

# VIRGINIA GOVERNMENT IN BRIEF

2002 — 2006



***Governor***

Mark R. Warner

# CONTENTS

<b>State Government</b> .....	<b>6</b>
<b>The Election System</b> .....	<b>6</b>
Voter Registration .....	6
State Board of Elections .....	7
Electoral Board .....	7
General Registrar .....	8
Officers of Election .....	8
The Election Process .....	8
<b>The Legislative Department</b> .....	<b>11</b>
The General Assembly .....	11
Organization of the House.....	12
Organization of the Senate .....	13
The Joint Assembly .....	13
Legislative Agencies.....	13
Legislative Commissions .....	14
<b>The Judicial Department</b> .....	<b>16</b>
The Supreme Court .....	17
The Court of Appeals .....	17
The Circuit Courts .....	18
The General District Courts .....	18
The Juvenile and Domestic Relations District Courts.....	19
The Magistrate System .....	19
The Judicial Inquiry and Review Commission .....	20
Virginia State Bar .....	20
Virginia Board of Bar Examiners .....	20
Public Defender Commission .....	20
<b>The Executive Department</b> .....	<b>21</b>
Statewide Elected Officers .....	21
Governor's Secretaries .....	22
<b>Independent Agencies</b> .....	<b>41</b>
Medical College of Virginia Hospitals Authority .....	41
State Corporation Commission .....	42
Virginia Higher Education Tuition Trust Fund .....	42

Virginia Retirement System .....	43
Virginia Workers' Compensation Commission .....	43
Virginia Lottery Department .....	43
<b>Local Government</b> .....	<b>44</b>
<b>County Government</b> .....	<b>44</b>
Forms of County Government .....	44
Organization of County Government .....	48
Constitutional Officers .....	49
Appointed County Officials .....	51
<b>City and Town Governments</b> .....	<b>55</b>
Forms of City and Town Governments .....	56
<b>City/Town Organization and Officials</b> .....	<b>57</b>
<b>Special Districts and Authorities</b> .....	<b>61</b>
<b>Planning District Commissions</b> .....	<b>61</b>
<b>Transportation Districts</b> .....	<b>62</b>
<b>Industrial Development Authorities</b> .....	<b>63</b>
<b>Public Service Authorities</b> .....	<b>63</b>
<b>Soil and Water Conservation Districts</b> .....	<b>64</b>
<b>Sanitation Districts</b> .....	<b>64</b>
<b>Sanitary Districts</b> .....	<b>65</b>
<b>Government Facts</b> .....	<b>66</b>
<b>Questions and Answers on Virginia's Noteworthy Matters/Events</b> .....	<b>66</b>
<b>Virginia Counties and Cities —</b>	
<b>Past and Present Backgrounds</b> .....	<b>68</b>
<b>How a Bill Becomes a Law in Virginia</b> .....	<b>82</b>
<b>Capitals of Virginia</b> .....	<b>85</b>
<b>Acknowledgments</b> .....	<b>87</b>

## INTRODUCTION

The following publication provides a short and concise description of Virginia's state and local governments. Specifically, this publication is designed to:

- describe the organization and mission of the various branches of state and local governments;
- outline the duties and responsibilities of major state and local agencies; and
- introduce special purpose districts and authorities that transcend traditional state and/or local jurisdictional lines.



***Lieutenant Governor***  
Timothy M. Kaine

This publication should be used as an informational document on Virginia's state and local governments. Since periodic changes take place in the institutional structure of state and local governments, it is scheduled for revision once every four years.

Also included in this publication are brief sections describing the nature and function of Virginia's legislative and judicial processes. Hopefully, these sections will help the reader to understand the interrelationship among the legislative, judicial, and executive branches of government.



***Attorney General***  
Jerry W. Kilgore

# STATE GOVERNMENT

Since its adoption in 1776, the Constitution of Virginia has undergone many changes due to the economic, technological, political, and legal developments in the Commonwealth. The Constitution has continued to serve as the political base upon which Virginia's state and local governments are built. The two major components of the Constitution are the provisions for the three separate and distinct branches of state government and the election process for all statewide elected officers, legislators, local governing body members, and local constitutional officers.

## **The Election System**

The Constitution specifies the qualifications and requirements for voter registration, methods of voting, and qualifications for elective office, and requires the appointment of county and city electoral boards, registrars, and officers of election.

### ***Voter Registration***

To be eligible to vote, a person must be a native or naturalized citizen of the United States, a resident of the Commonwealth and of the precinct in which he/she offers to vote, and at least 18 years of age by the day of the next ensuing general election. The individual may apply in person at the registrar of his/her county or city, simultaneously when applying for a driver's license at the Department of Motor Vehicles, by mail application, at other designated state agencies or any designated registration site.

Registration is closed 29 days before every primary or general election to allow time for the work necessary to prepare the registration lists for use in each precinct polling place on election day. Mail applications

must be postmarked no later than the last day of registration.

### ***State Board of Elections*** ***www.sbe.state.va.us***

The State Board of Elections supervises and coordinates the work of county and city electoral boards and registrars to obtain uniformity in registration and election proceedings in accordance with the law. The Board also maintains an automated central record-keeping system of all voters registered in the Commonwealth and makes rules and regulations for the proper functioning of local electoral boards and registrars.

