



# THE WEST VIRGINIA VOTER

Published Semi-annually by the League of Women Voters of West Virginia

Vol. 60 No. 1 Fall

## PRESIDENT'S REPORT

By Nancy Novak

An exciting opportunity has come our way! The national League is working with Google to present our candidate information to a wide audience.

We will supply our state Voter's Guide to them when it is ready. Google will cover all statewide West Virginia races such as Senate, House, Governor, Secretary of State, plus any ballot issues we have. When someone types a phrase into Google's search engine with such words as "WV governor" or "Who are the WV candidates," the first item which comes up will be our candidate information.

Look for our information in Google's search engine around the middle of October.

This November will be one of the most exciting elections in my memory! The League will have our Voter's Guide (candidate questionnaire) on our website, [www.lwv.org](http://www.lwv.org). Please have a look at it – even if you already know who you are voting for. The exact site for the candidate questionnaire is [http://voters-guide.lwv.org/](http://voters-guide.lwv.org). At the website, it can be found under Categories as Voters Guide.

Remember, you can NO LONGER vote a straight ticket ballot, but you will need to vote for every candidate individually. It's a new law for this election.

### LOCAL CANDIDATE MEETINGS

Leagues around West Virginia are very busy holding election activities: meet-the-candidate nights, registering new voters, publishing new voting regulations from the Secretary of State. Every League in the state will host multiple candidate nights. Please see the list of meetings below.

#### HUNTINGTON

The Huntington League will host similar candidate meetings in different venues. Their candidate questionnaire

will appear in the Herald-Dispatch on October 23.

Tuesday 9/19 – For Huntington Mayor, City Council at-large, plus District 4

Thursday 10/6 – For Huntington Mayor, City Council at-large, plus Districts 4, 5 & 6

Monday, 10/17 – Congress and WV Legislature

Thursday, 11/3 – Congress and WV Legislature

#### JEFFERSON COUNTY

The Jefferson County League is hosting three meet-the-candidate meetings in October:

Thursday, 10/13 - For County Clerk & Circuit Clerk,

Tuesday, 10/18 - For County Commission, Sheriff & Prosecuting Attorney,

Tuesday, 10/25 - For candidates for House of Delegates districts 16 & 15.

#### MORGANTOWN

There will be two Candidate Forums in October sponsored by the League:

Thursday, 10/13 - For WV State Senate (Districts 2, 13, & 14) and House of Delegates, Districts (Districts 5, 49, & 51)

Thursday, 10/20 - For County Clerk, County Commission, and Sheriff

#### WOOD COUNTY

Wood County is sponsoring several debates and is publishing a candidate Questionnaire to appear in the Parkersburg News.

Tuesday, 10/11 - For Vienna Mayor, Recorder, and City Council

Tuesday, 10/18 - For Wood County offices and Parkersburg City offices

Monday 10/24 - For candidates for WV Legislature, districts 8, 9, 10,

Don't forget to vote — Nancy

## The Clean Elections Coalition is working to Connect the Dots

By Kathy Stoltz

Remember those puzzles from when you were a kid? You connected the dots and got a picture. Just try that with campaign financing.

Pretend there's a Super PAC called Americans for Apple Pie. Sounds sweet and loveable, doesn't it? Their stated purpose is to lobby for a government subsidy for apple growers, which they say will encourage more farmers to grow apples.

The PAC spends a lot of money supporting candidate A, whose district includes both farmers and prime apple growing land. Connect those dots and the picture is a happy farmer growing more apples, collecting subsidy checks for planting a bigger orchard, and more apples for pie.

The Apple Pie PAC also puts out ads noting that Candidate A's opponent, Candidate B, says the subsidy is unnecessary because there already are plenty of apples in the markets and encouraging more apple-growing will just depress the price of apples. Connect those dots and the picture is Candidate B looking like he's against cheaper apples and opposes people having more apple pie.

Add more dots. It turns out that most of the money Americans for Apple Pie is spending comes from a small group of major apple growers who'd like to expand their businesses and get the subsidy to help them do it. They think they can count on Candidate A's vote for the subsidy if he wins the election. It's a whole different picture, once you get more dots.

