



# THE WEST VIRGINIA VOTER

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## NOTES FROM THE PRESIDENT

By Nancy Novak

I want to encourage all League members to check out the national website, [www.lwv.org](http://www.lwv.org) to see the latest league news around the country. While there, why not sign up for the weekly newsletter by clicking on "Get involved." The following is a sample from a recent LWVUS blog.

Ninety-five years ago, after decades of tireless advocacy, women finally won the right to vote with the certification of the 19th Amendment!

It took just over a year after Congress approved the 19th Amendment for the required three-quarters of states to ratify the amendment and enshrine women's right to vote in our Constitution. During this final push, Carrie Chapman Catt, leader of the National American Woman Suffrage Association, founded the League of Women Voters to "finish the fight," and educate millions of women about the power of their votes.

The trajectory of American history has always been to greater, not less, freedom. But Making Democracy Work<sup>®</sup> has never been easy, nor is it ever finished. And as such, the fight Catt charged us with in 1920 continues today: ensuring that every eligible voter has free and fair access to the polls.

**The 19th Amendment opened the democratic process to 23 million women in 1920** – do you know how many of them turned out later that year? Find out and learn more about the fight for the 19th Amendment through our fun quiz!

### SHORT QUIZ ON THE 18<sup>TH</sup> AMENDMENT

1. In 1848 the movement for women's rights launched at a convention in which New York town?

- a. Rhinebeck

- b. Tarrytown
- c. Seneca Falls
- d. Woodstock

2. What is the official name of the 19th Amendment?

- a. Susan B. Anthony Amendment
- b. Elizabeth Cady Stanton Amendment
- c. Lucretia Mott Amendment
- d. Eleanor Roosevelt Amendment

3. Which U.S. President called for passage of the 19th Amendment in the U.S. Senate?

- a. Theodore Roosevelt
- b. William Howard Taft
- c. Woodrow Wilson
- d. Warren G. Harding

4. Which state cast the final vote to ratify the 19th Amendment?

- a. Ohio
- b. Tennessee
- c. Virginia
- d. New Hampshire

5. How many women voted in the 1920 elections?

- a. 1 Million
- b. 3 Million
- c. 5 Million
- d. 8 Million

6. Even after the 19th Amendment was enshrined in the Constitution, states continued to debate ratification resolutions. Mississippi became the last state to ratify the Amendment in which year?

- a. 1930
- b. 1955
- c. 1976
- d. 1984

Answers can be found on page 5

## New: Nonpartisan Judicial Elections on May Ballot

by Kathy Stoltz

West Virginia voters will see changes on their ballot for the May 10, 2016 Primary Election. For the first time, all the state's judges ( Supreme Court of Appeals, circuit court, family court, and magistrates) will be elected on a nonpartisan basis and the final election will be held at the Primary. In the past Primary Election Day was the final election only for county board of education members. Circuit court judges, family court judges, and magistrates will all run from divisions.

These changes came from HB 2010, which was passed by wide margins in the 2015 legislative session. WV previously was one of only a few states having partisan elections of judges. Supporters of the bill cited the removal of partisan politics from judicial elections as necessary to an impartial judiciary, both in appearance and in fact. The earlier election also will allow more time for new judges to attend the National Judicial College before taking the bench.

The WV Supreme Court of Appeals seat currently held by Justice Brent Benjamin will be up for election for a 12 year term. Circuit court and family court judges are elected for 8 year terms. Magistrates serve 4 year terms. Some areas will be electing more circuit court and family court judges than previously, as some new judicial positions have been added.

The 2016 legislature is expected to work out a few remaining details in state code because of the changes, some related to the public financing program for Supreme Court races.

Important election dates for Spring 2016:

Filing period for candidates January 11 -  
January 30.

Registration Deadline April 19

Early voting April 27 – May 7

Primary Election Day May 10

## Our Children, Our Future Coalition Works to Protect Families

by Susan Watkins

The LWVWV is part of the coalition *Our Children, Our Future Campaign to End Child Poverty* (OCOF). Over 175 organizations, businesses, unions, churches and advocates make up this broad alliance devoted to empowering West Virginia's families and ending child poverty.