The Board is composed of three members appointed by the Governor from the qualified voters of the Commonwealth, subject to confirmation by the General Assembly. The Governor designates one member as the Secretary. The members are appointed for a term of four years. By law, a majority of the Board Members are from the political party which cast the highest number of votes in the last preceding gubernatorial election.

### ***Electoral Board***

The Electoral Board of each county or city is composed of three members, one appointed each year by the Circuit Court for a three-year term. The members represent each of the two political parties whose candidates, at the general election for Governor next preceding their appointment, received the highest and the next highest number of votes. The Board elects one of its members Chairman and another, of the opposite political party, Secretary and is responsible for the proper conduct of all elections held in its county or city. The Board also appoints a General Registrar and the officers of election for its county or city.

**General Registrar**

The General Registrar is appointed by the Electoral Board for a four-year term, may not hold any other elective or appointive office during the term, and must be a qualified voter of the county or city for which he/she is appointed. Duties of the General Registrar include maintaining a public office for the registration of voters and keeping current and accurate records of all persons registered to vote in the county or city.

**Officers of Election**

Officers of election for each precinct are appointed by the Electoral Board for a one-year term and must be qualified voters. In appointing the officers of election, as equal representation as possible is given to each of the two political parties. The officers conduct the election at their respective polling places and certify the results.

**The Election Process**

The method of selecting party candidates for each office is determined by the appropriate committee or the party organization. One party may favor a convention, another a primary, or may change its method from time to time.

Any person qualified to hold the office, other than a candidate for a party nomination or a party nominee, may become a candidate in any general or special election by filing notice of his/her candidacy and petitions signed by the number of qualified voters specified by law for the office for which he/she offers. Candidates for the United States Senate or House of Representatives, Governor, Lieutenant Governor, or Attorney General file with the State Board of Elections. Candidates for the House of Delegates file with the House Clerk's Office.

Candidates for the Senate file with the Senate Clerk's Office. Candidates for other offices file with the Clerk of the Circuit Court of the county or city where they reside.

A candidate for any elective office in the Commonwealth must file with the State Board of Elections a statement, under oath, of his/her qualifications to hold the office he/she is seeking and other statements or disclosures required by law.

All candidates for nomination or for election to any office in the Commonwealth must appoint a campaign treasurer, designate a campaign depository, and may designate only one campaign committee to receive all contributions and to make all expenditures for or on behalf of the candidate. Exceptions to this are candidates for United States Congress, any town offices in towns with a population of less than 25,000 and directors of soil and water conservation districts. The candidate and his/her campaign treasurer must keep detailed and accurate accounts and file reports and statements of contributions and expenditures with the State Board of Elections and with the Secretary of the Electoral Board of his/her county or city residence. Candidates for President, Vice President, and the United States Congress must comply with the federal requirements.

The law specifies that for national, state, and county elected officials the general election is held on the Tuesday following the first Monday in November and primary elections the second Tuesday in June. For most city and town officials, the general election is held the first Tuesday in May; primaries the first Tuesday in March. Special elections are sometimes held to fill vacancies created by resignation, death or disqualification of an elected officer.

The polling places are open from 6 a.m. to 7 p.m. on each election day. Before the opening of the polls, the appointed officers of election assemble at each polling place to prepare for the election. Each political party

or independent candidate is permitted to send one representative to observe the election and to interpose a challenge if necessary.

Each voter is checked by the officers of election at the polling place to ensure that he/she is registered to vote in the precinct and has presented an ID or signed a statement of identification. After verification, the voter is handed a ballot to mark in secret or, where voting machines are used, the voter enters the machine to cast his/her vote in secret. In other than primary elections, a voter may write in for any office the name of a person of his/her choice whose name does not appear on the ballot. However, write-in votes for President and Vice-President are only counted for candidates who have filed declarations with the State Board ten days before the election.

No one except the voters, persons assisting voters, election officials or authorized representatives is allowed to come within 40 feet of any entrance to the polling place. In addition to overseeing the proper conduct of the election, the officers of election are authorized by law to arrest anyone for disturbance of the election and to challenge a voter for cause of disturbance.

Voters who are unable to go to the polls on election day may qualify to vote by absentee ballot, either by mail or at the registrar's office. Voted absentee ballots must be received by 7 p.m. on election day to be counted.

After all the ballots have been counted and the results are determined, the total votes cast for each candidate are entered on a Statement of Results and signed by all the officers of election. By noon of the second day following the election, the local electoral board meets to ascertain the results for the county or city from the Statement of Results. The total votes cast for each person are then entered on an official abstract which is filed with the State Board of Elections. For November elections, the State Board meets on the 4th Monday of November to canvass the votes and certify the results of the election.

If an election results in a tie, the winner is determined by lot. This is done by the State Board of Elections for national or state officers and by the local electoral board for its respective county, city, or town officers. After the official canvass or lot determination, certificates are issued to the successful candidates who must take and subscribe the oath of office required by the Constitution of Virginia before assuming office.

## **The Legislative Department**

The Legislative Department is composed of the General Assembly and its supporting commissions and divisions.

### ***The General Assembly***

The General Assembly, officially the name of the State Legislature, dates from the establishment of the House of Burgesses at Jamestown in 1619. It is now composed of a Senate and a House of Delegates which have the power to: • *levy taxes*; • *enact laws not specifically prohibited by the state or federal constitution*; • *confirm the Governor's appointments of state agency heads and board members*; • *approve the budget*; • *elect State Supreme Court Justices, Court of Appeals, Circuit and District Court Judges and the members of the Judicial Inquiry and Review Commission*; • *and elect the Auditor of Public Accounts, the commissioners of the State Corporation Commission, and members of the Virginia Workers' Compensation Commission.*

The General Assembly meets annually, beginning on the second Wednesday in January, for 60 days in even-numbered years and for 30 days in odd-numbered years, with an option to extend the annual session for a maximum of 30 days.

