



Life & Family Legislation: A Coming Storm?

Pro-life/pro-family initiatives not only failed to make progress during the 2007-08 biennium, but came under attack in many areas. In 2007, the General Assembly passed legislation that makes it easier to euthanize elderly and other vulnerable populations. The House also passed a “bullying bill” that would have recognized sexual orientation as a protected class. Legislation aimed at dismantling the state’s abstinence-only curriculum was also sponsored by Sen. Linda Garrou (D-Forsyth) and Rep. Susan Fisher (D-Buncombe), but failed to garner significant support from legislators. Likewise, a bill that would have allocated \$16 million for stem cell research was sponsored by Sen. Walter Dalton (D-Rutherford). Neither the House nor the Senate passed any pro-life legislation, including commonsense protections such as an Unborn Victims of Violence Act and a Born Alive Infant Protection Act (HB 1774). The Defense of Marriage Amendment also failed to get out of committee. Worse still is that many pro-life leaders believe the past biennium was only a trial run of a liberal anti-life/anti-family agenda positioning itself for a full-scale offensive in 2009.

Dr. Jameson Taylor
 Policy Director
 jameson.taylor@
 nccivitas.org
 919-834-2099

Legislation that Passed:

Denial of care directive for the elderly and incapacitated (SB 1046/HB 634)

Sponsored by Sen. Fletcher Hartsell Jr. (R-Cabarrus) and Rep. Deborah Ross (D-Wake), this law is a follow-up to a 2003 attempt (SB 145) to indirectly legalize physician-assisted suicide. The legislation makes it easier to end the life of a person with advanced dementia, as well as unconscious persons diagnosed with an “incurable” condition. Most troubling is that the recommended advanced directive form permits only two options regarding denial of care. The first option states that the attending physician “may withhold or withdraw life-prolonging measures”; the second option states that the physician “shall withhold or withdraw life-prolonging measures.”

Funding for abortion and contraceptives (2007-2009 Budget)

As in past years, the FY2007-FY2009 budget (HB 1473) appropriated \$50,000 annually for the State Abortion Fund. The two-year budget also allocated \$9.25 million for family planning services and teen pregnancy programs that encourage kids to use contraception. In addition, the budget provided \$525,000 in new funding to the Adolescent Pregnancy Prevention Coalition of North Carolina (APPCNC). The APPCNC partners with abortion providers, such as Planned Parenthood, to teach comprehensive sex-ed. Finally, the FY2007-08 budget appropriated \$200,000 in recurring funding for “family planning services” for uninsured women not eligible for Medicaid (i.e., illegal aliens). This funding was increased by another \$100,000 for FY2008-09 (HB 2436).

Anti-life/Anti-family Legislation that Did Not Pass:

Protected class status for homosexuality and gender orientation (HB 1366; HB 1789)

Sponsored by Rep. Rick Glazier (D-Cumberland), the so-called bullying bill would have recognized sexual orientation as a protected class for the first time in N.C. law. After passing the House, the Senate removed all provisions related to protected classes. It is very likely this legislation will be reintroduced in 2009. Rep. Paul Luebke (D-Durham) also sponsored a bill (HB 1789) that would have added sexual orientation and gender identity to the list of protected classes recognized in hiring state and local employees.

Embryonic stem cell research funding (HB 1837; SB 1965)

In 2007, Rep. Earl Jones (D-Guilford) introduced legislation (HB 1837) that would have allocated \$10 million to nonprofit organizations conducting stem cell research. After a controversial hearing – which included accusations that Appropriations Committee Chair Mickey Michaux (D-Durham) misreported vote totals on the



bill – a stripped down version of HB 1837 passed the House, but not the Senate. In 2008, Sen. Walter Dalton likewise introduced legislation that would have appropriated \$16 million for stem cell research at various universities in North Carolina. The bill died in committee.

Comprehensive sex-ed (SB 1182/HB 879)

Sponsored by Sen. Linda Garrou (D-Forsyth) and Rep. Susan Fisher (D-Buncombe), this bill would have gutted North Carolina's abstinence-until-marriage education law and replaced it with a comprehensive sex-ed program. The new curriculum – introduced in middle school – presumed sex outside of marriage and required teachers to “provide information about the effectiveness and safety of all FDA-approved contraceptive methods ... including, emergency contraception,” a known abortifacient. The new program would also have mandated that homosexuality be taught as normal and acceptable. Given that federal Title V abstinence funding is under attack in the U.S. Congress, the General Assembly's ongoing support for abstinence education is essential.

What the Legislature Should Have Done:

Protect pregnant women from violent crime

Thirty-six states and the federal government extend specific legal protection to the pregnant mom who chooses to carry her baby to term. By contrast, the North Carolina General Assembly again failed to pass an Unborn Victims of Violence Act that treats the murder of an unborn child as a separate homicide (HB 263; SB 295).

Protect the right to informed consent

Thirty-two states require that counseling be given to a mother considering an abortion; 24 states require a mandatory waiting period between the counseling session and the actual abortion. North Carolina should require that a counseling session, accompanied by an ultrasound, be given to any woman contemplating an abortion. Instead, the Legislature let the Woman's Right to Know Act (HB 1552) die in committee.

Cut off funding for nonprofits that perform abortion and/or teach comprehensive sex-ed

As indicated above, the state is allocating millions of dollars to teen pregnancy prevention programs that teach comprehensive sex-ed in place of abstinence. Planned Parenthood, the nation's leading abortion provider, also receives hundreds of thousands of dollars (\$843,000 in 2005 and 2006 alone) in state funds. Six states bar taxpayer dollars from going to Planned Parenthood; Virginia also came close to passing such a ban in 2008.

Defend traditional marriage

North Carolina is the only state in the South (excepting Florida, which votes on this issue in November) that does not have a constitutional amendment that defines marriage as an exclusive union between one man and one woman. With California and Massachusetts now marrying out-of-state gay couples, there is an urgent need for this amendment, which has failed to get out of committee five years in a row (cf. HB 493; HB 2803). The state should also pass legislation (cf. HB 518) that waives the marriage license fee/tax for couples who complete a pre-marriage course emphasizing that marriage is a life-long commitment.

Protect the elderly and other vulnerable populations

Along with repealing legislation (above) that makes it easier to end the life of persons with advanced dementia, the General Assembly should specify without exception that assisted suicide is a felony (cf. G.S. § 14-17).

What Voters Like:

82% support a fetal homicide law (April 2008)

77% think abortion should always or nearly always be illegal (July 2008)

71% support a constitutional amendment defining marriage as between one man and one woman (May 2008)

66% oppose school policies that treat homosexuality as normal and acceptable (May 2008)

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