The sad fact is, under current laws, the voter usually doesn't get all the dots and can't count on getting the whole picture before voting. Maybe the voter thinks more and cheaper apples is a good thing and worth the cost to taxpayers. Maybe the voter thinks the government should let the apple market rely on supply and demand. Isn't the voter entitled to have all the dots and make up his or her own mind about how to vote?

Numbers gathered by WV Citizen Action Group show that outside spending matters. Incumbents supported by Super PACs are more likely to be reelected than incumbents who aren't. Challengers supported by Super PACs won nearly half the time, while challengers who weren't won only 15% of their races. In 2014 \$2.5 million was spent on WV legislative races by outside organizations not affiliated with candidates' campaigns, five times as much as in 2012 and eight times as much as in 2010, the year of the Citizens United decision.

West Virginia needs better disclosure laws. Voters are entitled to know who is paying for media campaigns that are meant to sway their votes and to have that information in a timely fashion. The Clean Elections Coalition, of which the LWVWV is a member, has made better disclosure of political spending a priority and hope that the 2017 legislative session will bring action that will give voters the whole picture.

## Natural Resources Issues

By Helen Gibbins

### CALCULATING THE FLOW OF WATER FOR DISPOSAL OF CARCINOGENS.

The WV League was one of many organizations that submitted comments to the WV Department of Environmental Protection on water quality standards. One of issues was how to calculate the flow of water in which a pollutant will be disposed.

Contrary to what environmental organizations and the Affiliated Construction Trades Foundation voiced, the DEP adopted the Harmonic Mean method, an average flow calculation, for carcinogenic effluents. The present calculation uses the 30Q5 low flow method of determining the water flow, thirty (30) consecutive day drought flow with a five (5) year return frequency. The DEP will continue using the 30Q5 method for non-carcinogens. Before the Harmonic Mean becomes a WV rule, it must be affirmed by the WV Legislature. Thus the controversy will move to the 2017 legislative session.

### CLEAN POWER PLAN

In order to meet the requirements of the Paris Agreement on reducing emissions that cause climate change, the Obama administration issued rules establishing the Clean Power Plan, the first federal limits on carbon pollution from US power plants. The states were required to decide how to meet the reduction goals. The US EPA estimated that besides reducing carbon emissions the Clean Power Plan would create tens of thousands of jobs, save US citizens as much as \$155 billion in energy costs between 2020—2030, and help prevent some 90,000 asthma attacks in children by 2030.

Unfortunately 27 states, including WV, sued the federal government arguing that the Clean Power Plan oversteps federal authority. In February the Supreme Court, in a 5-4 decision, issued a stay even though the DC Appeals Court had rejected the Stay. According to the Climate Reality Project, "This ruling was unprecedented, and the states could not produce one instance in which the Supreme Court had overruled a lower court on a judicial stay in the past without the merits of the case first being heard in the lower court." The Stay delays implementation, but does not kill the Clean Power Plan. The case was heard in the DC Appeals Court on September 27. See (from the Natural Resources Defense Council <https://www.nrdc.org/experts/david-doniger/clean-power-plan-goes-distance-marathon-hearing>).

*Continued on page 3*

## CLEAN POWER PLAN continued

Even without implementation of the Clean Power Plan yet, some states are moving ahead towards using clean power sources. Due to market and environmental incentives, some utilities are also working towards using cleaner sources of power.

An interesting aside is that the Supreme Court has ruled that the federal government had the authority to issue rules to decrease carbon pollution under the Clean Air Act. Thus many of those who recognize that climate change is indeed a threat to our country and planet, have hopes that the Supreme Court will rule favorably on the Clean Power Plan.

## OTHER COAL RELATED INITIATIVES

Members of Congress have introduced bills to invest in communities that have depended on coal for its economy and are now in dire straits. Some of the investments will include workforce development and job training, reclamation of mines, developing new economic opportunities, and strengthening the health and pension plans of 100,000 retired coal miners and their families.