The present Constitution, which became effective

tive in 1971, provides that the House of Delegates shall contain 90 to 100 members and the Senate shall have 33 to 40 members. Both houses presently have maximum membership. The terms of office are four years for members of the Senate and two years for the House members. All members of the General Assembly are elected by qualified voters within their respective Senatorial or House of Delegates districts. A member may not hold any other public office and cannot be elected by the General Assembly to any civil office of profits in the state during the term for which he/she was elected. Neither can the members increase their own salaries during the term for which they were elected.

### **Organization of the House**

At the beginning of the General Assembly's session in even-numbered years, the House of Delegates organizes in accordance with the following procedures: • *the Clerk of the House calls the members-elect to order and administers the oath of office to the members;* • *the Speaker of the House is elected from the membership and the oath of office is administered by a Justice of the Supreme Court with the Clerk presiding;* • *the House with the Speaker presiding elects a Clerk whose oath of office is also administered by a Justice of the Supreme Court;* • *the House elects a Sergeant-at-Arms whose oath of office is administered by the Clerk;* • *the House adopts its Rules of procedure;* • *the House appoints additional personnel, pages, and doorkeepers;* • *the House informs the Senate, by resolution, that it is organized and ready to proceed with the discharge of its functions;* • *the majority and minority parties elect their floor leaders to assist the Speaker in the conduct of the business of the House;* • *the Speaker assigns members to the various 14 standing committees;* • *and bills and resolutions are referred to the standing committees for discussion and study.*

### **Organization of the Senate**

The procedure of organization of the Senate is similar to that of the House, except that it occurs once every four years. Listed below are some of the significant aspects of organization in the Senate: • *the Lieutenant Governor serves as the President of the Senate;* • *the President pro tempore is a senior member elected by the Senate for a four-year term to serve in the absence of the Lieutenant Governor;* • *the Clerk of the Senate is elected by the Senate, is custodian of the public seal and shall be in charge of all records and papers of the Senate;* • *it is the duty of the Clerk to refer all bills and resolutions to the appropriate standing committee;* • *there are 10 standing committees and a Committee on Rules in the Senate composed of 15-17 members each;* • *the Senate elects a Sergeant-at-Arms, as well as pages and doorkeepers.*

### **The Joint Assembly**

The Constitution of Virginia requires that at every regular session the Governor report to the General Assembly on the condition of the Commonwealth. Customarily, this is done immediately following the organization of the session at a Joint Assembly of the House and Senate. The General Assembly adopts a joint resolution naming a committee to advise the Governor that the Assembly is organized and ready to receive his message. The Joint Assembly is held in the Chamber of the House of Delegates and is presided over by the Speaker of the House.

### **Legislative Agencies**

#### **Auditor of Public Accounts**

In 1927, the Constitution of Virginia established the Office of the Auditor of Public Accounts. In addi-

tion to auditing agencies that handle state funds, this agency: • *approves accounting systems developed for state agencies and institutions for adequacy of audit trails and financial control*; • *prescribes systems of accounting for local governmental offices*; • *provides specifications to be followed by accounting firms in their audits of counties and cities*; • *and prepares annual, comparative costs reports of counties and cities.*

**Division of Capitol Police**

The Division of Capitol Police was established in 1618 to protect the Governor. In 1890, an Act of the General Assembly added the protection and security of members and staff of the General Assembly to its duties. The Capitol Police operates within Capitol Square and, when assigned, on property owned or controlled by the Commonwealth or its agencies, departments, institutions or commissions.

**Division of Legislative Services**

The Division of Legislative Services was created in 1973 to provide general staff services to the General Assembly. The Division is authorized to: • *draft and prepare legislation for introduction into either house of the General Assembly*; • *and serve as legal, research, and secretarial staff to all legislative study commissions and standing committees.*

**Division of Legislative Automated Systems**

The Division of Legislative Automated Systems, established by an Act of the General Assembly in 1980, provides data processing operations, systems and programming, photo composition, and publication management services for the General Assembly.

**Legislative Commissions**

**Legislative Support Commission**

Authority: Title 30, Chapter 3.1, Code of Virginia.

**Joint Legislative Audit and Review Commission**

Authority: Title 30, Chapters 7 and 8, Code of Virginia.

**Virginia Code Commission**

Authority: Title 9, Chapter 8.1, Code of Virginia.

**Virginia Commission on Intergovernmental Cooperation**

Authority: Title 9, Chapter 6, Code of Virginia.

**Virginia State Crime Commission**

Authority: Title 9, Chapter 20, Code of Virginia.

**State Water Commission**

Authority: Title 9, Chapter 22.3, Code of Virginia.

**Commission on Virginia Alcohol Safety Action Program**

Authority: Title 18.2, Chapter 7, Code of Virginia.

**Virginia Coal and Energy Commission**

Authority: Title 9, Chapter 22.1, Code of Virginia.

**Virginia Housing Study Commission**

Authority: Chapter 295, Acts of Assembly of 1970; Chapter 422, Acts of Assembly of 1972; Chapter 520, Acts of Assembly of 1974; and Chapter 141, Acts of Assembly of 1976.

