



THE WEST VIRGINIA VOTER

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PRESIDENT'S REPORT

By Jonathan Rosenbaum

The State Convention is nigh on April 13 in Morgantown! If you have not received an invitation, please contact me. Our guest speaker will be Angie Rosser, Executive Director of the West Virginia Rivers Coalition.

The report of the Nominating Committee is presented in this Newsletter. Two amazing people who have served tirelessly for a long, long time, and who have mentored many of us, unfortunately are leaving the LWVWV Board: Nancy Novak and Helen Gibbins. I cannot find enough good words for both of these individuals.

For a long time, LWVWV's Board has not had representation from all four local Leagues, however, with the Board of 2019 - 2021 that has changed because we now have two new state board members, Carline Shaw (Jefferson County) and Nancy Ulrich (Monongalia County). I am looking forward to my second term in these exciting times, and the positive changes that we can make in the State of West Virginia as we draw close to the 100 year anniversary celebration of the League, and enter into a new era!

THANK YOU TO HELEN GIBBINS AND NANCY NOVAK FOR THEIR 40+ YEARS IN THE HUNTINGTON AND WOOD COUNTY LEAGUES AND FOR THEIR 35+ YEARS ON THE BOARD OF THE LEAGUE OF WOMEN VOTERS OF WEST VIRGINIA. THEIR CONTRIBUTIONS HAVE BEEN INSTRUMENTAL TO OUR WORK AND WE WILL MISS THEM!!

The LWV WV sent the following letter to Governor Justice asking him to Veto SB 622.

March 18, 2019

Dear Governor Justice,

The League of Women Voters of West Virginia has serious concerns about the passage of SB 622, relating to the regulation and control of campaign finance, and we strongly urge you to veto the bill.

The League of Women Voters believes that democratic government depends upon informed and active participation by citizens. The League further believes that financing of political campaigns should:

- Enhance political equity for all citizens.
- Ensure maximum participation by citizens in the political process.
- Protect representative democracy from being distorted by big spending in election campaigns.
- Provide voters with sufficient information, ensure transparency, and the public's right to know who is using money to influence elections.
- Combat corruption and undue influence in government.

SB 622 runs counter to these principles in a number of ways.

Most West Virginians cannot afford to give \$1,000 to their favorite candidates, let alone the new nearly tripled upper limit of \$2,800 in SB 622. By dramatically increasing contribution limits to candidates, political action committees, and political party committees, our state and local elections will take on the worst aspects of big-money congressional elections, further turning off voters who already struggle to have their voices heard above the special interests they perceive as buying our elections.

We have contribution limits to prevent corruption. However, the other important function of contribution limits is to ensure that all West Virginians, no matter how much they make, have an equal voice and equal representation with their state elected officials. SB 622 violates this fundamental principal of fairness by giving a greater voice and more power over our government to the wealthy few who can afford to give \$2,800 to a candidate.

Continued on page 4

Action on LWVWV Legislative Priorities

By Kathy Stoltz

Note that many of the bills passed have not yet been signed by the Governor.

To read the text of a bill and/or check its final status, see Bill Status at <http://www.wvlegislature.gov>

► ***LWVWV supports maintaining West Virginia's water standards to reflect EPA recommended human health criteria.***

SB163 pertained to setting standards for water quality. After removing the 60 chemicals that EPA and the state DEP wanted included, the bill passed both houses. A joint resolution that would have authorized a joint committee to study water quality standards was adopted by the Senate but not taken up in the House.

► ***LWVWV supports establishment of an independent commission to draw up redistricting plans for representatives to the US House of Representatives and the WV Legislature.***

SB118 & HB2445 would have done this, but neither was taken up by Judiciary Committee.

► ***LWVWV supports measures that encourage investment in renewable energy and energy efficiency in West Virginia's homes, businesses, and industries.***

SB409 would allow third-party ownership of renewable and alternative generating facilities. For example, a third party could install solar panels on a building owned by a non-profit and sell the energy to the owner at rates lower than the power company's rates. Not taken up by the Senate Energy Committee.

HB2829, HB3142, and HB3144, which all passed both houses, encourage development of non-renewable resources by cutting or rebating severance taxes on coal, limestone, and sandstone.

► ***LWVWV Supports maintaining expanded Medicaid coverage for the hundreds of thousands of West Virginians who rely on it for health care.***

SB564 was passed. It expands Medicaid coverage for pregnancy and postpartum care of mother and infant by raising income limits.

HB3161, a bill including a work requirement for Medicaid recipients did not pass.

