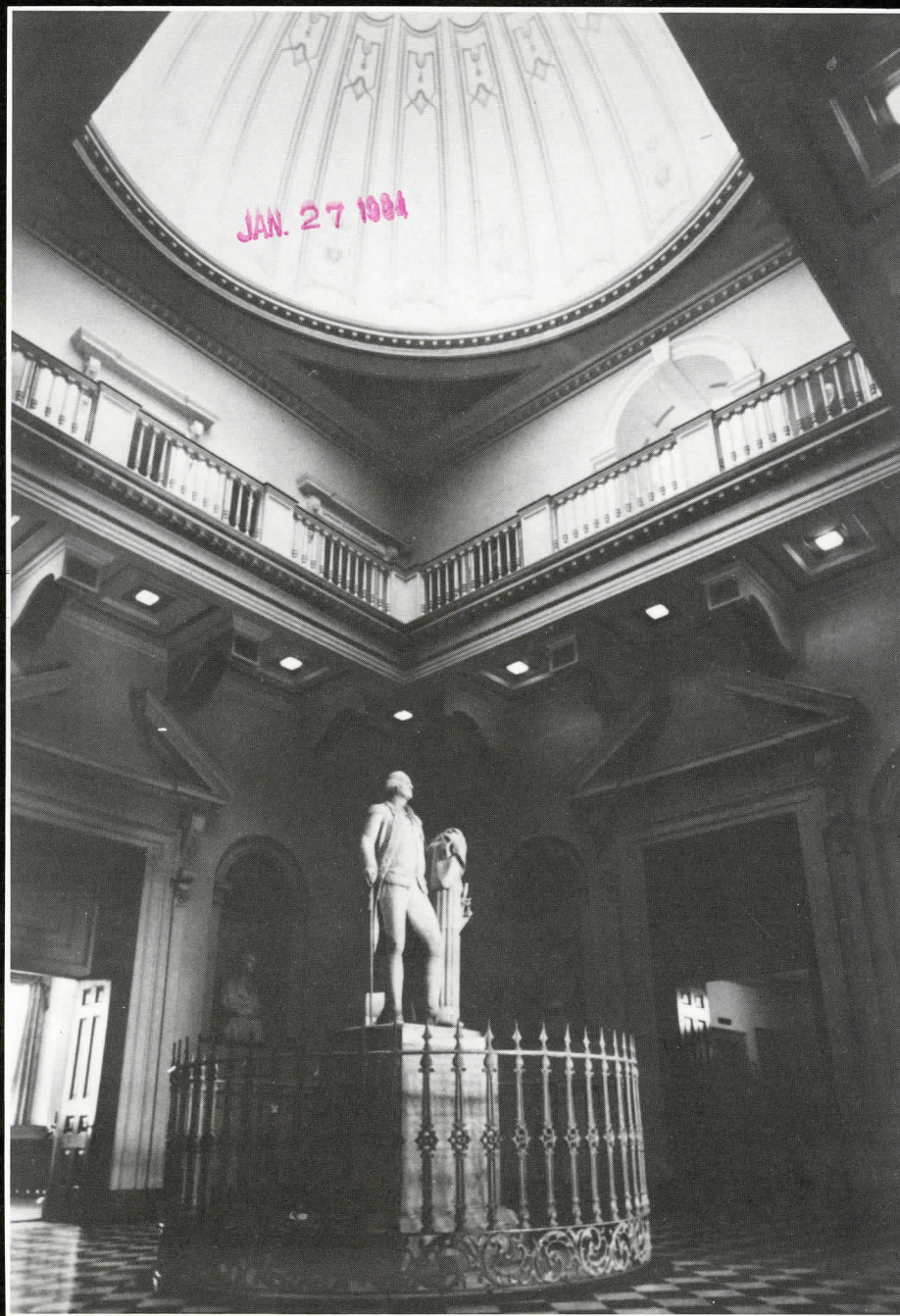


Virginia & Town & City

Volume 19
Number 1
January 1984



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Inside:
VML's 1984 Legislative Guide
Virginia's Community Certification Program

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Telephone 804/649-8471**Volume** 19**January** 1984**Number** 1**VML President**

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On the Cover:

The rotunda of the state Capitol in Richmond, pictured here in a serene moment, becomes a beehive of activity while the General Assembly is in session. This sculpture of George Washington, done by the famous French sculptor Jean Antoine Houdon, is one of the nation's most precious art treasures. The only sculpture of Washington done from life, it was exhibited in Paris for eight years before placement in the rotunda in 1796. It was nicked by a bullet in 1866 in an impromptu duel between politically opposed editors of two Richmond newspapers.

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- 4 People**
- 6 The 1984 VML Legislative Guide**
- 7 Working Effectively With Legislators**
- 8 The Legislative Process**
- 9-12 1984 Legislative Directory**
- 13 VML's Legislative Goals**
- 15 Are You Ready? Virginia's Community Certification Program**
- 17-18 Professional Directory**
- 20 Legal Guidelines: Handgun Ordinances**
- 22 Editorial: The Challenge of "1984"**

People

Wytheville Manager Retires

Carter W. Beamer, town manager of Wytheville for more than 36 years, has retired.

Beamer, who became Wytheville's town manager in 1947 thinking he would stay in the position three or four years, probably has been a town manager longer than anyone in Virginia currently holding the position.

Beamer is a native of Hillsville, VA, and a graduate of Virginia Military Institute. He roomed next to Julian Hirst, a former executive director of the Virginia Municipal League. He served in the U.S. Army Corps of Engineers and in European Theatre in World War II, and at one time he was the Southern Conference wrestling champion in the 155-pound weight class.

Prior to taking his position as manager of Wytheville, he was a city engineer in Fredericksburg. He has also served as a president of the Virginia Section, International City Management Association.

Under his management, the town of

Wytheville was able to build new water and sewage plants and more than triple mains and lines.

Beamer will not be inactive in his retirement as he has just recently been appointed to represent VML on the state's Sewage Handling and Disposal Advisory Committee, and he has been hired to serve as Wytheville's consultant for the coming year.



—Beamer—

Pearisburg Manager Takes New Post

A. Lee Galloway has submitted his resignation as town manager of Pearisburg to become the city manager of Rockingham, NC, effective Jan. 16. Rockingham is a south-central community with 8,500 citizens.

Galloway has served as Pearisburg's town manager six years. A native of Brevard, NC, he previously served as city clerk and then assistant city manager of Dunn, NC.

Galloway is a graduate of the University of North Carolina at Chapel Hill and holds a bachelor's degree in political science and urban studies.

Managers Move

Roger D. Baker, former town manager of Colonial Beach, succeeds **Richard C. Flora** as city manager of Clifton Forge. Flora moved to become city manager of Covington in September.

Before becoming manager of Colonial Beach, Baker served as an assistant city manager in Covington and as director of special projects in Clifton Forge.

Flora has served as a city engineer in Clifton Forge and as town manager of Woodstock and Big Stone Gap. In addition, he spent seven years in banking and served as vice president of Central Fidelity Bank in Roanoke.

Former Mayor Dies

Harry C. Ragsdale, former mayor of Narrows, has died at the age of 76.

Ragsdale was well known in his community as the Narrows High School football coach leading the Narrows team to two state championships and seven district championships. The school's football stadium is named after him.

Following his coaching career he became principal of the school, a position he held for 10 years. Following his retirement as principal he ran for mayor of the town. He won and was re-elected to a second two-year term in 1976.

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The 1984 VML Legislative Guide

A major purpose of the Virginia Municipal League is to improve and assist local governments in the commonwealth. This fostering of local government takes place in many arenas, but the one which will concern the league most from January 11 through probably mid-March is the floor of the Virginia General Assembly. Serving as legislative advocate for the membership, the league attempts to impact legislation in the General Assembly which will affect local government.

This influencing, or lobbying as it has come to be called, has developed almost into an art form and includes many subtle behind the scenes communications and understandings as well as an "out front" procedure. The term "lobby" was first used in England around 1640 to designate the outward room of the House of Commons. By 1860, the professional lobbyist was known to be a man who frequented this lobby in order to influence legislation.

The league and its members, although they work for or against certain legislation, technically are not lobbyists. Under the Code of Virginia, league staff and local government employees who

work with the General Assembly are not considered lobbyists and are not required to register as such. They are in fact called "legislative liaisons" and are viewed in a more advisory capacity.

Serving as the advocate of local government and attempting to foster beneficent legislation, one must possess a sound knowledge of two basic things: your goals and how to work toward them. VML establishes its legislative goals through an annual policy development process which culminates in the *VML Policy Statement and Legislative Program* representing the united stand of the membership on various current issues affecting local government.

Policy development for the league begins at the grassroots level in early spring when nominations are sought for appointments to VML's six policy committees: community and economic development, effective government, environmental quality, human development, public safety and transportation. It is these committees, coordinated by VML Associate Director Richard F. Weeks Jr., that formulate through numerous working sessions the *VML Preliminary Policy Statement* which is distributed to

the membership for amendment in late summer and placed before the membership for adoption at the annual conference in the fall.

