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Foreword

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FOREWORD

Dear Readers:

I am proud to present you with the 2013 edition of the General Assembly in Review. This issue has been several months in the making and is the product of the very hard work and dedication of the Editors and Staff of the Richmond Journal of Law and the Public Interest (JOLPI). In particular, I would like to thank Stephanie Fitzgerald, who went above and beyond her regular Editor-in-Chief duties to help make this edition come to fruition. I would also like to thank Alison Linas, the editor and chief of last year's General Assembly issue for her hard work in helping the current staff select articles and for her guidance in preparing me to take over the reigns as the General Assembly editor.

The articles in this year's edition of the General Assembly in Review focus on topics of legislative debate during the 2013 sessions of the Virginia General Assembly. We hope that this edition will give you, our readers, insight into some of the important topics of the 2013 General Assembly and that you will find this issue to be a valuable source in running a legal practice, evaluating the Virginia political system, and helping create a healthy dialogue in our beloved Commonwealth.

In Religious Freedom Legislation in the 2013 Virginia General Assembly, University of Richmond Political Science Professor Ellis M. West discusses the potential consequences of passing the Senate Joint Resolution 287. The purpose of Senate Joint Resolution 287 is to add a paragraph to Section 16 of the Virginia Bill of Rights, which protects religious freedom. Ultimately, Senate Joint Resolution 287 failed to pass the General Assembly this year, but without a doubt a like resolution will be considered by the Assembly again next year. Essentially, this piece examines what the consequences of passage in the future would be. This article does this by analyzing the substantive provisions of the resolution using the basis of three criteria: whether the provisions are clearly and concisely worded, whether they are needed to protect religious freedom, and whether they are consistent with the religion clauses of the First Amendment as interpreted by the Supreme Court and other federal courts.

In *The All Students Initiative, Anti-Bullying and Athletics for Home-Schooled Children: Education Reform in the 2013 General Assembly Session*, Ashley Allen of McGuire Woods discusses Governor McDonnell's All Students Initiative and how K-12 education was a priority in this legislation. The article discusses how McDonnell's initiative fared with the General Assembly, namely how teachers will see their first salary increase in over four years and unaccredited schools will be held accountable for their performance. The article reaches the conclusion that the legislature's willingness to work with Governor McDonnell's agenda, and take unpopular but needed action in the realm of education, will ultimately lead to a better K-12 educational system throughout the Commonwealth.

In *Federalism as a Preventive Measure: Avoiding State Enforcement of Federal Anti-Gun Legislation in 2013*, law student Brielle Hunt discusses the federal push for anti-gun legislation in the months following Newtown and how state legislatures have responded to this push. Most notably, state legislators in Virginia, and elsewhere, have taken proactive steps to prevent the intrusion of both Congress and the Executive Branch on constitutional rights that have been given to the individual and states themselves. The article also focuses on how Congress may condition federal funding on states repealing some of these preventive measures and force states to relinquish their Tenth Amendment right of sovereignty and accept harsher gun laws, or risk losing precious federal funding.

As in past issues, this edition of the *General Assembly in Review* concludes with a list of summaries of the major legislation considered and passed in the 2013 Virginia General Assembly. We thank the students who worked on indexing these summaries for their work, and hope these summaries will serve as a valuable resource to all those interested in Virginia lawmaking.

We sincerely hope that our articles, comments, summaries, and index will provide you with a valuable tool to help in your practice areas. We encourage you to use this issue as a starting point for discussion, as well as a catalyst to encourage you to become involved in the political process in the Commonwealth of Virginia.

Sincerely,

Aaron Forstie
General Assembly Editor

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