On September 14<sup>th</sup> and 15<sup>th</sup>, 450 people from around the state descended on the Culture Center in Charleston to participate in OCOF's annual policy summit. Over the course of the two days, 450 people were engaged in attending workshops, panels, and trainings. Attendees discussed numerous policy issues in order to determine the ten issues that will become the coalition's legislative platform for the 2016 session of the WV Legislature. Some of the eighteen proposals selected for consideration are:

- Protect quality child care centers
- Support a comprehensive mental and behavioral health plan for WV's children
- Increase local food access and profitability
- Enact a WV earned income tax credit
- Raise eligibility for Medicaid coverage for pregnant women to a minimum of 200% of the federal poverty level
- Create a pathway for first time non-violent offenders to petition the courts for a clean record
- Require all single-ingredient pseudoephedrine products sold in WV to be conversion-resistant formulations
- Provide funding for academically enriching after-school programs
- Expand broadband access
- Enact fair and adequate tax reform
- Oppose right to work legislation
- Create a Foster Kids' Bill of Rights

Visit [ocofwv.org](http://ocofwv.org) where you can find additional information about the proposals and learn more about OCOF's efforts to help our state's children and families thrive.

## NATURAL RESOURCES UPDATE

By Helen Gibbins

### LWVWV COMMENTS ON PROPOSED RULES

To the WV Department of Environmental Protection

**Horizontal Drilling** - The League added its name to the comments by the WV Surface Owners Rights Organization. For more information contact Helen Gibbins, gibbins@frontier.com.

**Above ground storage tanks (AST)**- The League supported the comments submitted by the WV Rivers Coalition, and added comments. We support strengthening relationships among agencies that will have an impact on public water utilities and their plans for source water protection, and for stronger requirements for notifying public water utilities of spills. We believe bonding must be sufficient to take care of any disaster and support a re-evaluation of the adequacy of fees on ASTs.

**Water Quality Standards** - We supported stronger standards for aluminum and selenium.

To ORSANCO (The Ohio River Valley Water Sanitation Commission)

We opposed weakening the limits on allowing mercury into the Ohio River; supported research on the problems of nutrient runoff; and asked ORSANCO to set standards to protect the Ohio River from pollution from fracking waste.

We opposed variances on three corporations that wished to weaken their mercury limits.

### WHAT'S HAPPENING AT THE NATIONAL LEVEL?

**Stream Protection Rule** (SBZ) The Office of Surface Mining Reclamation and Enforcement (OSMRE) proposed new regulations (2,600 pages) on surface mining, especially its impact on water and related environmental values.

**The Clean Water Rule** - The U.S. EPA issued the Clean Water Rule to restore safeguards that once existed for a variety of water bodies. The rules will affect streams, including headwater, seasonal, and rain-dependent streams that feed downstream waterways. One third of drinking water supplies in the U.S. are affected by the streams under the Clean Water Rule. The rule was challenged in federal courts all over the country both by those who believe the rule is too protective and those who believe it is not strong enough. Several weeks ago the District of North Dakota issued a stay on the rule in 13 states until the case is decided. (Taken from the Natural Resources Defense Council)

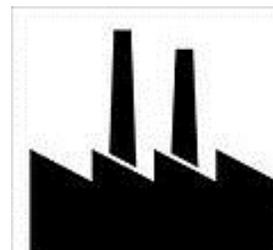
**Letters to Senators Capito and Manchin** - The League signed on to a letter to the senators in opposition to their sponsorship of the "Water Quality Protection Act", a bill that weakens the EPA's control of water pollution.

**Clean Power Plan and Power Plus Plan** - The U.S. EPA issued its **Clean Power Plan** that will regulate the emissions of CO2 emissions from power plants with the goal of reducing CO2 by 32% from 2005 levels by 2030. The states are charged with establishing the emission rate standards. West Virginia and 14 other states and a coal company took the rule to court to postpone the deadlines. On September 9, the U.S. Court of Appeals for the D.C. Circuit dismissed their request. The rule will be published in October, and undoubtedly will be challenged again. The president also has proposed the **Power Plus Plan** to provide resources for economic diversification, job creation, and job training for those impacted by the Clean Power Plan. Money from the Abandoned Mines Lands program would also be used to clean up abandoned mines. It is hoped that West Virginia will start planning for the use of these funds.

### **What You Can Do to Support the Clean Power Plan**

The LWVUS's Climate Action Toolkit now includes a section outlining what Leagues and League members can do to help build support for, and promote compliance with, the Clean Power Plan. Included are suggestions of state and local organizations that could be good partners for League action efforts as well as ideas for education and advocacy initiatives. The toolkit also includes basic background information about the Clean Power Plan itself. If you would like to access this information, Google the LWVUS Climate Action Toolkit.