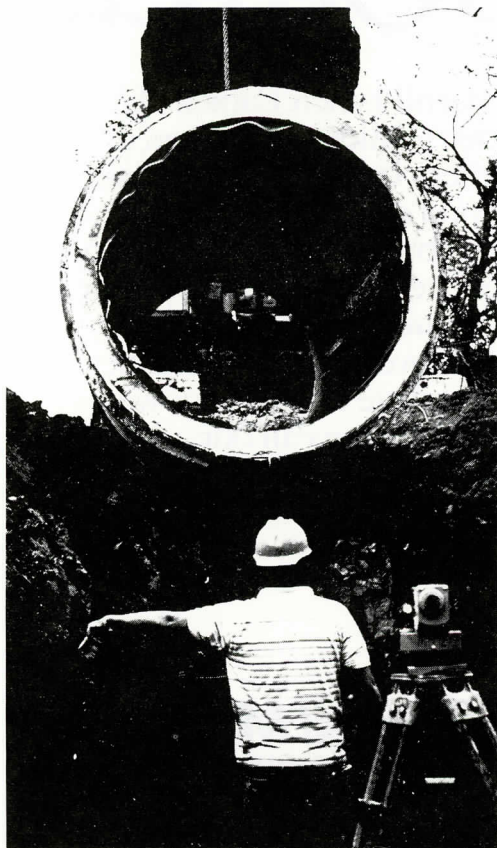
The VML Legislative Committee, on which the policy committee chairmen sit with the appointed representatives of the town, city and urban sections, delineates the league's legislative goals for the coming session in conjunction with the policy statement. In the same manner these legislative goals also are presented to the membership for amendment and then final adoption at the annual conference. (For a brief review of the league's 1984 legislative goals, see page 13.)

Obtaining those goals is a much more difficult task and success can depend on numerous variables including personal influence, a legislator's influence, the league's influence and reputation, the public's attitude, and a myriad of other subtle nuances as well as actual feasibility. Some tips on how to work effectively with legislators appear on the opposite page.

Once VML's legislative goals are set in the fall, the league in conjunction with the Virginia Association of Counties conducts regional meetings around the state. It is at these meetings that the state's legislators are first acquainted with the VML's legislative goals for the coming session.

During the session, the league works toward the legislative goals established by the membership and coordinates the efforts of the members. A review of these efforts and the legislative process appears on page eight.

Working toward these goals is actually an ongoing effort of the league which intensifies with the opening of the General Assembly. Year round, VML staff attend hearings, committee and subcommittee meetings as well as study committee sessions to constantly provide input on the league's point of view.



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Working Effectively With Legislators

By Clay L. Wirt

Clay Wirt, deputy executive director of the Virginia Municipal League, offered city, county and town administrators these tips at a recent Committee for Professional Development workshop in York County on working effectively with legislators.

Be honest. While this is so basic it should be obvious, it is by far the most important element of working with legislators. When visiting with members of the General Assembly, tell it like it is and tell it all, the good news and the bad. Imagine what you would want to know to make the same decision. If you misrepresent the facts, you probably have permanently lost any opportunity to be effective. If you do not know answers to questions, do not make them up. Ask for time to find the answers and do so promptly.

Credibility is the name of the game. Work to develop credibility with your delegate(s), senator(s) and their aides. Most members of the General Assembly have one or possibly two aides working with them in Richmond during the ses-

sion. Just as you and I tend to listen to those persons we know and respect, the same is true with members of the General Assembly. The individual or organization that has credibility on any particular issue is usually the one members of the General Assembly will look to to answer questions and the one that will be effective.

As an individual member of the Virginia Municipal League, you probably will not be able to develop your credibility with all 100 delegates and 50 senators, but it is essential to develop credibility with your own delegation as this is your point of access to the system. By developing individual credibility, the league as a whole can be influential throughout the state.

Credibility is not something developed overnight. It takes time and work. You will need to get to know your delegation and their aides, and they will need to get to know you. Several handbooks are published that contain biographical and other information about members of the General Assembly. Any of these would be a good starting point toward getting to know your legislators.

Also, it is often helpful to develop a file containing campaign surveys, newspaper editorials, clippings, etc. about your particular delegation.

Seek to **visit your legislators** on a regular basis. Let them know how things are going with your local government. Seek their advice on how you might best work together. As you become personally acquainted with your legislators do so in a positive, friendly way. Take every opportunity to express appreciation for their services and their activities you agree with. If you avoid arguments and end your conversations on a friendly note, your delegate or senator will probably be available to talk with you again.

Become acquainted with the legislative process and the key persons affecting that process. Committee activities are especially important in the Virginia General Assembly. Approximately 75 percent of all legislative decisions are made in committees or subcommittees. By all means find out to which committee or subcommittee the legislation you are interested in is ap-

—continued on page eight—

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The Legislative Process

Every year bills passed by the Virginia General Assembly become new state laws. These laws, many of which impact local government, originate as bills introduced in either the House of Delegates or the Senate. They go through a set procedure before they can be passed into law. It is during this procedure that the Virginia Municipal League as well as other groups have various opportunities to influence legislation. Below is a step by step review of how a bill becomes law and the opportunities VML has for impact.

Members of either the House or Senate may propose legislation. To do so, the legislator explains exactly what he has in mind to a staff attorney in the Division of Legislative Services.

The staff attorney first checks existing law and the constitutionality of the proposed legislation. Then the division drafts the bill. Copies of the drafted bill are delivered to the legislator. The legislator signs his name to the bill and introduces it by laying the original and a duplicate copy on the clerk of the House's or the clerk of the Senate's desk. The bill is then printed and referred to the appropriate committee for consideration.

Committee members, in public sessions, familiarize themselves with the proposed legislation referred to them and after discussion decide either to report it favorably, amend and report it, recommend it for study by a subcommittee, kill it or pass it by indefinitely, which means not to consider it again at any time.

VML staff are assigned to monitor the activities of these committees. Rick Weeks will monitor House Finance; Senate Finance (finance bills); House Roads and Internal Navigation; Senate Transportation; Senate Local Government; House and Senate Courts of Justice on ad hoc basis; House Counties, Cities and Towns; House Labor and Commerce; and Senate Commerce and Labor. Clay Wirt will monitor House General Laws; Senate General Laws; House Conservation and Natural Resources; and Senate Agriculture and

Conservation. Ellen Posivach will monitor House Appropriations; Senate Finance (budget bills); House Education; House Health, Welfare and Institutions; Senate Education and Health; and Senate Rehabilitation and Social Services.

VML may of course be influential in introducing legislation by drafting a bill and finding a sponsor for it who is willing to introduce the legislation and sign his name to it.

Once bills are introduced, VML receives and reviews them. In a typical session more than 500 bills impacting local government are introduced. These are summarized in VML's *Legislative Bulletin*. While the General Assembly is in session, the *Legislative Bulletin* containing status reports on important bills is mailed twice weekly to each VML manager and mayor.

VML staff or members often speak
—continued on page 14—

Working With Legislators

—continued from page seven—

pointed. Brief the chairman and one or two of the committee or subcommittee members on your position. Then "watchdog" that committee, making sure you are present when your bill is discussed.

This past year VML achieved approximately 18 amendments to the Comprehensive Conflict of Interests Act. Most were adopted in subcommittee with very few debated in any way at the full committee level or on the House or Senate floor. Your goal should be to work out all the details at the lowest level of the process—in subcommittee. If you do well there, your proposal stands a fair if not good chance of making it through the system.

Develop a legislative plan and reduce it to writing. This plan should not only include your legislative position, but also your strategy for marshalling support. The legislative process is complex and the legislative arena is laden with professional lobbyists who know the ropes and how to achieve results. Approximately 150 associations represented by several hundred lobbyists actively lobby the Virginia General Assembly. Without clearly thinking through our plans we have little chance of success.

Goals should be realistic. Virginia's short legislative sessions, sixty-days in even years and thirty-days in odd years, make it difficult to resolve highly con-

troversial issues. Controversial bills often take several years to get through the system. Keep opposing parties in mind and focus on how to neutralize opposition. Often it may be better to seek a more achievable goal even though it may not include all you want.

Be brief. Time is of the essence for members of the assembly. Any time you meet with a legislator be prepared to convey the bottom line in 30 seconds if necessary. Prepare a typed statement summarizing your position and including key facts or examples. If you think a committee might make a decision before you have an opportunity to adequately state your position, distribute the sheet in advance. At the same time try to gracefully give your 30-second bottom line to the committee chairman or another member of the committee.

Work with enthusiasm. The administrative assistant to Sen. Dole once said the key to getting legislation passed is working harder than your opposition. In most cases, successful people are not geniuses but rather ordinary folk with common sense who have enthusiasm and who have sweated out success. Getting legislation passed is much the same. If you want the best shot at getting your bill through, start early and leave no stone unturned.

Finally, **coordinate and work with the league.** Coalition lobbying is absolutely essential if local governments are to enjoy success.