Even though the Clean Power Plan was issued a Stay, the EPA, in June, issued the Clean Energy Incentive Program (CEIP), a part of the Clean Power Plan. The comment period ends on November 1. The CEIP would give incentives to states and tribes to improve energy efficiency and solar power in low-income communities and build renewable energy programs in all communities. The CEIP will also include incentives for clean energy in other technologies such as wind, geothermal, and hydropower. The CEIP is one factor in allowing states to be flexible in how they meet their emissions-reductions goals. However, some states, including West Virginia, are protesting the issuance of the CEIP because the Clean Power Plan is under a Hold.

**PROUD OF OUR NEWEST  
MEMBER  
ANGIE ROSSER**

Angie Rosser, Executive Director of the West Virginia Rivers Coalition, was recognized by the National Wildlife Federation with the Women in Conservation Award for her exemplary leadership and celebrated achievements in protecting our communities, water, landscapes, and wildlife.

**CONGRATULATIONS ANGE!!!**

## EDUCATION REPORT

By Shirley Rosenbaum

### A – F The Best and Worst of Education

April 15, 2016, the WV Board Of Education proposed a change in the accountability policy in grading public schools. Beside standardized tests and graduation rates, there would be at least 5 other measures which would include A – F grades. The measures are:

- A school's and district's attendance rates.
- The number of students at-risk of dropping out.
- How many third-graders are reading below grade level.
- How many eighth-graders are performing math below grade level.
- And a mix of career and college readiness indicators.

Officials expect to release A – F grades this Fall. Online, you can read about Policy 2320 in <http://wvde.state.wv.us/policies>. This plan will apply more accountability to everyone in education. Why not apply an A – F grading system to schools just as we do to students?

### WV did Well to Stick with new Smarter Balanced Test

WV is one of 29 states to go with Smarter Balance. It is a high quality, challenging assessment that is well matched to the new Standards that the states adopted in 2010. It replaces the earlier multiple choice tests that encouraged teachers to spend endless classroom hours on mindless test-prep. Smarter Balance has moved WV to loftier standards and will set students on higher achievement levels. These tests are done on the computer in Grades 3 to 11. Smarter Balance testing program was started in 2015 - 2016.  
- 4/10/16 Sunday Gazette 4D

### WV School Board OKs alternative Paths to Teaching

One of the poorest counties in West Virginia will become the first in the state to offer Teach For America to fill teaching vacancies. McDowell County's program will begin this fall. The County will require more prerequisites. Those without a master's degree need to pass the Praxis I and II exams covering skills in reading, math and content that applicants want to teach.

- Dominion Post, 5/13/16

*Continued on page 4*

## EDUCATION REPORT *continued*

### Education Department Releases Guidance on Homeless Children and Youth

The U.S. Department of Education released guidance to states and school districts on the new provisions in the Every Student Succeeds Act (ESSA) for supporting homeless youth. The new provisions address the needs of homeless individuals, and ensure educational rights and protections for homeless children and youth. “Homeless children and youth face a number of barriers to getting the education they deserve and the services they need to succeed in school and beyond,” said U.S. Secretary of Education John B. King Jr. “As a kid, home was a scary and unpredictable place for me and I moved around a lot after my parents passed away. I know from my own experience and from my conversations with homeless students that school can save lives. It is our hope that the guidance we are releasing today will serve as a tool to help states and districts better serve homeless children and youth – we can and we must do better.”

To accompany the guidance released, the Department will also release a fact sheet for teachers, principals, counselors and other school staff to provide an overview of the unique needs of homeless students, a summary of the protections for homeless children and youths under the Mckinney-Vento Act, and recommendations for how educators can help. The plan is ready for release this year.

### Revised School Standards Could Reduce Crime according to Nation's Report Card

According to The Nation's Report Card, only 21 percent of West Virginia's eighth-graders are proficient in math; only 27 percent are proficient in reading; and only 24 percent are proficient in science. Without a significant level of support and a well-planned course forward, many will undoubtedly find it difficult to earn high school diplomas.