**Commission on Youth**

Authority: Title 9, Chapter 33, Code of Virginia.

**Chesapeake Bay Commission**

Authority: Title 62.1, Chapter 5.2, Code of Virginia.

**Dr. Martin Luther King Jr. Memorial Commission**

Authority: Title 9, Chapter 22.10, Code of Virginia.

**Small Business Commission**

Authority: Title 30, Chapter 22, Code of Virginia.

**Joint Commission on Health Care**

Authority: Title 9, Chapter 38, Code of Virginia.

**Joint Commission on Technology and Science**

Authority: Title 30, Chapter 11, Code of Virginia.

**Joint Commission on Behavioral Health Care**

Authority: Title 30, Chapter 17, Code of Virginia.

**The Judicial Department**

The mission of Virginia's judicial system is to assure that disputes are resolved justly, promptly, and economically.

The present judicial system consists of four levels of courts: the Supreme Court, the Court of Appeals, the Circuit Courts, and the District Courts. In addition, magistrates serve as quasi-judicial officers with authority to issue various types of processes. The trial courts are

organized into 31 judicial circuits and 32 similar judicial districts. More than 2,550 people, including judges, clerks, and magistrates, work within the judicial branch of government to provide the citizens of the Commonwealth prompt, efficient service.

***The Supreme Court***

The Supreme Court is the highest court in the judicial system of the Commonwealth. As prescribed in Article VI of the Constitution of Virginia, the primary purpose of the Supreme Court is to review decisions of lower courts in which appeals have been allowed. More simply stated, the Supreme Court decides the constitutionality of laws and determines whether the laws are being properly applied and interpreted.

The Supreme Court consists of seven judges, each of whom has the title of Justice. The Justice longest in continuous service is the Chief Justice. The Justices are elected by the joint vote of the two houses of the General Assembly for twelve-year terms. In addition, there are the Clerk of the Supreme Court and the Executive Secretary. The primary duty of the Clerk is to administer oaths and to maintain files of pending cases and of decisions rendered by the Court. The Executive Secretary, appointed by the Court, assists the Supreme Court in the day-to-day administration of the judicial branch of state government.

***The Court of Appeals***

The Court of Appeals of Virginia provides for intermediate appellate review of all decisions of the circuit courts in traffic infractions and in criminal cases, except where a sentence of death has been imposed, and decisions of the circuit courts involving domestic relations matters and appeals from administrative agencies. It also hears appeals from decisions of the Workers' Compensation Commission. While appeals in criminal and

traffic infraction cases are presented by a petition for appeal, all other appeals to the Court of Appeals are a matter of right. Other civil decisions of the circuit court are appealed directly to the Supreme Court by petition for appeal.

The Court of Appeals sits at such locations as the chief judge designates, so as to provide convenient access to the various geographic areas of the Commonwealth. The Court sits in panels of three judges, and the membership of the panels is rotated.

The eleven judges of the Court of Appeals are elected by the General Assembly for a term of eight years.

***The Circuit Courts***

Circuit Courts have original and appellate jurisdiction in criminal offenses and civil cases. These courts also have the sole power to appoint electoral boards in districts where such courts are located and are courts of record.

There are thirty-one circuits in Virginia. Each circuit is presided over by two or more judges. Judges of Circuit Courts are elected by the General Assembly for eight-year terms. A person must have been a member of the State Bar for five years before he/she can qualify for the position of a Circuit Court judge. The clerk is the chief administrative officer of a circuit court and is a constitutional officer with various in-court and out-of-court duties. The clerk is popularly elected for a term of eight years.

***The General District Courts***

In 1973, the District Court System was created by the General Assembly to replace the Municipal and County Courts. District Courts are courts not of record and are subordinate to the Circuit Courts.

Specifically, General District Courts hear all misdemeanors, including traffic violations and civil cases in-

volving \$3,000 or less. They have concurrent jurisdiction with the Circuit Court in claims involving \$3,000 to \$15,000. Cases are heard by a judge without a jury. District Courts also hold preliminary hearings for individuals charged with committing a felony.

Judges of the District General Courts are elected by the General Assembly for six-year terms.

***The Juvenile and Domestic Relations District Courts***

In 1973, a system of Juvenile and Domestic Relations Courts was established to handle cases involving dependent, neglected, and delinquent children. Also, Juvenile and Domestic Relations District Courts have jurisdiction over cases involving a crime of one member of a family against another and family problems in general. There are Juvenile and Domestic Relations Courts in each of the state's thirty-two judicial districts.

Judges of the Juvenile and Domestic Relations Courts are elected by the General Assembly for six-year terms.

***The Magistrate System***

In 1974, the General Assembly established the Magistrate System to succeed the Justice of the Peace System. Local Magistrates are appointed by the Chief Judge of the Circuit Court for the district in which they are located. Under the law, magistrates are vested with the authority to issue search warrants and subpoenas; to admit to bail or commit to jail all persons charged with offenses; to administer oaths and take acknowledgments; and to act as conservators of peace. Each city or county is authorized to have at least one Magistrate.

***The Judicial Inquiry and Review Commission***

The Commission, which was established in 1971, is required to investigate complaints against justices, judges, State Corporation Commission members, and Workers' Compensation Commission members for violation of the canons of judicial conduct. The Commission is composed of seven members who are chosen by a majority vote of the General Assembly.