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Governor Charles S. Robb
804-786-2211

Attorney General Gerald L. Baliles
804-786-2071

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District	Name		Address	Telephone Number
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1	Herbert H. Bateman	(R)	1518 Longworth House Office Building Washington, DC 20515	202-225-4261
2	G. William Whitehurst	(R)	2469 Rayburn House Office Building Washington, DC 20515	202-225-4215
3	Thomas J. Bliley Jr.	(R)	213 Cannon House Office Building Washington, DC 20515	202-225-2815
4	Norman Sisisky	(D)	1429 Longworth House Office Building Washington, DC 20515	202-225-6365
5	W. C. (Dan) Daniel	(D)	2368 Rayburn House Office Building Washington, DC 20515	202-225-4711
6	James R. Olin	(D)	1207 Longworth House Office Building Washington, DC 20515	202-225-5431
7	J. Kenneth Robinson	(R)	2233 Rayburn House Office Building Washington, DC 20515	202-225-6561
8	Stanford E. Parris	(R)	230 Cannon House Office Building Washington, DC 20515	202-225-4376
9	Frederick C. Boucher	(D)	1723 Longworth House Office Building Washington, DC 20515	202-225-3861
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1	Andrews, Hunter B.	(D)	P.O. Box 566, Hampton, VA 23669	B-804-722-2581 H-804-722-7073
5	Babalas, Peter K.	(D)	700 Atlantic Nat'l Bank Bldg., 415 St. Paul's Blvd. Norfolk, VA 23510	B-804-622-3100 H-804-622-3100
19	Barker, W. Onico	(R)	2025 North Main St., Danville, VA 24541	B-804-792-7211 H-804-836-3385
38	Bird, Daniel W. Jr.	(D)	P.O. Box 628, Wytheville, VA 24382	B-703-228-2106 H-703-228-2614
40	Buchanan, John C.	(D)	P.O. Box 1006, Wise, VA 24293	B-703-328-6278 H-703-328-6278
8	Canada, A. Joe Jr.	(R)	507 North Birdneck Road, Virginia Beach, VA 23451	B-804-422-8833 H-804-428-7736
28	Chichester, John H.	(R)	305 Charlotte Street, Fredericksburg, VA 22401	B-703-373-5600 H-703-373-4131
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4	Cross, Elmo G. Jr.	(D)	1125 Hanover Green, Mechanicsville, VA 23111	B-804-746-4621 H-804-746-2377
32	DuVal, Clive L. II	(D)	P.O. Box 749, Arlington, VA 22216	B-703-525-4000 H-703-356-3011
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36	Gartlan, Joseph V. Jr.	(D)	1801 K Street N.W., Suite 1100, Washington, DC 20006	B-202-822-5300 H-703-960-3044
20	Goode, Virgil H. Jr.	(D)	124 Orchard Avenue, Rocky Mount, VA 24151	B-703-483-9030 H-703-483-9030
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39	Jones, James P.	(D)	P.O. Box 2009, Bristol, VA 24203	B-703-466-4800
21	*Macfarlane, J. Granger	(D)	P.O. Box 201, Roanoke, VA 24002	B-703-344-5531 H-703-343-8114
37	Marye, Madison E.	(D)	P.O. Box 37, Shawsville, VA 24162	B-703-268-2741 H-703-268-2741
25	Michie, Thomas J.	(D)	1900 Pantops Drive, Charlottesville, VA 22901	B-804-977-3390 H-703-979-3244
26	*Miller, Kevin G.	(R)	417 Mountain View Drive, Harrisonburg, VA 22801	B-703-434-1148 H-703-434-9758
30	Mitchell, Wiley F. Jr.	(R)	511 Canterbury Lane, Alexandria, VA 22314	B-202-628-2207 H-703-370-1408
24	Nolen, Frank W.	(D)	P.O. Box 13, New Hope, VA 24469	B-703-885-2414 H-703-363-5642
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11	*Russell, Robert E.	(R)	1233 Mall Drive, Bon Air, VA 23235	B-804-794-2592 H-804-748-3292
35	Saslaw, Richard L.	(D)	8508 Raleigh Avenue, Annandale, VA 22003	B-703-941-7676 H-703-978-3790
23	Schewel, Elliot S.	(D)	1031 Main Street, Box 1600, Lynchburg, VA 24505	B-804-845-2326 H-804-384-2772
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27	Truban, William A.	(R)	P.O. Box 503, Woodstock, VA 22664	B-703-459-2930 H-703-459-5844
33	Waddell, Charles L.	(D)	Route 2, Box 299-B, Sterling, VA 22170	B-703-430-2466 H-703-430-2591
6	Walker, Stanley C.	(D)	P.O. Box 12885, Norfolk, VA 23502	B-804-853-9280 H-804-461-5171
9	Wilder, Lawrence D.	(D)	2509 East Broad Street, Richmond 23223	B-804-643-8401 H-804-329-0000
10	Willey, Edward E.	(D)	P.O. Box 9138, Richmond, VA 23227	B-804-786-7733 H-804-264-8944

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15	Agee, G. Steven	(R)	P.O. Box 408, Salem, VA 24153	B-703-774-1197 H-703-387-1545
58	Allen, George F.	(R)	109 E. Jefferson Street, Charlottesville, VA 22901	B-804-979-8131 H-804-973-3535
47	Almand, James F.	(D)	Suite 206, 2060 N. 14th Street, Arlington, VA 22201	B-703-524-9700 H-703-533-9223
59	Anderson, Claude W.	(D)	Box 7, Buckingham, VA 23921	B-804-969-4291 H-804-983-2240
33	Andrews, Robert T.	(R)	820 Turkey Run Road, McLean, VA 22201	B-703-442-8838 H-703-356-4797
72	Axselle, Ralph L. Jr. (Bill)	(D)	201 N. Boulevard, Richmond, VA 23220	B-804-355-0691 H-804-740-0536
52	Bagley, Floyd C.	(D)	P.O. Box 1168, Dumfries, VA 22026-9168	B-703-221-2168 H-703-221-8932

