

# LWW LEAGUE OF WOMEN VOTERS<sup>®</sup> OF THE HUNTINGTON AREA

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## Library/Parks Lawsuit

Betty Barrett



Cabell County Circuit Judge Greg Howard delivered a decision on the lawsuit between the Cabell County Board of Education, and the Cabell County Public Library and Cabell-Huntington Parks system. He declared the BOE had incorrectly cut funding to both the Parks and the Libraries, and the BOE must continue to include those agencies on the excess levy ballots. While his decision was clearly in favor of the two agencies against the BOE, the latter has said they will appeal to the Supreme Court. We are waiting for this process to continue, and for the appeal to be filed. At this writing, I do not know when this will happen. The excess levy is planned to be on the May 2024 primary ballot, and be effective July 2025.



The decision also mandates payment of so-called equalization funds at the end of the fiscal year. Total funding restored to the library is over \$1.5 million, and to the parks, over \$450,000. Loss of these funds would severely damage the ability of the agencies to provide their services. Now we continue to wait to see what the Supreme Court decides.

# In Search of Sustainable Taxations Practices

Nyoka Baker Chapman



Earlier this year Gov. Jim Justice announced, *“that West Virginia’s cumulative revenue collections for Fiscal Year 2023 will come in at \$1.8 billion over estimate – shattering the all-time record for biggest single-year revenue surplus in state history for the second straight year in a row.”* <https://governor.wv.gov/News/press-releases/2023/Pages/Gov.-Justice-says-West-Virginia-shatters-all-time-financial-records-with-close-of-fiscal-year.aspx> Well, that was on 6/30/23 but since the guard rails have weakened.

Per The WV Policy Center WV’s general revenue collections are down compared to this time last year. <https://wvpolicy.org/west-virginias-revenue-gap-grows-to-210-7-million-as-hundreds-of-millions-in-spending-obligations-loom/> The discouraging \$210.7 mil gap is substantial and due not only to a fluctuating fossil fuel market but to the changes brought by the passage of *HB 2526*. WV has long been dependent on collections from severance taxes, which has continued as a primary contributor to our WV surplus, seen as defined by the WV tax dept.

## **Severance Tax**

*A severance tax is imposed on the privilege of engaging within this state in severing, extracting, reducing to possession or producing coal, limestone, sandstone, timber, coalbed methane, waste coal, oil, gas and other natural resources for sale, profit, or commercial use.* <https://tax.wv.gov/Business/SeveranceTax>

WV currently imposes a severance tax of 5% on gross receipts attributable to the production of oil and natural gas. Collections for other natural resource industries vary. You can get a clear picture by reviewing the multi-source data reporting sheet which is transparently displayed. [State of West Virginia / General Revenue](#) With WV leaving itself dependent on taxes collected from fossil fuels to maintain solvency, there is no wonder that we consistently hear a pushback on **Environmental Social Governance** from those who are motivated to protect those interests. **ESG** has become an international preference to diversify from fossil fuels toward investments in cleaner sustainable energy sources. There will no doubt be a substantial amount of political rhetoric in the coming year from candidates who have cited such policies as bad, which they are not.

WV has yet to fully capitalize on greener solar energy production which could evolve as a source of taxation. Blue Hydrogen *may* see it’s day as a taxable energy source, but ARCH2 may never even get off the ground without customers, making the billions more needed to make it a reality a very risky investment. Such may be all for the better as steam forming hydrogen from methane *will* end up meaning even more fracking and lethal fracking waste, which our legislature seems glad to tolerate for the sake of those severance taxes. Also in the mix are the potential liabilities of botched sequestrations.

So, with all the noted surplus why aren’t we seeing more being used for the good of the people of WV? We know that the children of WV (with the highest rate of poverty in the US at 25%) cannot withstand any further reduction of services in funding for schools, parks, libraries, day care, nutritious food

programs and healthcare availability. With federal monies from the American Rescue Plan from the days of Covid coming to an end, WV must be prepared to maintain not only the status quo but achieve a higher standard of excellence that would seem to be clearly possible under appropriate fiscal management.

We are counting on the WV legislature to prove that they are aware of the socio-economic problems that continue to arise from misguided financial management. Rescue bills must be passed to take up the cause of the people. The legacy of an inability to resolve WV's horrible statistics and failure to take care of its own should be felt at the ballot box in 2024.

## Health Care Report

Betty Barrett



The West Virginia Bureau of Public Health, headed by Dr. Matthew Christiansen, a Huntington resident, is developing a five-year plan to improve public health. According to Mountain State Spotlight, among US states, we have the highest cancer death rate, the highest overdose rate, and the second lowest life expectancy. We have a high rate of diabetes, with associated heart, vision and other health problems. We need to improve our overall health.

The Bureau has gathered internal data. It ran an online survey for residents, and one for local health organizations. It has completed listening meetings around the state. The next step is developing the plan. The hope is to publish the plan in early 2024. We will be watching for it.

The 2024 Legislative session starting in January, the League of Women Voter Huntington Area will be working with Health Care For All West Virginia, in several areas. They expect four health care areas. Medicaid has a huge deficit. They want to reduce the so-called "Medicaid cliff," which eliminates eligibility for Medicaid as recipient incomes rise slightly. They have worked to make dental services part of Medicaid. They have been concerned with maternal and infant care, especially for African-American families which have had difficulty receiving assistance. Health Care For All WV has been effective in recent years, and we want to continue to be a part of their work. Working collaboratively is much more effective.



## On to a Bit More...what was that?

### HB 2526 Text

Nyoka Baker Chapman.

REMEMBER BALLOT MEASURE 2 THAT WAS DEFEATED BY A ❌  
**NO VOTE OF 309,007 TO A YES VOTE OF 170,013** IN NOVEMBER  
OF 2022?

***The Property Tax Modernization Amendment failed!*** The People of WV spoke loudly at the ballot box, telling Gov. Jim Justice and the WV legislature that **they wanted to keep traditional tax-based funding** to secure the normal operations of essential state, county and local services and their institutions. Yet, with only a support of **35.49%** from **WV voters** for this type of undercutting of our tax-based revenue, there was another shuffle to reduce taxes that resulted in the bait and switch explained in this press release: <https://governor.wv.gov/News/press-releases/2023/Pages/Gov.-Justice-signs-largest-tax-cut-in-West-Virginia-history-into-law.aspx>

Of course, the most impoverished West Virginians would have been getting a refund of much of their personal income tax back at the end of the year per the prescribed tax tables. Those receiving the full advantages of *HB 2526* may not need those cuts, and in the end a compromise to the essential services upon which the state has come to depend could be sabotaged.

In the past there has been legislation to legalize the use of recreational marijuana to increase tax revenue and such could be back during the next legislative session. Any increases to the WV sales tax would place WV's poor at an even further disadvantage. Once deficits reach local levels then there must be alternative plans to funnel funds into those dry streams. If we can't see immediate backup funding where it is needed across the state, especially after being told the revenue exists, then we are living with a definitive governmental crisis... one that only our VOTE can cure.

*Senator Eric Tarr, ( [eric.tarr@wvsenate.gov](mailto:eric.tarr@wvsenate.gov) ) who now represents a portion of Cabell County has previously chaired the WV Senate Finance Committee and is expected to continue in that position into the next session. Stay tuned for updates.*