***Virginia State Bar***

In 1938, the agency was established to investigate and report violations of rules and regulations adopted by the Supreme Court. All persons practicing law in Virginia are required to be members of the Virginia State Bar.

***Virginia Board of Bar Examiners***

In 1919, the Board was created by the General Assembly to examine applicants for admission to the bar. The Board is composed of five competent lawyer residents who are appointed for a five-year term by the Virginia Supreme Court.

***Public Defender Commission***

In 1972, the General Assembly established the Commission to provide defense services to indigent persons through the use of public defenders in selected areas of the state. The Commission is composed of three judges, three lawyers, and three public (nonlawyer) members.

**The Executive Department**

The Executive Department is composed of state-wide elected officers, Governor's Secretaries, and state agencies. Each state agency in the Executive Department is assigned to and reports through a Secretary.

***Statewide Elected Officers***

**The Governor**

The Governor is the chief executive officer in Virginia. Under the Constitution, he/she is elected for a four-year term, cannot serve two consecutive terms, and must be a citizen of the United States, a resident of and a registered voter in the Commonwealth for five years immediately preceding his/her election, 30 years of age, and a resident in Richmond during his/her term of office. Among his/her responsibilities and duties, the Governor is responsible for the execution of state laws, for the preparation of the biennial budget, and for the appointment of executive agency heads and members of over 300 boards, commissions, and advisory councils. He/she may recommend legislation to the General Assembly and veto any bill approved by the legislature. He/she may also grant reprieves and pardons to persons convicted of crimes.

**The Lieutenant Governor**

The Lieutenant Governor is elected at the same time and for the same term as the Governor. In addition to being the President of the Senate, he/she succeeds to the Office of the Governor in case of the Governor's death, failure to qualify, resignation, removal, or inability to serve. The Lieutenant Governor presides over the Senate and may only vote to break a tie. There is no limit on the terms of the Lieutenant Governor.

**The Attorney General**

The Attorney General, serving as the chief executive of the Department of Law, is elected to represent the state or any of its agencies in civil or criminal cases before the courts. He/she also provides official opinions on the application or provisions of state laws upon the written request of the Governor, legislators, judges, and certain elected or appointed state or local officials. His/her four-year term runs concurrently with that of the Governor and Lieutenant Governor and there is no restriction on successive terms.

**Governor’s Secretaries**

Due to the size and complexity of state government, the General Assembly, in 1972, created the Office of the Governor’s Secretaries to assist the Governor in managing the operations of some 200 agencies.

Currently, there are 10 Secretaries. Each Secretary is responsible for providing overall supervision and direction to the agencies which report to him/her. By law, they also have the power to resolve conflicts between their agencies, direct preparation of their budgets, and hold heads of agencies under their direction accountable for effective and efficient performance. They hold their offices at the pleasure of the Governor for a term coincident with his/hers, or until such time as the next Governor may appoint his/her successors. The following sections give brief descriptions of major executive branch agencies by Secretarial areas.

**Secretary of Administration**

The **Charitable Gaming Commission** is vested with the control of most charitable gaming in the Commonwealth with plenary power to prescribe regulations and conditions under which such gaming shall be con-

ducted, and to ensure that it is conducted in a manner consistent with the purpose for which it is permitted.

The **Commission on Local Government** ensures that all counties, cities, and towns are maintained as viable communities by providing objective analysis of proposed actions of localities to restructure local government and/or its boundaries and determines the fiscal impact of draft legislation on local governmental services and expenditures.

The **Commonwealth Competition Council** promotes privatization of state government services and public/private partnerships and facilitates private sector contact with government agencies and programs.

The **Compensation Board** reviews and approves the annual budgets submitted by constitutional officers and reimburses localities, in accordance with statutes, for the state’s share of authorized salaries and expenses of constitutional officers and their employees.

The **Council on Human Rights** enforces the policies of the Commonwealth in safeguarding individuals from unlawful discrimination and unfounded charges of unlawful discrimination.

The **Department of Employee Dispute Resolution** provides assistance to employees in the resolution of problems, concerns, and grievances; assures compliance with the formal state grievance procedure; and makes recommendations for the improvement of management-employee relations in state government.

The **Department of General Services** provides support services to other state agencies and local political subdivisions, where appropriate, assists in the administration of the capital outlay budget, and provides for the efficient management of the Commonwealth’s fixed assets.

The **Department of Human Resource Management** establishes and maintains a personnel management system for state government, performs state recruitment activities, administers the merit system, and

evaluates personnel management in state agencies.

The **Department of Veterans' Affairs** ensures that veterans of the United States armed forces and their Virginia domiciled surviving spouses, orphans, and dependents obtain the benefits of their rights and privileges under federal, state, and local laws.

The **State Board of Elections** coordinates and supervises the work of local electoral boards, registrars, and election officials to obtain uniformity in practices and proceedings in all elections.

The **Virginia Public Broadcasting Board** serves as a conduit for state financial support for public television and radio stations, including the radio reading service. It provides grants and contracts with stations to implement instructional television programming for K-12 schools and community interest related programs.

The **Virginia Veterans Care Center (VVCC) Board of Trustees** was established to govern and oversee the administration of the VVCC's 240 bed long-term health care facility which provides 60 adult home and 180 nursing home beds for Virginia residents who are veterans of the armed forces of the United States.

