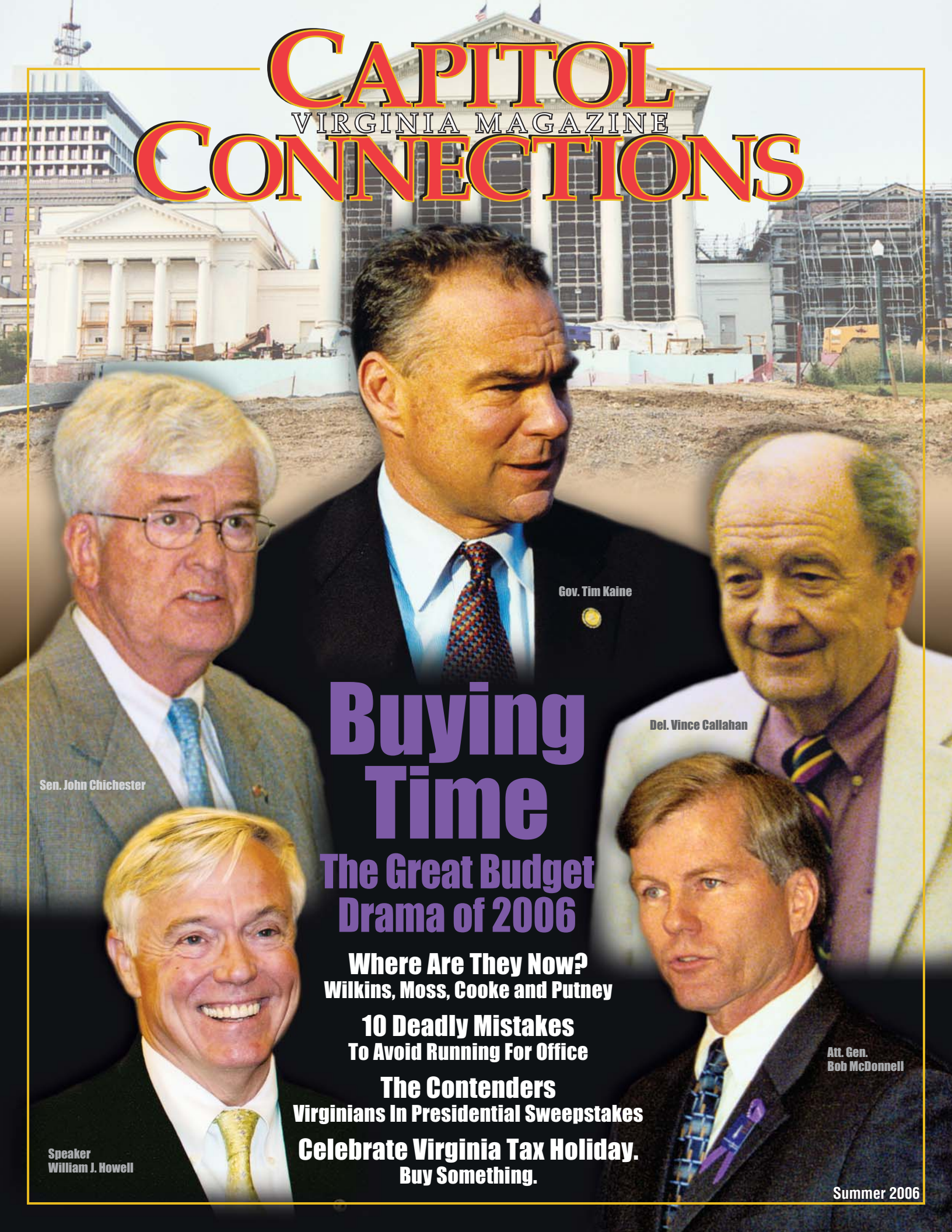


CAPITOL VIRGINIA MAGAZINE CONNECTIONS



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Gov. Tim Kaine

Del. Vince Callahan

Att. Gen.
Bob McDonnell

Speaker
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2006 Off-Session Activities for the 2006 Virginia General Assembly

BY TOM HYLAND, VICE PRESIDENT, DAVID BAILEY ASSOCIATES

Contrary to popular opinion, the legislative work of the Commonwealth of Virginia is performed not only in the forty-five legislative-day sessions in odd-numbered years or the sixty legislative day sessions in even-numbered years; however, much of the pre-legislative work for those bodies is performed throughout each year not only by a number of twenty-five standing committee of the Virginia House of Delegates and the Senate but also by one-hundred and twelve (112) legislatively-established commissions, a varying number of joint legislative subcommittees, and several legislative special study committees. The work of the latter two groups—whose principal responsibilities are to study certain specific issues and to recommend appropriate legislative and or administrative solutions—is the primary topic of this special report.

Conservation/Preservation

Joint Subcommittee on Open Space and Farmland Preservation was created by HJR 133/SJR 94 of 2006 to review recent funding for open-space land, future needs of the Commonwealth for open-space land, the cost of such needs, and the long-term funding sources to pay those costs. The 9 member legislative committee is scheduled to report to the 2007 session.

House and Senate Subcommittees on Land Conservation Tax Credits were established by memoranda of 2006 to study the subject tax credit program and consists of nine legislative members.

Education

House Special Education Subcommittee on HB 1442 of 2006 was established as a 9 person (5 house members and 4 citi-

zen members) special house subcommittee under Rule 22 of the House of Delegates to amend HB 1442, which expands the requirements for earning a standard high school diploma to include one concentration in career or technical education.

Joint Subcommittee on Science, Math and Technology Education was created by HJR 25 of 2006, and whose purpose is to review the curriculum of existing public schools in the Commonwealth; study accessibility to specialized public schools by students throughout the Commonwealth; examine the Standards of Learning for math and science to ensure that students are provided with the fundamentals necessary for successful continuation of science, math, and technology education at the college level; review and recommend innovative ways to interest students at all education levels in science, math, and technology; examine the possibility of encouraging partnerships between educators at the Commonwealth's public schools and institutions of higher education, as well as with business and research entities in the science and technology sectors located in the Commonwealth; and study ways to provide incentives for students to pursue careers in these sectors. The subcommittee consists of 11 legislative members and is to prepare an interim report for the 2007 session and a final report for the 2008 session.

