



# THE WEST VIRGINIA VOTER

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## **MAKE SOME NOISE!**

By: Lyn Widmyer and Julie Archer

We certainly are making some noise with the release of our newest project: the Legislative Scorecard. Launched this month, the Legislative Scorecard documents every vote by every legislator on key topics of interest to the LWVWV during the 2023 legislative session. Local League presidents have been sent the information which includes a detailed description of the project. Special thanks to the members of the League Legislative Action Workgroup (LLAW), ably chaired by Judy Ball, for all their work on this significant project.

We hope this work will encourage League members to **“Make Some Noise”** during the next legislative session as we track the votes and positions of legislative members. The full Legislative Scorecard – in searchable form – is available on the LWVWV website at <http://LWVWV.org>

In August, the LWVWV Board approved sending a letter to the WVU Board of Governors, President Gordon Gee and Provost Maryanne Reed opposing the cuts proposed for faculty, staff, degree, and course offerings. The letter is also available on our website.

With the approval of the Huntington League, we have achieved consensus on the Elections and Voting Concurrence to update our positions on issues. At the national LWV level, we are part of the LWVUS Lobby Corps. The LWVUS Lobby Corps has a program called Voices in the Air. The State League can participate by phone when Lobby Corps members in the DC area visit a national legislator from West Virginia. Lyn will join by air the conversation with Sen. Shelley Moore Capito to lobby for 2024 being declared the Year of Democracy (Senate Resolution 333).

In other federal action, LWVWV wrote to Senators Capito and Manchin urging them to oppose drastic cuts in essential federal funding to the states included in the House bill to raise the debt ceiling (HR 2811). We also voiced concern over the bill’s provisions to enact work requirements for Medicaid eligibility, which would put nearly 220,000 West Virginians at risk of losing their health coverage.

Ultimately, Congressional leaders and President Biden reached an agreement that includes measures to limit or reduce certain future funding that is provided through annual appropriations. However, as Congress works to approve appropriations for 2024, House Republicans are attempting to impose cuts in non-defense appropriations that are far deeper than those agreed upon in the deal. These funding levels would have damaging effects across a wide range of essential government services. So please keep an eye out for future calls to actions and get ready to **Make Some Noise** about cuts that will do harm to some of West Virginia’s most vulnerable.

Lastly, LWVWV needs 2 members to serve on the nominating committee. One of those members will also need to Chair the committee. The nominating committee contacts the existing board to determine which board members’ terms expire, who is willing to serve again, and then contacts the membership to solicit board members for any vacancies. The committee develops a report and presents the slate to the LWVWV at Council in spring 2024. Please contact Jonathan Rosenbaum at [jr@lwg.org](mailto:jr@lwg.org) if you are willing to serve.

# League Legislative Action Workgroup (LLAW): Let's Make Some Noise!

By Judy Ball, Chair, LLAW

LLAW members have been busy since the last issue of *The Voter*. In this period between legislative sessions, we have focused our efforts on **voter information** in the form of a Legislative Scorecard.

## 2023 LWVWV Legislative Scorecard

The League is only one of many organizations that engage in policy education and advocacy. Some of these organizations develop Legislative Scorecards to communicate to their members and the public how the Legislature responded to their organization's priorities. Typically, such Scorecards are compiled and published annually.

The purpose of a Legislative Scorecard is to report, in an easily consumable format, on the activities of the last legislative session, including votes by Senators and Delegates on specific bills prioritized by each organization.

This year, for the first time, LWVWV had the capacity to compile such a Scorecard. The content and format were approved by the LWVWV Board in August. Now that we have a model and the means to deliver it, we plan to make this an annual effort.

The searchable Legislative Scorecard was released on the [LWVWV.org](https://lwwvv.org) website on October 13. It tracks the votes of all 134 WV state senators and delegates on legislation that became law from the 2023 regular session. The Scorecard was designed to offer voters easy-to-use information on how their legislators voted on bills prioritized by LWVWV.