### Secretary of Commerce and Trade

The **Board of Accountancy** regulates businesses and individuals who practice public accountancy or who provide assurances about Financial Statements, which can only be provided by Certified Public Accountants. The 2001 General Assembly passed legislation granting the Board of Accountancy autonomy from the Department of Professional and Occupational Regulation.

The **Department of Agriculture and Consumer Services** promotes the broad economic development of Virginia's agricultural industry and administers laws for the protection and needs of all consumers.

The **Department of Business Assistance** serves as the liaison between the Commonwealth's existing business and state government in order to promote

the development of Virginia's economy. The department provides for training and retraining of individuals for specific employment opportunities at new or expanding business facilities in the Commonwealth and develops and implements programs to assist small businesses in the Commonwealth.

The **Virginia Economic Development Partnership** was created by the General Assembly in 1995 to encourage, stimulate, and support the development and expansion of the economy of the Commonwealth by marketing Virginia as a location for new and expanded basic employment and capital investment, as well as a source for goods and services for export.

The **Virginia Employment Commission** assists all members of the labor force to become gainfully and productively employed, provides testing and counseling, compiles labor market information, and administers training programs. The commission also administers the unemployment insurance benefit program for the Commonwealth.

The **Department of Forestry** supervises and directs all forest interests and matters pertaining to forestry within the Commonwealth.

The **Department of Housing and Community Development** provides community services assistance, policy analysis and research in the fields of community planning and management, housing and economic development, and provides for building and fire safety regulations.

The **Virginia Housing Development Authority** provides low and moderate income persons and families with financing and other assistance for safe and sanitary housing and energy saving improvements.

The **Department of Labor and Industry** provides for the safety, health, and welfare of employees in the state in both the public and private sectors.

The **Milk Commission** assures the inhabitants of the Commonwealth a constant supply of pure and wholesome milk.

The **Department of Mines, Minerals, and Energy** provides interpretation and enforcement of federal and state laws governing extraction of coal, oil, and other minerals and enhances the development and conservation of energy and mineral resources.

The **Department of Minority Business Enterprise** assists in business development for minority entrepreneurs through the initiation of new programs, and encourages, enlists, and institutes greater minority utilization in our free enterprise system by developing, coordinating, and utilizing the resources in state government.

The **Department of Professional and Occupational Regulation** protects the public health, safety, and welfare through the enforcement of standards of conduct and practice in business and the professions in compliance with the Governor's program for balanced regulation.

The **Virginia Racing Commission** controls horse racing in the Commonwealth and issues regulations under which such racing and pari-mutuel wagering are to occur.

The **Virginia Resources Authority** encourages the investment of both public and private funds and makes loans available to local governments to finance water and sewer projects.

The **Virginia Tourism Corporation** markets and supports the expansion of the Commonwealth's domestic and international tourism economy. The VTC also supports and promotes the Commonwealth's growing film and video production industry.

The **Tobacco Indemnification and Community Revitalization Commission** is a 31-member body created by the 1999 General Assembly. The Commission makes payments to farmers to compensate for the decline of tobacco quotas and to promote economic growth and development in tobacco-dependent communities.

### **Secretary of the Commonwealth**

The **Secretary of the Commonwealth** is the administrative office of the Office of the Governor. It recommends and processes gubernatorial appointments to over 4,000 positions in the executive branch. It facilitates pardons granted by the Governor, extraditions, restorations of rights and service of process for civil litigation. It administers the laws governing disclosure of economic interests of public officials and regulates lobbyists. It appoints notaries public and serves as the custodian of official documents and as the official keeper of the seals of the Commonwealth. The Secretary of the Commonwealth compiles and publishes an annual report containing the names of the members of all state agencies, boards and commissions, local governments and the judicial branch and other important information about Virginia.

### **Assistant to the Governor for Commonwealth Preparedness**

The **Assistant to the Governor** serves in the cabinet level position and heads the Office of Commonwealth Preparedness. The mission of the office is to work with and through others including the private sector to promote security and preparedness measures. The office assures proper coordination and resource allocation between agencies of state government with responsibilities for security. This office will serve as a direct liaison between the Governor and Virginia's local governments and first responders on issues of emergency preparedness. It will help to educate the public on homeland security issues and respond to inquiries for support and guidance. The office is the point of contact in Virginia with the White House Office of Homeland Security.

### **Secretary of Education**

The **Virginia Commission for the Arts** encourages interest and supports excellence in the arts and humanities.

The **Virginia Community College System** controls, administers, and supervises twenty-three community colleges established by the state in selected communities throughout the Commonwealth and has primary responsibility for workforce training at the post-secondary to associate degree level.

The **Department of Education** provides technical assistance to school divisions, distributes funds appropriated by the General Assembly, and administers laws and regulations governing the operation of public schools in the Commonwealth.

The **Gunston Hall Board of Regents** maintains Gunston Hall as a memorial to George Mason and manages the estate in order to make it accessible to the public.

The **State Council of Higher Education for Virginia** functions as a coordinating agency for all state-supported institutions of higher education and serves in an advisory capacity to the Governor, General Assembly, and state institutions.

The **Southwest Virginia Higher Education Center** coordinates and delivers in the western region of Virginia undergraduate and graduate courses and degree programs offered by the University of Virginia College at Wise, the University of Virginia, Virginia Polytechnic Institute and State University, Old Dominion University, and other institutions of higher education.

