less and be used for noncommercial home or personal use. The WV Tax Department website (www.wvtax.gov) lists the products that are eligible for the sales tax exemption.



LWVUS Health Care Position

The League of Women believes that the current state of health care in this country is unsustainable. It is critical that Congress pass comprehensive health care reform to send to the President for his signature.

America is facing a health care crisis caused by a combination of skyrocketing costs and an insurance system that leaves 47 million Americans living day-to-day without coverage. The current health care system is endangering both our economy and our health.

Health care reform legislation must guarantee access to comprehensive and essential benefits to all U.S. residents. It is universal coverage that will determine the humanity of our system, and a public option will make that possible for Americans who cannot obtain coverage through the traditional employer-sponsored plans.

But coverage is not enough. We need to provide for quality and safety as well. Health care legislation must establish a system-wide program to coordinate information, establish best practices and provide consumers the information they need to protect themselves and their families. It is essential that comparative data on treatments, benefits packages and medical outcomes be made publicly available so that individuals can make informed health decisions and so costs can be controlled.

The federal government needs to take additional strong action to reduce costs for individuals, businesses and communities. As a nation, we are spending \$1 out of every \$6 we earn on health care. Over the last three decades, increases in the amount spent on health care have consistently risen faster than wages and inflation. If nothing is done, we could be spending \$3 trillion for health care by 2011 and \$4.2 trillion by 2016.

The League believes that cost containment measures must take place in the context of overall health care reform. We must reduce or eliminate the cost-shifting that currently exists in health care financing and work to streamline the system. Legislation must provide effective cost controls, equitable distribution of services and allow for efficient and economical delivery of care. *Offering everyone the choice of a government administered health insurance*

plan like Medicare that would compete with private health insurance plans will be key.

Congress needs to demonstrate real leadership and move forward with true health care reform. The League of Women Voters is ready to work with Congress to reach this goal.

(Adapted from a September 17, 2009 memorandum to the U.S. Senate from Mary Wilson, LWVUS President.)

Contact Information For Members of Congress

The phone numbers and street addresses of our Members of Congress are listed below. Perhaps the easiest way to contact them is to send an email from their websites.

Robert C. Byrd
202-224-7665
311 Hart Senate Office Building
Washington, DC 20510
Website: byrd.senate.gov

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531 Hart Senate Office Building
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Nick J. Rahall II
202-225-3452
2307 Rayburn House Office Building
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Website: molohan.house.gov

Shelley Moore Capito
202-225-2711
1431 Longworth House Office Building
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Website: capito.house.gov

Legislative Report

By Kathy Stoltz

In August, the Joint Committee on Government and Finance heard about HCR80, which provides a “Pay-as-you-Throw” system of trash disposal, regulating trash service as a utility. Under such a system households would be charged by the unit; for example, so much per can of trash.

The Select Committee on Health discussed HCR 87 requesting a study of disposal of drugs and other hazardous materials. Various education issues were discussed before other committees.

The September Interim meeting of the Joint Rule-Making Review Committee included the rules for the satellite early-voting-locations bill passed during the regular session. Of note: under the current rules, any satellite locations must operate for the full 20-day early voting period. Many of us thought the intent of the bill was to allow temporary satellite locations of shorter duration. Further legislative action will be necessary to permit shorter-duration satellite locations. Press accounts have noted the difficulty of obtaining sites available during the entire early voting period.

A Judiciary Subcommittee heard about irregularities in the 2008 election, such as complaints that touch-screen machines switched votes. Legislators were told that these problems were due to the way in which the machines were calibrated. In some cases, too small a “touch” area for each candidate was programmed, making it possible for a voter’s finger to overlap the area for another candidate. Recalibrating the machines to allow more space resolves this problem.

Highlights of the interim meetings are available at www.legis.state.wv.us.



Education News

By Priscilla Haden

Race to the Top is the name of the stimulus program that the U.S. Department of Education is offering to states in a competitive application process. The stakes are high, given the \$4.3 billion dollars appropriated for the program.

The federal government developed categories in which a state can compete. The categories are:

- ◆ adoption of internationally benchmarked standards and assessments that prepare students for success;
- ◆ recruitment and retention of teachers with an awards system for teachers and principals;
- ◆ plans for building data systems that measure student success; and
- ◆ strategies to turn around the lowest performing schools.

Race to the Top also asks what states will do to increase high-quality charter schools.

At the state level, legislation introduced by Governor Manchin and approved by the legislature gives schools the authority to establish "Innovation Zones" where waivers to state rules, longer class days and new teaching strategies would be allowed.

Another initiative the State Board of Education just approved is entitled “Instructional Supports for Third and Eighth Grade Students to Achieve Critical Skills.” This program encourages county boards of education to establish instructional support and interventions in reading, language arts and mathematics at the third and eighth grades.

Local League News

The recycling coordinator for the city of Parkersburg spoke at the Wood County LWV’s meeting in September. Some of the questions discussed were: How can we encourage more people to recycle? What about electronics and CFL and older fluorescent bulbs? Is an annual hazardous waste collection the best we can do?

The Huntington Area LWV will learn about the different levels of the West Virginia court system at its meetings this fall. The magistrate court system was the topic at the September meeting, featuring Cabell County Prosecuting Attorney, Chris Chiles.

Congratulations ...

... to Priscilla Haden for being elected president of the State Board of Education.

Susan Watkins, President
Susan Watkins, Editor
Betty Barrett, Labels



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Confused by all the rhetoric surrounding the health care reform debate? Go to factcheck.org for an unbiased look at the claims, allegations, and ads involved in this issue.

FactCheck.org is a project of the Annenberg Public Policy Center of the University of Pennsylvania. According to its website, it is "a nonpartisan, nonprofit 'consumer advocate' for voters that aims to reduce the level of deception and confusion in U.S. politics. We monitor the factual accuracy of what is said by major U.S. political players in the form of TV ads, debates, speeches, interviews and news releases. Our goal is to apply the best practices of both journalism and scholarship, and to increase public knowledge and understanding."

JOIN THE LEAGUE! The League of Women Voters is a nonpartisan organization that encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. **If you live in Cabell, Jefferson, Monongalia, or Wood County, please contact the local League in those counties.** To join at the state level, send a check or money order payable to LWVWV to: Margie Renaud, Treasurer, LWVWV, HC 60, Box 148, New Martinsville, WV 26155. Dues are \$40 for individuals, \$60 for a household, and \$20 for students. Because we are a lobbying organization, membership dues are not tax-deductible.

Name(s) _____ Phone _____
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