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Tuesday, July 13, 2010 1:07 AM BST

Unemployment insurance extension, financial reform hang on decisions in West Virginia

By Joseph Picard

In the United States, the center of government and policy is Washington, D.C. - usually. Currently, however, the center of U.S. government and policy appears to have shifted to Wheeling, West Virginia.

This change began to take place on June 28, with the death of Sen. Robert Byrd, a Democrat representing West Virginia. Byrd was widely respected and will certainly be missed by a number of people, although not always for the same reasons.

Some former colleagues in the U.S. Senate will miss the old-school gentleman on a personal basis. Senate Democrats, however, including those who hardly knew Byrd, are already missing him sorely - missing his vote, that is.

And 1.2 million Americans whose unemployment insurance ran out at the end of June are also sorely missing him, although they may have no idea who Sen. Byrd was.

On June 30, the Senate came one vote short of passing an extension to unemployment insurance. If Byrd were alive, they would have had the necessary 60 votes to move the bill, which would extend UI payments until Nov. 30.

The House has already passed the extension.

Senate Majority Leader Harry Reid, D-NV, is also anxious to move the Senate to vote on the massive financial reform package, which has also passed the House.

But Reid's political hands are apparently tied until West Virginia decides how to handle Byrd's succession.

Gov. Joe Manchin declared last week that he did not want to appoint an interim senator to serve a two and a half year term, saying that it would be unfair to West Virginian voters. Manchin, having consulted with his attorney general and secretary of state, has decided to call a special session of the state legislature for Thursday, July 15, presumably to set a date for a special election, so that voters can choose their senator for most of Byrd's unexpired term.

Senate Democrats will apparently have to wait until after the special legislative session before they see Manchin pick an interim senator.

"This is a completely political move by Governor Manchin," said Michael Tanner, senior fellow at the Cato Institute. "He's in a very difficult position."

Manchin is a popular governor who has made no secret of his desire to run for a U.S. Senate seat. But, since Byrd's death, he has also stated publicly that he will not appoint himself to the seat.

"He would appear self-serving if he appointed himself," Tanner said. "Also, there is a history of governors who did appoint themselves to vacant seats losing those seats in the following election."

It is likely that the special session of the legislature will approve a special election

and that the election will be slated for November 2, to coincide with already scheduled elections, as that spares taxpayers extra expense and presents candidates when the public is most willing to consider them.

Once the special election is set, Manchin is expected to declare his candidacy. His most likely opponents, according to Rasmussen Reports are Rep. Shelly Moore Capito, R-WV, and former state Secretary of State Betty Ireland.

A Rasmussen poll of likely West Virginia voters, taken last week, has Manchin defeating either of the GOP possibles. Manchin would take 53 percent of the vote to Capito's 39 percent. The Governor would get 65 percent of the vote in a contest with Ireland, who polled at 26 percent.

But the Rasmussen poll also showed that, while 77 percent of West Virginians approve of the job Manchin is doing, only 35 percent approve of President Barack Obama's performance, while 64 percent disapprove.

"This is a tough year for any Democrat to run for national office," Tanner said. "Even if Manchin defeats Capito, as he probably will, she can give him a real fight, and that will hurt Democrats by costing them more money than they want to spend."

Tanner noted that Manchin also has a problem regarding the interim senator he will soon be choosing, to fill the seat until after the November election.

"Everything that senator does will reflect on Manchin," Tanner said.

Given that West Virginians disapprove of what the Democratic leadership is doing in Washington, and that they usually like their Democrats to be the more conservative type, the short-term replacement for Byrd would hurt Manchin's own candidacy if he or she behaves too much like other Democrats, Tanner explained.

"He will want to appoint someone who doesn't draw much attention, the blandest person he can find," Tanner said.

Once Manchin chooses the interim senator, which he could do as early as Thursday, the appointee must be inducted into the Senate.

"That could theoretically be done in a matter of minutes," Tanner said. "A swearing in ceremony at the Senate and the new Senator can take his seat."

But would the Democrats then have the votes needed to pass the unemployment insurance extension and the financial reform package?

Not necessarily.

Reid had two Republican senators onboard for the UI extension vote on June 30 - Susan Collins and Olympia Snowe, both of Maine. But Tanner said both the senators are balking now and Reid may not be able to count on their votes.

"If the vote were strictly for the extension of unemployment insurance, he would probably still firmly have the senators from Maine, and probably a few other Republicans and Sen. Nelson," Tanner said. "But the UI extension is tied to a bigger bill granting other extensions and Collins and Snowe are expressing doubts about backing the larger measure."

Sen. Ben Nelson, D-NE, is the sole Democratic Senator who would not sign on to the bill to extend unemployment insurance.

Reid also does not seem to have enough votes just yet to get the financial reform package out of the Senate and onto Obama's desk. Again, he may have Collins

and Snowe onboard, and possibly Sen. Scott Brown, R-MA. But he does not have Democratic Senators Nelson and Russ Feingold, D-WI. It is likely Senate Democrats will have to wait for Gov. Manchin's appointee to come to Washington to stand a chance at getting either bill passed.

An insider at Reid's office repeated the conventional wisdom - that the Majority Leader will not try to move either measure unless he has 60 votes, and he may not have 60 votes until there is a new senator from West Virginia.