

West Virginia Politics and Government

Third Edition

Richard A. Brisbin, Jr., John C. Kilwein, L. Christopher Plein

Updated Text as of November 3, 2025

©Richard A. Brisbin, Jr., John C. Kilwein, L. Christopher Plein

Note: Existing text is in black type, changes and additions are in purple type.

Introduction

xii-xiii: change from bottom of page xii at In 2020 fewer to: ...: In 2024 fewer than 59,000 African Americans resided in the state, 3.8 percent of the state's population. The Asian population of approximately 13,500 persons was 0.9 percent of the total state population, and the Hispanic/Latino population was 2.2 percent of the population. Among the fifty states, West Virginia had the lowest percentage of these groups. Mixed race individuals comprised 2.1 percent of the population. West Virginia had the lowest percentage of foreign-born population—1.7 percent—and the estimated lowest percentage of undocumented immigrants within the United States.¹⁰ Consequently ...

xiv: replace sentence beginning: In 2019... with: According to Centers for Disease Control estimates, in 2022 nearly 265,000 adults or just under fifteen percent of the state's population had a substance abuse disorder.

xiv: Before endnote 15 add: Problems in the foster care system led to federal judicial intervention and limited state policy changes, but many issues faced by the more than 6,000 children in state care remain unresolved.¹⁵

xiv: after the second full paragraph second sentence ending among the states, insert: The state also has the second lowest labor force participation rate among the states.

xix: line 4: after political action committees insert: (PACs)

Chapter One

4: line 20: after independents insert: (persons with no party affiliation)

4: line 5 from bottom: change West Virginia to West Virginians

6: change font of subheading to:

CHRONIC AND CRITICAL PUBLIC HEALTH CONCERNS

6: add sentence at end of page Problems with the funding of efforts to address these issues are detailed in chapter 6.

8: end of second full paragraph, replace sentences: Local governments are to apply ... by the state and its local governments.⁹ with:

As spelled out in the litigation settlement agreement, the Foundation controls the spending of 72.5 percent of the funds. It awarded its first grants to nonprofit organizations and local governments in 2025. Most of the grants were to drug aversion and rehabilitation programs. However, the state has not funded statewide programs to treat the casualties of the opioid epidemic. Other portions of the settlement funds are controlled by county and municipal governments (24.5 percent) and the West Virginia Attorney General's Office (3 percent). Some of the counties have spent money on regional jail costs and questionably effective but politically connected privately develop diversion programs. Yet, auditing of the success of expenditures is largely lacking. Additionally, despite efforts to contain the demand for opioids the state, has continued to adopt tougher laws to penalize the suppliers of the drugs. The success of these policy changes remains uncertain. Opioid deaths began a significant decline from 2021 to 2024-prior to the policy changes. However, the reduction in federal funds for addiction treatment through Medicaid poses a potential barrier to further progress.⁹

10: insert and end of paragraph, ... proof of vaccination.: Reacting to these efforts, in 2025 Governor Patrick Morrissey went against medical advice and issued an executive order to permit religious exemptions for school vaccinations. However, blunting Morrissey's order, the state legislature made only minor modifications in vaccination policy.¹³

11: line 5 from bottom after *Roe v. Wade* insert: (which protected abortion as a fundamental right),

12: after *Dobbs*.¹⁶ Finally, in 2025 the state banned the addition of certain dyes and preservatives to food.as injurious to public health.¹

12-13: bottom of page 11: changes from last line forward: By 2025, the situation had further changed, with several counties losing ground in terms of economic status. Sixteen of the state's fifty-five counties were designated as distressed, fourteen were designated as at-risk, and only Jefferson County was ranked as competitive. The remaining counties were designated as transitional, making headway but not necessarily thriving in economic terms.¹⁷

14: insert on third from last line after ... chapter 11). Governor Morrissey replicated this approach with his "Backyard Brawl," an initiative to reduce governmental regulation of business. It was coupled with a pledge that, "The first order is to actually try to take steps to start to defeat the other states economically, to have superior tax policy,"²

15: in the first full paragraph change: ... to attract new workers to the state. To: ... to attract new workers to the state.³

15: after note 21, add:

Another effort to attract technological investment to the state was the 2025 passage of legislation to permit *microgrids* or local electrical systems with their own sources of electricity and energy storage system. Designed to supply power independent of the central power plants that supply most electricity to consumers, a microgrid could provide power specifically to computer server farms or data centers. Although permits for

the development of four centers are being processed, whether the legislation will more encourage data centers to locate and provide tax revenue for the state remains unknown. The law lacks provisions regulating the enormous consumption of water by the centers. It exempts them from most county and municipal regulations and does not address the air, water, and noise pollution that they produce. Data centers firms project the creation of few jobs. Furthermore, the legislation directs fifty percent of any tax revenue from their operations to the state rather than county or municipal governments. Finally, the limitations on local participation in the microgrid-data center permit process have caused public consternation in some communities.⁴

17: replace sentence: In 2020–21, average salaries increased by just \$23 to \$50,261, lowering the state’s rank to forty-eighth. With: However, in 2022–23, an average salary of \$54,742 lowered the state’s rank to last among the states. As in several previous years, despite an increase in teacher contributions for health insurance, in 2025 salaries were not increased.

19: after paragraph ending in note 42 add: At a cost of \$5,267.38 per student in 2025, the program has generated rapidly increasing costs for the state. However, roughly ninety percent of the increased spending goes to students already in private schools or homeschooled, not to public school families seeking alternatives. Additionally, because the state share funding of public schools is based on attendance, increased home and private schooling has adversely affected the finances of public schools. They must bear the added costs of maintaining school buildings, buses, and a wide variety of other expenses.⁵

20: add after ... The voters rejected it.: Nonetheless in 2025 the legislature required that rules established by West Virginia Board of Education for the governance of local schools must receive legislative review.⁸⁷ Also, the state required county boards of education to meet state established rules on the maximum student-teacher ratio.⁶

20: add to end of first full paragraph after note 44: The 2025 legislature adopted standards for the control of disorderly student behavior that included mandatory counseling, attendance in intervention programs, and possible removal of a student to alternative educational settings.⁷ In a symbolic gesture, it required the motto “In God We Trust” be posted in public schools.⁸ However, legislators and the State Board of Education have not acted to address effectively the significant rate of student truancy in many school districts, to establish standards for homeschooling expenditures, to provide an effective means for the assessment of home schooling and charter school performance, to ensure that home schooling includes social education, and to audit expenditures in a way that is equivalent to that applied to traditional public schools. These issues promise future conflicts about the direction of public education policy⁹

21: on federal highway funding after note 54 insert: After the completion of federal CARES, ARPA, and Infrastructure Act fund transfers, the state still received \$2.1 billion highway in improvement expenditures from the federal government. However, the state estimates this amount will decrease to \$1.7 billion because of cutbacks by the Trump administration.¹⁰

22: 2nd line after 2nd heading, insert after Amendments: (CWA)

23: 4 lines from bottom at ... disinvest in such facilities. Add: Indeed, because it was less costly, the state's two major electric utilities announced plans to switch from coal fired to natural gas fired generation.

25: add to end of second paragraph after note 77: new paragraph:

Environmental degradation linked to coal mining has not just occurred on the surface of the land but also in the state's waters. Acid mine drainage, caused when water leaking from mines has flowed over pyrite and generates sulfuric acid, has polluted hundreds of miles of streams. Colored with an orange tint, the acidic water kills fish and enters into the water supply. The 1977 Surface Mining Control Act and Reclamation Act coal requires coal companies to pay a tax into a trust for the cleanup of polluted streams. However, by declaring bankruptcy or transferring their mining permits, many companies have avoided cleanup costs. Federal funds, especially from the 2021 Infrastructure Investment and Jobs Act, have assisted with remediation efforts. Local nonprofits have also initiated projects to address the pollution. New technology, especially to recover rare earth metals from the water, might further assist in the reduction of the pollution. Yet, the achievement of clean streams in the state appears to be in the distant future.¹¹

25: add after ... federal Energy Act of 2005 in last paragraph: In 2025 the state permitted additional contaminants in waters that the state deems is not used for public water supply or when the nearby population uses an alternative drinking water supply. At the same time the federal government rescinded limitations on four of the six types of forever chemicals (PFAS or perfluoroalkyl and polyfluoroalkyl substances) in public water systems. These substances are known to cause liver damage, thyroid disease, and cancer.¹²

26: line 7: add sentence: Additionally, it has only begun to address the environmental consequences of thousands of "orphaned" or abandoned gas wells.¹³

26: after note ⁸⁵ create a break, add subheading, and replace the remainder of paragraph into page 27:

Continuing Conflicts

Coal accounts for roughly forty percent of the world's industrial carbon dioxide emissions, the main driver of global warming. It releases other pollutants, including mercury and sulfur dioxide, which are linked to a wide range of diseases, and it presents numerous environmental problems. Yet, President Trump has said, "Never use the word 'coal' unless you put 'beautiful, clean' before it." This example illustrates that the debate about energy and environmental policies has manifested as a set of political conflicts with an ideological cast and symbolic appeals to the past rather than pragmatic development of a consensus policy. Indeed, efforts to address climate change promise only to deepen the conflict. A minority of West Virginians, 37.5 percent in the 2021 WVSS survey (in contrast to a reported 57 percent nationally), believe that the earth is getting warmer mostly because of human activity such as the burning of fossil fuels.⁸⁶ Since 17.4 percent of Republicans in the sample believe that the earth is getting warmer because of human activity such as the burning of fossil fuels (in contrast to 64.6 of Democrats in the same sample), in West Virginia climate change and the use of coal is likely to continue to be a source of policy conflict. Regardless, despite West Virginians' views about climate

change, policies that affect West Virginia ultimately will probably be the consequence of decisions by the federal government. For example, during the Biden administration (2021-2025) the federal 2022 Inflation Reduction Act contained provisions on the reduction of emissions from coal-fired power plants that upset the coal industry. It also directed funds for investments in coal communities and protected benefits sought by the UMWA for former miners suffering from black lung disease. It removed barriers to the construction of a pipeline to ship West Virginia natural gas out of state. However, in 2025 the Trump administration and Governor Morrisey supported speedier permit procedures or the elimination of various environmental permits for coal and gas extraction and coal-fired power plants, a program to preserve unprofitable coal-fired plants, the elimination of permits and financial support for wind energy and other sustainable energy projects, the elimination of permits for the pollution of some streams, the elimination of support for programs that address black lung disease, and reduced funding for environmental cleanup programs. Yet, counterintuitively, the Trump tariff policy caused other nations to react with tariffs on coal. Tariffs make the fifty percent of the state's coal that is exported abroad more expensive, and they potentially can reduce its share of the world market for coal. Additionally, the Trump administration eliminated incentives for clean energy production, which threatened more than 10,000 jobs in the state.¹⁴

28: change last sentencing first paragraph to: Although the state has devoted funds to broadband projects in select target areas (the Broadband Equity Access and Deployment or BEAD program), the passage of the federal Infrastructure Investment and Jobs Act in 2021 provided \$1.44 billion toward broadband development. In 2025 Governor Morrisey used the last of these funds, \$434 million, as grants to five internet providers in several rural counties. However, the Trump administration reduced spending for fiberoptic broadband to favor less reliable satellite connections such as the Starlink system owned by former Trump confidant Elon Musk. Despite the state and several local government's initial preference for the fiberoptic network, Governor Morrisey endorsed the Trump proposal. The Trump administration also terminated \$9 million in digital equity grants designed to improve internet access by rural and lower income residents.¹⁵

28: paragraph two: add to first sentence: and disputes about fees for the use of existing utility poles.

Chapter Two

36: Add to paragraph ending a greater rural population: However, in the 2024 presidential election the differences were less clearcut, with Trump receiving 61.4 percent of the vote in the nine more densely settled counties and 65.0 percent in all other counties.

39: Changes in first and second full paragraphs and additional paragraphs:

~~A national survey of religious activity conducted in 2024 revealed that 78 percent of West Virginians considered themselves to be Christians, 18 percent reported no affiliation with a faith, 1 percent were Jewish, and 1 percent were Muslim.~~

Religion continues to exert cultural and political influence in the state. The 2021 wvss survey revealed that 78.9 percent of respondents reported that they were Christians, 0.3 percent were of another religion, and 21.1 percent indicated that they had no religion. However, a national 2024 survey conducted by Pew Research Center reported that 64

percent of West Virginians considered themselves to be Christian, 31 percent were religiously unaffiliated, and 3 percent identified with other religions. Of Christian respondents to the Pew study, approximately 60 percent of West Virginians identified themselves as Protestant. Roman Catholicism, the largest American denomination with 19 percent of the national population, comprised only 8 percent of the WVSS respondents in 2021 and 3 percent of respondents to the 2024 Pew study.¹¹

Going beyond self-reportage of beliefs, information about the adherents or actual members of the more than 4,000 West Virginia religious congregations collected in 2020 reported that 57.2 percent of adult West Virginians were members of these congregations. The data on adherents disclosed that adherents of the United Methodist Church, prior to its 2022 schism with the Global Methodist Church (16.7 percent of adherents), and the American Baptist Church (11.5 percent of adherents) were the two largest denominations in state. Along with members of the Presbyterian Church U.S.A. (1.8 percent of adherents), Evangelical Lutherans (1.1 percent of adherents), and Episcopalians (1.0 percent of adherents), they are considered as mainline Protestant denominations that typically emphasize a proactive view on issues of social and economic justice and a tolerance of varied individual beliefs. Roman Catholic (14.9 percent of adherents) with a leadership committed to social and economic justice but more conservative on personal morality, various Eastern Orthodox (0.2 percent of adherents), historically African American churches (3.5 percent of adherents), and Jewish congregations (0.3 percent of adherents) comprised the bulk of the remaining nonevangelical religious population of the state.¹⁶

The evangelical Protestant denominations, 33.7 percent in the WVSS survey 2021, and 37 percent in the 2024 Pew survey, were splintered among many denominations and independent nondenominational congregations. Evangelicals hold biblical authority in high regard or are “fundamentalist,” socially conservative, and tend to seek more separation from the broader cultural attitudes about gender and sexuality. Theologically, however, these congregations avow several distinctive traditions--Baptist, Pentecostal, Adventist, and Holiness—and many do not express a coherent theology.¹⁷

Despite denominational diversity, religious belief extends beyond mere congregational membership and theological values. West Virginians are more willing to acknowledge that religion is very or somewhat important in their lives (70 percent) than the United States population as a whole (58 percent). Therefore, it is not surprising that, in accord with the morality policy positions of evangelical denominations and Catholics, West Virginians are more likely to state that abortion should be illegal in all or most cases (46 percent) than Americans as a whole (35 percent). Religious values probably also appear to influence why 44 percent of West Virginians oppose same sex marriage more than Americans as a whole (32 percent). Also, as will be discussed in chapter 4, the cultural values and assorted religious beliefs of a growing population of evangelical Protestants resonate as growing influences on party identification and other morality policy demands.¹²

44-45: Replace paragraph beginning after subheading at bottom of page 44:

~~As the state entered the twenty-first century,~~ The continuing decline of the coal and manufacturing economy ~~became~~ **is** reflected in patterns of employment. In **2025** blue collar jobs in mining and logging (**22,500** employees), construction (**34,400** employees) and manufacturing (**45,200** employees) together employed approximately **14.1** percent of West Virginia's **724,600** nonfarm workers. The service sector—professional and business services (**71,600** employees), the finance industries (**25,800** employees), leisure and hospitality (**71,900** employees), information (**7,700** employees), trade, transportation, and utilities (**122,700** employees), education and health (**142,300** employees)—and governments (**156,000** employees)—comprised the bulk of the workforce. WVU Medicine, **Vandalia Heath**, and Wal-Mart emerged as the state's leading employers.³⁵

Chapter Three

57: first full paragraph, insert sentence after: ... few electronic and print outlets and less than a dozen journalists who regularly cover state politics. **Also, many of these broadcast media and newspapers are owned by and reflect the political preferences of out-of-state corporations.** Journalists ...

57: second full paragraph, third sentence, insert: Hosted **until 2025** by moderate ...

Chapter Four

70: end of sentence at end of initial paragraph, change: ... by 2023 that figure was just over 32 percent—a 35 percent decline.⁷ to: **by 2025 that figure was 29 percent—a 38 percent decline.**⁷

73: end of page, insert sentence: **Since 2000 additional influences have generated the shift in party affiliation.**

74-75: move section *Conservative media and partisan realignment* to **page 81** just before subheading, **cutting** lines 1 through 4, then start paragraph: ***Conservative media and partisan realignment: Abetting the various sources of partisan realignment has been the emergence...***

76: middle of full paragraph, after ... of independents. Edit txt:

From 2020 onward, the Republican-controlled legislature and Governors **Justice and Morrisey** actively responded to these sentiments, beginning with adopting one of the most restrictive abortion laws in the nation.²⁴ They prohibited most gender-reassignment surgery and the provision of gender-altering medication to persons under eighteen years of age.²⁵ They allowed individuals to sue state and local governments when they thought that a policy substantially burdened or was likely to substantially burden their religion.²⁶ Furthermore, the legislature has ~~considered but failed to~~ adopted a law that requires the motto “In God We Trust” to be displayed in public schools.²⁷

77: Change sentence at first break: Furthermore, in **2023 and 2025** Republican legislators loosened gun control by permitting individuals to carry concealed firearms in certain areas of public higher-education campuses, **preventing the state and local governments from contracting with financial institutions that discriminated against any “firearm entity**

or firearm trade association,” and restricting the application or lawsuits under state consumer protection laws or public nuisance laws that limit sale or marketing” of firearms or ammunition.³¹

81: Edit and add end of first paragraph before note 43: ~~Additionally,~~ Addressing a supposed “outsider” threat posed by undocumented aliens, the Republican majority in the state legislature enacted a law to ban the creation of sanctuary cities--communities in which undocumented immigrants could live without fear of deportation. To deport undocumented aliens, in 2025 Governor Morrissey signed a letter of intent to join a federal program to transport criminal aliens into federal custody, and he issued an executive order directing West Virginia law enforcement to perform the duties of immigration officers as necessary and as allowed by law. Morrissey also sent a letter to local law enforcement officials to ensure that they support federal directives on illegal immigration.⁴³

80: after ... with students, end of paragraph. Insert new paragraph:

In 2005 Governor Morrissey issued an executive order to ban the use of diversity, equality, and inclusion criteria by state agencies. The legislature confirmed the ban by the passage of a statute. Previous administrations had permitted the criteria to assist covert bias toward racial, women, and other minorities in governmental positions and services. He additionally removed most of the personnel from the Office of Equal Opportunity, and the legislature then eliminated the office. It had investigated discrimination, and harassment claims from public employees, largely about gender discrimination, enforced federal and state employment law, and trained state employees.¹⁸

80: last sentence of second full paragraph change: ... in rural communities to: ... ~~rural communities with few members of minority groups, as in West Virginia.~~³⁹

83: change last sentence to: Although the population in the state remained almost unchanged in 2024, the number of registered voters had by that year increased to 1,128,604 (78.7 percent of the eligible population).⁵⁰ It is probable that much of this increase resulted both from the passage of the National Voter Registration Act of 1993, which made it easier to register, and both major parties’ registration efforts in recent years. ~~the run-up to the 2020 presidential election.~~

84: first full paragraph, next to last sentence: change to: In recent presidential and gubernatorial elections, turnout was greater—55.0 percent in 2012, 57.4 percent in 2016, ~~and~~ 66.3 percent in 2020, ~~and~~ 63.7 percent in 2024—than in midterm elections, which had turnouts of 37.8 percent in 2014, 47.9 percent in 2018, ~~and~~ 42.9 percent in 2022, ~~and~~ 42.1 percent in 2024. Turnout for primary elections is significantly lower: 27.4 percent in 2012, 20.0 percent in 2014, 39.9 percent in 2016, 26.1 percent in 2018, 36.5 percent in 2020, ~~and~~ 22.9 percent in 2022, ~~and~~ 30.5 percent in 2024.⁵⁶

84: last line, italicize *primary election*

85: line 5: insert sentence after ... one of the parties.: However, beginning in 2026 voters registered as independent will not be permitted to vote in the Republican party primary.