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74	Ball, Robert B. Sr.	(D)	P.O. Box 28056, Richmond, VA 23228-0056	B-804-262-1861 H-804-266-0996
30	Beard, George P. Jr.	(R)	P.O. Box 444, Culpeper, VA 22701	B-703-825-4800 H-703-825-0580
68	Benedetti, Joseph B.	(R)	P.O. Box K-226, Richmond, VA 23228	B-804-285-7896 H-804-358-3394
100	Bloxom, Robert S.	(R)	Mappsville, VA 23407	B-804-824-3456 H-804-665-4203
51	Brickley, David G.	(D)	4804 Kellogg Drive, Woodbridge, VA 22193	B-703-680-2750 H-804-590-3569
6	Brown, John C.	(R)	401 Belleair Lane, Bristol, VA 24201	B-703-669-2136 H-703-669-7488
34	Callahan, Vincent F. Jr.	(R)	6631 Old Dominion Drive, McLean, VA 22101	B-703-356-1925 H-703-356-6231
20	Calvert, Kenneth E.	(R)	753 Main Street, Danville, VA 24541	B-804-793-9445 H-804-791-2448
38	*Cody, Gwendalyn F.	(R)	3703 King Arthur Road, Annandale, VA 22003	B-703-560-1594 H-703-560-1594
46	Cohen, Bernard S.	(D)	221 S. Alfred Street, Alexandria, VA 22314	B-703-836-0075 H-703-370-3735
96	Cooper, Shirley F.	(D)	106 Old Dominion Road, Yorktown, VA 23690	B-804-898-6994 H-804-989-6994
87	Copeland, Howard E.	(D)	Suite 2, 5291 Greenwich Road, Virginia Beach, VA 23462	B-804-490-0506 H-804-588-6205
75	Councill, J. Paul Jr.	(D)	P.O. Box 119, Franklin, VA 23851	B-804-562-4283 H-804-562-4283
14	Cranwell, C. Richard	(D)	P.O. Box 459, Vinton, VA 24179	B-703-344-1905 H-703-344-8909
78	Creekmore, Frederick H.	(D)	752 Cedar Road, P.O. Drawer B, Chesapeake, VA 23320	B-804-547-9191 H-804-482-3892
22	Crouch, Joseph P.	(R)	200 Timbrook Place, Lynchburg, VA 24502	B-804-522-5450 H-804-237-2434
42	*Cunningham, Robert K.	(R)	7829 Greeley Boulevard, Springfield, VA 22152	B-703-451-5470 H-703-541-5470
63	DeBoer, Jay W.	(D)	16 E. Tabb Street, Petersburg, VA 23803	B-804-861-4310 H-804-861-8896
94	Diamondstein, Alan A.	(D)	P.O. Box 324, Newport News, VA 23607	B-804-245-2836 H-804-599-3800
56	Dickinson, V. Earl	(D)	Route 2, Box 10, Mineral, VA 23117	B-703-895-5214 H-703-894-4470
66	Dicks, John G. III (Chip)	(D)	P.O. Box 247, Chesterfield, VA 23832	B-804-748-8171 H-804-748-4228
41	Dillard, James H. II	(R)	4709 Briar Patch Lane, Fairfax, 22032	B-703-938-6401 H-703-323-7354
12	Dobyns, J. Robert	(D)	P.O. Box 1228, Dublin, VA 24084	B-703-674-6953 H-703-674-5139
70	Ealey, Roland D. (Duke)	(D)	420 N. First Street, Richmond, VA 23219	B-804-648-5348 H-804-643-1436
9	Finney, Willard R.	(D)	105 S. Main Street, Rocky Mount, VA 24151	B-703-483-9488 H-703-483-9679
77	Forehand, V. Thomas Jr.	(D)	337 Kemp Lane East, Chesapeake, VA 23325	B-804-547-5101 H-804-545-1555
25	Giesen, Arthur R. Jr. (Pete)	(R)	2048 Chase Avenue, Waynesboro, VA 22980	B-703-248-2301 H-703-943-6975
76	Glasscock, J. Samuel	(D)	P.O. Box 1876, Suffolk, VA 23434	B-804-539-3474 H-804-255-4429
37	Gordy, Stephen E.	(R)	3708 Prado Place, Fairfax, VA 22031	B-703-273-2573 H-703-273-2573
97	*Grayson, George W.	(D)	P.O. Box 1969, Williamsburg, VA 23187	B-804-253-0553 H-804-253-2400
3	Green, William F.	(D)	P.O. Box 1478, Lebanon, VA 24266	B-703-963-9012 H-703-889-2956
31	Guest, Raymond R. Jr. (Andy)	(R)	27 S. Royal Avenue, Front Royal, VA 22630	B-703-635-8822 H-703-635-5553
69	Hall, Franklin P.	(D)	Suite One, 700 Bldg., Richmond, VA 23219	B-804-644-4588 H-804-272-8724
26	Hanger, Emmett W. Jr.	(R)	P.O. Box 2, Mt. Solon, VA 22843	B-703-885-8925 H-703-828-3949
55	Hargrove, Frank D.	(R)	Route 4, Box 305, Glen Allen, VA 23060	B-804-798-6053 H-804-798-6443
40	Harris, Robert E.	(R)	4440 Glenn Rose Street, Fairfax, VA 22032	B-703-553-6636 H-703-323-8312
21	Hawkins, Charles R.	(R)	Box 285, Chatham, VA 24531	B-804-432-8222 H-804-432-9147
86	Heilig, George H. Jr.	(D)	700 Newtown Road, Norfolk, VA 23502	B-804-461-2500 H-804-423-8863
7	Jennings, G. C.	(D)	Royal Oak Bldg., P.O. Box 231, Marion, VA 24354	B-703-783-5136 H-703-783-3277
23	Jester, Royston III	(R)	P.O. Box 1359, Lynchburg, VA 24505	B-804-528-5858 H-804-384-2477
62	Jones, R. Beasley	(D)	Route 1, Box 36, Dinwiddie, VA 23841	B-804-469-3711 H-804-469-7548
43	Keating, Gladys B.	(D)	5909 Parkridge Lane, Franconia, VA 22310	B-703-971-3571 H-703-971-7421
8	Lacy, Charles C. (Chuck)	(D)	P.O. Box 220, Wytheville, VA 24382	B-703-228-2144 H-703-228-5353
71	Lambert, Benjamin J. III	(D)	904 N. First Street, Richmond, VA 23219	B-804-643-3534 H-804-321-6885
80	Manning, L. Cleaves	(D)	820 Citizens Trust Bldg., Portsmouth, VA 23704	B-804-397-0793 H-804-488-1673
64	Marks, C. Hardaway	(D)	P.O. Box 170, Hopewell, VA 23860	B-804-458-0100 H-804-458-2959
48	Marshall, Mary A.	(D)	2256 N. Wakefield Street, Arlington, VA 22207	B-703-528-1710 H-703-528-1710
95	Maxwell, W. Henry	(D)	900 Shore Drive, Newport News, VA 23607	B-804-380-1779 H-804-380-1774
84	McClanan, Glenn B.	(D)	425 S. Witchduck Road, Virginia Beach, VA 23462	B-804-497-9451 H-804-340-8835
35	McDiarmid, Dorothy S.	(D)	390 Maple Avenue East, Vienna, VA 22180	B-703-938-2700 H-703-938-2394
4	McGlothlin, Donald A. Sr.	(D)	Box 909, Grundy, VA 24614	B-703-935-2156 H-703-935-2287
44	Medico, Frank	(R)	1000 Emerald Drive, Alexandria, VA 22308	B-703-780-3798 H-703-780-3798
28	Miller, Clinton	(R)	P.O. Box 484, Woodstock, VA 22664	B-703-459-2159 H-703-459-4412
89	*Miller, Yvonne B.	(D)	7403 Oakmont Drive, Norfolk, VA 23513	B-804-623-8702 H-804-853-1560
53	Moncure, Thomas M. Jr.	(R)	P.O. Box 62, Stafford, VA 22554	B-703-659-2015 H-703-371-9515
79	*Moore, William S. Jr.	(D)	P.O. Box 1513, Portsmouth, VA 23705	B-804-399-2456 H-703-484-9429
98	Morgan, Harvey B.	(R)	P.O. Box 949, Gloucester, VA 23061	B-804-693-4750 H-804-693-3712
93	Morrison, Theodore V. Jr.	(D)	P.O. Box 1003, Newport News, VA 23601	B-804-596-0316 H-804-596-6723
88	Moss, Thomas W. Jr.	(D)	1505 First Virginia Bank Tower, Norfolk, VA 23510	B-804-623-5345 H-804-623-4900
13	Munford, Joan H.	(D)	205 E. Eakin Street, Blacksburg, VA 24060	B-703-953-1100 H-703-552-2491
99	Murphy, W. Tayloe Jr.	(D)	Box 527, Warsaw, VA 22572	B-804-333-4051 H-804-472-3094
83	O'Brien, J. W. Jr. (Billy)	(D)	3300 Ocean Shore Avenue, Virginia Beach, VA 23451	B-804-487-8814 H-804-481-5964
82	O'Brien, W. R. (Buster)	(R)	Suite 104, 485 S. Independence Blvd., Virginia Beach, VA 23452	B-804-499-4121 H-804-481-2408
27	Orebaugh, Phoebe M.	(R)	139 S. Sunset Drive, Broadway, VA 22815	B-703-896-7081 H-703-896-1440
61	Parker, Lewis W. Jr.	(D)	P.O. Box 120, South Hill, VA 23970	B-804-447-3146 H-804-447-3797
50	Parrish, Harry J.	(R)	9307 Battle Street, Manassas, VA 22110	B-703-368-3121 H-703-368-3539
11	Philpott, A. L.	(D)	P.O. Drawer C, Bassett, VA 24055	B-703-629-7032 H-703-629-5150
81	Pickett, Owen B.	(D)	P.O. Box 2127, Virginia Beach, VA 23452	B-804-340-0011 H-804-422-5474
36	Plum, Kenneth R.	(D)	1652 Parkcrest Circle, #101, Reston, VA 22090	B-703-893-1090 H-703-435-1955
19	Putney, Lacey E.	(I)	P.O. Box 127, Bedford, VA 24523	B-703-586-0080 H-703-586-9300
1	Quillen, Ford C.	(D)	Box 337, Gate City, VA 24251	B-703-386-7023 H-703-386-6003
2	Robinson, James W.	(D)	P.O. Box 187, Pound, VA 24279	B-703-679-1191 H-703-796-4516
90	Robinson, William P. Jr.	(D)	1612 First Virginia Bank Tower, Norfolk, VA 23510	B-804-622-0803 H-804-588-4322
32	Rollins, Kenneth B.	(R)	P.O. Box 803, Leesburg, VA 22075	B-703-777-1191 H-703-777-4282
67	*Saunders, N. Leslie Jr.	(D)	P.O. Box 35001-C, Richmond, VA 23235	B-804-745-3350 H-804-275-6258
60	Slayton, Franklin M.	(D)	P.O. Box 446, South Boston, VA 24592	B-804-572-4983 H-804-572-2245
29	Smith, Alson H. Jr.	(D)	Siler Route, Box 19-A, Winchester, VA 22601	B-703-662-7200 H-703-662-7374
5	Stafford, C. Jefferson	(R)	Pearisburg, VA 24134	B-703-921-3411 H-703-921-3592
49	Stambaugh, Warren G.	(D)	Suite 323, 2425 Wilson Blvd., Arlington, VA 22201	B-703-276-8015 H-703-527-0824
91	Stieffen, S. Wallace	(D)	P.O. Box 4038, Hampton, VA 23664	B-804-851-8981 H-804-851-8910
73	Stosch, Walter A.	(R)	Suite 1700, 700 E. Main Street, Richmond, VA 23219	B-804-649-0351 H-804-270-4001
85	*Tata, Robert	(R)	4536 Gleneagle Drive, Virginia Beach, VA 23462	B-804-853-4577 H-804-499-2490

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District	Name		Address	Telephone Numbers
10	Terry, Mary Sue	(D)	P.O. Drawer 369, Stuart, VA 24171	B-703-694-3443 H-703-694-4262
17	Thomas, A. Victor	(D)	1301 Orange Avenue N.E., Roanoke, VA 24012	B-703-345-8927 H-703-342-4308
45	Van Landingham, Marian	(D)	201 S. Washington Street, Alexandria, VA 22314	B-703-549-2511 H-703-548-4318
57	Van Yahres, Mitchell	(D)	418 Second Street N.E., Charlottesville, VA 22901	B-804-293-3134 H-804-293-6483
65	Watkins, John	(R)	15001 Midlothian Turnpike, Midlothian, VA 23113	B-804-794-5016 H-804-794-6930
39	Watts, Vivian E.	(D)	8717 Mary Lee Lane, Annandale, VA 22003	B-703-978-2989 H-703-978-2989
24	Wilkins, S. Vance Jr.	(R)	Route 1, Amherst, Va 24521	B-804-946-5584 H-804-946-2528
18	Wilson, William T.	(D)	228 N. Maple Avenue, Covington, VA 24426	B-703-962-4986 H-703-747-2041
16	Woodrum, Clifton A. (Chip)	(D)	P.O. Box 1371, Roanoke, VA 24007	B-703-345-0426 H-703-343-8784

*New Members

Legislative Information

786-6530
Capitol

786-7281
General Assembly

Parking, Transportation, Hotel Rates & More

Parking is especially difficult in downtown Richmond during the General Assembly. The map at right should give you an idea of how to get around in the downtown area. The shaded areas represent public parking facilities. The large asterisk marks the location of the VML Offices.

Parking lot rates in downtown Richmond run from 50 cents to \$1.50 an hour and from \$2 to \$10 daily.

Parking meters are 40 cents an hour with a two-hour maximum 8 a.m. to 6 p.m. Monday through Friday unless otherwise marked. Unlawfully parked vehicles are subject to towing, so please read all parking signs.