We can boost student achievement through the implementation of higher education standards as based on the WV College and Career Readiness Standards. Designed by teachers, subject matter experts and education leaders, the program prepares students for college and industries that offer the greatest employment opportunities. West Virginia has seen progress since these standards were introduced in 2010. Crime will be reduced if more people are qualified for meaningful work after high school graduation.

- *Dominion Post*, 3/15/16

## LWV US CONVENTION 2016

LWVUS Board and Convention adopted the following positions during the last biennium (2014-2016). Positions on the constitutional amendment process and an update of the Leagues money in politics position were adopted after careful study and consideration by Leagues across the country. Two positions covering redistricting and behavioral health were adopted by consensus at the LWVUS 2016 convention.

- **League Position Adopted: Considerations for Evaluating Constitutional Amendment Proposals**
- **League Position Adopted: Constitutional Conventions under Article V of the U.S. Constitution**
- **LWVUS Position on Money in Politics**
- **Concurrence on Redistricting**
- **Concurrence on Behavioral Health**

The new positions will be integrated into the next version of Impact on Issues and can also be found at <http://forum.lwv.org/member-resources/article/new-and-updated-lwvus-positions-adopted-2016>.

### Amendment to Conform Bylaws Adopted at LWVUS Convention 2016

During the 2016 LWVUS National Convention, delegates approved amendments to Article III, Section 2 of the bylaws pertaining to Types of Membership. Requirements around voting membership in League were changed. Voting membership is now open to non-citizens and to individuals 16 years of age or older. As League policy requires “consistency” in the first three articles of the bylaws of all Leagues, state and local Leagues should amend their bylaws to reflect those of LWVUS.

## REMINDER

**LWVWV candidate questionnaire**  
can be found at

<http://voters-guide.lwvww.org/>

## HEALTH CARE REPORT

By Nancy Deming

### Comprehensive Addiction and Recovery Act (CARA)

On July 22, 2016, the President signed the Comprehensive Addiction and Recovery (CARA), S.524, into law. This is legislation aimed at addressing the opioid epidemic through such changes as increasing access to Medication Assisted treatment by increasing the number of clients physicians can treat, by increasing prescribers by including Nurse Practitioners and Physician Assistants, by increasing access to Naloxone, a drug reversing medication, to first responders, and family and friends, (it can take up to 40 minutes for first responders to get on scene in many rural communities) and to receive this without a prescription, adding measures to strengthen drug monitoring, and expands education and prevention efforts. It however, does not include new funding to address the issue. This piece of legislation had a lot of bi-partisan support of the issues (It passed 407-5 in the House, and 92-2 in the Senate), but not when it came to funding. The president had called for \$920 in new funding for treatment. West Virginia was slated to benefit from \$10 million over 2 years to expand treatment for opioid use disorders.

### Governor's Regional Substance Abuse Task Force

In a presentation by Kim Walsh, Deputy Commissioner BBHFF reported on various legislative action, System Improvements and Programming focused on increased access to Substance Abuse services across the State. She discussed SB 454 which was signed into law during this legislative session and is currently open for comment prior to developing the Legislative Rule for implementation. The intention of the law is to increase access to evidenced based medication for the treatment of opioid use disorders. The Behavioral Health Providers Association has voiced concern that rather than increasing access, the Legislative MAT Rule, Series 12, which establishes standards and procedures for licensure and regulation of Medication Assisted treatment-Office based MAT restricts comprehensive providers from providing this medication, and could result in less availability to the community and not more. The Tobacco tax legislation was passed, and went into effect July 1, 2016, raising the tax on cigarettes from 55 cents to \$1.20/pack. It also includes an increase on smoke related and wholesale items.

System Improvements include expanding School based Mental Health services to 40 sites throughout WV, added detox and crisis stab beds in Region 2, increase in Peer Coaches in Regions 3, 4, 5 and a new 16 bed pregnant and postpartum women's residential treatment program in Region 4.