Historical

Joint Subcommittee on the Celebration of the 200th Anniversary of the Birth of Robert E. Lee was established by SJR 382/HJR 710 of 2005 to plan and coordinate that event. The

See 2006 Off-Session, continued on page 7

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Del. Vince Callahan of McLean. His rise to top of money committee began in 1972 with a Democrat House Speaker.



Buying Time

By DENNIS PETERSON
Managing Editor,
Capitol Connections
Virginia Magazine

The Great Budget Drama of 2006

The House of Delegates gave Del. Vince Callahan its respectful attention at its June 28 session called to approve a new 2-year State budget. The State was but hours away from losing its legal ability to write checks.

After 2 1/2 months of overtime legislating, Callahan described the 2006 General Assembly sessions as the most “divisive” of his 38 years career. With the second longest record of service in Virginia’s *history*, he has earned the attention of his fellow delegates.

Callahan is a Northern Virginia Republican who represents Fairfax County and McLean, home of six of the most affluent voting precincts in the United States. Think Tyson’s Corner. Big money doesn’t intimidate him although, as Chairman of the House Appropriation Committee, he’s prone to be as miserly as possible.

“There is never going to be enough money in government to meet the perceived needs of the citizens,” he tells a visitor to his 9th floor Capitol Square office. “There is a lobby group out there for every conceivable subject. You name it. They’ve got a lobbyist out there and they all plead poverty.”

It is not that Callahan has been blind to growth in Virginia. Since 1968 he has seen the cost of running the State government factory rise from about \$3 billion to \$74 billion today, an increase of \$10 billion in the last two years alone. Since 1972 he has been allocating the revenues as a member of the Appropriations Committee and as Chairman today, the budget was written on “his watch.”

He has experienced the leadership of ten Governors and six Speakers. After decades laboring as a minority party legislator, Callahan today watches his own GOP in a political fight for the philosophical soul of Virginia government. The no-tax drumbeat of most of the 53 new delegates elected in the last five years dominates the agenda. Governor Kaine is decrying their budget priorities before audiences at day-care facilities.

“Old hands” at the Capitol say lawmaker sparring and gamesmanship is no more intense today than in the past, but the “divisive session” of 2006 didn’t have to be, Callahan believes.

“The tactic by the Senate was to wear us down. It backfired on them and hurt the credibility of the Commonwealth,” said Callahan recalling weeks of non-communication between the Senate and House negotiators. On June 2, a headline in the Fredericksburg *Free Lance Star* shouted “Budget Negotiators Work At Snail’s Pace.” Virginia legislators were testing the public’s patience. “They could have come to their position (the compromised budget of 2006) two months ago and we would have wrapped this thing up” then, Callahan said in a June interview.

When the General Assembly adjourned its regular session in mid-March, the lawmakers had failed to fulfill their principle mission: funding State operations including public education, public safety and payroll.

Their climactic fault line was over improvements and expansion of Virginia’s transportation infrastructure. Democrat Governor Tim Kaine, smarting from the partisan slap he endured with the first ever rejection of a cabinet level appointee by House Republicans, immediately summoned the General Assembly into a “Special Session” and a “day of reckoning on transportation” to complete what he described as a “half budget of 2004.”

Callahan and the House leadership, including Speaker William J. Howell of Stafford, remained adamant in their opposition to a Senate tactic of “imbedding” tax increases in the spending bill. The senators would raise money for highways without a direct up or down vote required for a tax bill.

The House vigorously argued the senators violated the “one object rule” in Article 4 of the Virginia Constitution which specifies appropriation bills are to be singularly about *spending* revenues. Tax bills are to cover *raising* revenues.

The Senate remained equally insistent against the State “borrowing in times of plenty” as stated by Senate Majority Leader Walter Stosch of Henrico. The House budget initially included increasing Virginia’s bonded indebtedness.

Callahan described the Senate plan as a “sneaky” way to raise taxes by avoiding accountability with the voters. Democrat Minority Leader, Del. Franklin P. Hall of Richmond, called House Republican opposition an “excuse.” He would add, “Reasonable people can disagree on that.”

"It is very hard for us to sell to our constituents that we want to raise taxes when we are overflowing with unanticipated money," Callahan maintained as he looked over three years of multi-billion dollar surplus tax collections in Virginia.

Accepting the House's unflinching resolve against new taxes, Senate Finance Chairman John Chichester announced a Senate compromise offer on May 23. They would save their transportation plan for another day, establishing a framework for back and forth negotiations over the rest of the budget.

Chichester would insist the senators were "not changing our position one iota on transportation." But abandoning their "imbedded" taxes tactic, even for the short term, "was a big toad for them to swallow since they had fought this thing all along," Callahan said. He did not gloat.

Both the House and Senate claimed the moral high ground. The House held the line on taxes. The Senate "insisted on and prevailed in using cash, not debt, for capital buildings projects....the hallmark of fiscal responsibility," Chichester said.

The flight to New York aboard the Commonwealth's Cessna Citation SII 8 jet aircraft took less than 2 hours. Aboard were the three most significant players in the Virginia budget drama, Vince Callahan, John Chichester and Tim Kaine. They faced each other in a space smaller and less comfortable than a kitchen dinette.

There in the sky over Maryland, Delaware, New Jersey and New York, Governor Kaine had a golden opportunity to reason a compromise in time to avert a government shut down as was experienced in New Jersey last month.

The three would use their flight time rehearsing presentations to the Wall Street financial houses whose ratings determine the value of bonds issued by the Commonwealth. A lot of money was riding on their effectiveness.

They would put on a good show but upon their return the next day, the Governor would announce no agreements reached by the trio. "You know, I don't have a napkin I can hold up with a deal on it but I think it was a very productive time making the case we needed to make in New York and talking about how we can bring this to a positive resolution," he told reporters.