## How Was the Legislative Scorecard Developed?

The 2023 regular session of the WV Legislature resulted in 333 bills becoming law, too many for anyone to consume easily and not all of equal importance. The LWVWV Legislative Scorecard includes 25 bills covering four League priorities: strengthening democracy (0 bills), safeguarding equal rights (10 bills), protecting children and families

(8 bills), and creating a sustainable future (7 bills). Unfortunately, out of 333 bills that became law, we found no bills of sufficient substance to represent the League's #1 priority of strengthening democracy by making voting more accessible.

The 25 bills in this year's Scorecard were selected without regard to their sponsors or which legislators supported or opposed them. We do not contend that this selection of 25 bills from the 333 provides a complete or representative view of any legislator's work product. The focus was LWVWV's priorities. For League members, those may be your priorities as well.

We followed guidelines from Bolder Advocacy (<https://bolderadvocacy.org/resource/setting-the-record-straight-how-your-501c3-can-distribute-voting-records-or-legislative-scorecards/>) to keep this effort nonpartisan.

*Continued on page 3*



## LWVWV Legislative Scorecard 2023

Voter service is a principle mission for the League of Women Voters of West Virginia. In a new service to voters, LWVWV is publishing its first Legislative Scorecard for 2023.

We hope to make this an annual initiative.

The Scorecard has been assembled in pieces for you to scroll through or select your individual legislators to see how they voted.

[Explore Scorecard](#)

## How to Use the Legislative Scorecard

*Continued from page 2*

Step 1: Go to the [LWVWV.org](http://LWVWV.org) website to use the Legislative Scorecard.

Step 2: Click on *Explore Scorecard*, which will take you to an overview and links to the Scorecard components:

- **Bill Summaries** -- Summarizes the contents of each bill because information on the WV Legislature website was often inadequate. Each bill is color-coded to show the LWVWV position, oppose or support.
- **Bill Votes** – Shows votes for each Legislator for each bill. This is the most detailed information. To cut down on the detail, you can search for individual legislators by name or district. Votes are color-coded for agreement/disagreement with LWVWV positions.
- **Summary Scorecard** -- Summarizes votes within priority area for each Legislator, including absences. Also searchable for individual Legislators by name or district.

Each component is organized by priority area. Your Legislative districts may have changed due to redistricting after the 2020 Census. If you're not sure which districts you're in now, you can look them up on the Secretary of State's website at <https://mapwv.gov/vote22/>. Enter your address and your districts will appear. Or, call your County Clerk's office.

### What's Next?

This Legislative Scorecard contains information designed to inform voters and to hold legislators, regardless of party, accountable for their votes on League priorities. We hope you will find it useful.

Please share with your friends and neighbors. Use it to ask questions of your representatives in the Legislature. Write letters to the editor, if you're happy or unhappy with how your representatives are voting.

## Make Some Noise!

Bill Descriptions

Bill Votes  
Most Detail

Summary Scorecard  
Summary Detail

# LWVWV Legislative Scorecard 2023 Overview

This selection of 25 bills does not provide a complete or representative view of any legislator's work product. The focus was LWVWV's priorities. For more information, every bill is linked to its legislative history on the WV Legislature website.

To construct this Scorecard, we reviewed all 333 bills to select the ones most important in terms of the four legislative priority areas for the LWVWV. Unfortunately, we found no bills of sufficient substance to represent the Strengthening Democracy area. From the 333, we selected 25 bills without regard to their sponsors or which legislators voted for or against them.

