

GENERAL ASSEMBLY 2017

ABORTION

McAuliffe vetoes bill targeting Planned Parenthood

BY KATIE DEMERIA  
Richmond Times-Dispatch

Gov. Terry McAuliffe has vetoed a bill that would restrict Planned Parenthood from contracting with the state.

The bill, sponsored by Del. Benjamin L. Cline, R-Rockbridge, passed the Senate last week on a 20-19 vote. It would prevent the Virginia Department of Health from providing funds to clinics that provide abortion



services to women who are not covered by Medicaid.

During an event outside the Executive Mansion on Tuesday, McAuliffe referred to the building as the “brick wall” to protect women’s health care. He spoke in front of advocates from Planned Parenthood, NARAL Pro-Choice Virginia and Progress Virginia.

“It’s important for women to have access to quality health care,” he said. “This is what matters

to Virginia families today.” McAuliffe vetoed an identical bill last year.

“This wall just got taller, and it just got wider, folks,” he told the crowd Tuesday before vetoing the legislation.

Planned Parenthood contracts with the Virginia Department of Health to provide testing for sexually transmitted infections, said Paulette McElwain, CEO of the Virginia League for Planned Parenthood.

Last year, Planned Parenthood provided testing to 1,700 low-income women using those state funds.

McElwain referred to Cline’s legislation as another example of “political attacks on women’s health.”

“Health care is a reality only if it is accessible and affordable,” said Attorney General Mark R. Herring, a Democrat who is seeking re-election. “Attacks on Planned Parenthood do nothing to advance health care. They take us in the wrong direction.”

In a prepared statement, Cline expressed hope that the General Assembly will



Del. Lashrecce D. Aird (from left), D-Petersburg; Del. Jennifer B. Boysko, D-Fairfax; Sen. Barbara A. Favola, D-Arlington; Lt. Gov. Ralph S. Northam; Attorney General Mark R. Herring; Paulette McElwain, CEO of the Virginia League for Planned Parenthood; and Chelsea Wise, clinician with Leaders for Life, applauded Gov. Terry McAuliffe, who vetoed the bill that would halt state funds going to clinics that perform abortions not covered by Medicaid.

override McAuliffe’s veto.

“This important legislation would have prioritized taxpayer dollars toward providers of more comprehensive health care services, and the governor’s veto undermines those efforts to improve health care in rural and underserved areas,” Cline said.

The bill would allow the

state to fund a clinic only if it solely provides Medicaid-eligible abortions, such as in cases of rape or incest, when the mother’s life is in danger, or when the fetus has a physical or mental deformity.

During his speech, McAuliffe referenced North Carolina’s transgender bathroom law and said such bills as Cline’s

are similar examples of discrimination that would cause businesses to turn away from Virginia.

“Discrimination breeds hatred, and we will not tolerate that in the commonwealth of Virginia,” he said. “We treat everyone equally, with dignity and respect.”

Lt. Gov. Ralph S. Northam, one of two

Democrats seeking their party’s nomination for governor, said at the event that legislators, “most of whom are men,” need to stop telling women what to do with their bodies.

Olivia Gans Turner, president of the Virginia Society for Human Life, accused McAuliffe in a statement of putting “the abortion lobby” before “the women and unborn children of the commonwealth.”

Outside the mansion’s grounds, protesters from the Family Foundation, which opposes abortion, held up signs that said “Planned Parenthood lies to you,” “57 percent of Virginians oppose taxpayer funded abortions” and “All Lives Matter.”

“It’s disappointing the governor continues to do the bidding of the abortion industry,” said Victoria Cobb, president of the Family Foundation, adding that the event was “a big political game” and that “women should be sad.”

kdemeria@timesdispatch.com  
(804) 649-6813  
Twitter: @katiademeria

Utilities

From Page A1

pollution from power plants.

“In reality, it was a refund freeze,” said Sen. J. Chapman Petersen, D-Fairfax City. “It froze the ability of consumers of electricity in Virginia to receive refunds when excess profits were earned by our two monopoly utilities, Dominion and Appalachian Power.”

Petersen has pushed legislation unsuccessfully this session to resume rate reviews when President Donald Trump and Scott Pruitt, his new head of the Environmental Protection Agency, kill the Clean Power Plan, which already has been stayed by the U.S. Supreme Court.

“By the way, Scott Pruitt is a friend of mine,” Cuccinelli said of the former Oklahoma attorney general. “He really believes the Clean Power Plan is illegal. It is going away. It is not going to happen.”

What McAuliffe might do, however, remains unclear. Earlier this month, he voiced support for Petersen’s legislation — though well after a Senate committee killed it.

“The governor claims to care a lot about this. But if he doesn’t actually do anything, he probably doesn’t care that much,” said Sen. David R. Suetterslein, R-Roanoke County, who was at Tuesday’s news conference with a handful of other lawmakers.

Petersen said the governor has a few options, including sending down new legislation before the session ends Saturday or during the veto session, when the General Assembly returns in April to act on the governor’s amendments, proposed revisions and vetoes of legislation passed this winter. He also could call a special session or request amendments to legislation that already has passed both chambers and deals with the same code section.

One bill involves allowing Dominion to recoup costs related to extending the licenses of its nuclear plants, and another deals with allowing utilities to seek recovery costs from the State Corporation Commission for pumped hydroelectricity generation and storage facilities.

“The governor had a private meeting with Senator Petersen where he told him he would consider sending a bill down if the senator came back to him with a plan to change the outcome from the previous bill,” said Brian Coy, the governor’s spokesman. “He has not yet heard back.”