Callahan would later recall their discussions on the flights, "We resolved to resolve this thing." Chichester offered, "We didn't talk much." Chichester said he spent much of his spare time not with Callahan or Governor Kaine but with former Governor Mark Warner, whom he unexpectedly ran into at their hotel.

What Callahan, Chichester and Kaine did bring back from New York was a shared belief that the rating services were not concerned about Virginia's budgetary impasse—at least at that moment. "There was no big alarm by the rating services. If we met the budget by July 1, we met it on time as far as they were concerned," Callahan said. The "main issue" for the Wall Street heavies was "Are we going to have money to pay our bills? They were impressed with the fiscal trends" of the Commonwealth, Kaine said.

There at the airport on June 6, Callahan and Chichester calmly forecast a budget compromise before the July 1st deadline. "I am very encouraged," a magnanimous John Chichester would say. Two weeks later tensions would ratchet up provoking him to say of the House budget negotiators, "God, they're dumb as rocks."

The attitude of the rating services relieved tension for Virginia's legislators as the July 1st budget deadline approached. "It gave everyone a little breathing room," recalled Henrico Del. John S. "Jack" Reid.



To keep the conferees talking, the Administration did its part to keep up the heat. On June 25, Jody M. Wagner, Kaine's Secretary of Finance, reminded lawmakers "The State's 100,000 workers will begin a two-week pay period with no guarantee that they will be compensated for their efforts once the pay period ends." As if they needed reminding.

On June 8 Attorney General Bob McDonnell opined, absent a legislative approved budget, the Governor's authority to spend money expired on July 1, creating visions of prison guards not showing up for work. The Governor did not take McDonnell's advisory lightly, promptly reassuring the public, "I will not let Virginians suffer." He vowed to write checks for state expenses regardless of legislative inaction.

Was there a constitutional crisis on the near horizon? "With or without Bob's opinion, July 1st was on our minds. The deadline and the questions it raised was the 500 pound guerrilla in the room but no one talked about it," said budget conferee Kirk Cox, a veteran Republican delegate from Colonial Heights.

"The Attorney General was looking for headlines," a bemused Del. Frank Hall, House Minority Leader, would suggest. In separate interviews, Hall and Republican Reid would say McDonnell's opinion had little influence on the legislator's sense of urgency. "No one wanted the stigma" of a government shutdown, Reid said, and it did not happen.

A comprehensive long range transportation plan remains for a future General Assembly to craft, predicts Sen. John Watkins of
See *Buying Time*, continued on page 6


Buying Time from page 5

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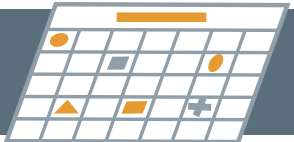
For his part, Speaker Howell believes this year's budget opens a door to badly needed "new thinking" about transportation and his House of Delegates is ready to tackle the problem. "We've been stuck in a 20th century paradigm," he laments. "We've got to look at 21st century ideas."

Howell feels the time is ripe for establishing better coordination between local governments and the State. For example, Loudoun County recently approved building permits for 28,000 new homes which will add thousands of vehicles to the existing choked Northern Virginia road system. Loudoun planners made their decision and now VDOT must incorporate it into its projections. Howell calls this lack of State and local government coordination a "significant flaw in our current transportation structure."

This Fall, Virginia's legislators expect to be back for another special session renewing their debate over transportation needs. But this time with a difference, Del. Cox believes. "We've discredited the practice of imbedding tax increases in the budget," and because of it, "you won't see these long sessions anymore," he predicts. "I'm really optimistic about the future."

At 74, a newly remarried Vince Callahan shares Cox's optimism. For Callahan, even after 38 years of work, there remain legislative achievements to realize. Next year, after witnessing ceremonies at the Jamestown historic 400 years commemorative, he expects to see his name on the Virginia ballot for reelection. 

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2006 Off-Session from page 3

membership of the subcommittee consists of 17 members (6 legislative members, 5 citizen non-legislative members and 3 ex officio members). The subcommittee is scheduled to issue a final report to the 2007 session.

Insurance

House Commerce and Labor Special Subcommittee to Study HB 264 on Motor Vehicle Insurance has continued to meet to review minimum motor vehicle liability insurance coverage after HB 264 of 2006 was carried over to 2007 in the House of Delegates.

Public Health

Joint Subcommittee on Stem Cell Research: Medical, Ethic and Scientific Issues, relating thereto, was created by HJR 588 of 2005 and continued by HJR 48 of 2006. This subcommittee of 15 persons includes 8 legislators, 3 representatives of Virginia medical colleges and 4 citizens at large. The committee is scheduled to report to the 2007 session.

Joint Subcommittee on Risk Management Plans for Physicians and Hospitals was first created by SB 601 of 2004, continued by SJR 394/HJR 704 of 2005, and re-continued by SJR 90/HJR 183 of 2006. An 8 legislative person subcommittee, this group is scheduled to report to the 2007 session.

Joint Subcommittee on Lead Poisoning Prevention was first created by SJR 245 of 1993 and has been renewed each year thereafter, most recently with SJR 103 of 2006. This 19 member subcommittee, consisting of 10 legislator and 9 citizen members, is scheduled to prepare an interim report for the 2007 session and a final report for the 2008 session.

Standing Joint Subcommittee on Block Grants was established by SJR 223 of 1993 and has as its specific purpose to conduct legislative public hearings for federal block grants available to the state. The subcommittee consists of 13 legislative members.

Public Safety

Joint Subcommittee on Operations of Circuit Court Clerks' Offices was created by SJR 336 of 2005 to study the staff shortages, security concerns, funding needs, technology required, and other issues related to circuit court operations. The subcommittee consists of 13 members (6 legislative members, 5 non-legislative citizen members, and 2 ex officio members) and is scheduled to report to the 2008 session.

Joint Subcommittee on the Commonwealth's Program for Prisoner Reentry to Society was established by SJR 273 of 2005 and continued by SJR 126 of 2006. The subcommittee has a total membership of 17 members, including 6 legislative members, 4 non-legislative citizen members, and 7 ex officio members and is scheduled to report to the 2008 session.

