

# **WEST VIRGINIA LEGISLATURE**

## **2018 REGULAR SESSION**

**Introduced**

### **Senate Bill 472**

BY SENATORS BLAIR, UNGER AND CLINE

[Introduced February 2, 2018; Referred  
to the Committee on Health and Human Resources; and  
then to the Committee on Government Organization]

1 A BILL to amend and reenact §16-2-14 of the Code of West Virginia, 1931, as amended, relating  
2 to requiring the Legislature to provide funds to the Department of Health and Human  
3 Resources so that it can provide the local boards of health funds for pay raises for their  
4 employees when the Legislature provides funds for across-the-board pay raises for state  
5 employees, and annually after that.

*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.**

1 The appointing authorities for local boards of health shall provide financial support for the  
2 operation of the local health department. The county commission of any county or the governing  
3 body of any municipality in which a local board of health is established pursuant to the provisions  
4 of this article, or the county commission of any county or the governing body of any municipality  
5 who is a participating member of a combined local board of health may levy a county or municipal  
6 tax to provide funds for the local board of health: *Provided*, That the tax may not exceed three  
7 cents on each \$100 of assessed valuation of the taxable property in the levying county or  
8 municipality, according to the latest assessment.

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

15 The commissioner and the secretary may pay over and contribute to any board of health  
16 created and maintained pursuant to the provisions of this article, the sum or sums of money that

17 may be available from funds included in appropriations made for the Department of Health and  
18 Human Resources. The commissioner may withhold all or part of any funds until a local board of  
19 health submits an acceptable plan to correct deficiencies in the local board's program plan.

20 The Legislature finds that employees of local boards of health provide a valuable service  
21 to the state. Even though these employees are hired through the Division of Personnel, they are  
22 not state employees. Accordingly, employees of local boards of health do not share in pay raises  
23 provided to state employees. When the Legislature provides funds for across-the-board pay  
24 raises for state employees it shall also appropriate sufficient funds to the Department of Health  
25 and Human Resources so that it can provide the local boards of health funds to increase the pay  
26 of their employees in the same amount or percentage. After the effective date of this paragraph,  
27 the Legislature shall annually include appropriations in the budget for use by the local boards of  
28 health to continue to fund pay raises required by this paragraph.

NOTE: The purpose of this bill is to require funds be provided to the Department of Health and Human Resources so that it can provide the local boards of health funds for pay raises for their employees when the Legislature provides funds for across-the-board pay raises for state employees.

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