The **Jamestown-Yorktown Foundation** administers, develops, and maintains Jamestown Festival Park and the Yorktown Victory Center as permanent commemorative shrines.

The **Library of Virginia** serves as a general reference and research library for the general public, houses the archives for Virginia, supervises the state public library program, and administers state and federal funds for the public library program.

The **Virginia Museum of Fine Arts** acquires and displays art objects; develops and delivers art instruc-

tion programs; and delivers professional theatrical performances in the museum theater.

The **Frontier Culture Museum of Virginia** is maintained as an outdoor museum in order to commemorate the contributions made by the pioneers and colonial frontiersmen and women of the 18th and 19th centuries to the creation and development of the United States of America.

The **Science Museum of Virginia** preserves, promotes, and exhibits the natural and man-made resources of the Commonwealth in order to stimulate interest and develop a better understanding of the sciences among Virginia's citizens.

The **State Universities and Colleges** - there are 15 state supported four-year universities and colleges and one two-year college in Virginia. These institutions provide a variety of graduate and undergraduate education programs.

Christopher Newport University  
 University of Virginia College at Wise  
 George Mason University  
 James Madison University  
 Longwood University  
 Mary Washington College  
 Norfolk State University  
 Old Dominion University  
 Radford University  
 University of Virginia  
 Virginia Commonwealth University  
 Virginia Military Institute  
 Virginia Polytechnic Institute and State University  
 Virginia State University  
 The College of William and Mary  
 Richard Bland College (two year) – affiliate of  
 The College of William and Mary

**Secretary of Finance**

The **Department of Accounts** audits expenditures and issues warrants for disbursement of all state funds; maintains the general accounting records for the Commonwealth; maintains a unified financial accounting and control system of all state agencies; and provides technical data processing assistance to all state agencies.

The **Department of Planning and Budget** provides advice and analytical services in planning, budgeting, evaluating, and developing policy for the Governor, Secretaries, and other governmental officials.

The **Department of the State Internal Auditor** provides for the development and maintenance of internal audit programs in state agencies in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls. In addition, the Department provides training and technical assistance to agencies and internal audit staffs.

The **Department of Taxation** administers the tax program of the state which includes income, sales, and miscellaneous excise taxes; supervises state tax collection activities of counties and cities; and assists with local reassessment and mapping programs upon request.

The **Department of the Treasury** receives, maintains custody of, and disburses all funds of state government and invests general obligation bonds of the state.

The **Treasury Board** supervises the investment of all state funds; controls and manages sinking funds; advises the Governor and State Treasurer on state financing issues and acts as the issuing, sales, and paying agent on bonds.

**Secretary of Health and Human Resources**

The **Department for the Aging** fosters the independence, security, and dignity of older Virginians by promoting partnerships with families and communities. The department receives funding under the federal Older Americans Act and from the Virginia General

Assembly; funds programs for older Virginians and their families through a network of 25 local Area Agencies on Aging; monitors the provision of these services; studies the needs of Virginia's aging citizens and advises the Governor and the General Assembly about these needs.

The **Department for the Blind and Vision Impaired** assists blind and visually impaired individuals to achieve their maximum level of employment, education, and personal independence. The department provides vocational rehabilitation services, independent living training for the blind, operates a rehabilitation center, a library and resource center, and provides employment opportunities through the Virginia Industries for the Blind.

The **Department for the Deaf and Hard of Hearing** provides a variety of programs, primarily focused on reducing communications barriers between persons who are deaf or hard of hearing and those who are hearing. Specifically, the department offers the following: Interpreter Services Program, providing a Directory of Qualified Interpreters and interpreter services coordination for state agencies and courts and a program of Quality Assurance Screening; Technology Assistance Program, providing qualified applicants with assistive technology; Outreach Services program, providing training and technical assistance statewide; a lending library; and, oversight of Virginia Relay, ensuring telecommunications access for persons who are deaf, hard of hearing, or speech impaired.

The **Virginia Board for People With Disabilities** enriches the lives of Virginians with disabilities by providing a voice for their concerns. The board promotes a vision of communities that welcome people with disabilities; conducts outreach to individuals, families and advocates; fosters innovation through grant projects and sponsored programs; collaborates with providers of disability services; and educates policymakers on disability issues.

The **Department of Health** protects the health and environment of citizens by preventing and controlling the spread of diseases; conducting health inspection programs including septic systems, wells, and restaurants; offering family health services including maternal and child health and family planning; assuring the quality of hospital and nursing home care; ensuring safe and adequate drinking water supplies; safeguarding the public against bioterrorism; training and certifying emergency medical services; providing medical examiner services; and supplying health statistics and vital records for the Commonwealth.

The **Department of Health Professions** provides administrative and investigative support for the 13 health regulatory boards that have responsibility for licensing, regulating, and disciplining health care practitioners.

The **Department of Medical Assistance Services** provides financing through the Medicaid program for comprehensive medical care and mental health services provided to low-income mothers, children, and individuals who are aged, blind, or disabled. The department also administers a number of other state health programs, including the Family Access to Medical Insurance Security program, the State and Local Hospitalization program, and the Indigent Health Care Trust Fund.

The **Department of Mental Health, Mental Retardation and Substance Abuse Services** provides leadership in policy implementation and service development, funds, regulates, evaluates, and oversees an integrated system of state facilities and community mental health, mental retardation, and substance abuse services. This involves the direct operation of nine state mental health facilities, five mental retardation training centers, and one medical center; the allocation of state and federal resources to 40 community services boards; the licensing of public and private service providers; and the administration of a statewide program that protects

the human rights of all individuals receiving services provided, funded, or licensed by the department.