85: line 5: italicize *general election*

87: after line 4 ... advertising.⁸⁷ add new paragraph:

In 2024 the intensely contested Republican primary for governor the candidates spent considerably larger sums. Although they lost the nomination, Chris Miller spent \$9.4 million, Moore Capito spent \$2.2 million, and Mac Warner spent \$6.6 million. Thus, Miller spent \$203.20, Moore spent \$35.27, and Warner spent \$15.55 per vote. For both the primary and general elections the Republican victor, Patrick Morrissey spent \$6.6 million. His Democratic opponent Stephen Williams spent only \$291,729 for both elections. As an indication of the national attention to state elections, Morrissey received contributions from persons and organizations in 38 states and Williams received contributions from 21 states.¹⁹

87: after the first full paragraph ending \$65,000.⁶⁵ add new paragraph:

In 2024, incumbents and Republican candidates usually had the most contributions and expenditures. Victorious Republican candidates for statewide executive offices significantly outspent their opponents. For example, attorney general candidate J. B. McCuskey (Republican) spent \$1.45 million but his opponent Teresa Toriseva (Democrat) spent only \$39,921; unopposed state treasurer candidate Larry Pack (Republican) spent \$1.56 million; secretary of state candidate Kris Warner (Republican) spent \$196,000 but his opponent Thornton Cooper (Democrat) spent only \$27,100. State auditor candidate Mark Hunt (Republican) spent \$102,734 while his opponent Mary Ann Claytor (Democrat) spent \$35,965. Incumbent commissioner of agriculture candidate Kent Leonhardt (Republican) spent \$223,101, but his opponent Deborah Stiles (Democrat) spent only \$22,081.²⁰

Legislative candidates also varied greatly in campaign expenditures in 2024. Winners-usually Republican or Democratic incumbents--outspent their opponents. Examples include Republican state senator Randy Smith, who with no opponent in the primary and a token Mountain party opponent in the general election, spent \$219,169. Incumbent Republican delegate JB Akers spent \$163,367 to defeat Democrat Linda Bodie, who spent \$39,920.52. In a contested Republican senate primary Patrica Rucker spent \$183,335 to the \$124,005 spent by her opponent Paul Espinosa. The Democrats who won legislative seats also usually outspent their opponents. For example, Democratic candidate for state senate Joey Garcia spent \$176,843 to the \$39,574 spent by his Republican opponent Rebecca Polis. Incumbent Democratic delegate Shawn Fluharty spent \$73,325 843 to the \$3,942 spent by his Republican opponent; incumbent Democratic delegate Sean Hornbuckle spent \$46,394 to the \$433 spent by his Republican opponent. However, numerous legislative candidates reported spending no money. Most of the candidates with minimal spending lost in the primary or general election. Overall, these patterns of campaign spending indicate that money from contributors tends not only to flow to majority party candidates and incumbents, but that they tend to win elections.⁶⁵

88: after note 69 in the first full paragraph add: In 2025 West Virginia had 382 registered PACs, legally divided into two categories.²¹

89: after paragraph ending ...television advertising.⁷⁵ add: In 2024 Patrick Morrissey focused his expenditures on the media a well. Although money spent on media was made by auxiliary campaign organizations such as Team Morrissey and Black Bear PAC and

their contributors is difficult to trace, at least \$5 million was spent on television advertising under the direct or indirect control of Morrissey.

Chapter Five

95: after first full paragraph, insert new paragraph:

During the 2024 election cycle PACS continued to make significant expenditures. National PACs such as the conservative Americans for Prosperity, Team West Virginia, Stand for US PAC, and National Rifle Association, made large contributions to West Virginia's state and federal Republican candidates. Other large contributors included the Constitutional Justice Alliance, a national organization of personal injury lawyers, and Mountain State Values, which represented organized labor and supported several Democratic candidates.²²

95: middle of second paragraph, revise sentence: In another representative example, to avoid contribution limitations on individuals, in 2020 former Republican state party chair and coal firm executive Melody Potter formed an independent expenditure PAC under her own name.

97: Revise third sentence in third paragraph: In 2025, 572 groups, associations, and corporations had registered to lobby in the state.¹³

98-99: revisions:

Today the breadth of organized interests represented by lobbyists in the state is enormous. The various interests include important business associations, such as the West Virginia Chamber of Commerce, Gas and Oil Association of West Virginia (GO-WV), West Virginia Community Bankers Association, and dozens of other business associations and specific corporations; coal companies such as Antero Resources and CONSOL Energy, local business interests such as the Harrison County Chamber of Commerce; unions such as the UMWA and United Steelworkers district 8; environmental groups such as the Nature Conservancy and West Virginia Environmental Council; religious organizations such as the Roman Catholic Diocese of Wheeling-Charleston; agricultural groups such as the West Virginia Farm Bureau and West Virginia Poultry Association; the West Virginia Forestry Association; health insurance companies such as Highmark West Virginia and the Health Plan; various hospitals and healthcare professions; the American Association of Retired Persons (AARP); gambling enterprises such as the West Virginia Gaming and Racing Association Sports Betting Alliance, and Mountaineer Park; local government associations such as the West Virginia Municipal League and West Virginia County Clerks Association; and higher education institutions such as West Virginia University, Marshall University and West Virginia Wesleyan College.¹⁶

The organizations represented by the registered lobbyists also vary from local to international in composition. Over time, the number of out-of-state organizations they represent has grown. They represent major international businesses such as Apple, Exxon Mobil, Google, Toyota Motor North America, General Motors, and Microsoft, national corporations, and business associations such as Nationwide Mutual Insurance, Verizon, Visa USA, and Wal-Mart Stores, national organizations such as the American Petroleum Institute, National Rifle Association, the U.S. Chamber of Commerce, and

charitable and advocacy groups such as the YMCAs, Inc., Susan G. Komen organization (breast cancer research), the American Kennel Club, and Elizabeth Hoolmann Memorial Holocaust Education Foundation. Many other registered lobbyists are employed by the West Virginia affiliates of national organizations, such as AARP West Virginia, American Civil Liberties Union WV, West Virginia Nurses Association, Cigar Association of America, and a wide assortment of professional associations of cardiologists, engineers, massage therapists, physicians, police, and so forth. The independence of these affiliated groups from the national political objectives of their organization is difficult to measure and appears to vary among groups. Groups and organizations with lobbyists, but without national ties, include local governments such as the ~~Little~~ Kanawha Valley Regional Transportation Authority and the Berkeley County Commission, and businesses and business associations with only an in-state presence such as the Morgantown Area Partnership and Longview Power. Organizations concerned with political integrity and improved policy making such as the League of Women Voters of West Virginia and Center on Budget and Policy also have lobbyists.¹⁷

The Lobbyists: A Portrait

The number of persons registered as lobbyists reflects the change in the number of organized interests. Because many registered lobbyists serve several organizations, in 2025 335 lobbyists represented the 572 registered organizations and groups. Many groups employed several lobbyists. Contrary to the popular perception of lobbyists as men, but indicative of a pattern among the states, 113 were women.¹⁸

Although out-of-state interests usually will contract with in-state lobbyists on specific issues, some lobbyists “visit” the state as representatives of national groups, associations, or businesses when issues of concern to their group arise in the state. For example, out-of-state liquor, beer, and wine lobbyists flew into Charleston when the legislature held hearings and wrote liquor laws in 2021. Registrations in 2025 indicated that 111 lobbyists did not have West Virginia business addresses, and out-of-state lobbyist registrations have increased during the past decade.¹⁹ Examples included the Washington-based lobbyists for the U. S. Chamber of Commerce, Tik Tok, Target, Amazon, and Waste Management; seven lobbyists from Nielsen Merksamer of San Rafael, California, who represented Exxon Mobil, Marathon Petroleum, Merck (pharmaceuticals), Genetech (pharmaceuticals), RTK (technology), PMI US (tobacco), and Airbnb (tourism); and two lobbyists from Politicom Law LLP of Sausalito, California, who represented Apple and Alliance for Automotive Innovation (forty-four major vehicle and vehicle parts manufacturers). Washington-based lobbyists for the conservative policy organizations Americans for Prosperity and Heritage Action for America also have registered lobbyists. Often, the out-of-state lobbyists register with the state to ensure their monitoring of the West Virginia government avoids ethical violations. They also employ West Virginia-based lobbyists to further their political objectives. There are reports that the lobbyists of in-state businesses appear to have easier access to legislators than other groups.

100: Change sentence at end of second full paragraph: Examples of their activity from 2021 to 2025 include the following,

101: Change in the middle of the second full paragraph: The AFL-CIO (with three lobbyists) and WVEA (with three lobbyists) employ prominent in-house lobbyists. Likewise, in-house lobbyists represent business organizations, such as the West Virginia Coal Association, which until 2021 was headed by its influential lobbyist and president William Raney.

102: Change sentence in middle of first paragraph beginning: The Department... to: The Department of Health has a legislative affairs counsel. The counsel formal duties include “Communicate the Department’s positions on bills to members of the Legislature and ensure effective oral and written communication with key legislators, particularly those on the Department’s committees of reference.”²⁹

110: Add to paragraph ending ... contributions to legislators⁵⁰: Finally, PACs will reward the victorious candidates that they have supported. For example, lawyers, corporations and lobbyists spent \$1.2 million on a 24-hour inaugural party for Governor Morrissey. Morrissey then donated a large portion of \$551,000 in unused inaugural celebration funds to West Virginia Prosperity Group Inc., a conservative advocacy group. After his election the group spent some of these funds on Facebook advertising to promote the governor’s policy positions.²³

Chapter Six

121: revise: line 1; more than \$9.5 billion annually ...

121: last paragraph, first line, italicize *Medicaid*; third line, italicize *Medicare*

122-123: third full paragraph: replace: next two paragraphs with:

Today the joint federal-state funding of Medicaid and CHIP offers insight into the dynamics of intergovernmental relations. Both federal programs require state-matching funds and administration. Among the states, West Virginia has one of the lowest match rates for both programs on account of economic status and need. In fiscal year 2025 the state’s Medicaid total expenditures were approximately \$5.5 billion. The federal share was \$4.5 billion or 82 percent; for its part, the state received approximately \$1 billion for services.

The West Virginia Medicaid Program provides health benefits to many of the state’s low-income and disabled residents: 464,821 in 2025. As of 2025, approximately 26 percent of all West Virginians are covered by Medicaid as compared to a national rate of 23 percent. Low-income children comprise 32 percent of the Medicaid population. Low-income working-age adults constitute 44 percent of those covered. Those who are federally designated as blind and disabled constitute 15 percent of enrollment and the remaining 9 percent are made up of aged individuals. Among all recipients, 62 percent work full or part-time. Medicaid expenditures differ among these groups of recipients: 72 percent of funds are spent on long term and managed care, especially for seniors. Also, Medicaid pays for 46 percent of the births in the state. When Medicaid is combined with Medicare, the federally funded health program that provides medical coverage to 444,287 retired individuals, the two programs provide health coverage to approximately fifty-six percent of West Virginia’s population.²² In chapter 10 we further examine the role of state administration in Medicaid program implementation.

In 2025 West Virginia had 40,445 children enrolled in Child Health Insurance—CHIP— and 202,415 enrolled in both CHIP and Medicaid. CHIP coverage or approximately seventy percent of the children in the state. Enrollment requirements differ slightly from Medicaid. Children from families with slightly higher income levels than the limit to enroll in Medicaid can receive CHIP benefits. Available benefits also differ from Medicaid services or adults. For services not covered by Medicaid, the program requires co-pays for children’s healthcare based on family income and the number of children. CHIP’s \$92 million annual budget is funded based on a complex allotment formula that offers a federal match rate -about eighty-five percent of program costs in recent years. State appropriations plus additional funds from copayments or cost sharing fees for certain services received by higher income clients to compensate for additional costs of such care.²³ ~~Therefore the CHIP program is dwarfed in size by Medicaid, which traditionally has offered an approximate 3 to 1 state match. This rate was enhanced for care for recipients under Medicaid expansion and again in response to the COVID-19 pandemic.~~

126-128: Replace text to next subheading:

For over ninety years, federally supported and state-administered antipoverty programs have been important to the well-being of West Virginia’s families. Recent trends reveal new wrinkles in their evolution. In general, the state and the federal governments have encouraged the move away from traditional cash assistance, or what are generally considered “welfare” program. Today West Virginia’s state government provides some funds and remains responsible and liable for the administration and accountability for the TANF, SNAP, and WIC programs and, together with county, municipal, and school districts, the distribution of benefits of other antipoverty programs. Because of the 2026 federal budget, the share of costs of state and local administration of these programs is to increase.

TANF (Temporary Assistance for Needy Families) Since 1996 the federally designed and block-grant-funded TANF program has shifted the state’s antipoverty policy to an emphasis on the work-first/work attachment antipoverty strategy. The TANF imposed lifetime cash payment benefit limits and created mandatory work participation rates. By providing each state with a set amount of funding, the federal government encouraged states to experiment with innovative programs to remove recipients from assistance. In addition, states were mandated to demonstrate that ever-increasing proportions of their adult TANF recipients were engaged in a work activity.³⁰ After the program launched, the state struggled to administer it. In its first years of operation the state’s TANF program, named WVWORKS, faced administrative and funding problems caused by the reorganization of services, a necessary adaptation in the mindset of public employees, and “a lack of administrative capacity.”³¹ Following administrative changes, to qualify for WVWORKS individuals must be responsible for a child under nineteen years of age, have low or very low income as measured by an income test, and be either underemployed and working for very low wages or unemployed. All work-eligible parents or caretakers are required to participate in a work activity whenever the individual is ready to engage in work or when the individual has received program

benefits for twenty-four months, whichever comes earlier. In most instances, the cash payments are subject to a sixty-months-in-a-life limit. Eligible participants can also receive publicly supported job training and a school clothing allowance for children. The state began to screen adult program applicants for illegal drug use in 2017, and individuals who test positive must enter a substance abuse treatment and counseling program to be eligible for benefits.³² Overall, the welfare-to-work requirements of TANF apply to relatively few. Recognizing the difficulty many parents and guardians experience in finding and holding on to jobs, West Virginia, like many other states, has shifted much of its caseload to “child-only” cases. Under this designation, parents or guardians are excluded from cash assistance allowances, leading to a smaller cash benefit for the family. However, no work requirements or time limits are imposed through this arrangement. Furthermore, in this way many parents and guardians retain eligibility for Medicaid and SNAP that they would otherwise lose. The restrictions on participation have meant that TANF provides benefits to fewer individuals and families. During the past two decades the number of TANF recipients has decreased by half. In 2024 there were approximately 9,200 adults and children enrolled in the program, representing about 0.5 percent of the state’s population.³³

SNAP (Supplemental Nutrition Assistance Program) West Virginia’s state government remains responsible and liable for the administration and accountability of the SNAP program. SNAP provides food benefits to low-income families to supplement their grocery budget so they can afford the nutritious food essential to health and well-being. As defined by the federal government, eligibility to receive benefits is based on household size, income, assets and some household expenses. Using a card provided by the state, recipients may only purchase food for human consumption and seeds or plants to grow food at home. Beneficiaries in certain counties can be deemed exempt from the requirement. SNAP provides an average of \$170 per month in assistance to almost sixteen percent of the state’s population. Since 2018 the state has required that able-bodied adults between the ages of eighteen and forty-nine who do not have dependents work at least twenty hours a week to keep their SNAP benefits. This requirement has not been fully implemented because of poor economic conditions in many parts of the state.³⁴ However, the 2026 federal budget will require more frequent reports or certification of job status by recipients, oblige work for able-bodied beneficiaries until age sixty-four unless they have children under age five, and force West Virginia either to pay a portion of SNAP benefits (perhaps as much as \$85 million) or reduce payments by cancelling the 2014 expansion of Medicaid coverage or other measures.³⁴

WIC (Special Supplemental Nutrition Program for Women, Infants, and Children) WIC is a short-term program designed to provides nutrition counseling, parenting advice, breastfeeding support, food assistance, and referrals to help women and their young children live a healthy life. For eligibility, beneficiaries must meet several income, nutritional need, and health requirements or receive Medicaid, SNAP, or TANF benefits. The program provides only a limited range of food choices for a limited period. In 2024, 57,740 West Virginians enrolled in WIC.³⁵

Implications: Until 2026 the scale of federal antipoverty grants to state government grew. Despite constraints on eligibility, federal government grants with state-matching requirements became a significant portion of the state budget. When coupled with Medicaid, CHIP, and Medicare, the antipoverty programs assisted more than half of the state's population. These programs thus came to be central items on the state's policy agenda. They also illustrate how policymaking by the federal government has as much an influence on West Virginia politics as do interest groups and elections.