Joint Subcommittee on Comprehensive Services for At-Risk Youth was created by SJR 96 of 2006 to review the administration of the Comprehensive Services Act by state and local governments. The subcommittee has a total membership of 11 members, including 6 legislative members, 3 non-legislative citizen members, and 2 ex officio members and is scheduled to submit an interim report to the 2007 session and a final report to the 2008 session.

Transportation

House Transportation Subcommittee #4 was established by memorandum for the purposes of "identify[ing] policy initiatives to advance Virginia Transportation and to develop legislative initiatives addressing the management, institutional, legal, and funding challenges facing Virginia transportation." The subcommittee consists of 7 House members.

Joint Subcommittee on Virginia's Future Transportation Needs was created by SJR 60 of 2006 "to study the role of the

Commonwealth in meeting the needs of Virginia's transportation needs. The subcommittee is composed of legislative 10 members, 6 from the House and 4 from the Senate and is scheduled to submit an interim report to the 2007 session and a final report to the 2008 session.

Joint Subcommittee on Reduction of Highway Noise Abatement Costs was established by HJR 551 of 2005 to study noise abatement materials, technologies, techniques, action and strategies to identify those that can provide the greatest benefits for the lowest costs and where they can best be employed. The subcommittee is scheduled to submit an interim report to the 2007 session and a final report to the 2008 session.

U. S. Route 460 Communications Committee was created by HJR 684 of 2001, has been continued throughout the following years, and extended by HJR 75 of 2006 as a means acting as an institutional and organizational link between the citizens and businesses along that roadway and their legislative representatives and the Virginia Department of Transportation. This committee of 15 members includes 10 legislative members and 5 ex officio members.

Workforce Management

Joint Subcommittee on Tele-work Opportunities for State and Private Sector Employees was established by HJR 144 of 2006 and consists of 11 persons, 8 of whom are legislative members and 3 state government ex officio members. The subcommittee is scheduled to issue an interim report to the 2007 session and a final report to the 2008 session.

Tom Hyland is a a veteran General Assembly observer, lobbyist and former legislative aide. ☐

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Ten Deadly Mistakes First-time Candidates Should Avoid

By CARLYLE GREGORY, POLITICAL CONSULTANT

Want to run for office? Good for you. But if you are going to run, try to avoid some of these mistakes....

1. Don't assume people know who you are

They don't. Candidates almost always assume the voters know who they are because they've been active in their community, have lots of friends and business acquaintances, attend church, coach little league teams and are generally good citizens. And they are always shocked when they get polling that states otherwise. A member of the House of Delegates, for instance, represents over 50,000 people, which would be one heck of a Christmas card list. So maybe you don't know as many as you thought, and maybe a lot of folks don't know you from Adam. Well, don't feel bad: it is a rare politician below statewide level who breaks the 50% recognition ceiling until they've served in office several terms. You are going to have to tell people who you are, what your story is and why they should vote for you. You will have to tell them over and over until they get it. And some never will.



2. Don't underestimate how much it's going to cost

Here's a rule of thumb: no matter how much you think it's going to cost to run for office, you are guessing too low. The cost of running goes up every year, and there is no end in sight. Most of the increase is caused by the ever-increasing cost of paid media, and another is that campaigns start sooner and last longer. For whatever reason, you will need more.

3. Don't count on other people to raise your money

Harry Truman once said that if you want a friend in Washington, buy a dog. Properly trained, dogs will do what you ask; people won't. It is the very rare friend who cares enough about you to ask people for money. Raising money is a tough, tough job and those that try their hand at it usually fall by the wayside fairly quickly. Candidates do it because they have to. Face it, you are going to have to do the bulk of it yourself.

4. Don't count on the party to fund your campaign

When Bob Dole lost the Illinois Primary in his bid for the Presidency in 1988 he let most of his staff go. When made aware that some of those who got pink slips took umbrage, his response was typical Bob Dole: "What do you think this is, a federal jobs program?" Political campaigns, and political parties, aren't in the business of handing out money (or jobs!) just to be nice. They have to be tough; they can't spend their resources on candidates they don't think can win. And if you look like you are going to win, they won't waste any money on you either. And another thing, thanks to McCain-Feingold, the parties don't have any money anyway. You may be one of the fortunate few who will hear the bugle call of the party riding over the hill to your rescue, but you can't count on it.

5. Don't count on your association with a popular politician to win the day

An endorsement from Congressman Schmoie is worth something, but at the end of the day, voters are much more interested in what you are going to do for them than any testimonial from some windbag of

a politician. An endorsement early on may give your campaign some credibility, but that will quickly become irrelevant when they learn you have been stealing money from widows and orphans. Also, the other guy always has some endorsements up his sleeve, and they may be stronger than yours. Telling the voters who you are and the differences between you and your opponent is a much better use of your resources. Hey, if this sort of thing always worked we'd be sweating through Al Gore's second term.

6. Don't try to do it all yourself

There's too much to do, and not enough time and, unless you have one of those split personality disorders, there is only one of you. You don't have to have a big money-sucking staff but you do have to have people to help you. That means recruiting volunteers (or hiring paid staff) and letting others carry some of your load. And once you give people tasks, you have to leave them alone to do their jobs. You are better off letting volunteers do a job 60% right than doing it 100% right yourself. Show me a candidate out putting up his own signs and I will show you a loser.

7. Don't think you really understand your district

There is a famous line by Pauline Kael, a writer for *The New York Times*, where she says she couldn't understand how Richard Nixon could have won the Presidency since no one she knew had voted for him. We all live in the cocoons we have spun about ourselves and we avoid the unfamiliar and the different. Yes, you've lived here all your life but there are many you've never been and people you've never met. Read up about the district you hope to represent, learn to listen to others, seek out people different from yourself, draw them into your campaign, and if you have the money, conduct some polling.

