



Legislative Report – 2007 General Assembly Session

The report that follows describes legislative and budgetary measures that were focal points of Virginia Catholic Conference (VCC) advocacy during the 2007 session of the General Assembly, which began on January 10 and concluded on February 24. The VCC is the public-policy representative of the Catholic bishops serving the dioceses of Arlington and Richmond.

Abortion:

The House of Delegates adopted a budget amendment, strongly supported by the VCC, to prevent state funding of Medicaid abortions. However, that provision was not added to the Senate version of the budget. Ultimately, a House-Senate conference committee, assembled to reconcile numerous differences between House and Senate budget proposals, decided not to include the provision in the version of the budget that the General Assembly sent to Governor Kaine's desk.

Three abortion-related bills supported by the VCC passed the House by large margins but were subsequently rejected by the Senate Committee on Education and Health. One measure would have required abortion clinics to be licensed by the state and subject to regulations applicable to other ambulatory surgery centers; a second would have improved Virginia's "informed consent" law by requiring that every pregnant woman considering an abortion first be given the opportunity to view an ultrasound image of her unborn child; and a third would have made it a crime to use force, threats, or intimidation to coerce a pregnant woman or girl to have an abortion against her will.

Stem-Cell Research:

Currently, the Virginia budget contains no ethical standards to prevent use of state tax dollars for research that requires destroying human embryos or fetuses. The VCC pushed aggressively for budget language prohibiting state investment in such research. For the second straight year, the provision was adopted by the

House of Delegates but not by the Senate. Ultimately, it was not included in the conference committee report approved by the full General Assembly. The VCC also supported the Governor's infusion of additional money in the budget earmarked for types of stem-cell research that do not involve the destruction of human life. The General Assembly approved this new allocation for adult stem-cell research.

The VCC opposed legislation that would have, for the first time in Virginia's history, explicitly authorized state higher-education institutions to conduct embryonic stem-cell research as well as a form of research on aborted babies known as embryonic germ-cell research. A House subcommittee, however, declined to give the bill its endorsement and instead referred it to an advisory panel that will meet later this year.

The VCC also opposed legislation that would have enabled the state's Christopher Reeve Stem Cell Research Fund to subsidize embryonic stem-cell research. [Currently, this Fund is exclusively for research on stem cells that are not obtained by destroying human embryos.] That legislation failed to move beyond the committee level.

Four other introduced bills also sought, by various means, to stimulate research initiatives in the Commonwealth. Since these bills contemplated state funding and did not include guidelines to prevent investment in unethical research, the VCC worked to amend those measures to ensure that no state money would be spent on research that requires a human embryo or fetus to be destroyed. Although none of the four bills passed the full General Assembly, the VCC-endorsed amendments were successfully added to two of them during House committee deliberations.

Death Penalty:

VCC-opposed measures that sought to expand the circumstances under which a defendant could be eligible for the death penalty passed both chambers of the General Assembly by large margins. Together, a package of five bills sent to the Governor's desk would add accomplices (*i.e.*, those other than the "triggerman"), those who murder a judge, and those who murder a subpoenaed crime witness to the list of individuals who could receive a death sentence in Virginia. [To send a message to the Governor urging him to veto this legislation, please go to the Legislative Action Center box, and click on the "Latest Alerts" link.]

Justice for Immigrants:

The legislature considered about 50 pieces of legislation related in various ways to the state's growing immigrant community. The VCC focused particular attention on opposing three bills with especially onerous provisions. One of them, relating to "harboring" and "transporting," would have made it a felony under some circumstances to provide emergency shelter to an undocumented immigrant, or to drive him or her to a hospital or doctor's office; another had the potential to unravel partnerships between government entities and faith-based service providers that offer emergency assistance without first verifying the immigration status of the person in need; and a third would have required undocumented workers to go to "a bank or financial institution located within a foreign country" to receive workers' compensation if injured while working for a U.S. employer, or to send a legal representative if his or her disability made such an appearance impossible. All three bills passed the House before being rejected by Senate committees. [Before House passage, a committee had amended the "harboring" bill to satisfy concerns raised by the VCC on behalf of diocesan charities.]

Legislation introduced this year would also have restricted the ability of undocumented immigrant children (who entered the country with their parents) to attend state colleges and universities, even if they graduate from Virginia high schools. By opposing this approach, the VCC sought to avoid penalizing those children because of decisions their parents made. While the House passed a bill to deny those children in-state tuition, the Senate approved a VCC-supported bill that would have permitted undocumented children to receive in-state tuition at public higher-education institutions if they graduate from a Virginia high school, have applied to become permanent U.S. residents, and have parents who have filed Virginia income-tax returns for at least three years prior to enrollment. Once each of these bills "crossed over," they failed to win approval in the opposite chamber.

Low-Income Families / Safety-Net Services:

Currently, the federal minimum wage is \$5.15 an hour. A VCC-supported bill to establish a state minimum wage of \$6.50 an hour (until the federal rate exceeds that level) passed the Senate by a vote of 32-7 but was eventually defeated by the House. The General Assembly also failed to adopt VCC-endorsed provisions to require "payday lenders" to operate under the same annual-percentage-rate cap (36 percent) as other small-loan lenders operating in Virginia. As a result, payday lenders can still charge APRs of 390 percent or more. VCC-supported funding initiatives, however, fared better: Prenatal care for low-income women and funding for indigent defense received increases in state funding, and the St. Mary's Health Wagon will receive another \$100,000 in state money to help

sustain the vital safety-net services it provides to indigent residents of southwest Virginia.

Parents and Schools:

Legislation pursued by the VCC to authorize local school boards to provide bus transportation to nonpublic-school students won General Assembly enactment. After passing the House by a 72-26 margin, the “bus bill” won first-ever approval from the Senate Committee on Education and Health (which had rejected it in 2005 and 2006) by a vote of 7-6 with two abstentions. It then survived highly contentious debate on the Senate floor, and three successive 20-19 votes, on its way to final passage. Other legislation introduced in the House sought to establish income-tax credits for business entities and individuals who make contributions to public-school foundations or scholarship foundations. Supported by the VCC, the legislation passed the House but then stalled in a Senate committee. Meanwhile, both chambers approved VCC-endorsed legislation requiring state libraries to install Internet filtering technology to receive state funding. That technology is designed to ensure that children are protected from viewing pornographic, obscene, and otherwise harmful materials on the Internet.