128: then, above subheading: Direct Federal Assistance to the public add section:

Congressionally Directed Spending

Often Members of Congress will announce and claim credit when a federal agency approves a grant of funds in response to an application from a state or local government or nonprofit organization. Additionally, Members of Congress have used their influence over the federal budget to direct expenditures to their state or district. For example, as majority leader of the U.S. Senate, West Virginia Senator Robert C. Byrd (D, in U.S. House 1953-59, U.S. Senate 1959-2010) induced Congress to direct spending to locate federal facilities and jobs in the state, such as the FBI Center in Bridgeport, the Bureau of Fiscal Services in Parkersburg, NASA in Fairmont, the Coast Guard's National Maritime Center in Kearneysville, and National Institute of Occupational Safety and Health in Morgantown. With Senator Jennings Randolph (D, in U.S. House 1933-46, U.S. Senate 1958-85) he pressured for the construction of an Appalachian Highway network, and he directed funds to West Virginia University medical projects and at least thirty other federal projects in the state. Critics complained that Byrd's "pork barrel" efforts rewarded the state with billion in federal expenditures.²⁴

Also, members of Congress have requested the expenditure of federal funds for "community development projects" proposed by state and local government agencies and nonprofit organizations. Normally U.S. Senators and U.S. House members request must meet standards set by the appropriations committees for their house for the inclusion of these projects in the federal budget. In recent years the requests resulted in more than \$15 billion spent on more than 7,000 projects across the nation. As an example, for West Virginia in Fiscal Year 2025 U.S. Senator Shelley Moore Capito requested directed federal spending for 398 projects. These requests ranged from \$11 for police bike patrols in Lewisburg to \$48,000 to support the construction of a facility for the state's National Guard. Of her requests, 162 were for a wide range of public health projects and programs, 133 were for water and wastewater treatment improvements by local governments, and 36 for police and other first responder services. Other requests were for funds for improvements in public and nonprofit facilities and the educational and social welfare programs of nonprofit agencies. More significant direct spending occurred when Senators Capito and Manchin jointly supported projects. For example, they secured \$1.5 million for West Virginia University Libraries and partner libraries to provide digital access to more than 8,000 congressional documents.²⁵ However, Congress did not include directed spending in the 2026 federal budget.

128: Change text after: ... federal payments and benefits: In 2025 West Virginians residents received \$2.72 in federal assistance for every \$1 they pay in taxes.⁴² Among residents, a total of 16.8 percent receive direct federal economic benefits. These

include Social Security retirement and disability payments (a third of state residents), Railroad Retirement benefits, Medicare, veterans' benefits, Black Lung Program benefits, federal employment, or other federal sources of income, including the federal share of unemployment benefits. Tax credit provisions in the Affordable Care Act (ACA) have allowed more than 200,000 West Virginians to purchase low cost healthcare insurance through a federal electronic marketplace. (The termination of these provisions in 2026 promised a massive increase in insurance costs for at least 65,000 persons or a choice to drop health insurance). In 2024 the federal government awarded more than \$27.7 million in subsidy payments to 4,660 West Virginia farmers.²⁶

West Virginia is among the top five states in percentage of its workforce employed by the federal government. Excluding U.S. postal employees, at the beginning of 2025 approximately 17,300 federal employees work in West Virginia.⁴³ They are employed in a variety of field offices, as well as at larger federal facilities associated with the FBI, federal correctional institutions, NASA, the Internal Revenue Service, and the Bureau of Fiscal Services. However, Trump administration policies have reduced the number of employees. Federal employment was reduced at the Bureau of Fiscal Services in Parkersburg and in the Monongahela National Forest. The Trump administration closed the National Institute of Occupational Safety and Health in Morgantown, affecting its programs focused on black lung disease and miners' health. The Trump administration also drastically reduced inspections of mines by the Mine Safety and Health Administration. The number of jobs lost is difficult to ascertain but is probably between 500 and 2,000.²⁷ Additional federal spending comes in the form of the purchase and procurement of goods and services. Together, these activities circumscribe the economic issues that appear on the policy agendas of state and local governments.

129: change section, eliminate previous text:

The Changing Scope of Federal Economic Dependency

Intergovernmental transfers from the federal government to the state, its local governments, and individuals amount to a massive but legally and politically conditioned transfer of money. In 2024, state residents got over twice as much in federal funding as they paid in taxes.⁴⁴ The state budget of \$19.3 billion for the same year included \$9.2 billion in federal funds. As noted above, the magnitude of these expenditures and the dependence of the state and its residents on them make the federal government a major player in West Virginia's state and local governance and the lives of its public.

However, the federal role in West Virginia is subject to the vicissitudes of national politics. Devoted to decreasing federal domestic spending, the regulation of business, and social support programs that primarily assist the disadvantaged, in 2025 the Trump administration and its Republican allies in Congress adopted a budget that reduced or eliminated support for a variety of programs that affect West Virginians. One projection is that by 2030 between \$500 million and \$1 billion in federal dollars will return to West Virginians each year.

The funding reductions affect what state and local governments can accomplish. For example, they have generated reductions in the staff and the services offered by

county health boards, the funds available for roads and other infrastructure projects, and the range of programs offered by public schools—especially the programs for poor and disabled students. Changes in eligibility rules for Medicaid promise to reduce the number of recipients—projected at 50,000 to 100,000 Medicaid clients by 2034, the services available them, and the funds that clients spent at food and healthcare establishments. Up to 80,000 SNAP recipients may lose benefits. Significant reductions in programs for veterans, research funding, especially on health at West Virginia University, in Low Income Home Energy Assistance, and in after school programs and school nutrition programs for youth also occurred.

A series of rippling effect of these cutbacks can be anticipated. Charities, some of which receive federal grants, face problems. For example, cutbacks in the federal Emergency Food Assistance Program left the state’s food banks, such as those in Charleston, incapable of meeting the needs of clients. Charities will also face greater demand for other services. The loss of federal research dollars at colleges and universities and changes in federal grants and loan programs for college students will affect the breadth of education for youth. For local business and farm income, the value of homes, local and state income and property taxes, grocery store, hospital, home care, and nursing home revenues, medical professionals’ salaries, the cost of health insurance for services not compensated by Medicaid and Medicare or assisted by the ACA, and the general health and quality of the public have yet to be calculated.²⁸

133: Change last sentence ending the first full paragraph: When these cases settled, Morrissey refused to join in the agreement because of the formula used to allocate funds to West Virginia.⁵⁶ To: Morrissey refused to join in an initial settlement agreement because of the formula used to allocate funds to West Virginia. However, the state joined a revised settlement agreement for the cases in 2025. Also, a federal appeals court revived a suit against drug makers by Huntington and Cabell County.⁵⁶

Chapter Seven

144: last three lines change: ... proposed 127 amendments to ... proposed 128 amendments and: By 2021 seventy-five ...// to By 2024 seventy-six

147: add before subheading and ... after abortion” and adjust endnote location to read:

Additionally, in 2024 the voters narrowly approved an amendment to prohibit medically assisted suicide, euthanasia, or mercy killing of a person. However, it permitted the use of medication for the alleviation of pain, the withdraw of life-sustaining treatment requested by the patient or the patient's decision-maker, and capital punishment.²⁴

159: Add on first line after: ... of their children. Add endnote: ²⁹

Chapter Eight

164: add to sentence The 2022 election resulted in thirty new delegates, and the 2024 resulted in twenty new delegates. Also, the 2024 election produced seven new senators, almost twenty-one percent of Senate membership.¹⁵

165: updated data, second full paragraph, third sentence to end of page: For example, the

2025–2026 Senate had twenty-nine male members and five female members. The House of Delegates had ninety male members and ten female members. Three House members but no senators were African American.¹⁸ Generally, American state legislators tend to be attorneys, business owners, teachers, farmers, and political careerists such as lobbyists, agency, legislative staff, or community organizers by professional background.¹⁹ In the case of West Virginia, the professional biographies of state senators in the 2021–2022 legislative session reveal that half the members had careers in business, with six lawyers a distant second. There were three physicians and three members with a background or education in religion. Among House of Delegates representatives fifty-four were businessmen, fourteen were lawyers, while the rest represented a host of other occupations. More recent data does not exist.²⁰

169: delete and edit sentence: ~~Currently hosted by Hoppy Kercheval, the show ... to The show~~

170: line7 from bottom, italicize *bills*, then after bills insert: (proposed laws)

171: changes in sentence in first paragraph: For example, in the 2025 session members of the House of Delegates introduced 1,521 bills and senators introduced 944 bills. The legislature completed action on ~~only~~ 249.³¹

175: first full and second paragraphs, replace, with edits and additions, the following:

Standing committees are subgroups of legislators who perform three tasks: the review and often the rewriting of bills submitted by members, public hearings about bills, and the oversight of executive branch agencies. For decades there were twenty standing committees in the House, with most committees having from twenty-two to twenty-five members. Except for the Rules Committee they were divided along substantive policy lines such as agriculture and natural resources, energy and manufacturing, finance, and veterans' affairs and homeland security. As of the 2025 session, the Senate had sixteen standing committees. Each had a policy specialty, and each had a committee membership ranging from seven to seventeen members.

In 2025 the House Republican leadership reduced the number of standing committees to six: Health and Human Resources, Energy and Public Works, Finance, Government Organization, Education, and Judiciary. Each of the standing committees then operated with three or four subcommittees. Each subcommittee addressed a specific policy arena. For example, the Finance committee's subcommittees were revenue, banking and investments, and appropriations. The Education committee's subcommittees were public education, higher education, and educational choice.³⁸

The chamber majority leader refers to at least one standing committee for review. As they review and craft the details of bills, they can consider information from one of eight sources. These sources provide the "curricular framework" ...

176-177: Remove paragraph at bottom of page that begins: "Committees typically ..." and replace with:

American legislatures have typically obtained information about the implications of bills through public testimony at public hearings. When a committee takes up a bill, at a

hearing the committee counsel will explain the legislation and answer questions asked by the members. Public hearings on bills with testimony from organized interests and the public occur at the discretion of the committee chair. Committee members can also invite witnesses to speak on the legislation. Senators can then offer amendments to the bill. Then the committee will vote to adopt or reject them. Finally, the members vote on whether to recommend the measure to be passed or rejected by the full Senate.

Historically House committees and subcommittees reserved public hearings on bills only for the consideration of the most important bills. They were scheduled at the discretion of the committee or subcommittee chair or were required in response to a written request by a member or the public. Notice of a hearing had to be provided at least two days before the hearing. Most hearings consisted of testimony from the bill's sponsor, a detailed explanation of the bill by committee staff and counsel, and statements from the executive officials responsible for implementing the bill. Other frequent participants were lobbyists and other "stakeholders" whose organizations are potentially affected by a bill. Occasionally, interested citizens signed up to speak on controversial issues. Then the chair allotted the time for their comments.

In 2025 the House leadership changed this process by the introduction of a three-day calendar. During the first day the committee or subcommittee hears from a bill's sponsor and can take testimony from affected state agencies and the committee legal counsel. The committee or subcommittee then amends the bill on day two, and votes on the bill on day three. Citizens and organized interests can submit their comments to a committee in writing. At the discretion of the chair, they can physically briefly address the committee on day one of the schedule. However, the committee does not have to post an agenda to inform the public about the consideration of a bill or offer a timeline for the introduction of comments.

In the past most House hearings created little interest outside of the capitol building. However, given legislators' lack of expertise about some policy options, the presentation of information at hearings by expert testifiers and agency personnel often carried decisive weight in constructing a policy. Public participation drew attention to a policy proposal and alerted legislators to potential implementation and unanticipated social and economic implications of a bill. Today, of course, House committee members can choose to read and seriously the written comments about a bill from organized interests and the public. Nonetheless, the limitation on hearings and the possible neglect of written comments appears to reduce the flow of information to House delegates. Potentially the direct and indirect restrictions on public participation in the consideration of bills might limit delegates' capacity to make considered policy choices⁴⁴

178: line 5 from bottom, after process insert: (see below pages 233-34).⁴⁶

186: insert above heading, ASSISTANCE FOR LEGISLATORS. insert:

Internal Legislative Organizations

Groups of policy-oriented legislators can create informal caucuses to advance their political goals. For example, copying a similar organization in the U. S. Congress, some Republican West Virginia legislators have formed a Freedom Caucus. Critical even of conservative interests such as the state's Chamber of Commerce, the Freedom Caucus

promotes a “no compromise” agenda that seeks to reduce taxes, opposes governmental subsidies of business, opposes abortion, and rejects various regulatory policies it considers to be “liberal” and that affect “traditional family values” such as mandatory vaccination of school children and protection of the interests of transsexual children.³⁰

189: line 5 above subheading, insert after: If any claim: for property damage or criminal victimization // is allowed...

Chapter Nine

194: add sentence at bottom of page: At the conclusion of Justice’s second term in 2025, Republican Patrick Morrissey became the governor.

195: Insert after ... combined 30.9 percent. In the intensely contested 2024 Republican primary contest Attorney General Patrick Morrissey won his party’s nomination with only 33.3 percent of the vote, with delegate Moore Capito (27.6 percent), businessman, Chris Miller (20.4), and Secretary of State Mac Warner (16.0 percent) dividing most of the remaining votes.

197: Insert after ... organization of some executive branch agencies.: Using executive orders as a management tactic, when he came into office Governor Morrissey immediately issued executive orders for executive branch agencies to review and reduce regulations, review past spending decisions, and design efficiencies. He also ordered executive branch personnel to implement his campaign promises to allow exemptions from compulsory student vaccination requirements, end diversity, equality, and inclusion programs in state government, and set school choice as a priority of his administration. Another order required state law enforcement personnel to “fully cooperate” with Trump administration orders to apprehend and detain undocumented immigrants.¹¹

200: at bottom of page after note 16, add: In 2025 Governor Morrissey used his inaugural speech to reiterate his campaign promises to cut taxes, increase governmental efficiency, impose limits on the participation of transsexual children in scholastic sports, raise teachers’ salaries, fight the opioid epidemic, and other policy objectives.³¹

202: above first subheading change: ... syndicated newspaper columns and the radio program of *MetroNews*’s Hoppy Kercheval¹⁹ to: ... syndicated newspaper columns and *MetroNews*’ Talkline radio program.

208: Add after 2020 and above section break: More frequent is the use of the line-item veto to excise expenditures included in the legislature’s budget. For example, Governor Morrissey used the line-item veto to eliminate 29 proposed expenditures in the legislature’s 2025 budget. The reductions included over \$110 million from three surplus funds, a \$25 million cut to the State Road Fund, a \$187,000 cut to the more than \$11 million allocation to the state Veterans Nursing home, and a \$3 million cut from the initial \$5 million allocation to the Ronald McDonald House in Morgantown. Also, he vetoed \$250,000 appropriation that legislators made to the WVU College of Law and.³²

215: insert after ... COVID-19 vaccine mandates. Likewise, his successor Attorney General J.B. McCuskey joined a multistate suit that challenged federal taxation of methane emissions from natural gas and oil wells as an incentive for energy firms to curb emissions.

Chapter 10

221: Changes in full paragraph and internal paragraph break:

The day-to-day administration and delivery of services and programs relies on employees like those in the Parkways Authority. In West Virginia, as in all states, many administrative duties are assigned to civil servants and public employees. Today's public service is best understood as a complex employment system made up of "classified" employees in the regular civil service system selected because of *merit* or ability, knowledge, and skill to perform a job as well as those who are appointed to their positions at the "will and pleasure" of the governor. Whereas in the past the qualifications and abilities of many state employees were often called into question, today the situation is different. In West Virginia and elsewhere this shift is the result of a variety of factors, including a more professionally educated civil service workforce that has also experienced training and the inculcation of values offered by national professional associations. However, reflective of the national Republican party hostility toward the policy implementation practices of career merit civil servants, at the behest of Governor Morrisey the Republican majority of the legislature removed some personnel from civil service protections. These persons included all new hires within the Bureau of Senior Services and the Departments of Administration, Environmental Protection, Revenue, and Veterans' Assistance and some employees whose jobs involved federal program implementation.³³ It is not clear whether this measure signals a return to *patronage*--the employment of civil servants because of their political affiliations rather than merit.

Efforts to improve the public service have included a focus on centralizing public employment oversight. Since 1989 the Division of Personnel within the Department of Administration has carried out these functions. In 2024 there were an estimated 35,362 full-time and 12,041 part-time state employees. Among full-time employees, approximately 14.8 percent were in health and human services occupations, approximately 8.0 percent in corrections positions, and approximately 15.3 percent in highway maintenance. By far the largest category was higher education, which accounted for 32 percent of all full-time employment. The remaining 29.9 percent of the full-time workforce was engaged across a wide spectrum of activities, ranging from general administration to financial management to regulatory compliance and public safety. Higher education accounted for the largest share of part-time state employees, totaling 9,709, or about 80.6 percent of all part-time positions.³ Because of the variation in pay scales between jobs and between agencies or position, it is difficult to provide accurate summary statistics on average pay in the aggregate for full-time state employees; however, a The Council of State Governments reports that, as of March 2018, the average monthly pay for a state employee in West Virginia was \$4,107 as compared to a national average of \$5,593. 2020 legislative analysis found that average West Virginia state salaries fell far short of those in neighboring states such as Pennsylvania, Ohio, and Virginia.⁴

224: insert above the subheading: "industry killing" agency. Also, parroting a pledge of President Trump, Governor Morrisey pledged a "wholesale review" of the executive branch to eliminate supposed redundancies, inefficiencies, and wasteful spending. To

facilitate the process, he appointed a Virginia-based lobbyist as deputy chief of staff and created an Energy, Infrastructure, and Competitiveness Council.³⁴

229: line 10: after ... which continued to retain a broad regulatory portfolio. Insert: Not satisfied with these changes, in 2005 Governor Morrissey proposed to merge the Departments of Commerce and Economic Development, as well as the Department of Arts, Culture and History with the Tourism Department. After considerable debate the legislature moved the Department of Economic Development under the Department of Commerce and eliminated the Department of Arts, Culture, and History and transferred its divisions, boards, and agencies to the Department of Tourism.³⁵

230: Cut in sentence in middle of first section: Other departments and bureaus that provide important services but whose size and scope of activities are smaller include the Department of Health, Department of Health Care Facilities, Department of Environmental Protection, Department of Commerce, and the Bureau for Senior Services, the Department of Education, ~~Department of Arts, Culture, and History~~, the Department of Veterans Assistance, and the newly created Department of Tourism. ~~and Department of Economic Development~~

231: Figure 2. Eliminate boxes of: ~~Department of Economic Development, Department of Arts, Culture and History~~

232: changes in second paragraph; Direct management of each institution—its academic programs, personnel policy, business affairs, and tuition—is in the hands of its BOG. Formerly composed of gubernatorial appointees, a classified staff member, and a student, they oversee institutional operations, in 2025 legislation eliminated the staff and student members and increased the number of gubernatorial appointees on boards.³⁶

232: third line from bottom, after: ...the state's long-term reductions in institutional support.: insert: For West Virginia University the change resulted in decreased state appropriations of more than \$8.7 between fiscal year 2024 and fiscal year 2026, leaving the state share of the University budget at 15.3 percent.³⁷

233: After sentence ending ... appointment of presidents to football schedules. For example, in 2025 the legislature created a Washington Center for Civics, Culture, and Statesmanship for “creating and disseminating knowledge about classical western history and culture and American constitutional thought.” Although duplicating existing courses and programs, because the center director was a gubernatorial appointee the center appeared to be a mechanism for the governor's intervention in the social, historical, and political content of university curriculum.³⁸ Another example was the legislature's 2025 passage of bills that authorized state higher education institutions to establish a nonprofit to manage revenue sharing and Name Image Likeness (NIL) opportunities for student-athletes and to prohibit the National Collegiate Athletics Association (NCAA) and other national athletic governing bodies from punishing institutions or student-athletes for revenue sharing and NIL opportunities.³⁹

236:

Policy Implementation by State Agencies

The state's departments, bureaus, and agencies are the key participants in the implementation of programs and policies. Administrative capacity for policy implementation varies across departments or even within departments.⁴⁶ The implementation of many policies and programs is often not politically controversial or is subject to occasional complaints about the delivery of a service. For example, West Virginia Parkway toll collectors do their jobs with little public complaint or political criticism. The Division of Motor Vehicles employees issue drivers' licenses with only minor grumbling about waiting lines. State Archives staff assist genealogists free of any political critique of the implementation of their duties. By following routines and procedures the street level bureaucrats of these agencies and many other agencies usually meet both public expectations and the performance standards set by agency supervisors.