8. Don't believe in magic beans

There are no magic beans. But that didn't stop Jack and it doesn't prevent candidates from believing in them. Magic beans are a secret weapon, a strategy no one has tried before, a group of voters who have switched allegiance, a supporter of Del. Schimoney who has turned traitor, a little known fact about the upcoming election, a change in the district that no one else has noticed – any "short cut" to victory. A little like the Fuhrer in his bunker giving orders to non-existent armies, candidates often rely on magic beans to rescue them from electoral disaster. The problem is that belief in magic prevents campaigns from grappling with their real problems and seeking real solutions. Hey, if Sen. Boggle is so unpopular, lazy, stupid, venal and out-of-touch, why hasn't he lost before now?

9. Don't rely on a "silver bullet"

A variation on magic beans, the silver bullet is the fact we have discovered in our research that will slay our opponent. Once we whip this on Del. Snort he will shrink before our eyes like the Wicked Witch of the West at the touch of water. Of course, sometimes we just can't find that bullet. Or we can't prove it when we do. And sometimes the issue we thought was a killer isn't. We fire our gun and a little flag pops out of the barrel and says "bang." The problem is that we've seen too many movies where the BIG FACT destroyed Sen. Foghorn, and too many TV dramas that turned on one fact or revelation. Campaigns are much like football games: yes, occasionally you win with a Hail Mary pass but most gains are made a few yards at a time, up the middle in a cloud of dust.

10. Don't lose control of the checkbook and the budget

This is mundane but important. Campaigns that end up with huge debts usually don't know they are running into debt because they have no accounting system to tell them what's going on. Every campaign needs a budget or else the money will be frittered away on the

Goodyear Blimp or fingernail files. Every candidate must have final approval on large checks. Bills must be accounted for and debts kept track of. If you aren't any good at this sort of thing (lawyers, military men and doctors rarely are) then find someone who is and put them in charge.

11. Don't rely on winning the debates

Yeah, I know we said ten, but here's a freebie. I can't tell you the number of campaigns I have seen turn themselves inside out over debates. Candidates lose sleep, managers wake up at 3:00AM in a cold sweat, hours are spent in rehearsal and question and answer practices, and everything in the campaign stops in preparation for the debate. I think it all goes back to the fact that every child in America had to read Hamlet in high school and remembers, "The play's the thing in which we'll catch the conscience of the king." The idea is to get our opponent out there and force his hand before God and everyone and smite him in one apocalyptic battle and win the war. Well, it didn't work for us at Gettysburg (or Colloden for that matter), and it won't work in your campaign. The 50 partisans your opponent dragged to Millard Fillmore Middle School on a Wednesday night are going to be no more impressed by your somber eloquence than the 50 relatives you bribed to attend are by your opponent's leaden wit. The reporter who is covering the event will have already written his "Candidates Debate" story and is actually working on his resume in hopes of leaving your podunk town on the first express bus north. The world will little note nor long remember what was said or done at the debate. Focus on something useful like raising money or winning votes.

There. Was that helpful? Thinking about retiring to Florida to raise rutabagas instead? I can't say I blame you. Running for office is no walk in the park, but it is important work, and ordinary citizens are the only ones who can do it.

Ask anyone who serves in the House of Delegates, or the Virginia Senate, and they will tell you that serving Virginia in the General Assembly has been one of the greatest experiences in their lives. They find the job rich and rewarding and well worth the pain of running for office. And even those who are not successful feel that running taught them valuable lessons, broadened their lives and that they rose to the challenge and accomplished things they never thought they could do.

Give it a try.

The writer is the former Special Assistant for Political Affairs to President Ronald Reagan. Today Carlyle Gregory is a political consultant based in Falls Church, Virginia. e-mail: gopconsult@aol.com



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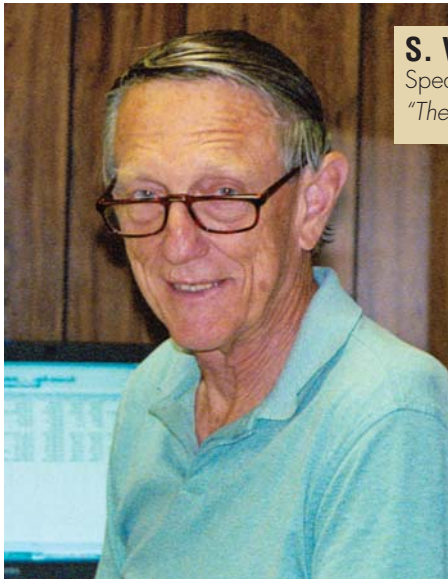
Where Are They Now? Cooke, Moss, Wilkins, Putney;

There are four of them living today. Cooke, Moss, Wilkins and Putney. Each was Speaker of the Virginia House of Delegates once. While in office, theirs may have not been household names but through the power of appointment and control of the agenda they flexed political muscle second only to Virginia's governor.

Two are lawyers. Two are businessmen. With the clarity of hindsight, each was Speaker at a time in history he was supposed to be there.



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"They did a fine job this year. 2004 was different."

went home before their required adjournment date.

In a legislative world which rewards longevity, some lawmakers occupy seats of power because they deserve it. Vance Wilkins, a delegate from rural Amherst County two and a half hours west of Richmond—hardly the political heartbeat of Virginia—acquired the Speaker's gavel because he earned it.

A majority was a Republican dream when Wilkins was elected delegate in 1977 but with Gingrichian foresight he spent much of the next 20 years recruiting candidates, offering and finding financial support for their campaigns and cultivating friendships within his GOP caucus. In 2000 they would reward him with an election as the first Republican Speaker of the House in a century. However, after only two and a half years the Wilkins era was over, flamed out

by his premature resignation

There have been greater orators elected Speaker, but former colleagues of both parties credit Wilkins for modernizing the legislative factory when it was long over due. While a Virginia public would hardly notice, Wilkins, through his Citizens Advisory Commission on the Legislative Process—chaired by *Capitol Connections* publisher David Bailey—brought order to a chaotic schedule fraught with cross current duplicity.

For himself, Wilkins is more proud of his work in establishing greater accountability in public education in Virginia. "The most important thing we did the entire time I was there was the SOL's," he tells a visitor referring to "Standards of Learning" achievement levels now required of students. He adds, "We were able to preserve them too" from an education lobby less than enthusiastic.