## Scorecard Summary

Select Legislator ▼
Districts ▼

LWVWV Priority Area:		All Priority Bills (25 Bills)		
Legislator	District	Absent	Agreed	Percent
Mike Azinger	SD 3	2	2	8%
Jason Barrett	SD 16	1	4	16%
Craig P. Blair	SD 15	0	4	16%
Donna J. Boley	SD 3	3	4	16%
Mike Caputo	SD 13	0	15	60%
Laura Wakim Chapman	SD 1	0	7	28%
Charles H. Clements	SD 2	0	4	16%
Vince Deeds	SD 10	0	4	16%
Amy Grady	SD 4	0	5	20%
Bill Hamilton	SD 11	1	5	20%

## The Importance of the *Child Care Stabilization Act*

By: Nancy Ulrich and Dr. Joseph Golden

On March 11, 2021, Congress passed the *AMERICA RESCUE PLAN ACT* (ARPA). The purpose of the Act was to combat the health effects of the Covid – 19 virus upon Americans and to stabilize our economy. The Act allotted \$24 billion specifically for childcare providers. To keep the economy moving, people must be able to work. For people to be able to work, there must be accessible and affordable childcare programs. To provide childcare programs, the programs must have adequate funding to hire and pay staff, provide benefits, improve facilities, pay bills, etc., everything necessary to keep their doors open.

The child care funding provision of ARPA ended on September 30, 2023, causing a steep drop off in federal childcare funding. Admittedly there are other federal and state programs that provide funding for child care. (To name a few, Headstart, pre-Headstart, state funded pre-K, block grants, etc.) But this funding has never been enough standing alone. That is because childcare programs are always plagued by a lack of affordability and access, low wages, staffing turnover and burn out. And it is further complicated when there is a gap in the workforce and where very few receive a reasonable pay for a demanding job. Also these programs prioritize needy and low income children and children from birth to five years of age. Working families are in dire need of quality and accessible childcare, not only for very young children, but for children after school hours, during summers, etc.

Some states anticipated and planned for the drop in childcare funding. The voters in New Mexico approved a constitutional amendment to collect fees from oil and gas drilling on public lands. The state of Washington used most of its federal child care stabilization money to support childcare providers beyond the pandemic, which helped the state to avoid a sudden drop off in services. New York doubled the monthly childcare provision to its children. The state of Washington upheld a 7% capital gains tax that will pay for early education, childcare and in public school construction.

There are other such examples. In West Virginia the officials reported that they were confident that West Virginia children, a quarter of whom live in poverty, will not lose access to funding and will be fine until August, 2024. In May, the state took \$24 million from its Temporary Assistance for Needy Families program to pay for the subsidies. These monies were already earmarked for low income and needy families.

*West Virginia Watch*, a governmental transparency advocate that reports results of investigative journalism, reported that The Century Foundation, a think tank based in New York, predicts that five states will suffer the most from the loss of federal childcare funding – Arkansas, Montana, Utah, Virginia and West Virginia. It is predicted for West Virginia, that without intervention, 23,231 children are expected to lose their child care as a result of the loss of federal funding. West Virginia childcare providers are expected to close 604 programs statewide, making it even harder for families to find safe, nurturing childcare programs. Additionally, 1009 child care jobs, if not more, are

expected to be lost in West Virginia. West Virginia parents are predicted to lose \$54 million in earnings as a result of being forced to cut work hours or to leave the workforce. Many eligible children for federal and state funded programs already in place go unserved.

On September 13, 2023, U.S. Senators Patty Murray, Bernie Sanders, and Representatives Catherine Clark and Rosa DeLauro, along with 33 additional colleagues introduced the *Child Care Stabilization Act* to extend the federal child care stabilization funding. Additionally, 78 members of the US House of Representatives signed onto the bill. However, to date, West Virginia senators and representatives have failed to join with the other members of Congress.

The *Child Care Stabilization Act* has been endorsed by the National Womens' Law Center, Center for Law and Social Policy, National Association for the Education of Young Children, Children's Defense Fund, American Federation of Teachers, National Association for Family Child Care, Child Care for Every Family Network, Federation of State, County and Municipalities, AFL-CIO, Small Business, to mention only a few.

