



## **Talking Points for 2024 Legislative Priorities:**

**To find all of our studies supporting our positions go to:**

**[https://my.lwv.org/sites/default/files/lwv-va-positions-full-2023\\_0.pdf](https://my.lwv.org/sites/default/files/lwv-va-positions-full-2023_0.pdf)**

## **VOTING AND ELECTIONS**

### **Restoration of Rights**

- The question of whether a returning citizen's rights should be automatically restored should be put directly to the voters in the Commonwealth instead of continually allowing the Governor to arbitrarily decide whether to restore those rights.
- Democracy is most representative when every citizen has a voice. Voting is a civic duty and an important way to participate in how communities are represented through those we elect and the laws that are passed.
- These citizens have served their time and want to rejoin society. Most have jobs and pay taxes and may be a neighbor or someone you know. Restoring rights sharply reduces recidivism. Everyone benefits when they become engaged citizens by voting.
- Removal of rights for returning citizens is a hold over from Jim Crow era policies to reduce the voting influence of Black Americans.

### **Campaign Finance Reform**

- Virginia's weak campaign finance laws must be updated and strengthened. Our campaign finance laws are among the weakest in the country and insidiously corrupt the voting power of our citizen electorate. Currently, Virginia is one of only 5 states that do not limit campaign contributions.
- Regulating campaign financing is the key for voters to make informed decisions. Virginia citizens deserve to know who is making contributions and that no one contributor has undue influence on elected officials. When money distorts our electoral process, the democratic concept of 'consent of the governed' is diminished and rendered irrelevant.
- Political campaigns have developed new ways to advertise and work through entities that can avoid disclosure of their contributors, such as with "dark money." This leaves voters unable to clearly consider all ramifications of their vote.

### **Ranked Choice Voting (RCV)**

Current law has a temporary provision allowing localities to use RCV; LWV-VA continues to support use of RCV throughout the Commonwealth for the following reasons:

- With RCV, winning candidates would take office knowing they have the support of the majority of their community's voters.
- Ranked Choice Voting results in cleaner elections and elections with higher voter satisfaction. Generally, RCV results in campaigns with more civil discourse that appeal to the broadest range of voters.
- RCV results in higher voter turnout by removing voter concerns about "wasted" or "spoiler" votes. Additionally, RCV enhances opportunity for diversity amongst candidates since candidates have no reason to be discouraged from running just because they feel their candidacy would harm their community by splitting the vote.

- RCV protects voters who vote early especially in presidential primaries and whose candidates may have dropped out of the race before election day

### **Prohibition of Gifts/Funding for Elections (The so-called Zuckerbucks Bill)**

- The League of Women Voters agrees with a key rationale offered in support of this provision when it passed — the government should pay for elections. We remain concerned that the Commonwealth does not adequately cover the cost of elections in Virginia. Nor has the state provided funding for costly new requirements, such as reporting all cast ballots by the voters' home precincts.
- This law is too vague. Many of the types of gifts, grants, or services it prohibits do not affect "the conduct of an election," which the law specifically references. Leaving interpretation of the statutory language to local counsel in Virginia's 133 counties and municipalities, as the Attorney General requires, adds to the confusion.
- The grants of cash and services that certain nonprofit entities made to local elections offices during the 2020 election had no impact on Virginia's election outcomes. Those gifts were cited to justify the legislation but that was a one-time event, the 2020 election, when the pandemic imposed unprecedented, unplanned costs. The cash grants were made upon request to any locality that applied. In Virginia, of the 38 localities that received those funds, 24 voted for the Republican candidate for president and 14 for the Democratic candidate. While the largest grants went to the most populous localities, the average grant statewide was \$1.11 per registered voter.

### **National Popular Vote Compact**

- In the 20th Century, several times, the candidate who won the popular vote but lost the Electoral College vote, thus, the Electoral College was manipulated in order to win other successful elections.
- This is not the concept of one person-one vote.
- In a healthy Democracy, candidates are supposed to win elections by having the most votes. However, at the National level, fewer Americans are actually picking the winner.
- The Electoral College was and is a force of voter suppression.