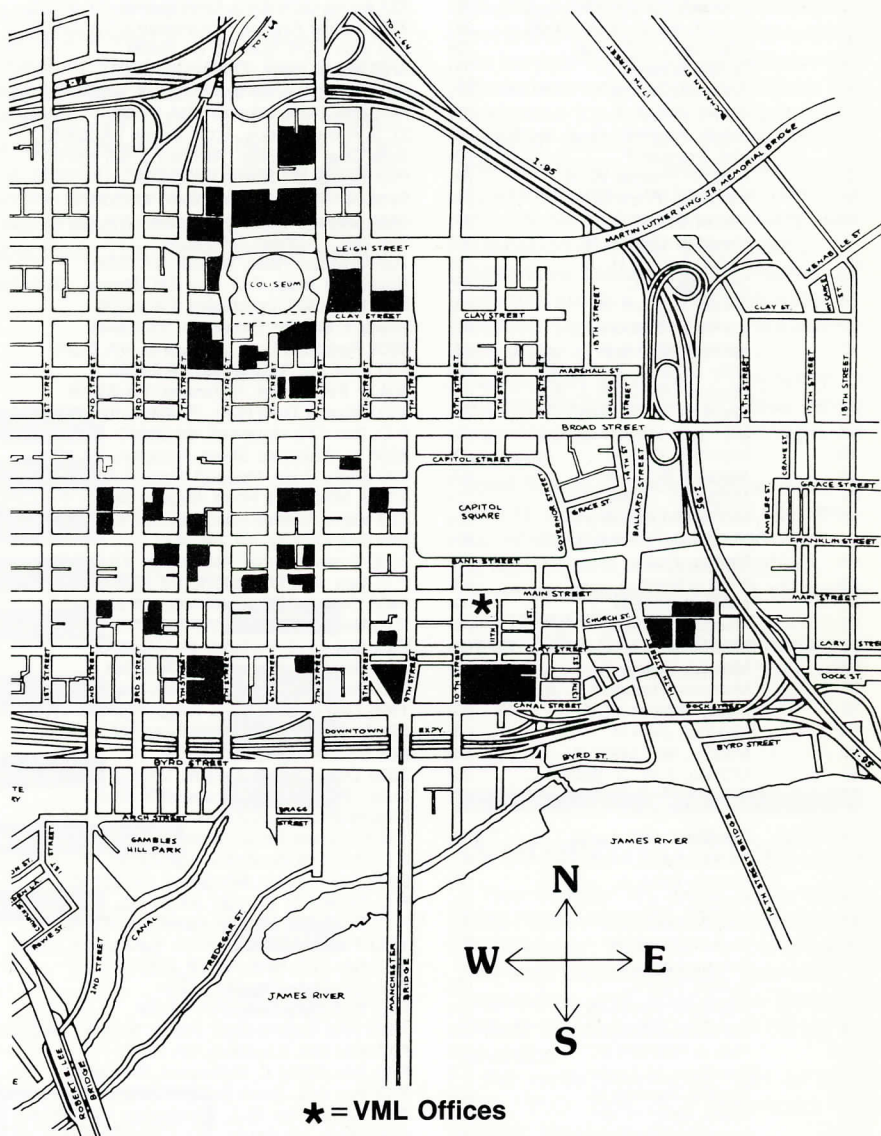
The Greater Richmond Transit Co. services several park and ride facilities in the Richmond area. For information on routes, call 358-GRTC. Basic bus fare is 60 cents and exact change is required. Two frugal lines (10 cents) run every 15 minutes from 11 a.m. to 4 p.m. east/west from Foushee to 14th Street and pass within two blocks of the Capitol. A DASH bus (10 cents) runs east/west from Fifth Street to 12th Street and passes by the Capitol every 10 minutes from 11 a.m. to 4 p.m.

Cab fares in the Richmond area are 95 cents for the first one-fifth mile and 25 cents for each additional one-fifth mile.

Hotel room rates in the downtown area range from \$30 a night to \$120 a night for a single.

For legislative information, call the Capitol at 786-6530 or the General Assembly at 786-7281.

The VML Offices are located at 1011 E. Main St. on the third floor of the Ironfronts Building. The VML Office telephone number is 649-8471.



VML's 1984 Legislative Goals

The Virginia Municipal League's legislative goals are developed by the VML Legislative Committee and adopted by the full membership at the annual business meeting. These goals represent VML's general philosophy and position on issues of interest to local governments which are within the jurisdiction of the Virginia General Assembly. VML's legislative goals for 1984 are as follows:

Local Revenues: Additional flexibility to raise local revenues and unrestricted use of current local revenues.

State Aid: VML urges that budgetary shortfalls not be passed on to local governments and supports funding of all state aid programs. VML's first priority for funding is education, including full funding of the Standards of Quality as estimated by the Department of Education. VML supports an additional 1 percent sales tax to be returned to localities based on school-age population in order to provide full funding of the Standards of Quality. Other state aid priorities include the following:

- * full funding of new correction reimbursement formulas and incentive pay
- * the annexation package
- * adequate funding of constitutional offices
- * replacement of the Compensation Board with block grants
- * increased highway funding and equitable distribution
- * funding for fiscally stressed localities
- * increased funding for local welfare Auxiliary Grant Programs

Mandates: VML urges reduction of excessive regulatory mandates and opposes limitations on the use of local work forces for local construction projects.

Local Autonomy and Authority: Greater autonomy for local governments and significant diversity among municipal charters.

Rolling Stock Tax: Distribution of the rolling stock tax to localities.

Meals/Transient Occupancy Taxes: County utilization of these taxes with legislation to prevent duplicate county tax levies.

Town Sales Tax: A change in distribution to towns so that the 50 percent presently distributed based on school-age population would be returned based on point of collection.

Vehicle Licensing: An amendment to require motor vehicles, trailers and semi-trailers registered and licensed in Virginia to comply with local motor vehicle licensing requirements, if not spe-

cifically exempt. Military personnel should be required to comply with local licensing requirements if they register vehicles in Virginia.

Personal Property Tax: Legislation allowing localities to prorate personal property tax collections.

Local Option Gasoline Tax: Local option to impose a 2 percent tax on gasoline for public transportation, street maintenance and construction.

Roll Back Taxes: Legislation allowing localities to charge lower interest rates than assessed on delinquent taxes.

Water/Waste Water Treatment: State funding to assist localities in financing water supply and waste water treatment facilities through low-interest loans and direct grants.

Regional Training Academies: Implementation of a 75/25 funding match with consideration of in-kind contributions made by localities.

Public Libraries: State aid at 100 percent of legislative authorization.

Supplemental Retirement: Legislation to allow all employees to withdraw their share of retirement funds upon leaving employment.

Corrections: Full funding of new reimbursement formulas.

Highway Funding: Allocation of highway construction funds by formula to ensure equity. Reapportionment of highway construction funds. Establishment of separate bridge and interstate funds. Increased funding for maintenance of municipal streets. Establishment of a separate fund for snow removal should include municipalities.

Service Charges: Payment in lieu of taxes on tax-exempt state and federal property.

Salary Scales For Group Homes: Adjustment of reimbursement salary scales and necessary appropriation.

Railroad Crossings: Direct assistance through grants or a fee on benefiting industries to fund railroad crossing improvements.

Contraband Forfeiture: An act to allow confiscated financial resources of criminals to be returned to localities for law enforcement purposes.

Local Budget Amendments: Local budget amendments by resolution of the governing body without public hearings.

Special Service Districts: Legislation to allow localities to establish special service districts.

Unappropriated Reserves: No prohibition or limitation of carry-over reserves or surpluses in local budgets.

Sovereign Immunity: Strengthening of sovereign immunity protection for local governments.

Comprehensive Plans: Legislation to require state agencies to comply with local comprehensive plans subject to override authority by the governor.

Shared Cost By Subdivision Developers: Authority to require developers to pay a pro rata share for necessary roads adjacent to development property.

Tax, Expenditure Limitations: No constitutional or statutory limitation on state or local revenues or expenditures.

Franchise Duration: An increase in maximum duration of municipal franchises for public property use to 99 years from 40 years. Repeal of the 60-year provision for air rights franchises.

Dillon Rule: Reversal of the Dillon Rule to confer on cities, towns and all counties all powers not denied them by the Constitution, charters or laws enacted by the General Assembly.

Smoke Detectors: Authority for localities to require smoke detectors in all residential units.

Planning District Commissions: Legislation to provide towns, with populations less than 3,500 which provide water or sewerage systems or other public services beyond their borders, representation on planning district commissions.

Publication of Tax Increases: Delivery by hand or by first class mail of tax increase notices rather than publication in newspapers.

Conflict of Interests: Addition of town attorneys to Section 2.1-627 concerning official reliance on the written opinion of city or county attorneys.

Antitrust Exemption: Exemption of local governments from state antitrust law, and immunity for local governments from liability under federal antitrust laws.

Procurement of Professional Services: More flexibility in procurement of professional services.

Virginia Register: a Virginia Register to include an expanded calendar of events and the full text of proposed and final state agency regulations with free distribution to city, towns and counties. Public participation guidelines to solicit input.

VSRS Mandate on Life Insurance: Reconsideration of the legislative mandate that VSRS members carry Life of Virginia life insurance.

Uranium Mining: A moratorium on mining and milling of uranium until the General Assembly develops baseline data and passes legislation to assure that uranium may be safely mined and milled

—continued on next page—

Legislative Process

—continued from page eight—

before committees explaining the impact of certain legislation on local government and urging passage, defeat or amendment of bills. If a bill is changed significantly in committee or on the floor, this will be reported in the *Legislative Bulletin*. Public hearings are also announced in the *Bulletin*, and in instances when time is limited, VML staff will call as many local officials as possible to urge them to write or call their legislators or to appear at hearings.

Once a bill is reported out of committee, it has its first reading on the House or Senate floor and its title is printed on the calendar. Bills are considered in the order in which they appear on the calendar. The day after the first reading, the bill appears on the printed calendar for its second reading. Bills are explained by their patron and questions answered on the second reading. Bills are also amendable on second reading. Voice vote determines whether a bill is to advance to its third reading.