Discretion in Routine Implementation

Some state agency personnel, for example state police, Department of Human Services caseworkers, and hazardous waste inspectors of the Department of Environmental Protection, are more likely to exercise discretion in the implementation and enforcement of laws. Their discretionary judgments can include selective enforcement of the law (speeding tickets by police), individualized resolution of disputes (neighborhood disputes about septic tank overflows environmental inspectors), or selective treatment of clients (decisions to report suspected unhealthy living conditions of clients by social services caseworkers). Such discretion is based on their assessment of the behavior of citizens or businesspersons, the availability of time and funds to conduct their duties, and the extent of supervisory oversight. Often such discretionary judgments carry a subtle political message about citizens' rights and responsibilities. Also, if repeated over time, they can amplify or modify the meaning of laws or policies. However, agency clients rarely take political action to question such bureaucratic discretion.

Issuance of Permits and Licenses

The implementation of regulatory policies often requires that state agencies supervise the actions of businesses and the public. To ensure that the public good is served, agencies implement requirements for regulatory permits and licenses to govern the conduct of various economic, healthcare, environmental activities, and professions. The range of required permits and licenses is extensive. Some examples of business operations that require permits are: the use of highways by commercial trucks oversized vehicles, the operation of taxis and wreckers, vehicle inspection stations, mining, air emissions, stream disturbance, wastewater disposal, underground disposal of industrial water, hazardous waste disposal and other practices that affect the environment, the construction of public utilities such as water, natural gas, and electrical lines, the expansion of health care services, the purchase of major medical equipment by hospitals, the establishment of new health care facilities, and medical cannabis dispensaries. The state requires licenses of certain individuals and service providers to ensure that they have the capability to perform their profession or task and adhere to certain standards that serve the public good. For example, the state licenses the practice of medicine and most

other health professions, contractors and skilled tradespersons such as plumbers and electricians, notaries, real estate salespersons, athlete agents, marriage celebrants, barbers and cosmetologists, civil engineers, morticians, and veterinarians. Also, it licenses individuals whose behavior can potentially affect the public such as motor vehicle drivers, hunters, and fishermen.

It is the duty of various state agencies to establish some of the requirements and review applications for the permits and licenses. Cast as administrative rules, the requirements are subject to legislative approval. The establishment of requirements or issuance of some permits also requires a public hearing or opportunity for public comments. For example, the Department of Natural Resources holds yearly public hearings about hunting and fishing regulations; the Public Service Commission holds public hearings before issuing permits for utility construction projects; and the Health Care Authority has hearings to permit hospital and other healthcare expenditures.⁴⁰

Decisions on the issuance of permits and licenses often is a routine process. For example, a contractor passes a state certification assessment and test and receives a license. However, sometimes the issuance of permits, especially those that affect the environment or consumer costs, can become controversial and politicized. For example, hearings on utility rate regulation and utility construction projects before the state's Public Service Commission have featured contentious public hearings and charges of collusion between regulators and power companies made by some interest groups.⁴¹

Politics and Implementation: Two Cases

There are instances when political considerations and state and local government conflicts can more directly affect administrative capacity to implement the laws adopted by the elected branches of state government. Additionally, state administrators often find themselves in the position of having to balance competing demands placed upon them by state officials and with federal regulatory or administrative requirements. Especially in recent decades, substantial changes in intergovernmental relations have resulted in the "devolution" of the implementation of federal programs through federal transfers to state agencies. The aim of devolution was to give state agencies more flexibility in the implementation of policies.⁴⁷ At the same time there has been a trend to reduce the amount of federal money for state programs. The result has been a time of uncertainty and controversy for state implementation of federally mandated programs or programs reliant on federal grants.

To illustrate the web of political considerations that can affect agencies implementation of policies, this section offers the example of two high-profile administrative experiences. One showcases the capacity of the state to successfully design and implement the expansion of its Medicaid program beginning in 2013. The other illustrates low capacity, as evidenced in the troubled and controversial management of disaster recovery efforts in the months and years following floods that hit the state in 2016.

[subheading here]

237: line 6: revise remainder of paragraph: For example, budget estimates for state fiscal year 2026 forecasted approximately \$990 million in general state revenue going toward

the state's Medicaid program.⁴⁸ Most of these funds in turn would be used for federal funds that result in the state receiving about three dollars for every one dollar in state match. Overall, of the approximately \$9.53 billion in federal intergovernmental transfers anticipated for fiscal year 2026, an estimated fifty-eight percent of these funds would be directed to Medicaid (\$4.4 billion) and other programs operated by the West Virginia Department of Health and the Department of Human Services.⁴⁹

242: middle of second full paragraph, after ...year of effort add: Finally, the state has not set aside funds to pay for the effects of future flooding, responded slowly to flooding in 2025, and faces cutbacks in federal disaster relief funds.⁴² Then paragraph break and start new paragraph with: Concerns have...

Chapter 11

245: revise second paragraph:

Between the fiscal years 2016 and 2026, West Virginia's budget grew from an estimated \$12.5 to \$19.1 billion. Much of this growth can be attributed directly to federal funds. The federal share of the state's budget had been growing during these years, accounting for an estimated \$9.5 billion for 2026. However, about \$2 billion in federal funds are "passed through" by state grants to local governments such as county boards of education and special districts. The remainder of the state's budget is covered by revenues generated within the state using a combination of income, sales, severance, excise, and other taxes, as well as revenues from the state lottery, licenses and fees.¹ If one accounts for inflation, the rate of budget growth between 2016 and 2020 is unremarkable and represents a slow upward trend. However, after 2020 budgetary dynamics changed dramatically. With the economic disruptions associated with the COVID-19 pandemic, the federal government pursued spending initiatives to support public programs and finances at the state level. This increased overall federal transfers to states such as West Virginia. In addition, as the pandemic receded, industrial and consumer demand contributed to renewed economic activity that provided surplus revenues to the state's coffers. However, a decrease in federal transfers of funds initiated by the Trump administration and a Republican controlled Congress, especially for the Medicaid program, has placed new strains on state finances. This chapter places these disruptions in the broader context of recent budgetary trends in West Virginia.

246-247: modify text after section break, Where does the Money come from:

The heart and soul of the state's finances is the General Revenue Fund. This revenue base is generated primarily from personal income taxes (approximately 41 percent), consumer sales and use taxes (27 percent), corporate net income and business franchise taxes (6.5 percent), severance taxes (14.5 percent), and taxes on tobacco, alcoholic beverages, healthcare providers, motor vehicle fuels, and insurance (6.6 percent). Together these currently provide about 95.7 percent of state tax revenues in West Virginia. Special excise taxes and fees, such as for licenses for lottery and alcohol sales, round out the state portion of the general revenue base. In addition, the state receives federal funds estimated at \$9.53 billion for fiscal year 2026.²

West Virginia's state income tax burden is comparable to that of most states. In

2025 it was ranked twenty-third in the country for overall state-local tax burden. In terms of sales taxes, West Virginia's state rate of 6.0 percent ranked as nineteen among the states.³ However, as will be discussed in chapter 13 many municipalities have the option of imposing an additional 1 percent sales tax, which can bring the effective rate to 7 percent for some purchases. It is important to note that in a state with a low per capita and median family income, sales tax burdens are amplified among lower income populations. As in other energy-producing states, West Virginia has also relied on severance taxes on coal, natural gas, oil, sand and gravel, and timber to support general fund budgets. Approximately 85 percent of revenues derived from these taxes are directed to the state treasury and 15 percent to local governments. Of the local share 75 percent is distributed to oil and gas producing counties, while the remaining 25 percent is distributed to all counties and municipalities based on population.⁵

248-249: revise the last two sentences in second paragraph and following text: For consumer sales and use taxes, collections in 2018 stood at approximately \$1.25 billion and in 2025 at approximately \$1.84 billion. In the same period, personal income tax receipts increased from approximately \$1.92 billion to \$2.02 billion.¹⁰

West Virginia's severance tax on coal, gas, and other natural resources extracted from the state is important; it serves as a policy instrument that contributes to the state's general revenue coffers and the workers' compensation debt, as well as returning revenue to the counties on a formula basis. It is now levied exclusively on coal and gas production, with the tax having been phased out for timber and quarry production. Since the 1990s the severance tax has consistently been the third most important revenue stream in the general revenue fund. But, because of vagaries in domestic and international energy markets, it is difficult to project future returns on this tax. Between 2015 and 2022 total severance tax collections varied between \$260 and \$792 million. One important development has been increased revenues from natural gas production in recent years. Long the dominant source of severance receipts, coal production has been eclipsed by natural gas production. Nonetheless, coal remains an important component of severance tax receipts, ranking second behind natural gas. The remaining severance revenues come primarily from oil and other sources. Both the natural gas and coal markets are turbulent, leading to ebbs and flows in annual collections. For example, between 2021 and 2022, natural gas severance taxes increased from approximately \$89.3 million to \$396.6 million. As of 2022 total severance revenues were approximately \$792 million as compared to about \$296 million in 2021. Attesting to the volatility of severance tax revenues is the fact that this represents a 160 percent increase in revenues over the course of one year. However, by 2024 the revenues from the tax had decreased to just over \$120 million. Since resource production varies because of global demand and international trade policies, severance tax collections can vary dramatically from year to year. Such fluctuations make longer term planning for the financing of policies difficult for the state and its local governments.¹¹

250: revise second full paragraph first sentence, add text:

Lottery Fund Revenue: One of the most ...

250-251: revise data beginning in last paragraph:

In addition to lottery fund revenue, which includes revenue from the lottery, video gaming parlors, and racetrack slot machines, there is also a revenue category called the **Excess Lottery Fund**. This revenue pool is activated once a threshold of receipts has been reached in the regular lottery fund. Revenues are used for a wide spectrum of activities, including economic development, infrastructure investment, and transfers to the general revenue fund.²²

In fiscal year 2025 approximately \$149 million was appropriated through the regular lottery fund. Originally envisioned as a “windfall” account, in 2025 proceeds of the excess lottery fund amounted to over \$337.4 million. Most of these funds were directed to education, senior services, tourism development, and transfers to the state’s general revenue fund. Legislation in 2025 allowed the transfer of excess lottery funds to racetracks for their modernization and gave the governor the flexibility to redirect lottery revenues, particularly to cover budget shortfalls.²³

West Virginia has enjoyed a substantial growth in lottery and related gambling proceeds in recent years. Legislation enacted in 2001 regulating various forms of under- or untaxed gaming was instrumental to this increase. These surplus revenues have grown significantly in the excess lottery fund.²⁴ Prominent among these are video lotteries or electronic gaming machines which are regulated and operated at racetracks and in stand-alone facilities called “hot spots.” In 2024 these machines grossed nearly \$448.4 million. In 2007 the legislature provided for local option table gaming on roulette, craps, poker, baccarat, blackjack, and other table games. More recently West Virginia followed the lead of an increasing number of states that have adopted online “I-gaming” and sports wagering utilizing online platforms. Revenues from online and sports wagering have grown exponentially since 2021, from zero to more than \$33 million per year.²⁵

252: at end of paragraph above the subheading: after

... state’s income tax rates. add:

The effects of the tax cuts have yet to materialize. In fiscal years 2024 and 2025, West Virginia state tax collections declined. Coupled with a decline in the number of tax paying workers in the state, the numbers paint a stark picture for the state as significant federal policy changes will shift hundreds of millions of spending obligations onto the state budget.⁴³

State Road Fund: West Virginia uses a combination of funds to operate, maintain, and improve the extensive public roadway system. It has more than 38,800 miles and more than 7,200 bridges under the jurisdiction of the West Virginia Division of Highways. The Division’s tasks are funded from the State Road Fund. It receives revenues from motor fuel taxes, consumer sales and service taxes from vehicle sales and leases, vehicle registration and license fees, and federal funds. As dedicated revenues, the monies cannot be used for anything except public highway and bridge expenditures. The revenues from these sources are estimated to be \$987 million for fiscal year 2025, and the federal government projects to add an additional \$929 million to the Fund.⁴⁴

252: revise; after subheading:

Total state budgets reflect more than the sum of general and special revenue funds. They also include intergovernmental transfers. Indeed, once federal transfers are factored in, West Virginia's budget more than doubles. It is estimated that in 2019 approximately \$5.1 billion in federal funds were transferred to the state government. The COVID-19 pandemic saw an additional influx of federal funds, so that by 2022 estimated transfers were approximately \$7.4 billion. Increased federal funding is anticipated in the near future, with estimates topping \$9.2 billion by 2025.²⁹ However, it is projected that the influx will decrease in the future, especially after 2028. As discussed in chapter 6, these transfers often require the implementation of federal mandates and policy priorities by the states through what is known as "fiscal federalism." The federal dollars are for special purposes and have restrictions on their use. Their intent is to further the policy ends and objectives of the federal government and to respond to state needs.³⁰

Most federal transfers are directed to health and human services programming. For example, budget forecasts for 2026 estimate that over 57.6 percent of all funds coming from the federal government to the state will originate from programs under the jurisdiction of the U.S. Department of Health and Human Services. Of this, the lion's share goes to the state's Medicaid program. In comparison, the next largest category of transfers is from the U.S. Department of Education, which is estimated at 12.0 percent. Other federal funding comes from programs and grants administered by such federal units as the Department of Homeland Security, Department of Interior, and other entities.³¹

253- 254: revise after subheading Distribution of Revenues:

Taxes and other revenue-producing instruments are directed, of course, to the functions of government and the delivery of public programs and services. Policymakers must engage in a balancing act between action required to raise revenue and expectations that services be delivered. For the 2026 state fiscal year, \$5.73 billion in general revenue, lottery, and excess lottery appropriations were directed across the wide spectrum of governmental functions. Most of the funds are budgeted for four broad areas of government programs and services. Public education for K-12 students accounted for 41 percent of general fund appropriations. Health and human resources services, directed to the administration of various public assistance programs and other services, accounted for 20 percent of general funds appropriations. Higher education accounted for 9 percent of obligated general funds, and homeland security (public safety and corrections) accounted for 9.5 percent of appropriated general revenue funds.³⁴ This is a common trend across the states and has been consistent in West Virginia in recent years. Another common trend has been upward cost pressures in the areas of health and human services and public safety and corrections.

260: revise data; beginning in the middle of the first paragraph:

Many of the state's general obligation bonds are directed to road construction, the most recent being the Roads to Prosperity Constitutional Amendment, which authorizes the state to issue up to \$1.6 billion in bonds, on which the 2026 balance due was \$1.36

billion. Bonds have also been used to fund school construction and general infrastructure development. Since 1950 bonds have also been authorized for special veteran's bonus programs. The state utilizes bonds to fund facilities construction for schools and higher education. All told, the state has approximately \$1.388 billion in revenue bonds, which are secured through buildings and infrastructure or through long-term amortized payments to the state. A good example of the latter is the state's tobacco settlement revenue bond. The state opted to secure a long-term payment structure for its share of tobacco settlement dollars, which totaled approximately \$1.1 billion, rather than receiving a one-time lump payment.⁵²

261: after endknot 55: add paragraph and then revise onward:

During the past decade the Public Employees' Retirement Agency (PEIA), initially created for state employees and certain higher education employees, has faced a yearly shortfall in income. The income comes approximately eighty percent from state appropriations and twenty percent from premiums paid by state workers. A Retiree Health Benefits Trust Fund administered by the PEIA provides limited healthcare benefits to retired employees.⁵⁶ They must also contribute a premium for services, largely derived from their Medicare coverage. To address deficits in income, in 2019 the state created a separate rainy day fund for PEIA benefits. The PEIA rainy day fund consisted of an initial grant of money appropriated from general revenues. However, the funds and additional state appropriations have failed to prevent deficits caused by rising healthcare costs, and PEIA has had to raise premiums for workers and retirees. Solutions to the liability of the state for these benefits remain in abeyance.⁴⁵

Additionally, during the past twenty years the state has wrestled with the retirement obligations for pensions and other postemployment benefits. To reduce its financial obligations, the state has sought to aggressively deal with long-term debts by redesigning benefits, reducing the benefit packages for new employees entering state service, and by paying down debt over time. However, liabilities remain. The pension system is divided among different professional groups and extends coverage not only to state employees but to school teachers and public safety employees at the local level. There is also a special pension program for the state's judicial system. In 2025 the pension systems for state and local public safety employees were funded at 99.7 percent and the two state police retirement plans at 100.7 percent and 87.4 percent respectively. Challenges remain for the teachers' retirement system, which is funded at 82.9 percent of expected costs.⁴⁶ Even with these challenges, the state is in a much better position than it was two decades ago, when the state faced a \$6.15 billion liability with its various pension funds with no clear path forward.⁵⁷

Rainy day funds: To cover unexpected revenue shortfalls and to maintain preferential credit ratings in the bond market, states operate revenue reserve or rainy day funds. During the past decade or so, West Virginia has worked assiduously to build cash reserves in two funds—the Regular Revenue Shortfall Reserve Fund and The Revenue Shortfall Fund “B.” The initial fund was established in 1994 in response to the state's fiscal crisis. The “B” fund was established in 2006 with an infusion of tobacco settlement monies received from a historic national settlement between the states and the tobacco

industry. At the end of each fiscal year, the funding formula required half of any budget surplus up to a target percentage of the state budget to be deposited in the funds at the end of the fiscal year. Then the state invests the funds. Since creation, the funds have shown considerable growth, rising from a little more than \$400 million dollars in 2009 to \$1.34 billion in 2025.⁵⁸ The governor can, by executive order, borrow from the funds at the beginning of the fiscal year to cover cash flow into the new fiscal year. These loans must be repaid by the end of the fiscal year. Funds can also be used to pay short-term unfunded bond obligations and other forms of credit to the state. No funds can be drawn from reserve fund “B” unless the regular fund has been exhausted. In fiscal year 2015 the state transferred \$100 million to the Medicaid program to cover shortfalls and to maximize federal matching funds for the program. Smaller amounts were transferred to Medicaid in fiscal years 2016 and 2017, to the Public Employee Insurance Fund in 2018, and for flood relief. No transfers have been made since then. With limited withdrawals, in 2024 the growth of the funds caused the state to reduce the percentage of surplus funds appropriated to them.⁵⁹

Chapter 12

271: add at end of second full paragraph, after ... video link. In 2024 the court disposed of 529 cases.⁴⁷

272: change sentences at the end of line 3 on: In 2025 eighty judges were assigned to thirty circuits. Twenty of the judges were women. They serve eight-year terms. Although court is held in every county, sixteen circuits include more than one county. All circuits except one have more than one judge; the maximum number is eight judges in the Thirteenth Circuit—Kanawha County, including Charleston.

