

Vote **NO** on Amendments 2 and 4

There is much more on the ballot in November than individuals seeking elected office. West Virginia voters will be asked to vote on four constitutional amendments on November's ballot. Two of the amendments will directly impact our students, school funding, and control of public education.

Those amendments will dramatically impact public education and some say they would produce the biggest changes to the West Virginia Constitution in nearly 100 years. Let's take a deeper look at the far-reaching impacts that Amendment 2 – Property Tax Modernization Amendment and Amendment 4 – Educational Accountability Amendment will have on public education.

WVEA is leading a coalition to actively oppose both amendments. Below are brief outlines of the amendments.

Amendment 2 – Property Tax Modernization Amendment

“To amend the State Constitution by providing the Legislature with authority to exempt tangible machinery and equipment personal property directly used in business activity and tangible inventory personal property directly used in business activity and personal property tax on motor vehicles from ad valorem property taxation by general law.”

In simplest terms, Amendment 2 is designed to amend the state's constitution to take taxing authority away from local governments, and give increased power to the state legislature. The legislature is expected to use the power to give major tax cuts to mostly out-of-state businesses.

“In every recent session the legislature has spent time trying to figure out a way to reduce the taxes on our largest businesses. Their overriding objective is clear, finding tax breaks for these large, mostly out-of-state corporations,” states WVEA President Dale Lee. “Unfortunately, passage of the amendment would mean a huge loss of revenue for county governments and school systems. It represents a significant power grab by the legislature.”

So how does the passage of Amendment 2 impact county governments and county boards of education? According to the West Virginia Center on Budget & Policy (WVCBP), if Amendment 2 passes and the legislature moves forward with exempting new items from property taxation, county governments would lose an estimated \$138 million in revenue, municipal governments would lose an estimated \$35 million, and school districts would lose an estimated

\$209 million, after adjusting for anticipated impacts to the school aid formula.

WVCBP estimates that Amendment 2 would give the state legislature control over 27 percent of total property tax revenue, eliminating a total of \$515 million of local revenue. The Center also reminds us that businesses, not individuals, would receive two-thirds of the proposed cuts.

“The tax cuts would cripple county governments and school systems,” states WVEA Executive Director Kym Randolph. “Just think about the services provided by the counties – police, fire, ambulance, parks, libraries, schools, senior services, etc. All of those will be at risk of cutbacks if county governments lose significant tax revenue.”

“Many counties have levies that will also be significantly impacted by Amendment 2,” offered President Lee. “If the property isn't taxed, then the levies won't be able to support the items voted upon by the voters of the county. Clearly the only winners in Amendment 2 are already profitable, out-of-state corporations.”

Sean O'Leary, Senior Policy Analyst for the WVCBP, reminds us that “...very little evidence exists to support claims that West Virginia's property taxes are a significant barrier to economic growth. Instead, studies have shown that factors such as educational attainment, infrastructure, and quality of public services – all factors that are funded by property taxes – are more important to economic growth and attracting businesses than taxes.”

In an effort to appease local officials, promises have been made by legislative leaders to make counties and schools whole. In other words, the Legislature would come up with over \$515 million each year to give back to counties for the loss of tax revenue.

“The Legislature is pointing to their budget surplus this year and believe they can continue that into the future. The money propping up the budget this year is one-time money from the federal government for COVID assistance. That money will not be there in the future,” stated President Lee. “Their plan to reimburse counties for money lost due to Amendment 2 is not sustainable. It is just another empty promise.”

And most likely once the legislature fails to produce the needed revenue for counties to operate, local citizens will see increases in their property taxes to make up the needed revenue. “At that point business and personal property will be exempt from taxation so the only way to raise reve-

nue will be to pass tax increases on to the citizens in the county. Once again, big business will see decreased taxes and those tax breaks will be absorbed by citizens,” states Randolph.

If passed, Amendment 2 would negatively impact the ability of local governments and schools systems to provide much needed services for the citizens and students in their counties.

Vote NO on Amendment 2!

Amendment 4 – Educational Accountability Amendment

“The purpose of this amendment is to clarify that the rules and policies promulgated by the State Board of Education, are subject to legislative review, approval, amendment, or rejection.”

In simplest terms, Amendment 4 is designed to take power away from the State Board of Education and give control over public education to the legislature. Passage of the amendment would make the WVBE irrelevant and allow the legislature to enact education policy and oversee the state board.

“I think turning over education policy to the legislature is one of the worst ideas that I have heard of in a long time,” states President Lee. “Look at what the legislature has done or attempted to do to public education over the past few sessions. This amendment would allow them to escape any checks and balances in their desire to dismantle public education.”

Currently the WV Constitution states that “...the general supervision of the free schools of the State shall be vested in the West Virginia Board of Education...”

The State Board of Education is a nine-member board with nine-year overlapping terms. Members are appointed by the governor and confirmed by the Senate. No more than five members can belong to the same political party.

“The Constitution creates a separate division (the state board) to oversee our public schools. There is no reason to change the current system other than to politicize public education. I believe the WVBE has not cooperated with the public education agenda of the legislature, and this is a power grab to seize control,” opined President Lee.

According to WVEA Executive Director Randolph, “Amendment 4 takes decisions about our schools away from the people constitutionally entrusted with providing for a thorough and efficient education and gives it to politicians who care about scoring political points for their

constituents and donors. We need to keep from classrooms from becoming another political battleground.”

Vote NO on Amendment 4!

How can you help inform voters about these two divisive and harmful amendments? Talk to your friends, family, and neighbors. Let them know the truth about what will likely occur should the amendments pass.

Long explanations aren’t necessary just fill them in on the basics...

Vote against both Amendment 2 and Amendment 4.

- The tax cut will devastate our local communities. The legislature wants to cut taxes for big corporations. Those are taxes local communities need for schools, police officers, EMT’s, seniors and local infrastructure. WV has a surplus now, but how long will that last? Vote against the amendments and protect the revenue that our local communities need.
- Vote against both Amendment 2 and Amendment 4 to stop politicizing everything. The same politicians who want to cut taxes for the wealthy and take money away from local communities are the same politicians that want to control the School Board and implement a one-size-fits-all curriculum for local schools. The legislature wants control over the revenue for your county, what teachers can say and what version of history is taught. Vote against the amendments and stop the politics.

“We need everyone working on defeating these amendments,” states President Lee. “If passed, the impacts of these amendments will ripple through county governments and school systems for decades. It is clearly a defining moment for our public schools. We must all work together to get an ‘against’ turnout on both amendments.”

Together we’re stronger. Together we’re heard!