The ball is not in Petersen’s court, the senator maintains.

“I’ve done everything I could do. I’m David fighting Goliath down here,” he said.

“Nobody’s going to support this idea in the abstraction, especially when it might cost them a political donation. ... The only way we’re going to change the dynamic on this is if the governor takes the lead.”

◆ ◆ ◆

**Cuccinelli called** Clean Power Plan compliance costs an “excuse” for the 2015 law, arguing that it really was meant to lock in excessive profits, to the tune of about \$300 million a year for Dominion. The State Corporation Commission found Appalachian Power “overearned” by nearly \$36 million in 2015.

“It is important for you all to know, that was never true. Everybody got



Former Virginia Attorney General Ken Cuccinelli (left) and Sen. J. Chapman Petersen, D-Fairfax City, spoke before a news conference at the state Capitol.

that?” Cuccinelli told reporters. “That was never true.”

The SCC also has said the rate freeze wouldn’t have shielded any customers from Clean Power Plan costs, which wouldn’t take effect until 2022. Those costs would have been recouped by riders, a method for utilities to recover costs plus a guaranteed return on investment for capital projects, not base rates.

“On an annual basis, both utilities, APCO and Dominion, right now are earning excessive returns from their ratepayers,” Cuccinelli said. “That means that about 70 percent of the households in Virginia are overpaying for their electricity right now, and that’s based on the findings of the SCC.”

Dominion spokesman David Botkins said typical Dominion customers paid about \$500 less for electricity than the East Coast average for each of the past two years.

Botkins also said undoing the law would endanger gains in renewable energy, such as solar development, that it put into place.

“The law Senator Petersen wants to undo is stabilizing electricity rates at these low levels while promoting renewable energy. Senate colleagues rejected his plan,” Botkins said.

“The law Petersen would undo resulted in Dominion providing \$57 million to help military veterans and people in need to weatherize their homes, saving energy and money. The law produced another \$90 million to reduce all customers’ bills. And, the law infused nearly \$1 billion of new solar energy projects into Virginia’s power grid.”

He added that the Clean Power Plan isn’t dead yet.

“It still exists, and a federal appeals court is now reviewing it. President Trump says he opposes it, but Virginia’s governor and attorney general support it. No one actually knows what comes next. It would be irresponsible to throw out Virginia’s laws before anyone knows what the rules will be going forward,” Botkins said.

◆ ◆ ◆

**Cuccinelli has** signed on as an attorney for the Virginia Poverty Law Center, which is involved in a case before the Virginia Supreme Court that challenges the constitutionality of the 2015 law.

The case, brought by a group of large industrial customers of Appalachian Power, argues that the law stripped the SCC of its constitution-

ally designated powers to review and set rates.

Excessive bills are falling on the households that can least afford it, he added.

“What we’re doing every month is, by legislation, shifting that money from the pockets of 70 percent of Virginia’s families to two utilities,” he said. “For nothing. For absolutely nothing.”

Dominion, the state’s top corporate political donor, takes unfair advantage of the complexity of utility regulation legislation and its relationships with lawmakers, he added.

“Something comes through to line the power companies’ pockets every year in one form or another, in little bits here, in little bits there,” Cuccinelli said.

“They’re not donating to advance an agenda. They’re investing. And those investments have returned handsomely for these companies. And the people of Virginia have suffered for it.”

Sen. Frank W. Wagner, R-Virginia Beach, a gubernatorial hopeful who carried the 2015 bill, said the energy on display Tuesday by Cuccinelli and the group of lawmakers, which also included Sen. R. Creigh Deeds, D-Bath, and Dels. Sam Rasoul, D-Roanoke, and J. Randall Minchew, R-Loudoun, would be better directed elsewhere.

“I wish they’d focus their attention on some of the rates that have gone skyrocketing, like health care and cable television as opposed to something that’s actually gone down in price,” he said.

“Your kilowatt-hour rate is lower today than it was two years ago. Name me one other thing that’s cheaper today than it was two years ago.”

But should the rate be lower? “You don’t know that, and I don’t know that,” Wagner said, adding that Dominion took on additional risk, including costs for closing its coal ash ponds, as a result of his 2015 bill.

“You don’t know and I don’t know and nobody knows what’s coming out of Washington right now in terms of those policies. ... I guess they’re all assuming something will come out of Washington,” he said.

“Right now, we’re still in that state of transition. And that’s why the bill was put into place, and that’s why it should remain in place until we’re done with this transition.”

rzullo@timesdispatch.com  
(804) 649-6453  
Twitter: @rczullo

HELLO, LITTLE FRIEND



Del. Terry L. Austin, R-Botetourt (left), rubs Cash, a miniature horse owned by Steven Shinault. Shinault is one of the representatives from the Virginia Horse Council who were meeting with legislators outside the General Assembly Building in Richmond on Tuesday.

Call today to schedule a personal visit!

**Dogwood Terrace**  
Richmond, VA | 804-296-3169

**The Virginian**  
Richmond, VA | 804-414-8568

©2017 HARVEST MANAGEMENT SUB LLC, HOLIDAY AL MANAGEMENT SUB LLC, HOLIDAY AL INC MANAGEMENT LLC.

**WEDNESDAY'S CRAB CAKE NIGHT**

**CRAB STUFFED TROUT**  
**\$15.95**

**PAN SEARED CRAB CAKES**  
**\$16.95**

**FILET & CRAB CAKE**  
**\$25.95**

**2800 E BROAD ST / 804-648-0360 / THEHILLCAFE.COM**