Here's an historical reference and quote: "But delegates from the slaveholding South had another rationale for opposing the direct election method, and they had no qualms about articulating it: Doing so would be to their disadvantage. Even **James Madison**, who **professed a theoretical commitment to popular democracy**, succumbed to the realities of the situation. The future president acknowledged that "the people at large was in his opinion the fittest" to select the chief executive. And yet, in the same breath, he captured the sentiment of the South in the most "diplomatic" terms:

"There was one difficulty however of a serious nature attending an immediate choice by the people. The right of suffrage was much more diffusive in the Northern than the Southern States; and the latter could have no influence in the election on the score of the Negroes. The substitution of electors obviated this difficulty and seemed on the whole to be liable to fewest objections."

(NOTE THE SECOND PARAGRAPH. ( *and the latter-referring to Southerners*) *could have no influence in the election on the score of Black people.*

- Moreover, the Constitution currently does not **compel** the electors from a state to vote for the popular vote. In the worst incident in history (the election of Rutherford B.. Hayes, 1877). Louisiana, Florida, and South Carolina switched their Dixiecrat Electoral College votes for Hayes, in exchange for Hayes withdrawing Federal troops from the South. Thus, The Klan was allowed to expand, and Jim Crow dominated the South, and Reconstruction ended.

- In Virginia's General Assembly in 2020, the National Popular Vote Compact bill passed the house, but not the Senate.  
<https://www.brennancenter.org/our-work/analysis-opinion/electoral-colleges-racist-origins>

## **REPRODUCTIVE HEALTH RIGHTS**

- Every Virginia resident should have access to affordable, quality health care, including abortion, birth control and the privacy to make reproductive choices. Virginians made their reproductive opinions clear when they chose to elect representatives who vowed to protect reproductive rights.
- Abortion should be legal, safe, and the decision left to those who are pregnant with guidance from medical professionals.
- True democracy depends on equal rights for all people. Losing our right to reproductive choice opens the door to the loss of other freedoms including other healthcare choices, marriage equality, access to contraception, and the right to engage in private, consensual intimacy without government interference.
- Not only is the right to a safe and legal abortion a matter of personal freedom, it's also a major factor in the movements for racial and economic equality. Black individuals, and all underserved communities, already experience unfair barriers and limited access to adequate healthcare services.
- Our reproductive choices impact our physical and psychological well-being, including the foods we eat, where we live, our financial resources, and our capacity to gain and maintain employment and provide for ourselves and our families.

## **PUBLIC EDUCATION**

### **The Commonwealth must pay its fair share for public education.**

- When we place the biggest burden of school funding on local communities rather than the state, it means the quality of each child's education depends entirely on the neighborhood they happen to live in. Last summer the Joint Legislative Audit and Review Commission (JLARC) published a comprehensive report on Virginia's current public education funding showing yet again that the state is not sufficiently funding our public schools and suggesting policy changes to remedy that.
- We support JLARC's recommendations, including updating the state funding formula to reflect the needs of our public schools more accurately, and will be advocating for those changes. This is a crucial opportunity for legislators to address research-backed, nonpartisan recommendations to ensure children across urban, rural, and suburban communities all have the opportunity to attend well-funded school.

<https://www.fundourschoolsva.org/resources/making-sure-the-state-pays-its-fair-share/>

- Politicians across the country are using private school vouchers and tax credit programs to shift resources from our public schools to private ones. These programs divert vital resources from our public schools to subsidize private schools instead. Research clearly shows that voucher programs do not improve educational outcomes, but fully and fairly funding our public schools does.
- Therefore, we will fight to ensure that public funds in Virginia remain with public schools. We will continue to stand firm in our stance that public funds belong with public schools, and the best way to support our students is to make sure their schools are properly resourced. We will stand against any attempt to divert public money to private schools.

### **School-based mental health support**

- Virginia students are navigating a mental health crisis. We know that our students can't learn as well when they're struggling emotionally, so mental health support for our K-12 students is a necessity. It's time to ensure students have access to school counselors, social

workers, and therapists by increasing funding and improving student-to-counselor ratios.

- When we prioritize our students' mental health it allows them to focus on their classes and prepare for life after graduation. This year, legislators can expand mental health services by decreasing ratios for school counselors, licensed mental and physical health staff, and other student support staff as well as expanding flexible school-based mental health funding.

