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General Assembly: The End(?)

By Times-Dispatch Staff



The General Assembly session that officially concluded Saturday proved memorable — and not necessarily for positive reasons. Partisan power struggles, a raft of conservative legislation and budgetary brinkmanship made it one of the most contentious sessions in recent memory.

As these words go to press the budget battle remains unresolved, which is deplorable. No grand matters of principle are at stake. They almost never are in fiscal debates, where the questions involve minor differences of degree, not major differences in kind. The real driver of the dispute is partisan politics: Democrats are trying to use the budget as a crowbar to pry Republicans' hands loose from the levers of power. That's a pretty lousy reason to threaten shutting down state government.

Republicans have had some less than glorious moments themselves, thanks to a hard right turn on social issues. Among them: a bill that would have required a physically invasive ultrasound for any woman seeking an abortion. Nationwide outrage over that proposal, and another that would have granted personhood to fertilized eggs, forced the GOP to amend the first proposal and defer the second one.

The Assembly also scuttled an effort to repeal the HPV vaccine imposed on teenage girls, and a measure that would have required drug testing for welfare recipients. Supporters of the latter evidently did not realize that such tests would cost the state far more than it would save: Similar testing requirements elsewhere have demonstrated that the vast majority of those receiving public charity are clean and drug-free.

But another solution to another apocryphal problem — voter impersonation — did pass in amended form. Voters without ID will have to return to the polling place with proof of identification such as a driver's license

or utility bill; otherwise, their provisional ballot will not be counted. This would make more sense if anyone could point to at least a few cases of voter impersonation. As matters stand, what once was said about an album by Spinal Tap may be said of the voter-ID measure: It fills a much-needed void.

Lawmakers spent considerable time arguing over education. Gov. Bob McDonnell's proposal to replace a tenure-like system for public school teachers with a merit-based one unfortunately did not survive the session. Fortunately, neither did the "Tebow bill," which would have let home-schooled students play on public school sports teams — a proposal that makes no more sense than letting them drop in for chemistry because the school has a better lab.

Another high point of the session: second passage of a constitutional amendment to protect property owners from eminent-domain abuse. Local governments have been telling ghost stories about all the horrible unintended consequences. In contrast, supporters have been telling true stories about all the horrible and entirely intended consequences that have resulted from opportunistic land grabs by VDOT, redevelopment authorities and powerful corporate interests. The lopsided votes for the amendment reflect the difference.

Virginians also have heard some dire predictions about what might come to pass from the repeal of one-gun-a-month. Although this newspaper supported the measure at the time, it's worth noting that similar dire predictions accompany every acknowledgment of gun rights — from the Supreme Court's decisions in *Heller* and *McDonald* to the proliferation of concealed-carry statutes around the country. None of the gloomy forecasts turned out to be right.

A number of measures introduced this year would have let local governments hide public notices by posting them only on obscure websites, rather than in newspapers. The idea was billed as a cost-saving measure. But lawmakers came to understand that there is a vast difference between an obscure government site such as the eVA procurement site and a publication whose aim is to disseminate information to citizens about something they do not already know. That, after all, is why so many lawmakers write columns for their local papers — not their city or county websites.

Business issues sometimes boiled down to battles between Davids and Goliaths. The Davids won a round when lawmakers passed a measure making Amazon remit sales taxes once its new distribution centers are built here. The Goliaths — big tobacco companies — won another round by convincing the Assembly that roll-your-own smoke shops should have to charge the same cigarette taxes as the big boys.

Senators and delegates approved legislation to establish an all-payer-claims database — an innovation, building on the existing Virginia Health Information initiative, that should bring more transparency to the Byzantine world of the pricing and outcomes of various medical procedures.

Equally commendable, they spiked proposals to create health-insurance exchanges required under the Patient Protection and Affordable Care Act, which the Supreme Court could rule unconstitutional later this year. Even if the court does not, running such an exchange imposes substantial costs.

The insurance exchange deserves to remain unfinished business. Unfortunately, the Assembly also has left unfinished some business that it ought to have resolved long ago. The state evidently will pass yet another year without a desperately needed infusion of new money for transportation. The issue transcends party and ideology. It touches everything from the average motorist's pocketbook, which is diminished by higher vehicle repair bills, to the potential loss of international trade as shipping companies seek out ports that do not feed into bottlenecks and congested highways. Virginia cannot keep kicking this can much longer — because the state is running out of road.