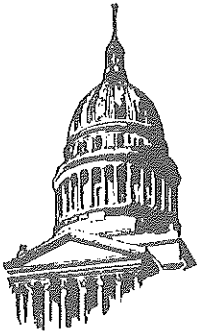


The Senate of West Virginia



Governor Jim Justice
Office of the Governor
State Capitol
1900 Kanawha Blvd. E.
Charleston, WV 25305

July 14, 2020

Governor Justice,

On July 8, 2020, the US Treasury Department updated their guidance to state governments on distribution of the Coronavirus Relief Fund. Page seven instructs states to distribute at least 45% of the funds they receive to local governments. (Areas with populations of 500,000 or more do not apply as they received direct aid from the Cares Act, but West Virginia has no such areas.) We do not believe that your present plan satisfies that mandate unless you are aware of changes to the law that we are not.

We do not doubt that you spent significant time and attention to crafting your planned disbursement of relief funds. We do appreciate the recent updates to the plan with our suggestions including funds for broadband and additional small business grants (the "Help Small Business Win Big" request letter dated May 1), but the overall package as presented still does not meet the 45% threshold.

Below are additional suggestions that we believe will make our state stronger while also contributing to the required 45% allocation to local governments. We request that each be considered, vetted, and refined for implementation as follows:

- 1. Public Education Safety:** That funds be set aside for the inevitable costs that public education will bear to keep our students safe -- PPE, sterilization of buses & classrooms, temperature scanners, and other costs associated with in-person school attendance. By taking care of these needs for all counties, the grant dollars being provided by the WVDE to county boards can then be spent to meet local needs. It also allows these dollars to count towards the 45% requirement.
- 2. Double the State's Current Annual Allocation to our Volunteer and Paid Fire Departments.** Many VFDs rely on fundraisers which cannot be held now, however, provide 80% of the front-line firefighting capability in West Virginia. We need to keep them active and protected from financial ruin. The loss of just a few VFD companies would be a disaster for homeowners in the area. (You received a letter from Senators Facemire, Stollings, and Romano dated June 12, 2020, provides a more detailed discussion.) These dollars also could be distributed via county governments and therefore count towards the 45% requirement.

3. Hold back a percentage of CARES Act funding for local governments in case of resurgence.

As a businessman, we are sure you understand the importance of having funds reserved in case the unexpected occurs. We urge you to hold back at least 10% of CARES Act funds until the last moment so the state can be prepared to disburse them for the unexpected costs local governments will face if resurgence occurs. The recent spike of COVID-19 in our state and around the country is of grave concern and, should the economy falter or other emergency occur, those contingency funds would be available as needed. Should all the funds not be needed, the remainder could be reallocated to the unemployment compensation fund as you currently plan at the stroke of your pen.

Our Constitution requires legislative oversight of spending. We firmly believe that this current situation does not meet constitutional requirements or W.Va. Code §4-11-6. We urge you to convene the Legislature with the prior agreement of a limited and agreed-to call which provides for oversight and transparency of fund distribution. We believe our Constitution requires nothing less.

We all should have the same goal at the end of the day: Doing what is right with these CARES Act funds for the health and economic security of our state and nation.

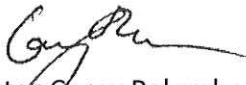
Sincerely,



Senator Stephen Baldwin



Senator William Ihlenfeld II



Senator Corey Palumbo
Minority Whip



Senator Ron Stollings



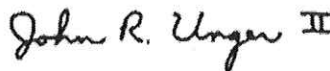
Senator Bob Beach



Senator Glenn Jeffries



Senator Roman Prezioso, Jr.
Minority Leader



Senator John Unger



Senator Doug Facemire



Senator Richard Lindsay



Senator Michael Romano



Senator Mike Woelfel