Why is the *Child Care Stabilization Act* so important? It will prevent a potential crisis to the states by providing \$16 billion in mandatory funding each year for the next five years to continue the childcare stabilization grant program. This investment would ensure childcare providers continue to receive a stable and reliable source of funding to help them be accessible, to deliver high quality and affordable childcare for low income and working families. The childcare industry holds up every sector of our economy. When childcare fails, the workforce fails, businesses fail, and eventually our economy. High quality early care and education is proven to dramatically improve a child's opportunities for a better future while offering parents greater job stability and economic family security.

**MAKE SOME NOISE!** Contact West Virginia elected officials. Let them know that West Virginia children deserve high quality care, childcare and education!

**The Honorable Joe Manchin III**  
[senator\\_manchin@manchin.senate.gov](mailto:senator_manchin@manchin.senate.gov)

**The Honorable Shelley Moore Capito**  
<https://www.capito.senate.gov/contact/contact-my-office>

**The Honorable Carol Miller**  
<https://millerforms.house.gov/contact/>

**The Honorable Alex Mooney**  
<https://mooney.house.gov/contact/>

## LWVWV Joins Partners in Making Noise to Protect Water Quality, Oppose Fossil-Fuel Based Hydrogen Hub

Through our partners at the WV Rivers Coalition, LWVWV signed on to two actions related to protecting water quality in the Mountain State.

In July, the WV Department of Environmental Protection issued a consent order and fine to APG Polytech, LLC (APG), a plastics manufacturer in Apple Grove, WV. This compound is commonly used as a solvent for resins, oils, waxes, and some dyes and is often found in cosmetics, detergents, shampoos, and some pharmaceuticals. 1,4-D has been identified as a likely human carcinogen that has been banned in California due to its links to cancer, its persistence in water, and the inability for standard waste and drinking water treatments to remove this dangerous compound.

A proposed consent order from WVDEP imposed a paltry \$30,000 fine on APG for violating their discharge limit of 1,4-D into the Ohio River upstream of the drinking water intake for WV American Water Huntington District. According to the Environmental Protection Agency (EPA), industrial releases of 1,4-D to drinking water supplies present an unreasonable risk to fence-line communities like Huntington. An EPA analysis found that if you drink water sourced from places where 1,4-D is released close to the water intake, there's a 2.5 in 100 chance of getting cancer in your lifetime.

In August comments on the proposed order, WV Rivers, LWVWV and others called on WVDEP to enforce stringent discharge limitations on 1,4-D and hold APG accountable to the proposed schedule of compliance. More specifically, we urged WVDEP to increase the base penalty on APG due to their negligence and noncompliance, which continue to threaten public health.

More recently, we joined WV Rivers and others in supporting the US Environmental Protection Agency's efforts to hold the WVDEP accountable for a critical oversight: The EPA found 346 streams (over 1,600 stream miles!) were missing from the WVDEP list of streams that fail to meet water quality standards.

Section 303(d) of the Clean Water Act, requires WVDEP to submit a list to EPA every 2 years. The latest report included data for 2018, 2020, and 2022. This crucial process ensures that necessary steps are taken to safeguard our water sources. The oversight occurred because WVDEP continues to use an outdated methodology to assess biological impairments in streams. As a result, WVDEP is letting streams that fail to meet water quality standards slip through the cracks.

Our joint letter to the EPA supports their commitment to holding the WVDEP accountable for updating its methodology and using the best science so that our polluted streams get the resources needed to put them on the path to recovery.

LWVWV was also one of seventeen groups that sent a letter to EPA in August expressing serious concerns regarding efforts by

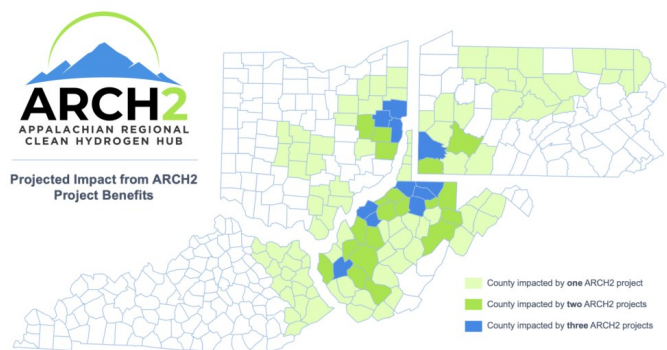
WVDEP to secure authority to regulate the injection of carbon dioxide for the purposes of geologic storage. Drafted by the Ohio River Valley Institute (ORVI) and signed by several members of the WV Climate Alliance, the letter urged EPA to deny the state's application.