► ***LWVWV supports strengthening disclosure requirements for the sources of political campaign expenditures, including dark money.***

SB 115 would have improved reporting of dark money campaign contributions, but was not taken up. Instead **SB622** passed which improves disclosure of political spending in some small ways, but doesn't close existing loopholes that allow groups that spend money on political ads to hide the identity of their donors. It also increased contribution limits.

SB491 extends the time limit for implementing automatic voter registration (AVR) at DMV. Its passage allows time for DMV to make the necessary changes to its procedures and systems

Sadly, several other bills that would have improved our elections failed to see the light of day. Among them: **SB 108**

and **HB2008** would have provided for a runoff if no candidate for the Supreme Court of Appeals got at least 40% of the vote, so we could again see someone elected with just over a quarter of the votes cast. **SB429** would have allowed someone to register and vote on the same day during early voting. **SB438** would have required the Secretary of State to publish a statewide online voters guide. **SB276** would have outlawed foreign contributions to political campaigns.

Some other bills of general interest:

Passed, awaiting the governor's action:

SB4 makes the home rule program permanent and allows more cities to apply. Failure would have punched a big hole in the budgets of cities that have come to count on the revenue from municipal sales taxes.

HCR32 allows the Secretary of Transportation to raise the speed limit to 75mph on interstates and 70 on Appalachian Corridor highways.

HB2583 allows pharmacists to dispense contraceptives without a prescription to women over 18 under specified circumstances.

Passed, signed by the governor:

HB2547 changes the distance from a polling place where electioneering is prohibited from 300' to 100'

HB2459 exempts WV from the federal requirement that people convicted of drug crimes are denied SNAP benefits (food stamps). WV is one of the last states to take this step.

Other bills that did not pass:

At least seven bills were introduced to add sexual orientation and gender identity to groups protected by WV's anti-discrimination laws. None was taken up by a committee.

HB2020, the budget bill, passed days before the end of the session and was signed by Governor Justice with some deletions and reductions. It totals \$4.6 billion.

SB451, the omnibus education bill passed by the Senate, included provisions for charter school, education savings accounts to be used at all kinds of schools, teacher pay, the school calendar, and more, some of which was good and some not good for our schools. After many attempts to amend it, the House offered an amended version that was unacceptable to the Senate and the bill died. The governor called for a special session sometime in the coming months to address teacher and service personnel pay and educational reform in general. Public forums around the state will provide input from educators, parents, and community members, which many felt was lacking in crafting SB451.

SB266 would have created an intermediate court of appeals. It passed the senate but was not taken up in the house.

LEGISLATIVE ACTION NATURAL RESOURCES

By Helen Gibbins

LEGISLATIVE ACTION HEALTH CARE

By Betty Barrett

ENVIRONMENTAL BILLS THAT PASSED:

SB 163 - a Department of Environmental Protection (DEP) bundled list of rules.

The League's interest in SB163 was in the Water Quality Standards rule. The League opposed the final version because it does not protect West Virginians from water pollution. The Senate refused to include the new parameters for 60 toxins, a 2015 EPA recommended scientific update according to human health criteria. Our present standards for these toxins were set in the 1980s.

After the 2018 public input into water quality standards updates, the DEP proposed the 60 toxins be included in WV's standards. Some standards were weaker, some were stronger; but they all conformed to EPA's scientific review. But the Legislative Rule Making Committee deleted all of the new parameters for the 60 toxins. During the Legislative session, the Energy, Industry, and Mining Committee, after hearing from experts on the issue, restored the 60 parameters. But the Senate removed them again, and the House passed the Senate's version without the human health protections.

One addition to the Water Quality Standards' rule is that the DEP will continue a public input process to allow for submission of proposed human health criteria until October 1, 2019, and for public comment and agency review for an appropriate time thereafter. The Manufacturers Association has contracted for a specific study on the chemicals vis-à-vis West Virginians' health facts, with the aim of including the study as background information

HB 2612 allows a staggered schedule for utilities to submit or update their source water protection plans. The law should engender more public input, meaningful review by agencies, and result in stronger plans.

SB675 – Requires the DEP to create and implement an Adopt-A-Stream Program to clean up the litter in our rivers and streams. *Continued on page 5*

One of the best results of the 2019 Session was a bad bill that did not pass. HB 3136, adding work requirements for Medicaid eligibility, was introduced suddenly, without notice, vetting or hearings, and was defeated by a public outcry against it. It had nothing to do with improving health, as Medicaid is supposed to do, and was punitive for people with low incomes. Unfortunately, the federal government and several states continue to try to institute work requirements for Medicaid recipients, so vigilance is needed. Eight states voted to require work for specific groups of Medicaid recipients, with enforcement happening in three. The result has been large numbers losing Medicaid benefits, with poor results in gaining employment. Judges in those areas are holding up implementation of these requirements, saying that there are no health benefits.