From his corner office in an Amherst warehouse decorated in the Hurricane Katrina tradition, he buys and sells land today in business with his son. Except for a desk mounted bull elephant sculpture, there are no photos or mementos of legislative glories to be seen. Wilkins owned a construction

In 2006 Virginians have witnessed a painful stalemate in their legislative process. It is surprising to recall that the lawmakers actually wrapped it up days early in the Vance Wilkins era. Yes, early. They

Still Minding The Store. The Speaker Is Now City Treasurer

The 1990's was the Tom Moss era. While his delegate bona fides were established as a John F. Kennedy Young Democrat, he was Speaker in a transition decade with a growing Republican House caucus. Moss's affability was often an emollient reducing tensions between competing interests. Breaking with formality, he could gaze down at a delegate entangled in parliamentary procedure and say openly, "I was trying to help you" after a leading question.

Bedford Del. Lacy Putney served with Tom Moss every one of his 37 year House career. "I don't think Tom ever had an enemy. Everybody liked Tom." Although Putney and Moss began their legislative careers as Democrats, they were of different political origins. Putney was elected a favorite son of the Byrd organization in its waning days. Moss was a new urban Democrat in the early '60's with different ideas about state government and openly anti-Byrd. "Get Norfolk Out Of The Byrd Cage" was his campaign slogan.

"When I first got to Richmond I was treated like a leper by then Speaker D. Blackburn Moore. He didn't put me on a committee that had met since the Civil War." Moss shared the political basement with the few Republicans who managed to get elected in those years. He credits his rise in leadership—Moss was House Majority Leader before he was elected Speaker—to his eventual appointment to the General Laws Committee where nearly every delegate and senator has business.

An ability to make unlikely alliances served Moss's career very well. His fellow Democrats chose good nature over acerbic tartness when they chose Moss and not his rival, Roanoke's Richard



company for many years and there was a very profitable radio station once to occupy his drive and energy when he wasn't putting in 80 hour General Assembly work weeks.

"Vance was a gambler," recalled an admiring former colleague. Not the casino kind but a businessman with a high risk tolerance in life too.

"I had an agenda," he recalls. "I didn't get everything I wanted but we were moving in the right direction."

What does he think about his former House colleagues today and the extended session wrangling over a State budget? "They did a fine job this year. 2004 was a different story." This year "By standing firm, they made their point."

Interestingly, the "point" Wilkin's former House colleagues made was against fellow Republicans in the other legislative body, the Virginia Senate. With the GOP now the majority in both chambers of the General Assembly, has the pachyderm party made a difference in long promised good government?

"The Senate has been as much a problem as the Democrats were as far as spending and things like that go," he offers. "So I can't say it has been an unmitigated blessing."

Virginia Speakers have long contended with portraits of their predecessors gazing down at them from the House Chamber walls. Vance Wilkins had the unusual experience of gaveling his former Democratic Speaker Tom Moss who remained Norfolk's delegate for two more years after the Republicans achieved an unqualified majority in 2000.

The Gentleman From Mathews County. Bridging History

If they built a new office building for the House of Delegates and named it after one of their honored own, Virginia's Capitol Square could have a John Warren Cooke Building, named for the Democrat Speaker of the House from 1968 to 1979. The idea would enjoy plenty of Republican support. "John Warren Cooke was a mentor of mine" says an admiring Vince Callahan, Republican Chairman of the House Appropriation Committee who's memory is not untypical of many senior and former delegates of both parties first elected in the days of former Speaker E. Blackburn Moore (1950-1968).

Recalling Moore's leadership priorities, Del. Lacy Putney of Bedford said, "I don't recall one Republican delegate appointed to a major committee. They walked the halls. They would sit in committee meetings and would audit what the rest of us did,"

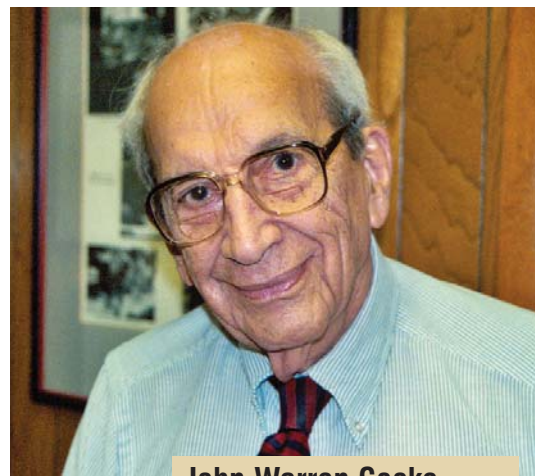
Things changed when Moore retired and the Speakers gavel was handed to a patrician delegate from Mathews County on the Chesapeake Bay, John Warren Cooke.

"Blackie Moore and I were very close friends but I had some different ideas about how the General Assembly should operate," the 91 year old Cooke says today. His different ideas endeared him to many members who were given their first chance at meaningful assignments in the Cooke years. Even the most prized assignment of all, the House Appropriations Committee.

"There was a little groaning (from Democrats) because they thought some of those assignments should have gone to them rather than the Republican Party. I was determined when I went in that they would have representation on committees," he recalls.

With retirement after 38 years in the General Assembly, the former Speaker put political life behind him even though he remains a "must see" by visiting statewide office seekers. He

See *Where Are They Now?*, continued on page 12



John Warren Cooke
Speaker of the House
1968-1979
The living son of a
Confederate officer. Yes, really.



Thomas W. Moss, Jr.
Speaker of the House
1991-1999
Treasurer of Norfolk City.
"No body likes to pay taxes.
I understand."

"Dickie" Cranwell as Speaker. "We sort of complimented each other. He was a very effective man on the floor of the House and contrary to what people said, we were not enemies and still aren't to this very day," Moss tells a visitor.