West Virginia officials are seeking state primacy of the Class VI well program in order to regulate carbon storage projects as part of a larger effort to support carbon capture and sequestration, or CCS. The EPA's Class VI program — managed by federal regulators in all but two states — governs the use of injection wells for long term geologic storage of carbon dioxide, a critical component of the state's plans for a fossil fuel-based hydrogen hub.

Industry groups, including the West Virginia Manufacturers Association, have called on the EPA to approve state primacy applications and accelerate permitting. However, Class VI wells are relatively new and the permitting for these wells is significantly more complex than other injection wells due to the unique characteristics of carbon dioxide and the large volumes of carbon that would be stored using these wells, factors which increase the risk to drinking water sources and nearby communities.

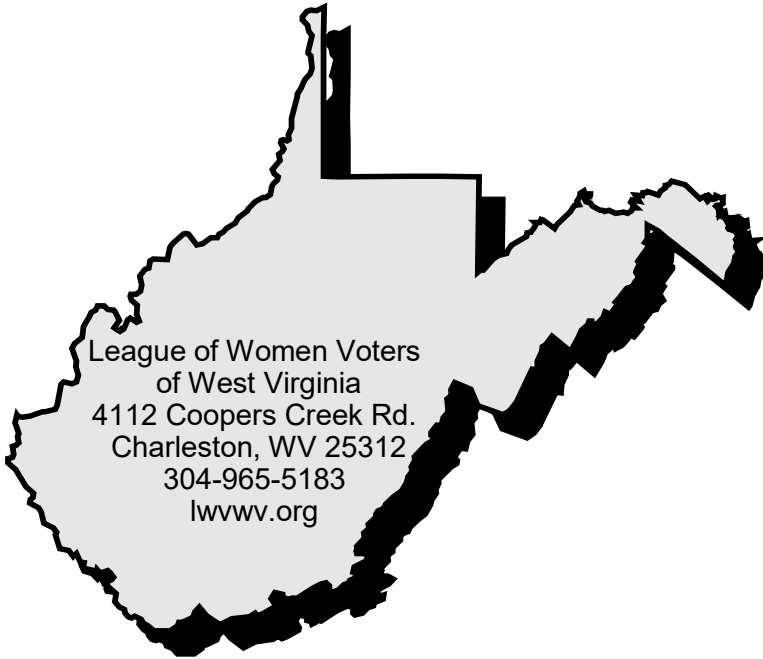
In a related development, the US Department of Energy has announced that West Virginia will be at the center of a regional fossil fuel-based hydrogen hub project known as ARCH2 (Appalachian Regional Clean Hydrogen Hub). This project will deepen the region's dependence on fossil fuels, prolong the health and environmental impacts of the existing natural gas industry, and expose communities to the impacts of a large buildout of carbon capture and storage infrastructure, CO2 pipelines and hydrogen production facilities. A hydrogen hub would also burden ratepayers and taxpayers since these projects are fundamentally uneconomic and require significant public subsidy. Learn more about hydrogen and carbon capture at [appalachiahydrogenfacts.org](http://appalachiahydrogenfacts.org).

Sources: WV Rivers Coalition ([wvrivers.org](http://wvrivers.org)), Ohio River Valley Institute ([ohiorivervalleyinstitute.org](http://ohiorivervalleyinstitute.org)), ARCH2 Hub website ([arch2hub.com](http://arch2hub.com)).



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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 \$0 for students. Because we are a lobbying organization, membership dues are not tax-deductible.

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