272: at end of initial paragraph delete: ~~In March 2023 the legislature increased the number of circuit judges to eighty and reduced the circuits by one to thirty; both changes take effect January 1, 2025.~~⁴⁴

272: replace sentence at end of Business Court section: The division considers very few cases, disposing of ten cases in 2023 and an average of twelve cases annually between 2012 and 2024.¹²

273: replace first full sentence with: In 2024 it considered three cases about damages from asbestos, opioid distribution, and environmental harms from coal slurry. These cases had significant political, health, and economic implications for state residents.¹³

273: Replace paragraph that begins: Since magistrates ...

Since magistrates do not have to be lawyers, the legislature requires them to complete a course of instruction after their election and to attend continuing education sessions or be subject to penalties imposed through the state’s system of judicial discipline. There were 169 magistrates in 2025. Today, the state constitution apportions at least two magistrates to each county and provides the more populous counties with additional magistrates through an apportionment scheme, so that in 2025 thirteen served in Kanawha County.¹⁴ ~~In 2022 the legislature passed a bill that called for the Supreme Court of Appeals to commission a caseload study of the magistrate courts and provide~~

that information to the legislature by January 2023. Based on the findings of this study, the law allowed for the employment of up to twelve new magistrates depending on county populations. In addition, effective July 1, 2022, the legislature added one additional magistrate in Berkeley County because of its significant population growth.⁴⁵ On March 11, 2023, the legislature added an additional magistrate for Monongalia County, bringing the total number of magistrates up to 160. In the same act, the legislature also created twelve new magistrate positions to begin service on January 1, 2025. Finally, the legislature created a process for the Supreme Court of Appeals to conduct a new analysis in 2026 of the distribution of magistrates across the state by considering 2020 census figures and magistrate workloads. The legislature directed the Supreme Court of Appeals to submit its report by January 5, 2027, while the legislature retained authority to make final decisions regarding the design and staffing of the magistrate courts.⁴⁶

274: under Family Courts: revise after third sentence:

In 2025 there were forty-eight judges, twenty-four of whom were women, serving the twenty-seven circuits. Fourteen circuits have one judge while Kanawha County has five judges. In 2023 the legislature increased the number of family court judges by one beginning January 1, 2025, and left number of circuits untouched.¹⁹

280: revise paragraph: The data in Table 7 indicate that most circuit, magistrate, and family judges do not have extraordinarily long workweeks. Additionally, in the period between 2019 and 2024, circuit courts saw a 19.2 percent decline in criminal filings and a decline in general civil filings of 11.0 percent. During the same period in magistrate courts, the criminal case filings dropped by 14.0 percent and civil filings decreased by 12.3 percent. The only change in magistrate filings was an increase in personal safety order cases.³⁶

281: revise numbers:

In 2024 there were 39,933 cases filed in the circuit courts, 51.0 percent (20,297) of which were civil cases, 26.4 percent (10,530) criminal, and 22.6 percent (9,006) juvenile. Of the crimes, 6,148 were felonies and 170 were crimes appealed from magistrate court. Of the juvenile cases 26 percent (2,328) raised the question of delinquency and 61 percent (5,472) were about child abuse or neglect.⁴⁸

In 2024 there were 175,454 cases filed in magistrate courts, with 71.1 percent of cases being adult criminal issues, 25.4 percent civil actions, 0.8 percent special proceedings about mental health, abuse and neglect, and other matters, 1.0 percent about juvenile crimes, and 1.7 percent being juvenile special proceedings. In terms of specific types of cases, civil domestic violence issues made up 5.6 percent of the workload in magistrate courts, followed by criminal motor vehicle issues with 5.0 percent. Small civil claims made up 17.1 percent of these courts' total workload.⁴⁹

282: revise numbers:

In 2024 West Virginia's family court judges considered 23,256 case filings. Of

these, 7,266 (31 percent) were divorces, 8,606 (37 percent) were domestic violence issues, 3,012 (13 percent) dealt with modifications to existing orders (especially of divorce settlements and child custody) and contempt of court orders, and 2,207 (9 percent) addressed other domestic issues such as separation agreements, custody, name change, and paternity. From 2016 to 2024, family law courts saw declines in the number of filings of divorce cases (decreased by 22.9 percent), domestic violence cases (decreased by 25.1 percent), modification of existing orders (decreased by 53.2 percent), contempt filings (decreased by 63.0 percent) and other domestic issues (decreased by 61.3 percent). However, the number of weddings performed by the judges grew from 647 to 1723.⁵⁰

285-86: revised paragraphs beginning with the first full paragraph:

Today the Supreme Court of Appeals role in public policymaking is dependent on the kinds of disputes it confronts. In 2024 the Supreme Court of Appeals received 609 appeals by right filings. The largest block of these appeals dealt with criminal appeals, which accounted for 230 (37.8 percent) appeals by right. Domestic matters such as family law, domestic violence and abuse and neglect accounted for 210 (34.5 percent) of appeals by right. The court dealt with 67, or 11 percent, appeals by right that concerned administrative matters, including 59 workers' compensation cases. Finally, civil matters made up 102 of the appeals by right (16,7 percent). The largest block of civil appeals, 54, concerned torts, contracts, or property law matters.

In addition to these appeals by right, in 2024 the justices handled 178 additional filings dealing with other matters, some under its original jurisdiction, including 26 cases dealing with disciplinary matters involving lawyers and judicial officers (two), 8 certified questions from other courts, 15 habeas corpus petitions, 49 appeals for mandamus, or requests to the court to compel some public official to perform some required duty, and 54 appeals for prohibition, or an order from the court directing some official to cease doing something the law prohibits

As the data presented in table 8 illustrates, between 2011 and 2024, the West Virginia Supreme Court of Appeals witnessed a general decline in total filings throughout the period. Specifically, filings of appeal by right declined steadily from 1,490 in 2011 to 609 in 2024, a drop probably partially but not entirely related to the creation of the intermediate court of appeals. Since the court promised in 2010 to provide written decisions for all appeals, its decisions on the merits jumped significantly from 2011 to 2013, nearly doubling from 678 to 1,360, but then too these experienced a significant decline from 2014 to 2024--of 1,140 to 529. Finally, the number of signed opinions produced by the court jumped from 55 in 2011 to 115 in 2017, then varied per year, with as few as 93 in 2021 to 190 the next year.⁵¹ Although data compiled by the National Center for State Courts show that from 2019 to 2023 for activity of all U.S. state courts of last resort declined, the declines in total filings and appeals by right experienced by the West Virginia Supreme Court of Appeals are also clearly significant and not readily explained.⁴⁵

286: add lines to Table 8:

Year	Appeals by Right	Total Filings	Decisions on the Merits	Signed Opinions
2022	790	954	724	190
2023	673	862	472	160
2024	609	806	520	130

and replace *Source*: West Virginia Supreme Court Clerk's Office, 2011-2022 with *Source*: West Virginia, Office of the Clerk, Statistical Reports

287: line 17 delete: for the year

290: replace paragraph after subheading:

West Virginia has a small bar: in 2024 there were 4,600 lawyers in the state. The American Bar Association's (ABA) 2024 profile of the profession showed that while nationally there were 4 lawyers per 1,000 residents, in West Virginia that figure was 2.6 per 1,000. The ABA data also show that 35 percent of the state's lawyers practice in Charleston and Kanawha County. In terms of salary, the in 2020, the average American lawyer earned \$182,760 per year, while the average salaries in West Virginia were \$117,770⁵⁰

292: first full paragraph: replace numbers:

West Virginia's prosecuting attorneys can employ assistant prosecuting attorneys to help manage their caseload. Typically, prosecuting attorneys in smaller population counties employ fewer assistants than those in larger population counties. For example, in 2025 Kanawha County's prosecuting attorney employed nineteen assistants, while Wirt County's prosecuting attorney did not employ an assistant.⁵⁶

292-93: replace after Public Defenders heading: Public Defender Services (PDS), a state agency, funds all criminal defense counsel for indigent (poor) persons in the West Virginia state courts through two methods. First, it funds nineteen independent, nonprofit public defender corporations across the state. They employ full-time public defenders who serve clients in thirty of the state's fifty-five counties. Second, PDS reimburses private judicially appointed counsel for representing indigent defendants. PDS also operates a Criminal Law Research Center that focuses on appellate advocacy. In the 2021 fiscal year, full-time public defenders closed 31.179 cases in magistrate and circuit courts, while their private appointed counterparts handled 26.130 cases.⁵⁹ The 2022 survey of the judiciary found that 97.3 percent of circuit judges and 95.1 percent of magistrates reported the quality of counsel provided to indigent criminal defendants in their court was excellent, above average, or average.

293: revise after first subheading: Civil Defense Counsel

Counsel in civil or non-criminal cases largely serves on a fee-for-service basis or a contingency fee arrangement in which the lawyer's payment is based on the outcome of the case. Legal Aid of West Virginia (LAWV) provides counsel or arranges pro bono (free) counsel by private lawyers to low-income families, seniors, victims of domestic abuse, and the disabled. It has twelve regional offices across the state and employs approximately seventy-two attorneys. In 2024 they served 13,392 persons and closed 4,994 cases. The issues in the cases closed included family law (48.7 percent), housing (18.6 percent), income maintenance (7.9 percent), individual rights (6.4 percent), juvenile (4.2 percent), and over 4.7 percent each in health and education cases.⁶⁰ LAWV's 2024 budget of approximately \$17 million came from grants from the federal Legal Services Corporation (LSC), interest on lawyers trust accounts (IOLTA), contracts with the state, money supplied by the State Bar, and grants from charities.⁶¹

299: lines 7-8, italicize: *innovative policymaking*

300: first full paragraph: prior to initial sentence: add and then amend old initial sentence:

Finally, the mix of reinforcing, incremental, and innovative policy decisions by the Court shifts with the direction of party and ideological preferences in the state. In recent years, as with other state institutions, the court has shifted its policymaking decisions in a conservative direction.

Chapter 13

303: second paragraph, replace: West Virginia's local governments are an important part of the economy. ~~Prior to the infusion of federal funds during the COVID-19 pandemic~~ The governments of these small and often rural communities spend approximately \$7.0 billion a year, of which \$3.7 billion is spent on public education.³ They employ more than 57,000 full time and 13,000 part time personnel, including more than 18,500 elementary and secondary school teachers and more than 3,300 police and sheriff officers.⁴

303: line 4 from bottom: adjust start of sentence: However, as ...

304: first paragraph: revise: In 2025 there were about 835 local governments making and implementing policies in West Virginia: 55 county governments, 55 school districts, 230 municipal governments, and about 495 special districts and specialized intergovernmental districts.

305: above subheading: delete a sentence and add a paragraph after: ... favor the affluent and whites. Reinforcing their conservative bent, local leaders tend to interact with constituents who are older, male, longtime residents, voters in local elections, and homeowners.⁸ ~~Furthermore, there is evidence that ideological, class, and partisan conflict is becoming more common at the local level.~~

Although national studies have disclosed an intensification of local conflicts that involve organized interests or that reflect ideological divisions during the past few decades, such conflicts remain uncommon in the small municipalities and rural counties of West Virginia. Local organized interests that exist in larger communities across the nation, such as realtor, property development, and renter associations, local associations of retailers, fire and police unions, and neighborhood associations, are infrequently

politically active in West Virginia local politics.⁹ When active, they tend to be motivated to address a specific issue in the short term. Examples include police and fire union complaints about the calculation of overtime pay or the downtown business association complaints about homeless campers near their premises addressed to the Morgantown city council. Likewise, ideologically charged complaints about city, county or school district policies are uncommon and, if they occur, are voiced by unorganized individuals.

In the absence of organized policy demands, many local officials are apathetic about the need for policy innovation. Since federal and state law constrain the capacity of local government officials to act on many policies and fiscal matters, political decision making is sporadic and focuses on immediate problems. Local officials address issues related to the implementation of community services, such as the need for a new police car; citizen complaints, such as uncollected garbage; requests from businesses, such as a change in parking fees and regulation; and the needs of landlords, who ask to use property in ways not compatible with local property use regulations. Reinforcing their conservative bent, local leaders tend to interact with constituents who are older, male, longtime residents, voters in local elections, and homeowners. When conflict arises, it is often over potential private investments in the community that might affect public safety, traffic, police, and fire protection, water and sewage, and the viability of established small businesses. The conflict over the location of an addiction recovery center in Beckley serves as an example.¹⁰

307: at end of paragraph above subheading: add endnote at ... the state auditor.⁵²

307: second full paragraph: revise: Although per capita West Virginia property taxes are among the lowest in the country, property taxes are an important source of county, municipal, and school district revenue.¹⁷ They constitute an average of 79.9 percent of local tax revenue as compared to a national average of 72 percent.¹⁸ They are especially important for school boards and county government. Approximately 26.8 percent of property tax revenue in West Virginia goes to counties, 65.9 percent to school districts, 6.9 percent to municipalities, and 0.4 percent to the state government.¹⁹

309: line 16: replace text: By 2024 eighty-five municipalities ...

310: line 6: replace text: ~~Prior to the pandemic,~~ In 2022 the federal and West Virginia's state government provided its local governments with nearly \$2.6 billion in grants and fiscal transfers, 39 percent of all local government revenue in West Virginia. Most of these funds, \$2.3 billion, went to school districts. Because of spending cuts by the Trump administration, it is anticipated that federal fiscal transfers will decrease.²⁷ The reduction in federal funds, when coupled with the end of the state "pass through" of federal CARES and ARPA money to local governments from 2020 into 2024, will further limit local government activities. These federal funds allocations included \$265 million in CARES funds, \$348 million in ARPA funds to counties, and \$329 million to municipalities.²⁸

315-16: second full paragraph: replace with

For example, for fiscal year 2024–2025 in the five Class I counties (highest total

assessed value of property) with the highest population—Berkeley, Cabell, Kanawha, Monongalia, and Wood—total general fund expenditures averaged \$47,669,079. In these counties the average expenditures for general government (operation of county courthouse, constitutional offices, courts, etc.) were \$26,257,601 or 55.1 percent of total spending; public safety (sheriff, fire protection, animal shelter, etc.) were \$15,291,621 or 32.1 percent of total spending; health and sanitation (water, sewers, health department, etc.) were \$630,874 or 1.3 percent of total spending; culture and recreation (parks, museums, library, etc.) were \$2,742,209 or 5.7 percent of total spending; social services (senior centers, public transit, etc.) were \$123,619 or 0.3 percent of total spending; and capital projects (new construction of public facilities) were \$2,265,155 or 4.8 percent of total spending. In contrast, in 2024–2025 for the five counties with the lowest assessed value of property—Calhoun, Clay, Gilmer, Webster, and Wirt—total general fund expenditures averaged \$3,696,632. In these counties the average general fund expenditures for general government were \$2,737,823 or 74.1 percent of total spending, public safety were \$844,108 or 22.8 percent of total spending, health and sanitation were \$10,993 or 0.3 percent of total spending, culture and recreation were \$60,740 or 1.6 percent of total spending, social services were \$4,480 or 0.1 percent of total spending, and capital projects were \$38,541 or 1.0 percent of total spending.⁴³

317: revise first sentence in second full paragraph: Although West Virginia counties average approximately 150 employees, in many counties other administrative staff consists of less than two dozen civil servants whose duties include the maintenance of county buildings, vehicles, and any county parks, less than ten sheriff's deputies, and, in a few counties, planning, economic development, and animal shelter personnel.⁴⁶

324: insert sentences: after line 7 from bottom: or amendments to them.... The Board also reviews the implementation and impact of each home rule charter. By 2025 the Board approved and had to review yearly or had considered applications for home rule for sixty-seven municipalities. The municipalities ranged from Charleston, with more than 47,000 residents, to Wardensville, with a population of 265. Therefore ...

328: first two full paragraphs: replace with

Details on local expenditures further illustrate differences among municipalities. ~~Prior to the COVID-19 pandemic~~ In 2025, total general fund expenditures in the five cities with the largest population—Charleston, Huntington, Morgantown, Parkersburg, and Wheeling—averaged \$66,581,381. In these cities the average expenditures for general government (operation of government offices) were \$21,640,009, or 32.5 percent of total spending; public safety (police, fire, emergency management etc.) were \$26,420,450, or 43.0 percent of total spending; streets and transportation were \$7,023,709, or 10.5 percent of spending; health and sanitation (waste management, etc.) were \$2,000,017, or 3.0 percent of total spending; culture and recreation (parks, civic centers, library, etc.) were \$3,325,838, or 5.0 percent of total spending; social services (cemeteries, human rights, seniors, etc.) were \$337,266, or 0.5 percent of total percent of total spending; and capital projects were \$3,208,383, or 4.8 percent of spending.