Although he was never one to avoid stinging partisanship if it was useful to him, Moss could also cozy up to Republican initiatives if he felt they served the interests of the Commonwealth. "The Speaker of the House is bigger than the political parties and as (former Governor and now U.S. Senator) George Allen will tell you, I worked with him to pass the abolition of parole because it was the right thing to do," he remembers.

Tom Moss observed the protracted legislative budget stalemate this year with strained credulity from his vantage point near Norfolk's waterfront. Over the course of his own legislative career, he too engaged in fights over transportation funding. "It is just not going to happen without additional funds. You can't do it on a piecemeal basis. I think the Senate was right on what they were doing but in order to get a budget by July 1, they backed down on it and they removed the issue (transportation funding) from the budget which I think is a fatal mistake. People are going to live to regret that," he said.

Tom Moss's retirement from public office was short lived. Voters in Norfolk chose him as their City Treasurer in 2003. He sought reelection two years later as an independent and won.

At age 77, Norfolk City Hall is his domain today. His office walls are lined with lifetime memories of public service and honors. He takes pride in his support for education advancements around town—a lot of it bricks and mortar—and the plaques on his walls include recognition that his efforts were appreciated. Tidewater Community College has a Thomas W. Moss, Jr. campus named for him.

While Speaker and delegate, it is fair to say Tom Moss "brought home the bacon" for Old Dominion University and Tidewater's other higher education institutions but privately, there was no masking the enthusiasm and passion for his alma mater, Virginia Polytechnic Institute and State University at Blacksburg. After retirement from the legislature, Moss wasn't shy about his desire to serve on the VPI Board of Visitors. His failure to win a gubernatorial appointment—even from a Democratic Governor—is a singular disappointment in his post General Assembly life. A visitor hears him use the words "vote," "Mark Warner" and "dog catcher" in the same sentence.

Where Are They Now? from page 11

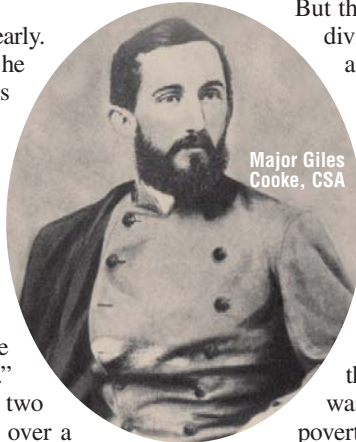
has spent the years since retiring from the legislature as publisher of the *Gloucester-Mathews Gazette-Journal* newspaper, a 13,000 circulation weekly he has owned since 1954.

"I try to run the business. I get here late. Leave early. Take a day off every now and then when I feel like it," he tells a visitor with characteristic humility. When issues inspire him, he will write an editorial.

As for the public affairs practiced at Virginia's State Capitol, "All I have is what I read and hear from the news media," he says wryly. "I am amazed at the fiscal situations causing so many problems. If new taxes are needed, why in the world doesn't the General Assembly go along and vote for them? I spent 38 years there and voted for tax increases that maybe I did not approve of. Maybe I thought I should not vote for them but I did because government has to function."

John Warren Cooke is a man who never used two words when one would do the job. When presiding over a session of the House, members recall many occasions when he made his point with no words at all. With just a frown or a pointed glance, his message was clear.

He not only guided the delegates to conclusions, he counseled them—in both parties—working to get the best each member had to offer. "Sometimes a committee member asked to be relieved of duties and in several instances I did not take them off a committee. I thought it was necessary they should stay there."



His office at the newspaper is Spartan. The furniture long ago justified the investment. His desk has no frivolous knick-knacks.

But there are numerous picture frames on the walls roughly divided between Cooke's legislative career and a family as historically pure Virginian as can be defined.

He speaks of Robert E. Lee as if he knew him personally and he practically did. John Warren's father was Major Giles Cooke, CSA, assigned to General Lee's personal staff. Maj. Cooke was a participant in history at the Confederate surrender at Appomattox.

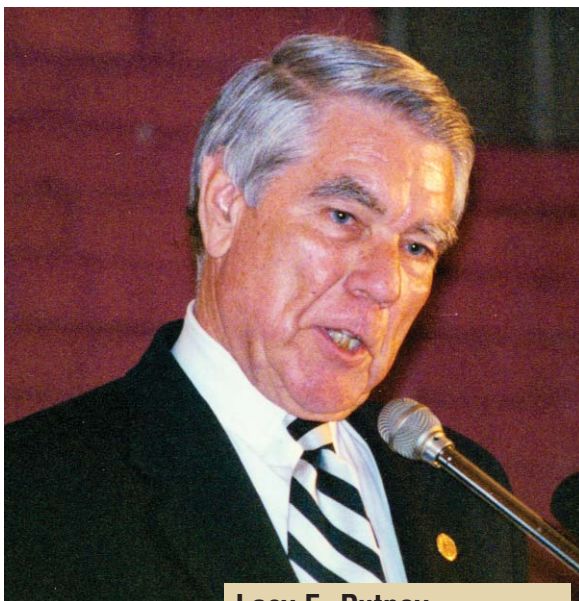
John Warren was the issue of his father's second marriage. "I imagine I was quite a surprise for them when I was born in 1915," he says. In his youth, John Warren Cooke was surrounded by Confederate veterans and their stories. The war was a recent memory to those he knew well in his youth, inescapable. "When I was growing up there was poverty all around us and all the poverty was blamed on the Yankees. All these counties down here had been ransacked by the northern troops."

Remembering conversations with his father, Cooke says "In the summer of 1864, he saw that the Southern wish for separation was not working. He said it should never have been fought. It was brought on by hot heads on both sides. It should never have happened."

The son of Maj. Giles Cooke, CSA was 22 when his father died. At age 26, he would be elected to his first term in the House of Delegates and the beginning of a 38 years legislative career.

The Accidental Speaker. Still Virginia's Longest Serving Legislator

With the unexpected resignation of former Speaker Vance Wilkins in 2002, the Republican majority turned to independent Del. Lacy Putney of Bedford to serve out Wilkins remaining term. Even with House of Delegates experience spanning four decades, he says he was unprepared for the workload carried by the House Speaker. "I was dumfounded," he recalls, "at the long list" of appointments which the Speaker must make, even in the months when the House is not in session.