Bills passing the second reading are engrossed and will appear on the calendar for a third reading. On third read-

ing, a recorded roll call vote is taken. If a bill passes, it is sent to the opposite house for consideration where it is read a first time, referred to a committee, and read a second and third time before passage.

If an unfavorable bill passes one house an intensified effort is launched by VML before the committee of the other house. The *Legislative Bulletin* and telephone calls keep VML members informed. *Action Calls*, printed on bright yellow paper, are often included with the *Legislative Bulletin* to alert members to important issues which need immediate action.

After a bill is passed by both houses of the General Assembly, it is printed, signed by the presiding officer of each house and sent to the governor for his signature. Once signed by the governor, bills become law. New laws become effective July 1 after a regular session unless otherwise specified. After a special session, new laws become effective on the first day of the fourth month following adjournment, unless otherwise specified. The General Appropriation

Act is usually effective July 1, and emergency acts become effective when signed by the governor.

At the conclusion of the session VML compiles a summary of the legislation affecting local government and mails this to each VML member locality.

Goals

—continued from page 13—

and that all waste will be disposed of safely.

Annexation: No substantive changes in annexation statutory procedures.

Employee-Management Relations: Prohibition of dues check off and collective bargaining for all public employees.

Misdemeanors-Probable Cause: Authorization for police to make arrest in cases of assault and battery, larceny and destruction of property not committed in their presence but based on probable cause and reasonable complaint.

Allocation of Water Resources: Comprehensive assessment of existing and potential surface and ground water resources. Development of a comprehensive water conservation plan.

Equipment Leasing: Facilitation of leasing equipment to localities where significant cost savings can be achieved.

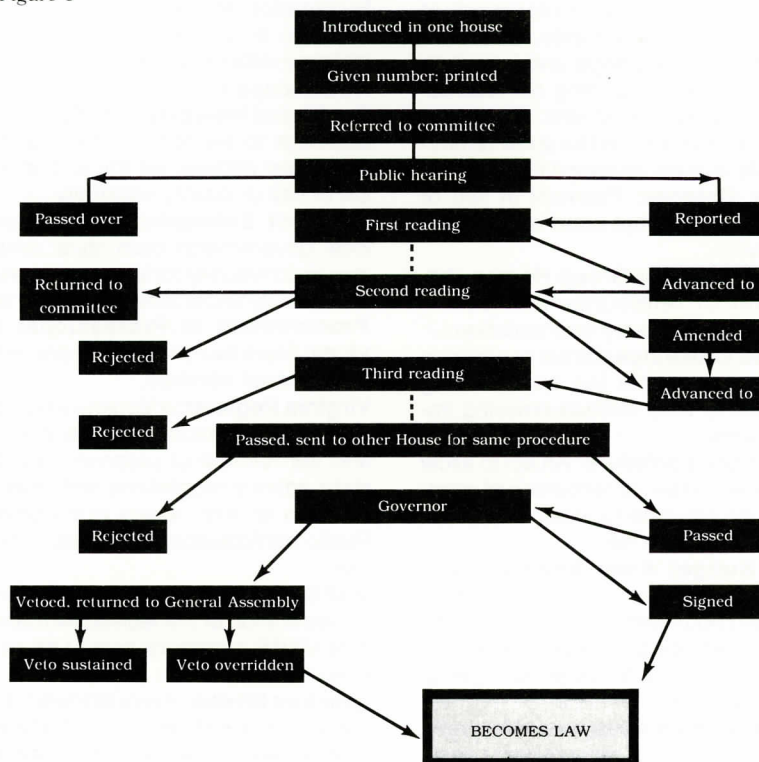
Solid Waste Disposal Sites: a procedure for solid waste disposal site selection when cooperative intergovernmental agreements are unobtainable.

Beverage Container Act: A statewide beverage container act.

Look Alike Drugs: Strengthening of drug laws to curb use of "look alike drugs."

How a bill becomes a law

Figure 1



Women To Meet

The Women in Local Government Task Force will hold a luncheon meeting Wednesday, Feb. 22, in conjunction with VML Legislative Day. Secretary of Commerce and Resources **Betty J. Diener** is scheduled to speak during the luncheon.

For more information call or write VML, P.O. Box 753, Richmond, VA 23206; (804) 649-8471.

Are you
ready?

Virginia's Community Certification Program

By Betty Page

Virginia's new Community Certification Program is off to a strong start, drawing applicant cities, towns and counties from all parts of Virginia. Created and administered by the Virginia Division of Industrial Development, the program is the first of its kind to be offered in the commonwealth of Virginia.

David G. Dickson, manager of community services with the Division of Industrial Development, says the program is designed to help communities improve job opportunities and increase capital investment by being more attractive to industry.

"The program establishes a framework within which Virginia communities can measure their degree of readiness to actively engage in economic development work," Dickson said.

Aggressive participation among community residents in completing the requirements for certification is one of the keys to success in the program, Dickson says.

"Towns and cities that achieve certification through the efforts of their own

people will, in the long run, be more successful candidates for economic development. Technical services of a consultant may seem worthwhile during the certification process, but bear in mind the consultant won't be there to deal with industrial prospects. It will be the responsibility of local people to sell their community."

The program is composed of seven major components, each of which includes several standards. Communities meeting the standards will earn the designation "Certified" and will be assigned priority status by the division when making community recommendations to prospective industries. Certified communities also will receive an award from the governor, public recognition as a community ready for economic investment, special attention in the division's national advertising program and a highway sign attesting to its certified status.

The Locality's View

"The Virginia Community Certification Program is providing an excellent opportunity for the town of Leesburg to assess our competitive position as compared to the rest of the state," remarked Mark Weiss, assistant town manager for

planning and development in the Loudoun County community.

"Leesburg is in a highly competitive economic development market. We are on the western edge of the urbanized Northern Virginia region and feel our participation in the Community Certification Program will enhance our position."

Weiss represents one of 25 Virginia communities officially entered in the program since inception in July 1983. Several communities are applying jointly for certification, so actually 35 jurisdictions are enrolled.

Improved economic development opportunity is the goal and certification is structured to assist communities in gaining greater consideration from business and industrial prospects in a position to increase employment and capital investment.

An editorial in the *Wytheville Enterprise* concluded, "Meeting the criterion for gaining certification will be an arduous and painstaking process which will take much time and labor from those who have been asked to participate. The eighteen months of preparation should well be worth the effort, because

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About the Author
Betty Page is manager of public relations for the Division of Industrial Development.

the results of this work may more than any other factor determine what Wythe County's future will be."

Marketing

Regional workshops were conducted last summer by the Division of Industrial Development to acquaint local leaders with the concept, process and requirements of the program. Eight workshops were held between May and June on community college campuses in Keyesville, Virginia Beach, Abingdon, Roanoke, Warsaw, Charlottesville and Chester. The 261 local officials attending represented three-fourths of the cities, 55 percent of the counties, 16 percent of the towns and more than 80 percent of the planning district commissions in the commonwealth. In addition, the division has made presentations at the Virginia Municipal League conference and the Local Government Officials conference and at the request of the Virginia Citizens Planning Association and the Rural Planning Caucus.

In each workshop, the seven categories (Local Economic Development Organization, Community Information Requirements, Quality of Life Requirements, Local Contact Team, Finance Requirements, Local Existing Industry Programs, and Site and Building Requirements) and each standard within each category were presented and discussed.

The communities officially entered in the program now include Fredericksburg, York County, South Boston/Halifax, Giles County, Wythe County (Rural Retreat and Wytheville), Russell County, the Rockbridge area (Lexington, Buena Vista and Rockbridge County), South Hill, Bristol, Galax, Scott County, Emporia/Greenville County and Lunenburg County/Victoria.

Also New Kent, Leesburg, Waynesboro, Prince George County, Alleghany Highlands (Covington, Clifton Forge and Alleghany County), Franklin County/Rocky Mount, Radford, Amelia County, Louisa County and Brunswick County are entered.

Two communities which have completed their applications but which have not yet been officially entered are Prince Edward County and Chase City. Four other communities in the process of completing their applications are Amherst County, Petersburg, Appomattox County and Nottoway County (Blackstone, Burkeville and Crewe).

Eligibility to participate has been carefully phased so that communities of the most common population size enter the program and are certified first. In Virginia most communities are in a small to medium size range with populations of 1,500 to 40,000. Thus, during the first two years of the program, these com-

munities are eligible to enter the program. At the beginning of the third year (July 1985), communities with populations larger than 40,000 as well as towns with populations larger than 1,000 will be eligible to participate. The fourth year (July 1986), towns with populations between 500 and 1,000 will be eligible, and the fifth year all remaining incorporated towns will be eligible.

This phasing-in process was developed so that division staff could adequately handle the volume of applications and also to allow smaller communities the opportunity to become certified before the larger communities which are more developed and more likely to already have the organization and infrastructure necessary to compete for economic development.

Evolution

The impetus to create this program rose from within the Division of Industrial Development. For a number of years the division has recognized the need for a formalized approach to preparing communities for economic development. The division's award winning "Are You Ready?" a guidebook for community preparation, had been written and published as a first step, but a more structured approach was necessary.

Lawrence P. Johnson Jr., director of community and business services, was the prime motivator for many years to establish a program that would enable local leaders to know what was needed to make their communities attractive to business and industry and how to accomplish these tasks. It was his goal that every town, city and county in Virginia have the resources at hand to create an environment conducive to economic growth.

