

# Church may sue state over 'anti-Catholic' bill

ALBANY (CNS) — The New York Catholic Conference was "disappointed, but not surprised" when Gov. George Pataki signed a bill Sept. 17 mandating that employers pay for workers' prescription drugs, including contraceptives and abortifacients.

"We view this as maybe the most anti-Catholic piece of legislation ever passed in the state," said Dennis Poust, spokesman for the Catholic conference. The new law goes into effect Jan. 1.

Poust's statements were similar to those issued by Rochester Bishop Matthew H. Clark on Sept. 18.

"It is extremely regrettable and troubling that Gov. Pataki and our state legislators have signed this bill into law ..." the bishop said in a press release. "This bill essentially forces Catholic institutions to violate their

inherent principles, beliefs and ethics."

The Catholic conference had asked the governor to veto the bill, which the state Legislature approved in June. Exemptions to the law, called the Women's Health and Wellness Act, include churches, parishes and other institutions that have primarily a religious mission and serve only people of that religion. Catholic organizations that are not exempt include hospitals, nursing homes, universities and such social-service agencies as Catholic Charities since the populations they serve are not exclusively Catholic and their primary purpose is not religious, according to the legislation.

"Such criteria for Catholic organizations is insulting and shows an ignorance of the Catholic faith," said Poust, who emphasized that church organizations do not exist just to serve Catholics.

"By signing the bill, the governor leaves us with three options," Poust added. "We could either cancel our prescription drug coverage, violate church teaching or sue the state of New York on constitutional grounds."

He said the state's bishops are in consultation with their lawyers "looking at the prospects of litigation."

They are also keeping a close eye on the state of California, which in 1999 passed a similar law that was challenged by Catholic Charities of Sacramento on the grounds that it unconstitutionally imposed a mandate contrary to Catholic teaching. After lower courts in California declined to stop the law from being enforced, the state Supreme Court agreed to take the case last year. But as of Sept. 20 this year, it had not yet set a date for oral arguments.

The New York law also requires employers to provide expanded coverage for prevention, early detection and treatment of breast cancer, cervical cancer and osteoporosis, which the state Catholic conference supports.

"There are many elements of the Women's Health and Wellness bill that the church wholeheartedly supports and that are vitally important to the health of women ..." Bishop Clark said in his statement. "No one would argue that those are not needed. Unfortunately, provisions that mandate Catholic institutions to provide contraceptive coverage that violate our country's principles of religious freedom were added."

...  
Contains reporting by Rob Cullivan in Rochester.



# Catholic Courier

DIocese OF ROCHESTER, NEW YORK ■ VOL. 113 NO. 50 ■ THURSDAY, SEPTEMBER 26, 2002 ■ 75¢ ■ 12 PAGES

## Inside This Week

**Landmark status for Sacred Heart?**  
Diocese considers city to consider the idea — Page 3



**Livonia, Conesus churches merge**  
New St. Matthew to be built by 2004 — Page 4



**Mentor program helps area youths**  
HOPE marks 5 years in Livingston County — Page 6

## Funding cuts and the future

**M**iriam Hill, 64, burst into tears when asked about her life since her husband, Robert Lee Hill, died five years ago.

Sitting in an office at the Just Friends Senior Center, located in northeastern Rochester, Hill's voice kept rising as she noted that the center has served as her home away from home since her husband's death. She goes there five days a week. Yet the center, which is partially funded by Monroe County, has an unsure future as the county grapples with a major budget crisis.

"I worked hard all my life and nobody gave me nothing," Hill said through tears. "I socialize with other friends (here). If I didn't come here, I'd be alone."

Hill recalled harvesting cotton and tobacco in North Carolina, and cleaning people's kitchens for a living. Now, however, she can no longer work because she is partially blind, has suffered a stroke and a heart attack, and undergone bypass surgery.