<https://www.fundourschoolsva.org/resources/facts-on-k-12-vouchers-and-savings-accounts/>

### **Creating safe and restorative environments for every student**

- Making sure students feel safe, welcomed, and valued in their schools is essential for their well-being and academic success. Our schools are safest when students and families feel welcomed, valued, and supported. An investment in creating positive school climates is an investment in the safety and well-being of our students.
- This legislative session our elected representatives can support safe and restorative environments for our students by investing in positive behavioral intervention programs, increasing support for community school programs, and supporting mentorship programs to provide students with additional supportive adults from similar backgrounds who can make them feel safe, supported, and heard.

### **Stop blocking local communities from using sales tax for school construction**

- Without adequate revenue, we cannot provide adequate school funding. Currently Virginia law bans communities across our state from choosing whether to raise the revenue needed to support their neighborhood schools. This limits the amount that localities can raise for their schools. It's time to change this and allow localities to institute a local sales tax via referendum if they feel it's needed to support their schools. [Learn more about why this is important here.](#)



## **RIGHT TO MARRY**

**BACKGROUND** On June 26, 2015, the U.S. Supreme Court struck down all state bans on same-sex marriage, legalized it in all fifty states, and required states to honor out-of-state same-sex marriage licenses in the case Obergefell v. Hodges. (internet search)

Same-sex marriage in Virginia has been legal since October 6, 2014, following the decision of the U.S. Supreme Court not to hear an appeal of the Fourth Circuit Court of Appeals' ruling in Bostic v. Schaefer. (source: PFLAG)

- Significant headway has been made in the two-year process to remove the anti-marriage amendment from Virginia's constitution with companion bills SJ 270 and HJ 582. Delegate Mark Sickles' HJ 582, which incorporates Delegate Alfonso Lopez's HJ 557 and Delegate Mark Levine's HJ 539, passed in the House 60-33 and the Senate 22-12. Senator Adam Ebbin's SJ 270 was agreed to by the Senate 24-12 and adopted by the House 60-37. Once adopted by both chambers, joint resolutions do not require the signature of the Governor. (source: Equality Virginia) In order to completely remove the anti-marriage amendment from Virginia's constitution, it will require the same version of the bill to pass two General Assembly sessions, separated by an election year. (source: equality Virginia)
- In the 2022 Session, the Bill to "update" Virginia's constitution to comply with national law of marriage equality failed, so the process to Amend Virginia's constitution will begin again. Bills will be introduced in the session and must pass the Virginia General Assembly the 2023 and 2024 Session. Then, it will appear as a referendum and Virginia's Citizens will vote on the referendum.

- The “Right to Marry” is the law of the land, and Virginia’s Constitution should be updated to reflect the existing law. LGBTQPlus Virginians should not have to fear that their marriages would not be recognized.

## **AFFORDABLE HOUSING**

- The Virginia Housing Trust Fund should be increased from \$75M to \$150M to assure an adequate source of affordable housing.
- 5000 Families Pilot Program: \$100 million should be appropriated for the biennium for a two-year pilot program to provide long-term rental assistance to 5,800 very low-income Virginia households with families with children under 13 years old.
- Manufactured Home Communities – Amend the “Notice to Residents to Purchase” to increase tenant protections.
- Pay or Quit Extension: Extend the “pay or quit” time period from five to fourteen days, returning to the longer time period that was in place for most of the COVID pandemic.

## THE ENVIRONMENT

### Why Virginia Needs the Regional Greenhouse Gas Initiative (RGGI)

- **Flood damage is increasing across the Commonwealth.** Without RGGI we will not have the funds to cope. By [law](#), 45% of RGGI revenue goes to the [Community Flood Preparedness Fund](#). 17 Hampton Roads cities and counties oppose Virginia leaving RGGI in a [letter](#) from the [HRPDC](#).
- **Low-income household benefit.** By [law](#), 50% of RGGI revenue goes to low-income energy efficiency programs, mitigating rate increases. RGGI dollars are being used in every region of Virginia. <https://www.dcr.virginia.gov/dam-safety-and-floodplains/dsfpm-cfpf-awards>
- Actual revenues **from RGGI** have ***far outstripped state officials'*** projections. Alternate funding sources that have been proposed are smaller and are contingent on available funding. The current surplus is the result of pandemic recovery efforts and is not permanent. <https://www.virginiamercury.com/2022/03/14/as-virginia-nets-another-74-million-rggi-uncertainty-lingers/>
- *Furthermore*, a letter to the Air Board from 61 legislators said, "Virginia's participation in RGGI is mandated by law. Therefore, ultimately only a change in the law that passes both chambers of the

General Assembly and is signed by the Governor can remove Virginia's participation."