Thanks to the WV Center for Budget and Policy for this list of health-related bills that passed in the 2019 Legislative session:

Reducing Food Insecurity (HB 2459): West Virginia was just one of three states that banned people convicted of drug-related felonies from receiving SNAP benefits. Effective May 21, 2019 this will no longer be the case and over 2,100 people, many of whom are in recovery from drug addiction, will now be able to receive SNAP benefits.

Expanding Health Coverage to Pregnant Women (SB 564): In 2018, 34 states extended Medicaid/CHIP coverage to pregnant women above West Virginia's eligibility level of 163 percent of the federal poverty level. Beginning July 1, 2019, an estimated 500 to 900 uninsured women with incomes up to 300 percent of FPL will now be eligible for Medicaid/CHIP coverage.

Paid Family and Medical Leave (SCR 41): The State Senate passed a resolution to study the implementation costs and benefits of creating a paid family and medical leave insurance program in West Virginia. Access to paid family and medical leave improves outcomes for children and benefits businesses by creating healthier and more productive employees.

LEGISLATIVE ACTION—TAXATION

By Vicki Conner

Twelve (12) tax-related bills passed during the 2019 Legislative Session. Two have been signed and the rest are awaiting the Governor's signature. Five of them seem to directly impact the general public.

SB 36 relates to adjusting income tax on retirees whose defined benefit pension plans go bankrupt (are terminated) and who therefore receive a reduced benefit. WAITING GOV. SIGNATURE

SB546 creates an additional tax of 0.13% on acute care hospitals and such money will go into a fund to increase compensation for physicians who care for Medicaid patients. WAITING GOV. SIGNATURE

HB2001 relates to exempting social security benefits from personal income tax for individuals making less than \$50,000 or married couples making less than \$100,000. Phased in over 3 years; starting 2020 35% of income will not be taxed, 2021 65%, 2022 100% of social security income will be exempt from income tax. WAITING GOV SIGNATURE

HB2515 exempts from sales tax the purchase and installation of mobility devices in cars (example hand controls for gas and brakes) WAITING GOV SIGNATURE

HB2854 exempts from sales tax purchases made by not-for-profit volunteer groups raising funds for schools. WAITING GOV SIGNATURE

SB 269 clarifies terms in the WV Personal Income Tax Act. SIGNED BY GOV

HB2829 and **HB 3144** deal with reducing or eliminating severance taxes on coal, sandstone and limestone mining. WAITING GOV SIGNATURE

Two bills relate to corporations:

SB268 refines definitions in the WV Corporation Net Income Tax Act. SIGNED

SB499 makes WV law conform to federal tax law about partnerships. WAITING GOV SIGNATURE

SB421 adds rules re legislative review of entities receiving the economic development tax credit. WAITING GOV SIGNATURE

HB2813 relates to collection of the "use" tax which is a tax on storage, use or consumption of a taxable item or service on which no sales tax has been paid. This seems to mostly involve corporations. Example: a company which is building something brings in items from Ohio and has not paid WV sales tax on it. This is not a new tax, this bill clarifies.

Letter to Governor Justice on SB622 cont.

In addition to injecting more money into a process that many see as broken, SB 622 completely fails to address the flood of secret money in our elections. During the 2016 election, independent expenditure groups spent nearly \$20 million to interfere and influence West Virginia elections — nearly four times the amount spent by outside groups to influence state level races in 2012. Although the spending itself was disclosed, the source of the money was often hidden by loopholes and money transfers.

West Virginia voters want and deserve to know who is trying to influence their votes, and by extension their representatives.

For these reasons, and in keeping with the League's goal of promoting a system of government that is representative, accountable, and responsive to all citizens, we strongly urge you to say no to more money in West Virginia elections, and veto SB 622.

Sincerely,

Jonathan Rosenbaum, President

Report of the Nominating Committee for the LWVWV Board of Directors:

President: Jonathan Rosenbaum
 First VP: Julie Archer
 Second VP: Nancy Ulrich
 Secretary: Carline Shaw
 Treasurer: Teresa Koon
 Directors: Lydia Cobranchi
 Vicki Conner
 Betty Barrett
 Shirley Rosenbaum
 Kathy Stoltz

Nominating Committee:
 Chair: Debbie Royalty
 Priscilla Haden

NATURAL RESOURCES

Continued from page 3

SB 676 would have allowed off-road vehicles to drive in previously unmotorized areas on our public lands, like our state parks. We thank the legislators who voted against this portion of the bill that would have harmed ecosystems, increased sedimentation into the streams, and disturbed those who enjoy the quiet of public lands. The law was amended so that it now only relates to mapping.