As an industrial development representative with the division for 16 years, Johnson was aware of some localities' strengths and others' weaknesses. The solution he envisioned was the Virginia Community Certification Program, a process through which any town, city or county can prepare itself for development.

Development

In spring 1982, Hugh D. Keogh, acting director of the division, approved Johnson's concept to develop the program and an 18-member technical advisory committee was appointed to develop and formalize program design.

Beginning May 27 and working through the summer, the technical advisory committee (TAC) developed the standards, procedures and criteria used in the certification program, as well as the community size standards, timetables and procedures for recertification.

TAC represented the public and pri-

vate sectors as well as communities of various population sizes, ranging from the most urban to the very rural. From the public sector, representatives from cities and towns included Tom Waller, Suffolk; Don Edmonds, Martinsville; George Nester, Covington; Keith Cook, Bedford; and Morris Wells, South Hill.

Virginia counties were represented by Alan Gesser, Fairfax County; Allan Williams, Hanover County; C. M. Williams, Accomack County; Sid Glover, Pulaski County; Jack Jackson, Gloucester County; Bob Lee, Clarke County; and Terry Lewis, Isle of Wight County.

Community members representing the private sector included Lillian Morse, Staunton-Augusta Chamber of Commerce; Scott Yancey, Culpeper County Chamber of Commerce; Ralph Hines, Farmville Area Development Corporation; Scott Anders, Grayson County Chamber of Commerce; and Bev Fitzpatrick, First National Exchange Bank, Roanoke. Charles Yates represented a regional organization, the Cumberland Plateau Planning District Commission.

The Governor's Endorsement

By early fall the program was complete and ready for review by Gov. Charles S. Robb.

Gov. Robb endorsed the program before an audience of some 300 economic development and local government officials at the divisions quarterly seminar in September.

"I am happy to say I wholeheartedly endorse the concept of working to improve the capabilities of every Virginia community to be attractive to new business. The standards established for achievement by the localities are goals that are tough but fair.

"It would be well to remember that when a community attains certification, this does not necessarily mean it will be guaranteed a thick list of industrial announcements during the first year. What it does mean is that the certified community will be fully competitive with other localities, both within and outside the state of Virginia. And this, in turn, means that our Division of Industrial Development can place certified communities high on its list of localities it can recommend to business and industrial prospects."

Through the winter of 1982-83, refinements were made in the program's design and a distinctive set of collateral materials were designed and printed. A warm true green, representing growth and a new beginning, was chosen as the official color of the program and a permanent name was selected: The Virginia Community Certification Program. By summer the program was ready for implementation, and July 1, 1983 was chosen as the official starting date.

—continued on page 21—

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Dierring To Head Virginia Building Officials

Clarence Dierring, director of code compliance of Newport News, was elected president of the Virginia Building Officials Association for 1983-84 during the annual school and conference Dec. 4-7 in Hampton. Other officers elected include First Vice President Edward Williams, building official, Virginia Beach; Emory Rodgers, inspection services division chief, Arlington County and Sgt.-at-Arms James Nininger Sr., building official, Salem.

Edward J. Weld, 1983 VBOA, presided over the school and conference and as out-going president received a plaque of appreciation and a past president's certificate during the business session.

Conference topics included a report from the Department of Housing and Community Development by Jack Proctor, building codes director; Public Relations by Dr. James Anderson of The Nexus Group; Housing and Property Maintenance by Erwin Jackson, housing service administrator, Norfolk; Mechanical Examination License Law by Edward Andres, executive director, state Board of Contractors; The Fire Protection Engineer and Plan Reviewer by Floyd Clark, plans review engineer, Chesterfield County; and a panel discussion on the proposed BOCA code changes chaired by Jeryl Riddick, building official, Norfolk and moderated by Joseph Bertoni, chief building inspector, Fairfax County.

Delegates and guests were welcomed to Hampton by City Manager Thomas I. Miller during the Opening Session. Special guests included Chester Penza, president, BOCA, Clarence Bechtel, executive director, BOCA, and Honorable Alan Diamonstein, member, Virginia House of Delegates.

VBOA endeavors to promote the interest and welfare of the building construction code enforcement agencies, and to promote a closer, more informed relationship among those engaged in the profession of building construction code administration and enforcement within Virginia. Membership applications can be obtained by writing Joni Terry, executive director, VBOA, P.O. Box 753, Richmond, VA 23206 or by calling 804/649-8471.

The 1984 VBOA Annual School and Conference will be held Dec. 2-5, at the Sheraton Inn, Fredericksburg.



Clockwise from top left are VBOA's new officers Second Vice President Emory Rodgers, Inspection Services Division chief, Arlington County; Sergeant-at-Arms James T. Nininger, building official, Salem; President Clarence Dierring, director of code compliance, Newport News; and First Vice President Edward Williams, building official, Virginia Beach.



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Legal Guidelines

Handgun Ordinances

**By Howard Dobbins,
General Counsel**

In February of this year, we reported in this column the decision of the U.S. Circuit Court of Appeals for the Seventh Circuit upholding an ordinance prohibiting possession of handguns within the borders of Morton Grove, IL. (*Quilici v. Village of Morton Grove*, 695 F. 2d 261 (1982)). The challengers of this ordinance sought a "writ of certiorari" (an order for review) from the United States Supreme Court, which was denied Oct. 4 (52 U.S. 1.W. 3266). Newspapers across the country hailed the Supreme Court's denial of certiorari as "a major victory for advocates of tighter gun control." (*Richmond Times Dispatch*, Oct. 4, 1983.)

By letting the Seventh Circuit Court ruling stand, the Supreme Court, at least for now, has determined that a state or local limitation on the right to possess a firearm does not violate the Second Amendment to the U.S. Constitution. The Seventh Circuit Court concluded that the Second Amendment proscription against infringement of the right of the people to keep and bear arms applied only to action by the federal government, not to action by state and local governments. In refusing the appeal, the Supreme Court did not see fit to disturb that ruling. However, this action, or lack of action, should not be considered as authorization for all localities to adopt gun control ordinances, particularly in states where localities are subject to the Dillon Rule.

The dissenting opinion in *Quilici* by Circuit Court Judge Coffey points up the vulnerability of such Morton Grove ordinances. Judge Coffey opined that notwithstanding the "home rule" freedom enjoyed by Illinois localities, "the regulation of handgun possession is a matter

of state-wide concern rather than local concern." In support of this contention, Judge Coffey stated, "the subject of the prohibition of handguns has been completely pre-empted by the Illinois legislature because one would be 'hard-put to envision a more comprehensive statutory scheme than that' set forth in the state statutes on the subject of handgun possession."

The dissent argues that the Illinois legislature has adopted laws regulating who may possess firearms, when and where they may possess firearms, and the types of firearms they may possess. This argument draws scrutiny in Virginia inasmuch as the Virginia General Assembly has seen fit to legislate broadly with respect to firearms. Virginia legislation on firearms prohibits the following: discharge of a firearm within a building occupied by one or more persons so as to endanger their lives; maliciously shooting at any dwelling occupied by one or more persons; willful discharge of a firearm in any street in a city, town, place of business or public gathering; pointing or brandishing a firearm at any person; carrying a firearm to a place of worship; hunting with firearms while under the influence of intoxicants or narcotics; shooting in or along roads or streets; possessing a loaded firearm on a public highway; possessing or using a machine gun for aggressive purposes; possessing or using a sawed-off shotgun; concealing weapons, including firearms; and carrying a firearm on school premises.

From this lengthy list of firearm legislation, opponents of ordinances in Virginia restricting the use or possession of firearms may argue with considerable force that Virginia localities have been pre-empted from legislating on the subject.

Perhaps an even more meritorious argument by challengers may be found in the failure of the Virginia General Assembly to grant localities specific authority to deal with firearms. Virginia

Code § 15.1-839 specifies that "a municipal corporation shall have and may exercise all powers which it now has or which may hereafter be conferred or delegated to it under the constitution and laws of the commonwealth and all other powers pertinent to the conduct of the affairs and functions of municipal government . . . which are necessary or desirable to promote the general welfare of the municipality and the safety, health, peace, good order, comfort, convenience, moral, trade, commerce and industry of the municipality and inhabitants thereof . . ."

A Virginia municipality therefore lacks the freedom of a "home rule" state and must look to statutory or constitutional authority before exercising a legislative prerogative. If that authority is not granted, local legislation may fail. (See *Hylton Enterprises Inc. v. Board of Supervisors*, 220 Va. 435, 258 S.E. 2d 577 (1979).)

Judge Coffey dissenting in *Quilici* reasoned further that the effect of the Illinois state legislation was to permit possession of handguns except as specifically regulated and restricted. It would appear that the Virginia legislature has done likewise. Morton Grove took the opposite approach prohibiting all handguns and providing permission to possess handguns to specified, limited classes of individuals.

Judge Coffey's analysis appears well-reasoned, therefore pending enactment by the Virginia General Assembly of a state-wide policy to prohibit possession of handguns or to authorize localities to do so, Virginia cities and towns would be well-advised to proceed cautiously in prohibiting possession of handguns by ordinance.

Community Certification

—continued from page 16—

The Competitive Environment

When talking about the successes of the program so far, Dickson is quick to point out that the Virginia program does not operate in a vacuum.

"The majority of the southeastern states, which are often our prime competitors for industry, all have a community certification program of some form. Some have been in existence for many years."

Dickson pointed to the South Carolina "Great Towns" program as perhaps one of the best known and one of the strongest along with Mississippi's "Key Community" program.

"We learned a great deal by examining the strengths and weaknesses of other state's programs," he said. In addition to South Carolina, other states competing with Virginia for industry which already have certification programs in place include Maryland, North Carolina, Georgia, Alabama and Tennessee. Also, Florida is likely to open a program this year.