For more, see: [WVSubstanceFree.org](http://WVSubstanceFree.org)

### Governor's Help Line

In September 2015, First Choice System, with BBHFF funding and support from the Governor's office, launched a statewide help line to assist family members, providers, and individuals seeking substance abuse services with a screening and warm handoff when possible. The helpline is answered 24/7 by trained screeners and recovery coaches who can access treatment providers, and connect the client with the provider and admissions. In addition to attempting a warm handoff, with the individual's permission, they follow up with the referral source and the client. They are also maintaining data on calls, locations, and successful connections. The number for the Helpline is 1-844-Help4WV.

### STRAIGHT TICKET VOTING ELIMINATED

During last year's WV legislative session, a change was made to WV Code eliminating the option of voting a straight party ticket in the General Election (§3-6-2 (g)). Help get the word out about this important update as we approach the 2016 General Election.

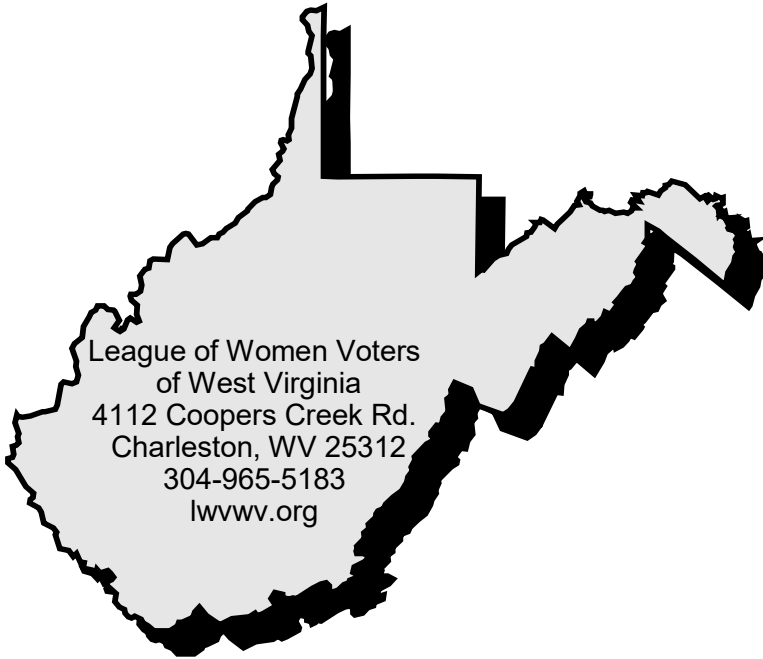
Effective this General Election, West Virginia voters will no longer be able to vote for all candidates in a political party by making a single mark on the ballot. If a voter intends to vote for all candidates in a single party, they will need to individually select each candidate.

### IMPORTANT DATES TO REMEMBER

October 14 4 p.m.	Deadline to register to vote
October 25—November 5	Early Voting
November 1—8	Emergency Absentee Ballot
November 8	General Election
November 12	LWV WV Board Meeting
January 7, 2017	LWV WV Board Meeting
May 6, 2017	LWV WV Convention

Non-Profit Organization  
 U.S. Postage PAID  
 Permit No. 150  
 Charleston, WV

RETURN SERVICE REQUESTED



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.

Name(s) \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Phone \_\_\_\_\_  
 E-mail \_\_\_\_\_

**LWVWV Board of Directors**

President	Nancy Novak 304-295-8215 NNovakWV@gmail.com
1st VP	Helen Gibbins 304-736-3287 gibbins@frontier.com
Natural Resources	
2nd VP	Nancy Deming 304-363-6844 NDeming@valleyhealthcare.org
Healthcare	
Treasurer	Teresa Koon 304-965-5183 tkbyler@suddenlink.net
Secretary	Susan Watkins 304-343-8574 susanwatkins@suddenlink.net
Director	Jonathan Rosenbaum 304-599-2370 jr@wvcompletestreets.org
Website	
Director	Shirley Rosenbaum 304-599-2370 shirley.rosenbaum@gmail.com
Membership	
Director	Kathy Stoitz 304-295-7880 kstoitz@suddenlink.net
State Gov	
Director	
Election Laws	

**www.lwvww.org**

Director  
 Marlon Weiser  
 304-428-3608  
 mweiser@suddenlink.net  
 Voters  
 Service  
 (off-board)