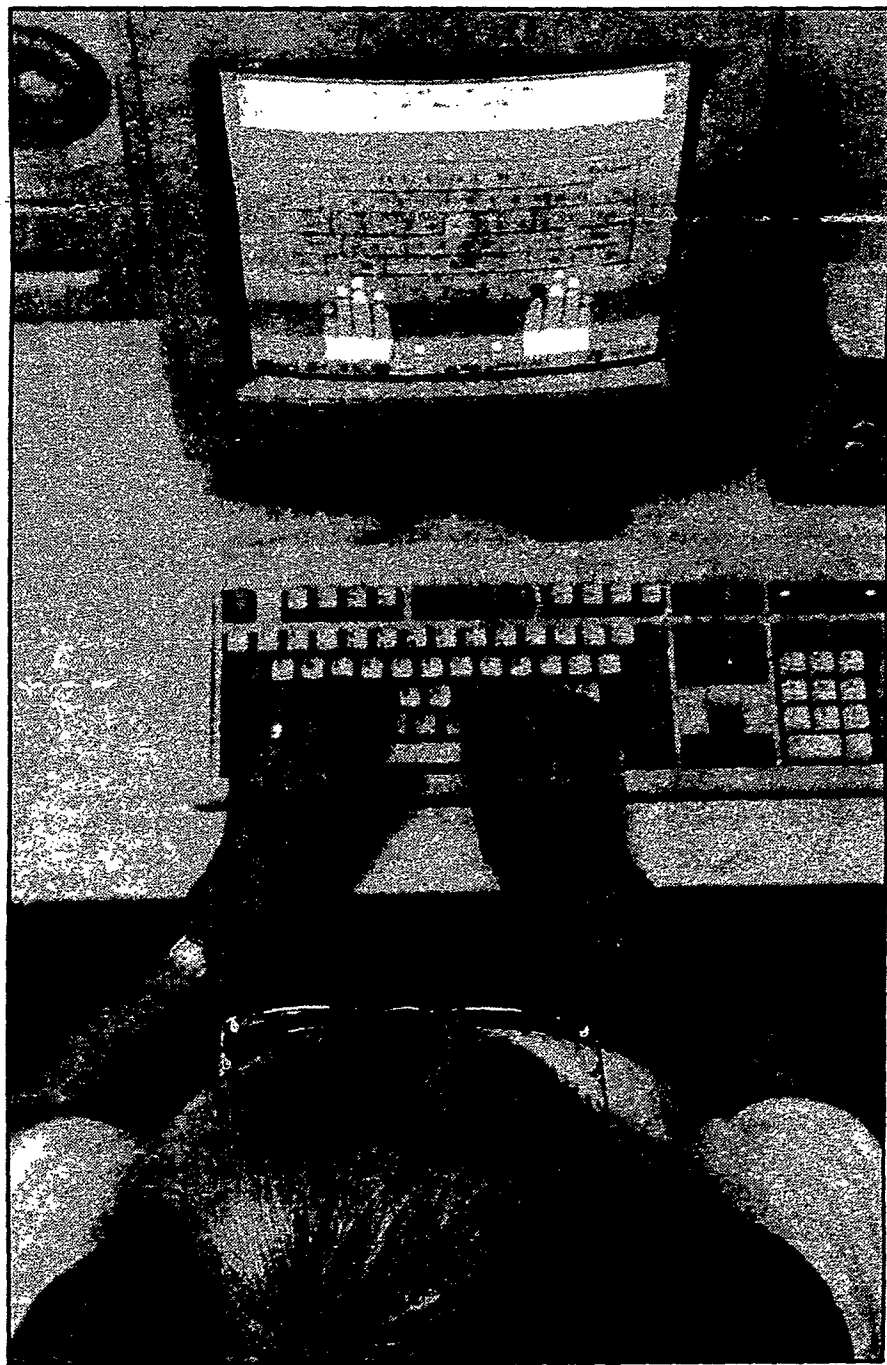
"Then I have to worry about the center being closed!" she said.

Hill lives with her daughter and two grandchildren, and is typical of many of the clients at Just Friends, according to Nancy Szembrot, program manager.

"If we weren't here, these seniors would become a major responsibility for their children," Szembrot said, noting a number of her client's children work during the day, and would have to consider placing her clients in a residential facility to ensure their care.

The center provides seniors with a nutritious, hot meal each day, along with social activities, outings and other services. Operated since the 1970s, Just Friends is designed to keep seniors active, healthy and alert, and forestall their entry into the assisted-living world, she added. Additionally, she noted, the center employs some seniors as well.

Continued on page 10



Freda Silver practices her typing during a Sept. 20 "Introduction to Computers" class held at Rochester's Catholic Family Center and sponsored by the Just Friends Senior Center.