In contrast, in 2025 total general fund expenditures for the five towns with the lowest population—Blacksville, Brandonville, Bruceton Mills, Harman, and Oakvale—averaged \$167,129. In these towns the average general fund expenditures for general government were \$78,080, or 57.5 percent of total spending; public safety were \$3,767, or 2.8 percent of total spending; street and transportation was \$10,547 or 7.8 percent of total spending; health and sanitation was \$11.164, or 8.2 percent of total spending; culture and recreation was \$2,060, or 1.5 percent of total spending; social services was \$3,180, or 2.3 percent of total spending; and capital projects was \$27,000 or 19.9 percent of total spending. As the example illustrates, in the more populous cities professional police and fire services and health and retirement benefits consumed nearly half of expenditures. Yet, because they rely on state police, county sheriffs, and volunteer fire companies, two of the small towns had no public safety expenditures, four had no expenditures on culture and recreation, and four had no capital expenditures on new public facilities.⁸¹

330: last paragraph: revise first sentence: West Virginia has fifty-five county unit school districts with elected boards of education who are responsible for the education of more than 245,000 students in more than 635 schools (approximately 14,000 students attend private and parochial schools, both accredited and non-accredited, and about 24,000 are home schooled).

333: Adds to sentence, second full paragraph: State supervision of instruction includes approval of instructional materials, student assessment, classroom size, disciplinary procedures, athletic participation, cell phone usage, vocational education programs, provision of programs for professional development, designation of innovative schools, and state legislative mandates on courses to be taught, school attendance, school nutrition programs, and the physical welfare of students

334: first full paragraph: add sentence end of paragraph: However, the 2026 federal budget is estimated to reduce the amount it awards to West Virginia's school boards by approximately \$350,000.

336: end of first full paragraph: replace sentence: By 2025 there were approximately 495.

336: after heading Public Service Districts: revise first two sentences:

The most common special districts in West Virginia are Public Service Districts (PSDs), including 116 Public Service Water Districts, 43 Public Service Sewer Districts, 51 combined Water and Sewer Districts, and 28 Water Associations and Utility Boards. Created to satisfy requirements of the federal Clean Water Act and to provide water to the many small towns and unincorporated rural areas where mining and other industry has contaminated groundwater, they deliver water, wastewater collection and treatment, and storm water management services.

339-40: revise indented segment throughout:

Forty-one solid waste management authorities that provide garbage collection, litter control, and recycling services to county areas;¹⁰⁸

Thirty-five urban renewal authorities that can buy and clear blighted property in a municipality or a region and oversee the provision of low-cost housing and other community facilities;¹⁰⁹

Twenty-six public housing agencies that provide assistance under the federal Public Housing and Housing Choice Vouchers programs;¹¹⁰

Fourteen conservation districts that institute land use regulations and construct terraces, dams, watershed and channel improvements, and ponds to prevent soil erosion and provide flood control;¹¹¹

Nineteen farmland protection boards that can acquire or co-hold, by gift, purchase, or grant, easements or other rights to restrict development and protect agricultural land and woodland;¹¹²

Twelve public library districts that serve two or more counties;¹¹³

Eleven regional airport districts that operate the state's major airports and can issue bonds for construction of facilities;¹¹⁴

Eighteen mass transit districts that manage local or regional bus and public transit services. Operational income comes from service fees, property tax levies, bonds, and federal transportation grants;¹¹⁵

Eleven economic opportunity districts that support recovery and growth in distressed communities by the construction of infrastructure and buildings, grants for businesses in the district, and the provision of tax incentives for investors willing to invest in ways that might attract business;¹¹⁶

Drainage, levee, and reclamation districts, established by circuit courts, to reclaim wetlands and prevent flooding. Information on these districts' existence and operations is not available.⁵³

Other specialized districts, including the National Coal Heritage Area Authority,¹¹⁷ Hatfield-McCoy Regional Recreational Authority,¹¹⁸ Snowshoe Resort Community District,¹¹⁹ and Greater Huntington Parks and Recreation District.¹²⁰

340: edit first sentence in second paragraph:

There are nine Metropolitan ...

Chapter 14:

352: edit paragraph:

In West Virginia these changes are most apparent in the closure of small rural hospitals or their acquisition by larger healthcare systems. In 2025 WVU Medicine and

Vandalia Health Network own seventy percent of the hospitals in the state. These organizations included most of the state's specialty and advanced care units and numerous clinics and urgent care facilities. These systems offer an economy of scale that has improved several rural hospitals and clinics and provided coordination for the delivery of specialized care. However, the development of large integrated systems raises concerns about market domination with implications for patient choice, availability of services, and the role of healthcare professionals whom the state needs to supervise. Especially evidence suggests that the consolidations have raised hospital costs well above the national average.¹⁴

356: line 9: after sentence ending ... prove a challenge. Also, the nearly ninety percent reduction of funding provided by the federal Clean and Drinking Water State Revolving Funds in 2025 will only exacerbate the difficulties will faced by the state as it struggles to meet the needs for drinking water and sewer systems.⁵⁴

add page break, then add:

Finally, more than 700,000 state residents in at least 136 water systems are at risk of serious health problems from cancer-causing PFAS or forever chemicals in drinking water. In 2023, the legislature passed the PFAS Protection Act. The Act intended to identify sources of PFAS in public drinking water and set forth duties related to public water systems, water treatment systems, and facilities that use PFAS. However, in accordance with Trump administration policy, the federal Environmental Protection Agency canceled a small grant to help the state start tackling the problem. The EPA stated that the cancellation was to eliminate discrimination in programs that support projects or organizations that promote or take part in environmental justice.⁵⁵

357: insert paragraph after the first full paragraph:

As discussed in chapter one and elsewhere in this book, the state has only begun to focus on policies that will enhance academic achievement and opioid rehabilitation. In addition to the education and health of the population, other barriers hamper workforce development. West Virginia is the state with the lowest workforce participation in the nation (54.8 percent of persons in the total adult population that is either working or actively looking for work) and the lowest percentage of females in the workforce (49.3 percent). Evidence suggest that a lack of suitable and affordable child care is a barrier to workforce participation by lower income women. Legislators, the state's Chamber of Commerce, and AFL-CIO have discussed this situation, but the state has not developed a child care tax credit, subsidies for child care for lower income families, or offered funding for the operation or expansion of child care facilities. All the legislature has done is allow fourteen and fifteen teenagers to work without obtaining a work permit.⁵⁶

362: line 3: delete: are

Endnotes

Introduction:

364: note 10, replace U.S. Bureau of the Census, “Quick Facts, West Virginia, 2019 ... and insert: U.S. Bureau of the Census, “Quick Facts, West Virginia, 2024, [https:// www .census.gov /quickfacts/wv](https://www.census.gov/quickfacts/wv)”; Jeffrey S. Passel and Jens Manuel Krogstad, “What we know about unauthorized immigrants living in the U.S.,” Pew Research Center, July 2024, <https://www.pewresearch.org/short-reads/2024/07/22/what-we-know-about-unauthorized-immigrants-living-in-the-us/> On ethnic groups, ...

365: note 18: add to end of note: World Population Review, “Labor Force Participation Rate by State 2023,” <https://worldpopulationreview.com/state-rankings/labor-force-participation-rate-by-state>.

Chapter One:

371: note 4: add to end of note:: See also Patrick C. McGinley and Suzanne Weise, “No Just Cause: A Decades-Long Strategy of Deception and Secrecy That Enabled America's Deadly Opioid Crisis,” *West Virginia Law Review* 127 (2025): 485-539.

371: note 6: add to end of note: Erica Peterson, “Department of Justice extends scrutiny of West Virginia’s foster care programs as state fails to show required improvements,” *Mountain State Spotlight*, Jan.8, 2025; Erica Peterson, “‘They’re all damaged.’ Despite progress, West Virginia is still failing to get foster kids the mental health help they need,” *Mountain State Spotlight*, Jan. 28, 2025; Erica Peterson, “‘An ecosystem of dysfunction:’ West Virginia still has a child welfare worker shortage, and it’s taking a toll on foster kids and families,” *Mountain State Spotlight*, Jan. 30, 2025; Erin Beck, “There aren’t enough CPS workers in West Virginia to keep kids safe. The governor’s plan is for them to do more,” *Mountain State Spotlight*, June,18, 2025; State efforts to remedy foster care problems in 2025 included the multidisciplinary treatment team to plan and implement a comprehensive, individualized service and placement plan for foster children, W. Va. Code §49-4-405, and new standards on child abuse and neglect, W. Va. Code §49-1-201.

371: note 8: add to end of note: Erin Beck, Lawmakers dismissed pleas for help as thousands died of overdoses. Now they plan to study why the epidemic persists. *Mountain State Spotlight*, Mar. 19, 2025.

371: note 9: add to end of note: Mike Nolting, “West Virginia First Foundation Begins A ‘Deep Dive’ In Recent OD Death Stats,” *MetroNews*, Apr. 27, 2025; Hannah Heiskell, “West Virginia counties set the rules for opioid funds — with no one watching,” *Mountain State Spotlight*, July 7,2025; W. Va. Governor, Governor Patrick Morrisey signs Lauren’s Law, increasing penalties for drug dealing in West Virginia,” April 24, 2025, <https://Governor.Wv.Gov/Article/Governor-Patrick-Morrissey-Signs-Laurens-Law-Increasing-Penalties-Drug-Dealing-West-Virginia>; W. Va. Code §60A-4-419; Erin Beck, “Overdose deaths are finally down. But the crisis is far from over as Congress jeopardizes life-saving work,” *Mountain State Spotlight*, July 20, 2025; “Huntington and Cabell County opioid lawsuit revived by federal appeals court,” *Mountain State Spotlight*, Oct. 28, 2025.

372: note 13: add to end of note: W. Va., Governor, Executive Order, 7-25; W. Va. Code §16-3-4; Lori Kersey, “West Virginia House rejects vaccine exemption bill, a priority for Morrissey,” *West Virginia Watch*, Mar. 24, 2025.

373: note 29, change to: National Education Association, “Rankings of the States 2023 and Estimates of School Statistics 2024,” <https://www.nea.org/resource-library/educator-pay-and-student-spending-how-does-your-state-rank/teacher>.

377: note 66, add to end of note: John Coglianese, Todd Gerarden, and James Stock, “The Effects of Fuel Prices, Environmental Regulations, and Other Factors on US Coal Production, 2008–2016.” *Energy Journal* 41 (2020): 55–82.

380: note 83: add to end of note: Erin Beck, “The natural gas boom was supposed to bring prosperity to West Virginians in poverty. That didn’t happen,” *Mountain State Spotlight* Sept. 18, 2024.

381: note 88: add to end of note: Tre Spencer, “Broadband task force weakens recommendations meant to speed up \$1 billion internet expansion,” *Mountain State Spotlight*, Feb. 10, 2025; Ben Conley, “Commission taps Frontier for final broadband grant,” *Dominion Post* Dec. 31, 2024; Tre Spencer, “West Virginia regulators try to speed up broadband over objections from utility companies,” *Mountain State Spotlight*, July 9, 2025; Tre Spencer, “Morrissey blames Trump administration changes for excluding 40,000 locations from broadband plan,” *Mountain State Spotlight*, Sept. 9, 2025..

Chapter Two:

382: note 11: change to: WVSS Survey Data, 2021; Pew Research Center, “Religious Landscape Study, 2023-2024, People in West Virginia,” <https://www.pewresearch.org/religious-landscape-study/state/west-virginia/>.

382; note 12: change to: WVSS Survey Data, 2021; Pew Research Center, “Religious Landscape Study ; “Justin K. Phillips, “Public Opinion and Morality,” in *Politics in the American States: A Comparative Analysis*, 11th ed., ed. Virginia Gray, Russell L. Hanson, and Thad Kousser (Los Angeles: Sage/CQ Press, 2018), 149; Janet Boggess Welch, “Uneven Ground: Cultural Values, Moral Standards, and Religiosity in the Heart of Appalachia,” in Leonard, *Christianity in Appalachia*, 52-72. Pew Research Center,

386: note 35: Work Force West Virginia, “Home,” “Occupations,” “Industries,” <http://lmi.workforcewv.org/default.html>.

Chapter Three

388: note 48: remove italics

388: note 50, add to end of note:: Ryan P. Burge, *The Nones: Where they came from, who they are, and where they are going* (Minneapolis: Fortress Press 2021); Ryan P. Burge, *The American Religious Landscape: Facts, Trends, and the Future* (New York: Oxford University Press, 2025); David E Campbell, Geoffrey C Layman, and John Clifford Green, *Secular surge: a new fault line in American politics* (New York: Cambridge University Press, 2021)..

388: note 2, change to chapter 1, endnote 1.

Chapter Four

392: note 19, replace with: Alexander Gazmararian, “Sources of Partisan Change: Evidence from the Shale Gas Shock in American Coal Country,” 87 *Journal of Politics* (2025) 601-15.

392: note 20: add to end of note:: Gerald Gamm, Justin H. Phillips, Matthew Carr, and Michael Auslen, “The Culture War and Partisan Polarization: State Political Parties, 1960–2018.” *Studies in American Political Development* 38 (2024): 117–37; Anand Edward Sokhey and Paul A. Djupe, eds. *Trump, White Evangelical Christians, and American Politics: Change and Continuity* (Philadelphia: University of Pennsylvania Press, 2024).

392: note 25: change to: On the status of transgender persons, see W. Va. Code §5-32-1ff; on limitations on gender alteration, see W. Va. Code §30-1-26; §30-3-20; §30-3E-20; §30-7-15F; §30-14-17.

392: note 27: change to: W. Va. Code §18-H-1, 1 §8B-14-12.

393: note 31, change note: W. Va. Code §§5A-13-1ff, §15-5-19a; 18-1-6ff, 61-7C-1ff.

394: note 43; add: W. Va. Governor, “Governor Patrick Morrisey Announces Actions to Speed Up Illegal Immigrant Deportations,” Feb. 6, 2025, <https://governor.wv.gov/article/governor-patrick-morrisey-announces-actions-speed-illegal-immigrant-deportations>.

395: note 57, add to end of note: Stephen Baldwin, “Senate Committee votes to ‘close’ primary elections,” *RealWV*, Mar. 8, 2025, <https://therealwv.com/2025/03/08/senate-committee-votes-to-close-primary-elections/>.

392: note 20: add to end of note: Gerald Gamm, Justin H. Phillips, Matthew Carr, and Michael Auslen, “The Culture War and Partisan Polarization: State Political Parties, 1960–2018.” *Studies in American Political Development* 38 (2024): 117–37.

395: note 56: delete: ~~November 7, 2023~~

395: change note to: W. Va. Secretary of State, Campaign Finance Reporting System, “Candidates,” <https://cfrs.wvsos.gov/index.html#/explore/candidate>.

Chapter Five

397: note 13, replace with: W. Va. Ethics Commission, “Registered Lobbyists' Employers (2025-2026),” <https://ethics.wv.gov/SiteCollectionDocuments/Lobbyists/DIRECTORY/2025%20Lobbyist%20-%20Employer%20Directory/May/05-16-2025%20Employer%20Directory.pdf>.

397: note 19, replace with: W. Va. Ethics Commission, “Registered Lobbyists (2025-2026)” <https://ethics.wv.gov/SiteCollectionDocuments/Lobby/Lobby%202021-2022/WEBSITE%20DIRECTORIES/Lobbyist%20Directory.pdf>.

398: note 29: replace with: Dept. of Health, *Legislative Affairs Counsel* [/https://dhhr.wv.gov/Documents/DHHR%20Legislative%20Affairs%20Counsel%20-%20Dept%20of%20Health.pdf](https://dhhr.wv.gov/Documents/DHHR%20Legislative%20Affairs%20Counsel%20-%20Dept%20of%20Health.pdf).

Chapter Six

401: note 16: revise: W. Va., Dept. of Revenue, State Budget Office, Federal Funds, FY 2026, <https://budget.wv.gov/reportsandcharts/federalfunds/Documents/FedFunds2026.pdf>.

402: note 22: replace with: “March 2025 Medicaid & CHIP Enrollment Data Highlights,” Medicaid.gov, <https://www.medicaid.gov/medicaid/program-information/medicaid-and-chip-enrollment-data/report-highlights>; Kaiser Family Foundation, “Medicaid in West Virginia, March 2025,” <https://files.kff.org/attachment/fact-sheet-medicaid-state-WV>.

402: note 23: replace with: “March 2025 Medicaid & CHIP Enrollment Data Highlights”; Kaiser Family Foundation, “State Health Facts: Medicaid and CHIP, Monthly Enrollment,” Mar. 2025”; West Virginia Children’s Health Insurance Program, “About CHIP,” https://chip.wv.gov/what_is_chip/Pages/default.aspx.

403: note 33; replace with: Administration on Children and Families, “Temporary Assistance for Needy Families (TANF) Caseload Data - Fiscal Year (FY) 2024, Total Number of Recipients,” https://acf.gov/sites/default/files/documents/ofa/fy2024_tanf_caseload.pdf; Melissa Latimer and L. Christopher Plein, “Responding to Welfare Reform: Competing Perspectives of Social Service Delivery in an Economically Disadvantaged State,” *Journal of Applied Social Science* 7 (2013): 3-23.

403: note 34: replace it with: W. Va., Dept. Of Human Services, “SNAP,” <https://bfa.wv.gov/bfa-programs/snap> W. Va. Center on Budget and Policy, “Supplemental Nutrition Assistance Program,” Jan. 21, 2025, https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_west_virginia.pdf.

403: note 35: replace with: W. Va. Dept. of Health and Human Services, “WIC,” <https://dhhr.wv.gov/WIC/Pages/default.aspx>; U.S. Dept. of Agriculture, Food and Nutrition Service, “WIC Data Tables, Annual State Level Data,” <https://www.fns.usda.gov/pd/wic-program>.

403: note 36: eliminate

403: note 37: eliminate

404: note 42: replace with: John S Kiernan, “Most & Least Federally Dependent States (2025),” WalletHub, <https://wallethub.com/edu/states-most-least-dependent-on-the-federal-government/2700>.

404: note 43: replace with: Congress.gov. “Current Federal Civilian Employment by State and Congressional District,” <https://www.congress.gov/crs-product/R47716>.