**Methane Pollution Standard** The U.S. EPA has proposed the first-ever methane pollution standard for new and modified oil and gas facilities. This regulation is a critical part of President Obama's Climate Action Plan to cut greenhouse gas emissions by more than 40 percent by 2025.



## **PREPARING SOURCE WATER (DRINKING WATER) PROTECTION PLANS (Natural Resources Cont.)**

In the wake of the 2014 Elk River chemical spill the West Virginia legislature passed new requirements to protect our drinking water. One of the requirements is that by July 2016 public water utilities must develop or update their plans to protect their water supplies. Every three years the plans are to be updated.

One of the important mandates of the Act is the requirement that the public be involved in developing the plans. The West Virginia Bureau for Public Health (BPH) is the lead agency responsible for helping utilities develop and administer their Source Water Protection Plans. The BPH developed a template that is available on its website. Other agencies and non-profit organizations that are providing information to the public include the WV Rural Water Users Association, the WV Rivers Coalition, Downstream Strategies, and the League of Women Voters. The WV Rivers Coalition will sponsor a webinar and four workshops (in Charleston, Greenbrier County, Fayette County, and Jefferson County) and will develop a tool kit to be available on its website in October. The League of Women Voters has included on its website information on what a plan must entail.

One of the conclusions in the BPH's template suggests that "Communities taking local responsibility for the quality of their source water is the most effective way to prevent contamination and protect a water system against contaminated drinking water. Community cooperation, sufficient preparation, and accurate monitoring are all critical components of this source water protection plan, and a multi-faceted approach is the only way to ensure that a system is as protected as possible against source water degradation." The League heartily agrees with this statement and urges citizens to become involved with its local utility and its planning for source water protection.

Here are some of the requirements of the water utilities..

### **PUBLIC HEARINGS**

The law requires the water utilities to hold a public hearing on the Plan. After the Plan has been reviewed by the BPH, there will be another public hearing.

### **PROTECTION TEAM**

A Protection Team should be formed to help develop and implement the Plan because the Team will include individuals from different local disciplines that can provide oversight to the implementation of the Plan. Team members should include the manager and designated operator of the water utilities staff, a Local Emergency Planning Committees (LEPC) representative, a local health department representative, local government officials, and citizen representatives. The protection team should continue to meet regularly and engage the public whenever possible.

### **WATER TREATMENT, STORAGE, AND SOURCES**

The Plan includes the utility's sources of water and water treatment processes, treatment capacity, storage capacity, unaccounted for water, and contingency plans in order to evaluate the

utility's ability to provide drinking water and protect public health. If the utility draws water from any groundwater sources that blends with the surface water, the information about these ground water sources must also be provided.

### **DELINEATION OF THE SOURCE WATER PROTECTION AREA (SWPA)**

A delineation of the source water protection area is the process used to identify and map the drainage basin that supplies water to a surface water intake. All surface waters are susceptible to contamination because they are exposed at the surface and lack a protective barrier from contamination. Accidental spills, releases, sudden precipitation events that result in overland runoff, or storm sewer discharges can allow pollutants to readily enter the source water and potentially contaminate the drinking water at the intake. The SWPA is particularly relevant for the Zone of Critical Concern (ZCC), a designated extension of the source of water upstream of an intake.

### **POTENTIAL SOURCES OF SIGNIFICANT CONTAMINATION (PSSC)**

The Plan includes an inventory of the potential sources of significant contamination (PSSC) within the Zone of Critical Concern (ZCC). This inventory is provided by regulatory agencies. The local Protection Team and other stakeholders can help identify other PSSCs, because they often are cognizant of threats from unregulated sources and land uses that have not already been inventoried and do not appear in regulated databases. The identified PSSCs are to be prioritized for their potential threat to water quality and proximity to the intake(s).

### **EDUCATION AND OUTREACH STRATEGIES**

Education and outreach are necessary for raising awareness of the need to protect drinking water supplies, build support for implementation strategies, keep stakeholders informed, and provide the stakeholders opportunities for contributing to the development of the source water protection plan

### **CONTINGENCY PLANNING**

Contingency planning for emergencies will include analyzing the capacity of the water supply to operate in an emergency; studying the feasibility of establishing an early warning monitoring system; reporting on how the utility will meet future water demands; showing how contaminants can be diverted from the intake for a public water system; and scheduling annual exercises of the SWP contingency plans.

### **SINGLE SOURCE FEASIBILITY STUDY**

In the case of a single source for the water supply the Plan will include an examination of providing for alternative sources of water.