<https://bloximages.newyork1.vip.townnews.com/richmond.com/content/tncms/assets/v3/editorial/0/7f/07f6e1c3-4186-56a5-964d-80f6cc9b2743/631a52aa51d22.pdf.pdf>

### **Data Centers**

- Businesses should be cognizant of the areas where Data Centers are erected(not near historical sites, or neighborhoods). Residents have observed the following effects: a drain on the water supply (75% will be unusable); higher energy rates; noise pollution, and other quality of life issues.

## GUN SAFETY

### Safe Storage

- Eight states and the District of Columbia, as well as several cities including New York and San Francisco, have laws mandating that owners secure their firearms.
- Fifteen states have passed another form of firearm storage laws, known as child access prevention (CAP) laws, which generally provide that if a minor accesses a firearm, the person who failed to adequately secure the firearm is liable. Six states have storage laws that are also aimed at preventing access to firearms by persons legally prohibited from having them.
- Public awareness is also critical to ensuring that guns are stored securely. The Moms Demand Action BeSmart program is one of many models that can be used by public officials and members of the community to build awareness of the importance of secure firearm storage.

<https://besmartforkids.org/>

- We are all safer when guns are stored unloaded, locked, and separate from ammunition. One study found that households that locked both firearms and ammunition were associated with a 78 percent lower risk of self-inflicted firearm injuries and an 85 percent lower risk of unintentional firearm injuries among children and teens, compared to those that locked neither. Another estimated that if half of households with children that have at least one unlocked gun switched to locking all their guns, one-third of youth gun suicides and unintentional deaths could **be prevented, saving an estimated 251 lives in a single year.**

<https://www.everytown.org/issues/child-teen-safety/>

- States with secure storage or child-access prevention laws have the lowest rates of unintentional child shootings. An now, more than 8.6 million students nationwide attend schools with secure firearm storage policies.

### **Ghost Guns**

- A ghost gun is a do-it-yourself, homemade gun made from easy-to-get building blocks that can be purchased with no background check and no questions asked. These guns are made by an individual, not a federally licensed manufacturer or importer. Ghost guns are the fastest-growing gun safety problem facing our country.
- In less than one hour, these self-made weapons become fully functioning, untraceable firearms. A person can buy the parts and assemble a ghost gun without even receiving a [background check](#).
- They are becoming a weapon of choice for violent criminals, [gun traffickers](#), and other legally prohibited persons. Federal authorities must act to ensure that the core parts for ghost guns are defined as firearms and properly regulated. States should also take immediate action to regulate ghost guns.
- The Federal Government responded to the threat that Ghost Guns Proposed and created Federal Legislation. Several states have recognized the threat that Ghost Guns pose to citizens' safety. Virginia needs regulation pertaining to Ghost Guns. Please protect our citizens.

### **Gun Tracking**

- Criminals have access to tens of thousands of guns every year through illegal trafficking. States with weak gun laws often serve as suppliers

of guns to states with stronger gun laws. Law enforcement is constrained by insufficient laws to crack down on gun trafficking.

- The U.S. lacks a strong federal gun trafficking law to crack down on illegal networks that supply guns to criminals. Prosecutors who want to fight traffickers must rely on a law that prohibits “selling guns without a federal license.” This weak law carries the same punishment as trafficking chicken or livestock. Nearly a third of traced guns were brought across state lines before being used in a crime—8 of these 10 states did not have background check laws during the study period. A strong federal trafficking law would enable law enforcement to crack down on gun traffickers—and keep trafficked guns off our streets.



## **DOMESTIC VIOLENCE**

- We need to close the “boyfriend loophole” in gun laws designed to protect marital partners.
- Limit the ways an “identified abuser” may obtain a firearm.
- Enforce restraining orders against abusers.