404: note 44: replace with: *W. Va. Executive Budget: Budget Report Fiscal Year 2025*, <https://budget.wv.gov/executivebudget/Documents/FY%202025%20Volume%20I%20Bu>

dget%20Report%20-%20Final.pdf; W. Va. Dept. of Revenue, State Budget Office, *West Virginia Consolidated Report of Federal Funds FY 2025*, /<https://budget.wv.gov/reportsandcharts/federalfunds/Documents/Federal%20Book%20FY%202025.pdf>

405: note 53: add to end of note: Reciprocity of licenses was modified slightly in 2025, W. Va. Code§30-1-27.

Chapter Seven

409: note 24, at top of page, add to end of note: On the assisted suicide amendment see Brad McElhinny, *West Virginians approve amendment to prohibit physician-assisted deaths*,” *MetroNews*, Nov. 6, 2024.

Chapter Eight

411: note 15: add to end of note: Ballotpedia, “West Virginia State Senate elections, 2024,” https://ballotpedia.org/West_Virginia_State_Senate_elections_2024; Ballotpedia, “West Virginia House of Delegates elections, 2024,” https://ballotpedia.org/West_Virginia_House_of_Delegates_elections_2024.

413: note 31: change to: W. Va. Legislature, “Bill Status-2025 General Session,” https://www.wvlegislature.gov/bill_status/Bills_all_bills.cfm?year=2025&sessiontype=rs&btype=bill&orig=hl; for comparison to other states see Squire and Montcrief, *State Legislatures Today*, 122-28.

413: note 38: add to end of note: Steven Allen Adams, “Changes made to committee processes,” *Dominion Post*, Jan 9. 2025; Steven Allen Adams, “Senate President Smith names remainder of leadership team, committee chairs,” *Dominion Post*, Jan. 16, 2025.

414: note 44: add to end of note: Adams, “Changes made to committee processes;” Sarah Elbeshbishi, “Republican-dominated House of Delegates does away with public hearings,” *Mountain State Spotlight*, Feb. 13, 2025; Henry Culvyhouse, “‘They don’t want to hear what people have to say:’ How West Virginia’s Republican supermajority has limited public input,” *Mountain State Spotlight*, Mar. 24, 2025.

415: note 76: add to end of note: Henry Culvyhouse, “Every year, hundreds of West Virginians take their auto repair bills to the state and get money. Here’s how it works,” *Mountain State Spotlight*, Nov. 14, 2024.

Chapter Nine

417: note 11: add to end of note: West Virginia, Executive Orders 1-25 to 8-25, 10-25 (2025).

419: note 40: add to end of note: Steven Allen Adams, “AG McCuskey joins first federal lawsuit over methane tax rule,” *Dominion Post*, Jan. 23, 2025.

Chapter 10

420: note 3: replace with: U.S. Census Bureau, 2024 ASPEP Datasets, State Government & Employment, <https://www.census.gov/data/datasets/2024/econ/apes/annual-apes.html>.

423: note 46, start note: See Lipsky, *Street-Level Bureaucracy*, 87-156; Brisbin and Hunter, “Alternative Dispute Resolution and the Serial Formulation of Policy,” 22-39; Brisbin and Hunter, “Disputing and Regulatory Policy,” 41-61. For...

423: note 48 replace with: W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, (2026), <https://budget.wv.gov/executivebudget/Documents/Volume%20I%20Executive%20Budget%20-%20Budget%20Report%20FY%202026.pdf>.

423: note 49: replace with: W. Va. Dept. of Revenue, State Budget Office, *West Virginia Consolidated Report of Federal Funds FY 2026*, Dec. 2024, [/https://budget.wv.gov/reportsandcharts/federalfunds/Documents/FedFunds2026.pdf](https://budget.wv.gov/reportsandcharts/federalfunds/Documents/FedFunds2026.pdf); Medicaid and CHIP Payment and Access Commission, *EXHIBIT 16. Medicaid Spending by State, Category, and Source of Funds*, <https://www.macpac.gov/publication/medicaid-spending-by-state-category-and-source-of-funds/>. The Department of Human Services receive the lion’s share of federal funding for the operation of such programs as TANF and Medicaid.

Chapter 11

425: note 1: replace with: W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, (2017-2026), <https://budget.wv.gov/executivebudget/Documents/Volume%20I%20Executive%20Budget%20-%20Budget%20Report%20FY%202026.pdf>. Unless otherwise noted, year and fiscal year data presented in this chapter refers to the state fiscal year, which runs from July 1 to June 30; W. Va. Dept. of Revenue, State Budget Office, *West Virginia Consolidated Report of Federal Funds FY 2026*, Dec. 2024, [/https://budget.wv.gov/reportsandcharts/federalfunds/Documents/FedFunds2026.pdf](https://budget.wv.gov/reportsandcharts/federalfunds/Documents/FedFunds2026.pdf).

425: note 2: replace with: W.Va. Tax Commissioner, *Fifty-Fifth Biennial Report*, 11-13, <https://tax.wv.gov/Documents/Legal/TaxLawReport.55.pdf>; W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, 6.

425: note 3: replace with: Tax Foundation, *2025 State Tax Competitiveness Index: West Virginia*, <https://taxfoundation.org/statetaxindex/states/west-virginia/>.

425: note 4: eliminate

525: note 10: replace it with: W. Va., *Governor’s Executive Budget: Budget Report 2018, 2026*, vol. 1.

425: note 11: replace with: W. Va. Code, §11-13A-1ff ; W. Va. Tax Division, *Severance Taxes Tax Data, Fiscal Years 2015-2022*, [/https://tax.wv.gov/Documents/Reports/2022/SeveranceTaxes.TaxData.FiscalYears.2015-2022.pdf](https://tax.wv.gov/Documents/Reports/2022/SeveranceTaxes.TaxData.FiscalYears.2015-2022.pdf); Federal Reserve Bank of St. Louis, *State Tax Collections: T53 Severance Taxes for West Virginia*, <https://fred.stlouisfed.org/series/QTAXT53QTAXCAT3WVNO>; P. R. Lockhart, “Why West Virginia’s reliance on volatile severance taxes is problematic,” *Mountain State Spotlight*, Apr. 10, 2023.

426: note 23: add to end of note:: W. Va. Code §29-22A-10D, §29-22A-10E, §29-22C-27A.

427: note 25: revise: W. Va., Lottery Commission, *2024 Comprehensive Annual Financial Report*, [/C:/Users/Owner/Downloads/ Annual%20Report%20FY%202024.pdf](C:/Users/Owner/Downloads/Annual%20Report%20FY%202024.pdf).

427: Note 31: replace with: W. Va. Dept. of Revenue, State Budget Office, *West Virginia Consolidated Report of Federal Funds FY 2026*, 3.

427: note 34: replace with: W. Va. State Budget Office, *Current and Past Appropriations* <https://budget.wv.gov/reportsandcharts/appropriations/Pages/default.aspx>; W. Va. Center on Budget and Policy, *FY 2026 Final Budget Recap: A Shrinking Budget Still Reliant on One-time Funds*, <https://wvpolicy.org/fy-2026-final-budget-still-reliant-on-one-time-funds/>.

427: note 52: replace with: W. Va., *Governor's Executive Budget: Budget Report*, 2026, vol. 1, 24.

427: note 56: replace with: W. Va., *Governor's Executive Budget: Budget Report*, vol. 1, 2026, 41-42.

428: note 58: replace with: W. Va., State Budget Office, *Other Reports, Rainy Day Fund*, <https://budget.wv.gov/reportsandcharts/Pages/OtherReports.aspx>.

428: replace with: Henry Culvyhouse, "A puddle of money: Here's what to know about West Virginia's Rainy Day Fund," *Mountain State Spotlight*, Oct. 30, 2023; Henry Culvyhouse, "Lawmakers approve a plan to put less money in the Rainy Day Fund. Could that hurt WV in the long run?" *Mountain State Spotlight*, May 23, 2024.

Chapter 12

429: note 11: eliminate

429: note 12: replace with: W. Va. Business Court Division, *Annual Report, 2023*, 6, <https://www.courtswv.gov/sites/default/pubfiles/mnt/2024-02/Business%20Court%20Division%27s%202023%20Annual%20Report.pdf>.

429: note 13: replace with: *2024 Annual Report of the Mass Litigation Panel*, https://www.courtswv.gov/sites/default/pubfiles/mnt/2025-02/2024AnnualReport_MassLitigationPanel.pdf.

429: note 14: edit: W. Va. Constitution, Art. VIII § 10; W. Va. Code, § 50-1-4; W. Va. Judiciary, "Magistrates Courts—Trial Courts of Limited Jurisdiction," <https://www.courtswv.gov/lower-courts/magistrate-courts>.

429: note 15: eliminate

429: note 16: eliminate

430: note 21: add to end of note:: See also the discussion in Emily G. Ogden, "Expanding Drug Courts and Alternative Justice Courts in West Virginia: Implementing Innovative and Restorative Justice Practices," *West Virginia Law Review* 126 (2024): 673-715.

431: Note 36: replace with: W. Va. Court System, *2024 Annual Statistics Report On Circuit, Family, and Magistrate Court Judges*, 3-7, 12-16, <https://www.courtsww.gov/sites/default/pubfilesmnt/2025-04/2025AnnualReport.pdf>.

431: note 38: replace with : For comparable national data, see S. Gibson, et al., National Center for State Courts, “Trail Court Court Caseload Overview, Caseload Detail – Total Civil,” https://www.ncsctableauserver.org/t/Research/views/TrialDashboards/Civil?%3Aembed=y&%3AisGuestRedirectFromVizportal=y&%3Aorigin=card_share_link.

431: note 45: replace with: S. Gibson, et al., National Center for State Courts, “Appellate Court Caseload Overview, Caseload Detail - Appeals,” https://www.ncsctableauserver.org/t/Research/views/Appellate/AppealCaseloadDetail?%3Aembed=y&%3AisGuestRedirectFromVizportal=y&%3Aorigin=card_share_link.

432: note 50: replace with: American Bar Association, *2023-24 National Lawyer Population Survey*, https://www.americanbar.org/content/dam/aba/administrative/market_research/2024-aba-nlps.pdf U.S. Bureau of Labor Statistics, *Occupational Employment and Wage Statistics, West Virginia, 2024*, <https://data.bls.gov/oes/area/5400000>.

432: note 58: revise: W. Va. Code, §§ 7-4-6, § 61-8B-1, §§ 61-8B-15 to 18; W. Va. Prosecuting Attorneys Institute, “Prosecutors” <https://pai.wv.gov/prosecutors>.

432: note 59: revise: W.Va. Public Defender Services, “Fiscal Year 2021 Annual Report,” [https://pds.wv.gov/Documents/AnnualReports/FY2021%20Annual%20Report\(Done\).pdf](https://pds.wv.gov/Documents/AnnualReports/FY2021%20Annual%20Report(Done).pdf)

432: note 60: revise: Legal Services Corporation, Legal Aid of West Virginia, Inc., “Program Profile,” <https://www.lsc.gov/grants/our-grantees/legal-aid-west-virginia-inc-program-profile> Legal Aid of West Virginia, Inc., “Financial Statements and Supplementary Information, Dec. 31, 2023,” <https://legalaidwv.org/wp-content/uploads/2024/07/Legal-Aid-of-West-Virginia-449041-Audit-Report-for-2023.pdf>

432: note 61: eliminate

Chapter 13

434: note 3: revise to: U.S. Bureau of the Census, *State and Local Government Finance Tables, Table 1. State and Local Government Finances by Level of Government and by State: 2022*, <https://www.census.gov/data/datasets/2022/econ/local/public-use-datasets.html>. Updated to 2025 to account for inflation.

434: note 4: revise to: U. S, Census, *Local Government Employment and Payroll Data: U.S. and States: 2017 -2024*, [https://data.census.gov/table/GOVSTIMESERIES.GS00EP03?q=gs00ep&g=010XX00US,\\$0400000](https://data.census.gov/table/GOVSTIMESERIES.GS00EP03?q=gs00ep&g=010XX00US,$0400000).

435: note 9: revisions: Sarah F. Anzia, “Party and Ideology in American Local Government: An Appraisal,” *Annual Review of Political Science* 24 (2021): 133-50; Sarah F. Anzia, *Local Interests: Politics, Policy, and Interest Groups in US City Governments*. (Chicago: University of Chicago Press, 2022); Damon M. Cann, “The

Structure of Municipal Political Ideology,” *State and Local Government Review* 50 (2018): 37-45; William Marble and Clayton Nall, “Where Self-Interest Trumps Ideology: Liberal Homeowners and Local Opposition to Housing Development,” *Journal of Politics* 83 (2021): 1747-63; J. Eric Oliver, *Local Elections and the Politics of Small-Scale Democracy* (Princeton: Princeton University Press, 2012); Brian F. Schaffner, Jesse H. Rhodes, and Raymond J. La Raja, *Hometown Inequality: Race, Class, and Representation in American Local Politics* (New York: Cambridge University Press, 2020); Brian F. Schaffner, Jesse H. Rhodes, and Raymond J. La Raja, “The Conservative Bias in America’s Local Governments,” *Political Science Quarterly* 137 (2022): 125-54; Christopher Warshaw, “Local Elections and Representation in the United States,” *Annual Review of Political Science* 22 (2019): 461-79.

436: note 17: replace reference with: Andrey Yushov, “Property Taxes by State and County, 2025,” Tax Foundation, <https://taxfoundation.org/data/all/state/property-taxes-by-state-county/>; Tax Foundation, Taxes In West Virginia: West Virginia Tax Rates, Collections, and Burdens, <https://taxfoundation.org/location/west-virginia/>.

436: note 18: replace reference with: U.S. Census Bureau, 2022 State & Local Government Finance Historical Datasets and Tables, 2022, State & Local Government, US Summary and State Estimates Tables, <https://www.census.gov/data/datasets/2022/econ/local/public-use-datasets.html>.

436: note 19: replace reference with: W. Va. Tax Commissioner, “Fifty-Fifth Biennial Report, West Virginia Tax Laws,” 111, <https://tax.wv.gov/Documents/Legal/TaxLawReport.55.pdf>.

436: note 27: replace reference with: U.S. Census Bureau, 2022 State & Local Government Finance Historical Datasets and Tables, 2022.

437: note 43: replace with: Calculated from W.Va. State Auditor, “Local Government-County Budgets 2024-2025, <https://www.wvsao.gov/localgovernment/>.

437: note 47: add to end of note: National Association of Counties, “West Virginia County Government Overview,” 5, https://www.naco.org/sites/default/files/event_attachments/DRAFT_WestVirginia_012022.pdf.

439: note 72: replace note with: W. Va. Code § 8-1-5a; § 8-12-2; W. Va. Dept. of Revenue, “The West Virginia Municipal Home Rule Program,” <https://revenue.wv.gov/homerule/Pages/About.aspx>; Shauna Johnson, “Home rule is becoming a permanent option for West Virginia’s cities,” *MetroNews*, March 27, 2019; Robert M. Bastress, Jr., “Home Rule in West Virginia,” *West Virginia Law Review*, 122 (2020): 721-39: Examples of home rule charters and reports on their implementation are found at W. Va. Dept. of Revenue, “Home Rule Cities,” <https://revenue.wv.gov/homerule/Pages/Home-Rule-Cities.aspx>.

439: note 81: replace with: Calculated from W.Va. State Auditor, “Local Government-Municipal Budgets 2024-2025, <https://www.wvsao.gov/localgovernment/>.

440: note 87, add: W. Va. Code §18-2-5a; §29 A-3 B-13; Hoppy Kercheval, “Bill usurps the state Board of Education and gives more power to the legislature,” *MetroNews*, Apr. 24, 2025.

440: note 95. add: The state also has assumed control of county schools in Boone (2025), Logan (2022), Upshur (2023), Mingo (2025), Nicholas (2025), and Tyler (2025) counties, see Duncan Slade, “West Virginia is taking control of more local school systems. Here’s what it means for students,” *Mountain State Spotlight*, Aug. 2025. Primarily the state takeovers of county schools addressed fiscal and administrative mismanagement. Apparently state control has limited effect on the academic performance of students, see Beth E. Schueler and Joshua F. Bleiberg, “Evaluating Education Governance: Does State Takeover of School Districts Affect Student Achievement?” *Journal of Policy Analysis and Management*, 41 (2022): 162-12; Beth E. Schueler, “Centralization and Long-Term System Performance: Evidence From State Takeovers of School Districts,” *Political Research Quarterly* 78 (2025): 453–67.

441: note 108: replace with: W. Va. Solid Waste Management Board, SWA Contacts, <https://swmb.wv.gov/Solid-Waste-Authorities/Documents/SWA%20Contacts.pdf>.

441: note 110: replace with: W. Va. Code §§ 22c-4-1ff; W. Va. Housing Development Fund, Section 8 Contract Administration, https://www.google.com/search?q=west+virginia+public+housing+authority&oq=west+virginia+public+hou&gs_lcrp=EgZjaHJvbWUqDAgAEAAAYFBiHAhiABDIMCAAQABgUGIcCGIAEMg0IARAAGJECGIAEGIoFMgYIAhBFGDkyCagDEAAAYFhgeMggIBBAAGBYHjIICAUQABgWGB4yCagGEAAAYFhgeMggIBxAAAGBYHjIICAgQABgWGB4yCagJEAAAYFhge0gEKMTc0OTdqMGoxNagCCLACafEF13Ph8NKSa4k&sourceid=chrome&ie=UTF-8

441: note 111: replace with: W. Va. Code §§ 19-21a-1ff; W. Va. Conservation Agency, *2024 Annual Report*, https://www.wvca.us/reports/annual/pdf/2024_Annual_Report.pdf.

441: note 112: replace with: W. Va. Code §§ 8a-12-1ff; W. Va. Farmland Protection, *Local County Boards*, <https://wvfp.org/county-boards/>.

442: note 115: replace with: W. Va. Code § 8-27-1ff; West Virginia Transit System, *Websites and E-mail Addresses*, <https://transportation.wv.gov/publictransit/transitsystems/Pages/default.aspx>.

442: note 117: replace with: W. Va. Code §§ 29-27-1ff; ...

442: note 118: replace with: W. Va. Code §§ 8-25-1ff; W. Va. Association of Regional Councils, *What are Regional Planning & Development Councils?* <https://www.wvregionalcouncils.com/>.