(Continued on page 5)

## Source Water cont. from page 4

### COMMUNICATION PLAN

In the event of a chemical spill, contaminant, or related emergency within thirty minutes the utility will notify the emergency responders, the local health agencies and the public and provide updates on the situation as knowledge occurs. The Communication Plan will identify how the utility will comply with this mandate.

### EMERGENCY RESPONSE

The public water utility must prepare an Emergency Response Plan that will list the team, equipment, sensitive populations, major users, protection measures, training courses, procedures, etc.

## NEWS FROM LEAGUES IN WEST VIRGINIA

By Nancy Novak

The West Virginia League website, [www.lwv.org](http://www.lwv.org) is your source for news of local leagues around West Virginia. Here's a quick look at recent news:

The **Jefferson County League** held a meeting on the LWVUS study of Money in Politics. Also in September took a look at their county budget in a meeting called "Budget 101: How the County Budget works."

The **Huntington League** will host a Study/Consensus meeting to develop guidelines for evaluating Constitutional Amendment proposals, as well as guidelines that should be considered when calling for a constitutional convention.

The **Morgantown League** recently published their "Guide to Government Officials" pamphlet. They marked the 50th Anniversary of the Voting Rights Act with a speaker who retraced the history leading up to the signing of the Voters Right Act of 1965.

The **Wood County League** is hosting a public meeting about the crisis facing food growers and food consumers, as pesticides, parasites, colony collapse disorder, and other factors are drastically reducing populations of honey bees and other pollinators.

## CALENDAR

November 7, 2014      LWV WV Board Meeting  
Parkersburg

January 9, 2015      LWV Board Meeting

January 13, 2015      WV Legislature Convenes

The LWV of WV is collaborating with Inspire WV, which engages high school juniors and seniors in innovative programs aimed at enhancing civic responsibility. Check out their website at <http://www.inspireus-wv.org/>

## Everything you need to know about electing the president

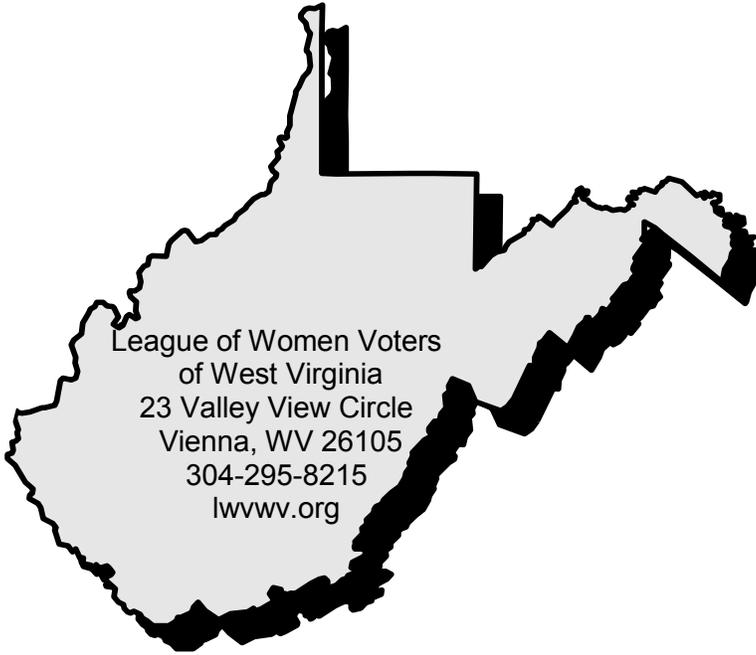
It may not even be Election Day 2015, but we all know that the battle for the White House in 2016 is already well underway. With presidential primaries just a few months away, the League has answers to voters' most frequently asked questions about the process of electing the president. We have once again teamed up with the [Newspaper in Education Institute](#) to produce [Electing the President](#), a handy guide outlining all you need to know about the presidential election process. From helping navigate the complex nomination process to providing succinct tips for making sense of the daily barrage of campaign coverage and advertising, [Electing the President](#) serves as a go-to resource all the way up to Election Day. Check out the PDF guide at <http://lwv.org/content/electing-president-everything-you-need-know>

### Answers to Quiz

1. c. Seneca Falls, NY
2. a. Susan B. Anthony Amendment
3. c. Woodrow Wilson
4. b. Tennessee
5. d. 8 million
6. d. 1984

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Teresa Koon  
 Editor

**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: Teresa Koon, Treasurer, LWVWV, 4112 Coopers Creek Rd., Charleston WV 25312. 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.

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