## **CRIMINAL JUSTICE AND BEHAVIORIAL HEALTH**

- End mass incarceration and excessive sentencing – Second Look Reform

<https://www.sentencingproject.org/issues/sentencing-reform-abolish-life-without-parole/>

- Enforce Department of Corrections oversight to prison conditions.
- Solitary Confinement should be minimized and not widely used.

## CHILD CARE

BY SUPPORTING CHILD CARE, WE ENSURE THAT VIRGINIA'S PARENTS CAN AFFORD TO KEEP WORKING AND VIRGINIA'S CHILDREN ARE SET UP FOR SCHOOL READINESS AND SUCCESS

- If current child care funding is not sustained, millions of children across the nation including 88,265 children in Virginia will lose access to care. Funding for child care provided by the American Rescue Plan expired on September 30, 2023. Without access to child care, parents (especially women) can't afford to work. 23.2% of working-age women with children are NOT employed in the workforce as compared to only 15.5% of working aged men.
- The demand for child care for children ages 0-6 in Virginia is double the available supply (current supply meets 57% of demand). For out-of-school time care, the demand is five times greater than the supply (supply meets 21% of demand).
- Without significant investment in the child care sector, supply will decrease further since providers who are barely breaking even, can't compete in the current labor market because they can't increase fees to families which means they can't increase wages for educators.
- Fund subsidy rates at current levels and with current eligibility criteria (\$300m)
- Offer direct support to providers using a weighted formula (\$TBD) ▪ Offer a refundable child tax credit for child care expenses
- Expand the Virginia Preschool Initiative and the Mixed Delivery grants to include full-day programs

## TRANSPARENCY

### **Transparency priority – *hold open meetings to negotiate the 2024 state budget***

§ 2.2-3707.01. [Meetings of the General Assembly](#) gives the two chambers' Rules control over committee meetings. Rule 75(c) (p. 19) of the 2023 [House Rules](#) states "Any conference committee on the Budget Bill will complete its deliberations and make the report of such conference available to the House as soon as practicable." Rule 75(b) (p. 19) covers all conference committees. In neither paragraph is there any mention of budget conferees needing to meet in secret.

Rule 75(c) does say, "The conference report will clearly state the funding of any nonstate agencies, **any item that was not included in the Budget Bill as passed by either house**, and any provisions from legislation that failed during that session." Allowing conferees to add items to the budget *in secret* circumvents the entire purpose of having a representative legislature. The rest of our elected legislators have little time to study the implications of such items. The public has no opportunity to give testimony on the items.

Budget conferees claim that they must negotiate in secret to reach a compromise, but all that accomplished in 2023 was an argument about what happened in the secret negotiations. "What caused Virginia's budget breakdown? Accounts differ." By: [Graham Moomaw](#) and [Sarah Vogel song](#) *Virginia Mercury*, June 28, 2023. "Barry Knight has one version of what happened in that conversation. George Barker has another." said Senator Deeds. If the negotiations had been in public, the public would know the truth of the matter, and more likely, the public gaze would have motivated the conferees to reach agreement.

"The liberties of a people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them." - Patrick Henry

"Government ought to be all outside and not inside. ... Everybody knows that corruption thrives in secret places, and avoids public places, and we believe it a fair presumption that secrecy means impropriety." - Woodrow Wilson

Code of Virginia Chapter 37. Virginia Freedom of Information Act  
<https://law.lis.virginia.gov/vacode/title2.2/chapter37/>

Code of Virginia § 2.2-3708.3. [Meetings held through electronic communication means; situations other than declared states of emergency.](#)

- We support open meetings because transparency is necessary to public trust in government.
- We also support increasing the diversity of elected officials and virtual meeting attendance can open public service to more people with disabilities, with family obligations, with particular work responsibilities, or other barriers to relocating to Richmond for 60 days. In late 2020, the [Virginia Freedom of Information Advisory Council](#) supported legislation expanding virtual participation on public bodies. Our partner [Virginia Coalition for Open Government](#) opposed the measure.

<https://www.virginiamercury.com/2020/12/02/virginia-foia-council-supports-looser-rules-for-public-officials-governing-remotely/>