"It's important to note each state developed its own program, and not all are as rigorous or complete as the Virginia program," he said.

Virginia is gaining a reputation, Dickson said, of having the toughest and most thorough certification standards in the southeast, and perhaps in the nation.

Throughout the program, the division advises community leaders to bear in mind that preparation for economic development is a long-term process. "Are You Ready?," the division's community development guidebook, warns: "Attracting new industry to a community is extremely competitive and can sometimes be frustrating Communities that do their homework and keep trying even in the face of overwhelming odds are the ones which will be the most successful."

With the Virginia Community Certification Program in place, the odds for success in economic development are shifting in favor of Virginia's cities, towns and counties.

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Editorial

The Challenge of "1984"

Ladies and gentlemen, welcome to 1984, that legendary year immortalized by British author George Orwell.

You probably don't feel as if you have just stepped into the nightmarish world Orwell created three and a half decades ago, although the prospect of a real 1984 may have caused some anxiety at some time or other in your past.

The fact is that reality is far from Mr. Orwell's representation. Orwell himself

did not really expect 1984 to be as he portrayed it. His book was pure political satire, and, in fact, he considered titling it 1980 or 1982. It was meant to be a sort of "thump on the head" saying "see, something like this could happen if you don't watch out." But it is interesting to note that the book is also a sort of slap in the face to government.

Paul Zweig, chairman of the comparative literature department at Queens College in New York, writes in *Omni* magazine, "There would have been no nuclear holocaust, no war to end all wars that would leave the earth to be inherited by insects. The disaster Orwell predicted was subtler, almost unnoticed. You might call it a *death by government*. People would go on living, working, singing. They would simply have stopped thinking; individual consciousness would have been abolished. In Orwell's imagined future the activities of life would obey an unrelenting plan devised by technocrats—scientists of manipulation—as if men had been reborn as ants in a vast shabby nest known as the world."

How close was Orwell to the truth? 1984 was a perfect totalitarian state ruled by technocrats, thought police and Big Brother constantly watching everyone everywhere. Workers churned out Newspeak, defined by Webster as "the deliberate use of ambiguous and deceptive talk, as by government officials, in seeking to mold public opinion." All published material was constantly rewritten so as to be in accord with the aims and goals of the Party. How easy the politician's job must have been!

While our technology has become such that our world could readily become "Orwellian," thus far man (and government) has resisted the urge. The news is full of technological advances as we become fully entrenched in the "information age." There is talk of artificial intelligence and computers that can feel as well as think. Science has perfected the art of sending subliminal messages through our television sets.

Artificial insemination and space shuttle flights are old news while much of our society is fascinated by MTV and video games. Soon, we are told, computers will be on every desk and in most homes, and it's true that government jargon has at times become paralyzing.

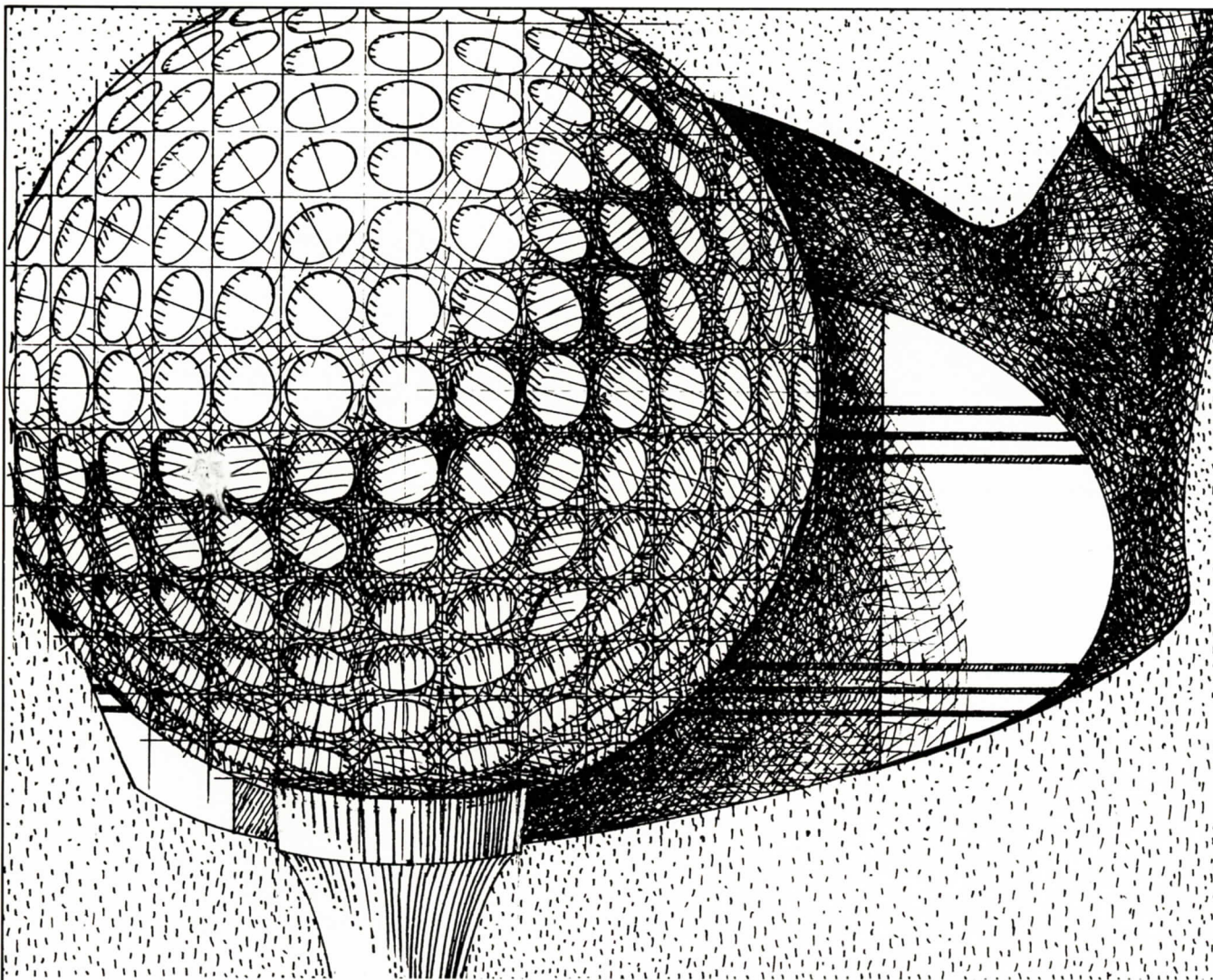
While Orwell (real name Eric Blair) was right in many of the technological capabilities he predicted, he was wrong on one account: man's ability to be dominated; his innate instinct to think for himself. For municipal leaders as well as the public at large this is the challenge Orwell presents.

Government officials are constantly bombarded with information and must continually face 1984-ish challenges. Our very real challenges of 1984 are uranium mining, conference calls, water supply, overcrowded prisons, a failing infrastructure, cable television, annexation, burdensome government regulations and educating our children, just to mention a few. As public officials you are challenged everyday to make difficult decisions on these and other complex issues while more often than not being pulled in various directions. As an official you must listen to the various voices of your public, and you must think clearly and deeply before making your decisions. It is often easier to be led, but that is the challenge of 1984—not to become the unthinking technocrat, but to go on day to day facing challenges to the best of our abilities, and hopefully thinking for ourselves.

Christy Ewerson
Editor

Calendar

Feb. 22	VML Legislative Day John Marshall, Richmond
Feb. 22	Women in Local Government Luncheon John Marshall, Richmond
May 2-4	VA Section, International City Management Assn. Conference Wintergreen
May 30-June 1	Municipal Electric Power Assn. Conference Holiday Inn, Virginia Beach
July 11-14	State Fire Chiefs Assn. Conference Virginia Beach Pavilion, Virginia Beach
August 19-22	Virginia Assn. of Chiefs of Police Conference Williamsburg Hospitality House, Williamsburg
Sept. 30-Oct. 2	Virginia Municipal League Conference John Marshall, Richmond
Dec. 2-5	Virginia Building Officials Assn. Conference Sheraton Inn, Fredericksburg



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SAVE UP TO \$8,856 IN FUEL COSTS PER YEAR WITH A JOHN DEERE 646C

In a recent test comparing the 646C to a leading competitor, the 646C used less fuel.

An average of 3.69 gallons (14 L) less per hour.

That works out to a saving of about \$4.40 an hour (fuel costs figured at \$1.20 per gallon (\$32/L). Or savings of more than \$44,000 over a 10,000-hour (5-year) machine life.

But saving fuel isn't the only reason you'll like the 646C.

It also costs less to buy.

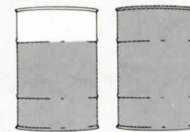
In fact, compared to the same competitor (similarly equipped),

the 646C can cost close to \$25,000 less up front. And that adds up to a pretty smart investment. Especially when you consider that the 17-ton (15 400 kg) 646C produced similar compaction results on slope work compared to the 23-ton (20 800 kg) competitor in the same test. And handled close to 85 percent of the same volume in an 8-hour period.

Ask your John Deere dealer for more facts on the 646C. Find out how it can load, doze and excavate. And how it can be a smart investment for your landfill. John Deere,

Moline, Illinois.

Annual Fuel Use Indicated in Test
\$8,856 fuel savings



\$16,800.00
646C

\$25,656.00
Competition



AVAILABLE IN MOST STATES
MUNICIPAL LEASE
SEE A PARTICIPATING DEALER