444: note 14: replace with: WVU Medicine, “About WVU Medicine,” <https://wvumedicine.org/about/>; Vandalia Health, “About,” <https://www.vandaliahealth.org/about>; West Virginia Center on Budget and Policy, *Mergers in the Mountain State: How Hospital Consolidation Impacts Health Care Prices for West Virginians*, <https://wvpolicy.org/wp-content/uploads/2025/10/Mergers-in-the-Mountain-State-Report.pdf>.

Additional Endnotes

- 1 W. Va. Code §16-7-2; §16-7-4.
- 2 Patrick Morrissey quoted in Alan Greenblatt, “Meet Five of This Year's Soon-to-Be Governors,” *Governing*, <https://www.governing.com/politics/meet-five-of-this-years-soon-to-be-governors>; Tre Spencer, After Justice’s COVID cash-fueled tax cuts and business deals, Morrissey takes a targeted approach to growing jobs,” *Mountain State Spotlight*, Aug. 2025.
- 3 W. Va. Code §18B-12-1 and §18B-12-2; §18B-12-11.
- 4 W. Va. Code §§5B-2-21ff, §5 B- 2 N-2 A, §§11 - 6 N-1ff, §11 B-2-33, §24-2-1D, §24-2-1Q, §24-2-15, §24-2-19; W. Va., Governor, “Governor Patrick Morrissey Issues Statement on the Passage of Microgrids Legislation,” Apr. 12, 2025, <https://governor.wv.gov/article/governor-patrick-morrissey-issues-statement-passage-microgrids-legislation>; Sarah Elbeshbishi, “What’s the big deal about data centers? Here’s what West Virginians need to know,” *Mountain State Spotlight*, July 17, 2025; Caity Coyne, “‘It will destroy this place:’ Tucker County residents fight for future against proposed data center,” *West Virginia Watch*, May, 28, 2025; Sarah Elbeshbishi, “Locals fought for details about a planned data center complex. Lawmakers took away their power to do anything about it,” *Mountain State Spotlight*, Aug. 3, 2025; Sarah Elbeshbishi, “‘I just need basic answers’: West Virginians want transparency as they struggle to get info about planned data centers,” *Mountain State Spotlight*, Sept. 28, 2025; Tucker United, “Protect Tucker County,” <https://www.tuckerunited.com/>.
- 5 See Chris Schultz, “Study Looks At Cost of Hope Scholarship For Public Schools,” West Virginia Public Broadcasting, Dec. 14, 2023; Katelyn Aluise, “As Hope Scholarship enrollment grows, public education concerns loo,” *Charleston Gazette-Mail*, July10, 2025; W. Va. Center on Budget and Policy, “The Treasurer Just Admitted Hope Scholarship Mostly Goes to Families Who Would Have Already Chosen Private Education,” July 18, 2025; West Virginia Center on Budget and Policy, “Budget Beat: Hope Scholarship Expansion on the Horizon, Lawmakers Must Take Action,” Aug. 29, 2025.
- 6 W. Va. Code §18-5-18a.
- 7 W. Va. Code §18A-5-1.
- 8 W. Va. Code §18-H-1, 1 §8B-14-12.
- 9 See Amelia Ferrell Knisely, “\$22 million in WV Hope Scholarship spent on out of state schools, iPads, dance studios and more,” *West Virginia Watch*, Dec. 20, 2024, <https://westvirginiawatch.com/2024/12/20/22-million-in-wv-hope-scholarship-spent-on-out-of-state-schools-ipads-dance-studios-and-more/>; Tamaya Browder, West Virginia

-
- Center on Budget and Policy, “The Perfect Storm: Limited Oversight and Accountability Contribute to Growing Costs of the Hope Scholarship,” Jan. 21, 2025, <https://wvpolicy.org/the-perfect-storm-limited-oversight-and-accountability-contribute-to-growing-costs-of-the-hope-scholarship/>.
- 10 W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, 26, 27, W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, (2026), <https://budget.wv.gov/executivebudget/Documents/Volume%20I%20>
- 11 30 U.S.C. §§ 1201–1328; 30 CFR Part 700 et seq; U.S. Dept. of the Interior, Office of Surface Mining Reclamation and Enforcement, “Chronology of Major SMCRA-Related Events,” <https://www.osmre.gov/laws-and-regulations/chronology-of-major-smrca-related-events>, Mira Rojanasakul, “Streams Were Dying in West Virginia: Here’s How They’re Coming Back,” *New York Times*, June 25, 2025.
- 12 W. Va. Code §64-3-1; U.S. Environmental Protection Agency, “Our Current Understanding of the Human Health and Environmental Risks of PFAS,” <https://www.epa.gov/pfas/our-current-understanding-human-health-and-environmental-risks-pfas>; Sarah Elbeshbishi, “Trump EPA says it will roll back some Biden-era PFAS limits, weakening drinking water protections,” *Mountain State Spotlight*, May 13, 2025.
- 13 Sarah Elbeshbishi, “Officials touted a bill that will help plug orphaned gas well, but it leaves taxpayers, not the drillers, covering the cost,” *Mountain State Spotlight*, July 10, 2025.
- 14 Julie Strupp, “Trump orders NEPA changes, faster energy project permits,” *Construction Dive*, Jan. 23, 2025, <https://www.constructiondive.com/news/trump-executive-orders-energy-permits-nepa/738089/>; Brad Plumer and Mira Rojanasakul, “Trump Signs Orders Aimed at Reviving a Struggling Coal Industry,” *New York Times*, Apr. 9, 2025; Ken Silverstein, “Trump Pulls The Rug Out From Underneath West Virginia’s Coal Sector,” *Forbes*, Apr. 9, 2025; Tre Spencer, “Trump said he would end the ‘war on coal.’ His tariffs will likely hurt the industry,” *Mountain State Spotlight*, Apr. 23, 2025; U.S. Dept. of Energy, *Energy Employment By State 2024, West Virginia*, https://www.energy.gov/sites/default/files/2024-09/USEER%202024%20States_0913.pdf.
- 15 Tre Spenser, “Trump’s changes to broadband rules would favor Starlink,” West Virginians would pay the price,” *Mountain State Spotlight*, May 16, 2025; Tre Spenser, “As Morrissey defended Trump’s push for satellite internet, he contradicted his own broadband experts,” *Mountain State Spotlight*, June 5, 2025; W. Va. Governor, Governor Patrick “Morrissey Awards Broadband Project Funding in 10 Counties,” June 19, 2025, <https://governor.wv.gov/article/governor-patrick-morrissey-awards-broadband-project-funding-10-counties>; David Beard, “DOGE terminates \$9 million state digital equity grant,” *Dominion Post* June 25, 2025.
- 16 The Association of Religion Data Archives, “West Virginia - State Membership Report (2020),” <https://www.thearda.com/us-religion/census/congregational->

-
- membership?y=2020&y2=0&t=1&c=54; On denominational characteristics see Bill J. Leonard, “Introduction: The Faith and the Faiths,” in *Christianity in Appalachia: Profiles in Religious Pluralism*, ed. Bill J. Leonard (Knoxville: University of Tennessee Press, 1999), xx-xxx and other contributions to this volume. On spiritualism, revivalism, and the limits of denominational influences in rural areas of Appalachia see Deborah Vansau McCauley, *Appalachian Mountain Religion: A History* (Urbana: University of Illinois Press, 1995), 1-43.
- 17 WVSS Survey Data, 2021; Pew Research Center, “Religious Landscape Study,”
 - 18 W. Va. Code §5A-1-11; Tre Spencer, “In DEI purge, Morrissey administration quietly guts office preventing workplace discrimination,” *Mountain State Spotlight*, Apr. 8, 2025.
 - 19 W. Va. Secretary of State, Campaign Finance Reporting System, “Candidates,” <https://cfrs.wvsos.gov/index.html#/explore/candidate>.
 - 15 W. Va. Secretary of State, Campaign Finance Reporting System, “Candidates,” <https://cfrs.wvsos.gov/index.html#/explore/candidate>.
 - 21 W. Va. Secretary of State, Campaign Finance Reporting System, “Committees,” <https://cfrs.wvsos.gov/index.html#/exploreCommittee>.
 - 22 W. Va. Secretary of State, Campaign Finance Reporting System, “Committees,” <https://cfrs.wvsos.gov/index.html#/exploreCommittee>.
 - 23 Henry Culvyhouse, “Lobster, steak and gold pins: Inside Morrissey’s \$1.2 million inaugural bankrolled by special interests,” *Mountain State Spotlight*, May 16, 2025; Henry Culvyhouse, “Morrissey’s inaugural fund gave \$500K to nonprofit run by political ally,” *Mountain State Spotlight*, June 27, 2025; Henry Culvyhouse, “Political nonprofit backed by Gov. Morrissey’s inaugural funds runs ads praising his leadership,” *Mountain State Spotlight*, Oct. 14, 2025.
 - 24 Joshua Hagen, “‘Pork’ Spending, Place Names, and Political Stature in West Virginia.” *Southeastern Geographer*, 47 (2007): 341-64 Vicki Smith, “Sen. Robert Byrd: King of pork or larger-than-life hero?” *Christian Science Monitor*, June 28, 2010.
 - 25 See POPVOX Foundation, “Reporting on Earmarks: Resources for Journalists,” <https://www.popvox.org/blog/reporting-on-earmarks>; Shelley Moore Capito, “Congressionally Directed Spending,” <https://www.capito.senate.gov/congressionally-directed-spending>; West Virginia University “Funding secured for congressional archives enhancements, civics and history education,” <https://exlibris.lib.wvu.edu/news/2025/01/13/funding-secured-for-congressional-archives-enhancements-civics-and-history-education>.
 - 26 Ellen Allen ACA has dramatically shifted West Virginia’s health care landscape,” *West Virginia Watch*, Mar. 27, 2025; EWG, Farm Subsidy Database: West Virginia, “Total Subsidies payments in West Virginia totaled \$27.7 million in 2024,” <https://farm.ewg.org/>

-
- progdetail.php?fips=54000&progcode=total&yr=2024&page=county®ionname=West Virginia.
- 27 Bob Ortega, et al, “Coal miners backed Trump. He’s dismantled their safety net,” CNN, June 4, 2025.
- 28 David A. Fahrenhold, “After Federal Cuts, Food Banks Scrounge and Scrimp,” *New York Times*, Apr.28, 2025; Tre Spencer, “‘We cannot survive this’: Trump’s cuts to USDA Cutbacks in the federal Emergency Food Assistance Program left the state’s food banks, such as those in Charleston, incapable of meeting the needs of clients. programs hurt West Virginia schools, food banks and farmers,” *Mountain State Spotlight*, Apr. 29, 2025; Kelly Allen, Executive Director, West Virginia Center on Budget and Policy, “Federal Cuts, Local Impacts,” Address, Morgantown Church of the Brethren, July 9, 2025; Erin Beck, “Medicaid work requirements could strip health care from thousands of West Virginians — including those with jobs,” *Mountain State Spotlight*, July 31, 2025; West Virginia Center on Budget and Policy, *Budget Beat*, “WV Hospitals Considerably Impacted by Federal Budget Reconciliation Bill,” [outlook.office.com/mail/deeplink/read/AAkALgAAAAAAHYQDEapmEc2byACqAC%2FEWg0AybmCpnL%2B306by8VgI5ODRQALDk7iiAAA?popoutv2=1&version=20250725003.04.](mailto:AAkALgAAAAAAHYQDEapmEc2byACqAC%2FEWg0AybmCpnL%2B306by8VgI5ODRQALDk7iiAAA?popoutv2=1&version=20250725003.04.),
- 29 This freedom is confirmed by statute, W. Va, Code §§49-12-1 ff.
- 30 West Virginia Freedom Caucus, <https://www.freedomcaucuswv.com/>; Randy Yohe, W.Va. Legislative ‘Freedom Caucus’ Pushes Far Right Agenda, WV Public Broadcasting, Sept. 25, 2023.
- 31 WCHS Eyewitness News, “West Virginia Gov. Patrick Morrisey Inauguration,” https://www.youtube.com/watch?v=UAUTbi_-iko.
- 32 Patrick Morrisey, Letter to Kris Warner, Secretary of State, Apr.17, 2025, chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://s3.us-east-005.backblazeb2.com/wvmn-s3/2025/04/2025_04_17_Message_HB_2026.pdf.
- 33 W. Va. Code §5F-2-9.
- 34 Caelan Bailey, “Morrisey Speaks On Energy Business, Plans To ‘Accelerate’ Permits,” WV Public Broadcasting, Jan. 23, 2025.
- 35 For a summary, see Cheyenne DeBolt, “2025 Completed Legislation: Part 8, HB 2008, 2009,” <https://blog.wvlegislature.gov/headline/2025/04/28/2025-completed-legislation-part-8/>.
- 36 W. Va. Code §18B-2A-1, §18B-2A-2.
- 37 West Virginia University, Fiscal Year 2026 Financial Plan, 6-7, <https://wvutoday.wvu.edu/files/d/fc894911-1f15-4a3b-a1df-415f5e5da580/fiscal-year-2026-financial-plan-final.pdf>.

-
- 38 W. Va. Code §18B-11-8.
- 39 W. Va. Code §§18B-12-2ff, §§18B-22-1ff.
- 40 See for examples W. Va. Association of Licensing Boards, Boards, <http://www.wvlicensingboards.com/boards.cfm>; W. Va. Dept. of Environmental Protection, “Permitting,” <https://dep.wv.gov/permitting/pages/default.aspx>; W. Va. Health Care Authority, “Frequently Asked Questions,” <https://hca.wv.gov/certificateofneed/Pages/FAQ.aspx>; W. Va. Dept. of Natural Resources, Licenses and Regulations, <https://wvdnr.gov/frequently-asked-questions/regulations-and-licenses/>.
- 41 See for example, Curtis Tate, “These Coal Plants Lose Money. Other States Have Walked Away, But W.Va. Hasn’t,” W. Va. Public Broadcasting, Sept. 12, 2025.
- 42 Sarah Elbeshbishi, “Hundreds are still recovering months after severe flooding. Lawmakers haven’t funded protection against future floods,” *Mountain State Spotlight* Apr. 7, 2025; Sarah Elbeshbishi, “Morrisey promised to be there ‘every step of the way’ in flood recovery. Residents wonder where that help is now,” *Mountain State Spotlight* Apr. 24, 2025; Sarah Elbeshbishi, “‘Plans without resources are a fantasy.’ West Virginia failed to fund flood protection plans for years,” *Mountain State Spotlight* Aug. 29, 2025.
- 43 Sean O’Leary, “A Weak FY 2025 Shows West Virginia’s Tax Cut Strategy Failing to Materialize,” West Virginia Center on Budget and Policy, July 23, 2025, <https://wvpolicy.org/a-weak-fy-2025-shows-west-virginias-tax-cut-strategy-failing-to-materialize/>.
- 44 W.Va. Code, §17-3-1ff; W. Va. State Budget Office, *Revenue Collections, Fiscal Year 2025, State Road Fund*, [/https://www.wvlegislature.gov/legisdocs/reports/agency/B02_FY_2025_26553.pdf](https://www.wvlegislature.gov/legisdocs/reports/agency/B02_FY_2025_26553.pdf); W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, 26, 27.
- 45 W.Va. Code §11B-2-15a; Lori Kersey, PEIA finance board approves rate increases for 2026, *West Virginia Watch*, Dec. 5, 2024; Lori Kersy, “WV Legislature may be called for PEIA special session in July,” *West Virginia Watch*, June 5, 2025.
- 46 W. Va., *Governor’s Executive Budget: Budget Report*, vol. 1, 41-43.
- 47 W.Va., Intermediate Court of Appeals of West Virginia, *Statistical Reports*, chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://www.courtswv.gov/sites/default/publicfiles/mnt/2025-04/2023-2024%20ICA%20QuickView%20Stats_1.pdf.
- 48 W. Va. Court System, *2024 Annual Statistics Report*, 3-7.
- 49 W. Va. Court System, *2024 Annual Statistics Report*, 12-16.

-
- 50 W. Va. Court System, *2024 Annual Statistics Report*, 9-11; The West Virginia Court System 2016 Data, https://www.courtswv.gov/sites/default/pubfilesmnt/2023-06/2016AnnualReport_Statistics.pdf
- 51 W. Va., Office of the Clerk, Statistical Reports, Supreme Court Caseload Reports, 2023-2024, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.courtswv.gov/sites/default/pubfilesmnt/2025-04/2023-2024%20SCA%20QuickView%20Stats%20-%20Final_1.pdf.
- 52 W. Va. Municipal League, “Municipal Policy,” <https://www.wvml.org/about/municipal-policy>, discusses some of the mandates to which municipalities object. But see also Robert M. Bastress, Jr. “Localism and the West Virginia Constitution,” *West Virginia Law Review* 109 (2009): 683-723
- 53 W. Va. Code, §§19-21-1ff.
- 54 ASCE, “2025 Infrastructure Report Card, West Virginia Report,” <https://infrastructurereportcard.org/state-item/west-virginia/>; Sarah Elbeshbishi, “Trump administration proposal would cut nearly 90% of federal funding to West Virginia water and sewer programs,” *Mountain State Spotlight*, June 6, 2025.
- 55 W. Va. Code §§22-11C-1ff; West Virginia University, Bridge Initiative for Science and Technology Policy, Leadership, and Communications, “PFAS and the Health of West Virginians,” Oct. 16, 2024, <https://scitechpolicy.wvu.edu/science-and-technology-notes-articles/2024/10/16/pfas-and-the-health-of-west-virginians>; Sarah Elbeshbishi, “For tens of thousands of West Virginians who need clean water, a \$1 billion investment is a drop in the bucket,” *Mountain State Spotlight*, Oct. 31, 2024; Sarah Elbeshbishi, “Trump EPA says it will roll back some Biden-era PFAS limits, weakening drinking water protections,” *Mountain State Spotlight*, May 13, 2025.
- 56 U.S. Dept. of Labor, Bureau of Labor Statistics, “Women's Labor Force Participation Rate by Presence and Age of Children, State and County,” <https://www.dol.gov/agencies/wb/data/womens-labor-force-participation-rate-presence-age-of-children>; Tre Spencer “West Virginians need child care so they can go to work. Lawmakers haven’t done much but have another chance,” *Mountain State Spotlight*, Feb. 20, 2025; Erin Beck, “Struggling kids and families get support at child care centers. State officials have no plans to stop closures,” *Mountain State Spotlight*, Mar. 27, 2025; Tre Spencer, “‘If they don’t have child care, they can’t work’: Parents and providers share stories of the struggle for child care,” *Mountain State Spotlight*, Oct. 17, 2025; W. Va. Code §§21-6-3ff.