Lacy E. Putney
Speaker of the House 2002
"Becoming Speaker was not on my agenda."

Putney's term as Speaker was short lived—June 2002 to January 2003. After Republican delegates elected Del. William Howell of Stafford as their new Speaker, Putney was rewarded with coveted office space adjoining the Chairman of the House Appropriations Committee. His oil portrait ceremonially hangs in the House Chamber where he bumped Democrat Tom Moss from the coveted spot.

Putney says today, "Becoming Speaker was not on my agenda." How does he remember his predecessors, though?

E. Blackburn Moore—"Very conservative, extremely quiet, very accessible, certainly to those of us in the conservative wing of the (Democratic) party. He expected members to demonstrate decorum and dignity on the floor."

John Warren Cooke—"He could strike fear in the members. No question about it. He didn't have to say much. He had a way of looking at a member. I don't recall John Warren or Blackie Moore dressed in any way other than a blue or dark gray suit. A real Virginia gentleman."

A.L. Philpott—"Philpott would probably consider it a compliment to say that he was partisan and made no bones about it. I think every member who served with him probably remembers him with a scowl on his face while packing tobacco in his pipe."

Thomas W. Moss, Jr.—"Affable, likeable, entertaining, quick. With Tom there was no stuffed collar, mid-Victorian rigidity in the atmosphere of the House of Delegates."

Vance Wilkins—"Vance kept his eyes on the legislative volume and how the committees were disposing of their legislation. It was a surprise to most of us but with that kind of oversight and leadership we got all the work done ahead of time, I think, his first or second year as Speaker."

While no longer Speaker, Lacy Putney still serves a legislative district which includes Bedford City and the Counties of Bedford and Botetourt today. He was elected as a Democrat when John F. Kennedy was in the White House and today Putney, an independent, is recognized as the longest serving delegate in the history of Virginia. ☐



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Property rights alliance calls for Virginia constitutional amendment

RICHMOND—A new coalition of Virginia legislators and organizations concerned about their members' property rights has announced a platform supporting eminent domain reform, as well as a public awareness campaign of individual property rights in condemnation proceedings.

"It's ironic that almost 400 years after the founding of Jamestown, which led to the creation of our country, we're gathering to fight some of the same battles our founding fathers did," said Martha Moore, Virginia Farm Bureau Federation director of governmental relations.

At a June 28 press conference held a year after the U.S. Supreme Court issued a ruling in the *Kelo v. City of New London, Conn.* case, the Commonwealth Alliance for Property Rights said it was starting early to build the case for eminent domain reform and a constitutional amendment in the 2007 General Assembly.

The *Kelo* case set a legal precedent by ruling that Connecticut's constitution allows local governments and other condemning authorities to take private property for the purpose of developing that land and creating a higher tax base. In the year since that ruling, several states have enacted legislation to limit the powers of eminent domain in similar situations. However, the 2006 Virginia General Assembly discussions regarding reform were unable to conclude with a consensus.

While an opinion poll conducted by the American Farm Bureau Federation found that 83 percent of Americans are opposed to the use of eminent domain for private development purposes, Del. Johnny Joannou, D-Portsmouth, said the *Kelo* ruling showed how much property rights have eroded in the United States and Virginia since the nation's founding fathers wrote the Declaration of Independence.

"To take my property and to give it to someone else so they can

redevelop it and make money is totally wrong and unacceptable in this country," he said.

A bipartisan group of General Assembly members is part of the coalition. They announced the core principles of the proposed eminent domain reform in June in order to build support and foster discussion before the heat of next legislative session. Sen. John Edwards, D-Roanoke, said the group supports a two-pronged approach to reform, including a constitutional amendment as well as legislation limiting the power of eminent domain based on the concepts outlined in the core principles.

"I think we have a good chance in 2007 to do what we could not do in 2006," said Lt. Gov. Bill Bolling, a Republican. "We have to close the loopholes that the *Kelo* decision created, and we have to have an honest debate about what we want the power of eminent domain to be in Virginia."

Other eminent domain conflicts concern whether Virginia housing and redevelopment authorities should have the power to condemn unblighted property just because it is in the same location as blighted properties, said Sen. Ken Cuccinelli, R-Fairfax. And he said the just compensation guaranteed by the U.S. Constitution for property takings should be full compensation.

Cuccinelli said he expects a joint House-Senate study committee to be formed later this summer to study eminent domain reform issues.

"We're going to win this battle," Joannou said. "When you talk about rights, I believe that the right to life, liberty and property are inalienable rights that rise even above the Constitution."

In addition to leaders from both major parties, the Commonwealth

See *Property rights alliance*, continued on page 16



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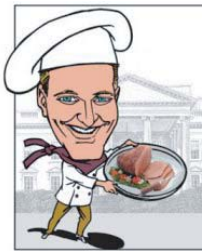
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Property rights alliance from page 14

Alliance for Property Rights includes the National Federation of Independent Businesses, the Virginia Property Rights Coalition, the Virginia Farm Bureau Federation, the Virginia Agribusiness Council, the Virginia Forest Products Association, Waldo & Lyle, P.C. and the Woodpecker Road Area Property Rights Association.

For additional information, contact Moore at 804-290-1013, Joannou at 757-399-1700 or Cuccinelli at 703-766-0635. ☐

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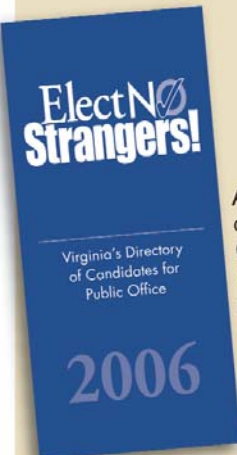
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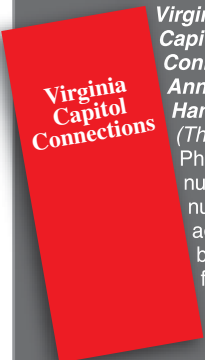
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