ORSANCO

“ORSANCO sets Pollution Control Standards for industrial and municipal waste water discharges to the Ohio River, and tracks certain dischargers whose effluent can seriously impact water quality. The standards designate specific uses for the Ohio River, and establish guidelines to ensure that the river is capable of supporting these uses. To keep pace with current issues, ORSANCO strives to review the standards at least every three years. The 2019 Public Review of the Pollution Controls Standards will be from March 1st – April 15th, 2019. “(From ORSANCO’s website)

ORSANCO’S Commission has decided that states’ options for adopting ORSANCO’s Pollution Control Standards will be voluntary “but allows the member states in the ORSANCO Compact to use alternative PCS criteria in their permitting processes, as long as the Ohio River’s designated “uses” — as defined in the ORSANCO Compact — of the river are maintained. New language was added to require state permit writers to submit their permit information to ORSANCO staff for review, prior to full approval of those permits.” (From OVEC, Ohio Valley Environmental Coalition) The WV Rivers Coalition and OVEC will be the leaders in developing environmental responses to ORSANCO’s proposals and the League will take part in sending comments.

PUMPED STORAGE PROJECT DEFEATED

A proposal for a study permit to develop a pumped storage hydro-electric project adjacent to the Blackwater Canyon was rejected by the Monongahela National Forest. It would have consisted of a complex of massive reservoirs, tunnels, pumps, turbines, and power lines in Tucker County.

The project would have dewatered streams and rivers; impacted public access for outdoor recreation and scenic views; harmed special areas and rare species; and potentially disturbed areas previously mined and reclaimed and acid mine drainage waters that are in the early stages of being remediated. For more information, see <https://saveblackwater.org/pumped-storage-project>.

Thanks to WV Rivers Coalition, Ohio Valley Environmental Coalition, and Friends of Blackwater for information on these issues.

THANK YOU SEN’S MANCHIN & CAPITO

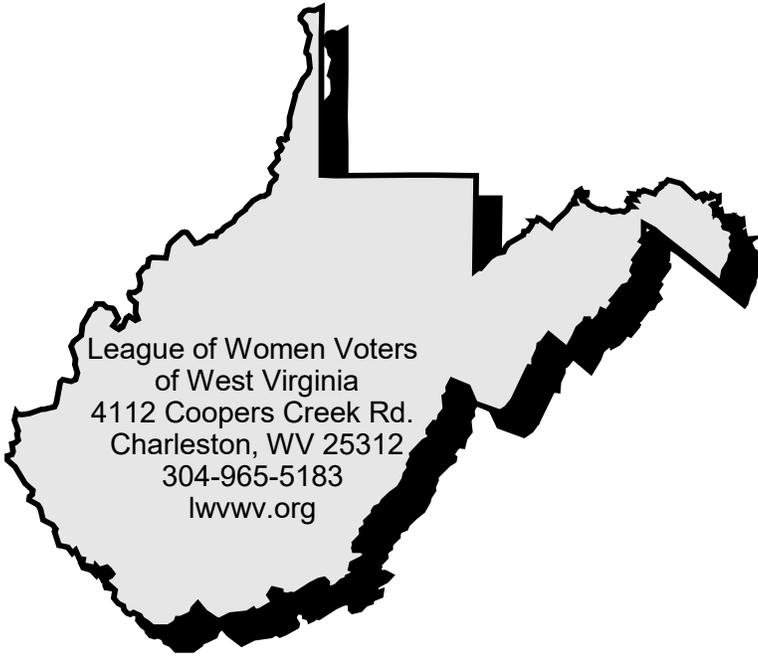
Thank you, Sen. Manchin, for your leadership in promoting the passage of the Natural Resources Management Act. The Act includes protecting 1.3 million acres of wilderness areas and rivers, expanding national parks and establishing some new monuments, and permanently reauthorizing the Land and Water Conservation Fund. The Act has moved to the House of Representatives. We also thank Sen. Capito for her support of the Act.

LEAGUE OF WOMEN VOTERS & 19th AMENDMENT CENTENNIALS

The Year 2020 marks the 100th anniversary of the League of Women Voters and ratification of the 19th Amendment to the U.S. Constitution. On February 14, 1920 the League of Women Voters was founded by Carrie Chapman Catt during the Convention of the National American Woman Suffrage Association, just six months before ratification of the 19th Amendment to the U.S. Constitution. The 19th Amendment gave women the right to vote after a 72 year struggle, which included lectures, writings, marches, lobbying and civil disobedience. Following Congress’ ratification, at least 36 states needed to vote in favor of it to become law. On March 10, 1920 West Virginia voted in favor of the 19th Amendment. By August of 1920, 36 states voted for the amendment recognizing women’s right to vote.

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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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