WEST virginia legislature

2021 regular session

Introduced

House Bill 2813

By Delegate Barrett

[Introduced March 01, 2021; Referred to the Committee on Finance]

A BILL to amend and reenact §16-2-14 of the Code of West Virginia, 1931, as amended, relating to employees of local boards of health; making legislative findings; requiring the Legislature to provide funds to Department of Health and Human Resources to provide local boards of health funds for pay raises for employees when the Legislature provides funds for across-the-board pay raises for state employees; limiting Department of Health and Human Resources from using provided funds for any other purpose; requiring annual funding to continue pay raises; and prohibiting Department of Health and Human Resources from placing additional restrictions or obligations on provided funds.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LOCAL BOARDS OF HEALTH.

§16-2-14. Financial responsibilities of appointing authorities for local boards of health; levies; appropriation of county or municipal general funds for public health purposes; state funding.

(a) The appointing authorities for local boards of health shall provide financial support for the operation of the local health department. The county commission of any county or the governing body of any municipality in which a local board of health is established pursuant to the provisions of this article, or the county commission of any county or the governing body of any municipality who is a participating member of a combined local board of health may levy a county or municipal tax to provide funds for the local board of health. *~~Provided,~~* ~~That~~ The tax as provided in this section may not exceed three cents on each $100 of assessed valuation of the taxable property in the levying county or municipality, according to the latest assessment.

(b) The county commission of any county or the governing body of any municipality in which a local board of health is established pursuant to the provisions of this article, or the county commission of any county or the governing body of any municipality who is a participating member of a combined local board of health may appropriate and spend money from the county or municipal general funds for public health purposes and to pay the expenses of the operation of the local board of health services and facilities.

(c) The commissioner and the secretary may pay over and contribute to any board of health created and maintained pursuant to the provisions of this article the sum or sums of money that may be available from funds included in appropriations made for the Department of Health and Human Resources. The commissioner may withhold all or part of any funds until a local board of health submits an acceptable plan to correct deficiencies in the local boards program plan.

(d) *Employees of local boards of health. —*

(1) The Legislature finds that employees of local boards of health provide a valuable service to the state. Although these employees are hired through the Division of Personnel, they are not state employees. Accordingly, employees of local boards of health do not share in pay raises provided to state employees. Therefore, the Legislature finds that including these employees in any across-the-board pay raises provided for state employees is appropriate.

(2) When the Legislature provides funds for across-the-board pay raises for state employees, it shall also appropriate sufficient funds to the Department of Health and Human Resources to provide to local boards of health funds for the purpose of increasing the pay of employees in the same amount or percentage as pay increases provided to state employees. The Legislature shall annually include appropriations in the base budget for use by the local boards of health to continue to fund local health departments at the increased rate.

(3) The Department of Health and Human Resources may not place any additional restrictions or obligations beyond those already set forth in this section upon local health departments as a condition of receiving these funds.

NOTE: The purpose of this bill is to require the Legislature to provide funds to Department of Health and Human Resources to provide local boards of health funds for pay raises for employees when the Legislature provides funds for across-the-board pay raises for state employees. It limits the Department of Health and Human Resources from using the funds for any other purpose. It also prohibits the Department of Health and Human Resources from placing additional restrictions or obligations on provided funds.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.