The **Department of Rehabilitative Services** (DRS) offers assistance to persons with physical, emotional, and mental disabilities in order to increase their employability, independence, and quality of life. Many of the services provided by DRS are in collaboration with Virginia's network of Centers for Independent Living and Employment Services Organizations.

The **Department of Social Services (DSS)** is the centerpiece in Virginia's delivery system for human services to low-income and vulnerable citizens. In addition to financial assistance such as Temporary Assistance for Needy Families (TANF), Food Stamps, Energy Assistance, and Child Care, DSS provides services to at-risk individuals including adoption, foster care, and child and adult protective services. Benefits and services are delivered through 121 local departments of social services. Services are also delivered through grants to the community action agency network, and to community based organizations. DSS is responsible for the collection and distribution of child support including the establishment of administrative child support orders. DSS licenses nonmedical facilities and programs for children and elderly and disabled adults. DSS also operates the Neighborhood Assistance Tax Credit Program.

The **Office of Comprehensive Services for At-Risk Youth and Families** serves as the Commonwealth's administrative entity for a collaborative system of services and funding to address the strengths and needs of certain emotionally and behaviorally troubled children and their families. In addition to developing and recommending policies and procedures, the office is responsible for program monitoring/compliance, provision of training and technical assistance to localities and networking with state agencies that participate in the Comprehensive Services Act's child-centered, family-focused and community-based system of care.

The **Office of Inspector General** provides information directly to the Governor regarding conditions within the State Mental Hospitals and State Mental Retardation Institutions. The Inspector General conducts unannounced inspections of these institutions to assure that conditions are humane and therapeutic.

The **Virginia Council on Indians** advises the Governor on issues related to American Indians. The council acts as the liaison between local organizations and state agencies to promote programs that benefit the needs and culture of the American Indian population living in Virginia through research and education. The council provides information on the indigenous tribes in Virginia and receives special funds from the Jamestown-Yorktown Foundation.

The **Virginia Tobacco Settlement Foundation** is responsible for leading a statewide effort to reduce and prevent the use of tobacco products by youth in Virginia. The foundation receives its funds from the Master Settlement Agreement. The foundation is not a state agency but a political subdivision.

#### **Secretary of Natural Resources**

The **Chesapeake Bay Local Assistance Department** provides financial and technical assistance to local governments concerning land use and the development of water quality protection programs and ensures that comprehensive plans and zoning ordinances reflect objectives of the Chesapeake Bay Preservation Act.

The **Chippokes Plantation Farm Foundation** interprets agricultural products, renovates antique farm equipment, and educates the public on the history and evolution of agricultural production and rural community life.

The **Department of Conservation and Recreation** operates regional watershed offices and protects the use of soil and water resources through nonpoint source pollution control, floodplain management, ero-

sion and sediment control, and stormwater management; operates State Parks and historic sites that reflect the state's diverse landscapes and cultural resources; develops and implements the Virginia Outdoors Plan and State Park masterplans; inventories the Commonwealth's natural heritage resources and protects and manages the State Natural Area Preserve System; operates an Office of Land Conservation, maintains the state's protected lands datalayers, and provides support to the Virginia Land Conservation Foundation; and operates a certification program for all dams in the Commonwealth which meet minimum size specifications.

The **Department of Environmental Quality** (DEQ) implements programs designed to enhance and protect the environment. Major areas include permitting and regulatory programs for air and water quality protection and waste management; environmental policy, program, and issue analysis; public involvement, communication, and environmental education; intergovernmental program coordination (including Chesapeake Bay restoration); and others. DEQ was created in April 1993 by consolidating the former State Water Control Board, the Department of Air Pollution Control, the Department of Waste Management, and the Council on the Environment.

The **Department of Game and Inland Fisheries** manages all game and terrestrial forms of wildlife in Virginia and all freshwater fish resources; maintains optimum populations of all species; and is charged with promoting safety for persons and property in connection with boating, fishing, and hunting.

The **Department of Historic Resources** conserves, develops, promotes, and protects the Commonwealth's significant historical and archaeological resources.

The **Marine Resources Commission** manages, regulates, and develops marine fishery resources and protects and preserves the marine habitat (wetlands, state-

owned bottomlands, and coastal primary sand dunes) through a project review permit.

The **Virginia Museum of Natural History** conducts and promotes research in natural history; collects, catalogues, and cares for natural history collections primarily of Virginia origin; and disseminates information about natural history to scientists and the general public.

**Secretary of Public Safety**

The **Department of Alcoholic Beverage Control** regulates and controls the manufacture, sale, delivery, possession, advertising, transportation, and advertising of alcoholic beverages in the Commonwealth. The agency is responsible for the sale of lottery tickets in its retail stores and its profits are important sources of revenue for state and local governments. The Department's Bureau of Law Enforcement is responsible for the enforcement of youth access to tobacco products.

The **Commonwealth's Attorneys' Services Council** ensures the upgrading of criminal justice administration by providing and coordinating training, education, and services for Commonwealth's Attorneys and their assistants, and by providing and maintaining a case management software used in Commonwealth's Attorney Offices.

The **Department of Correctional Education** provides academic and vocational training to juveniles and adults confined in the state's correctional institutions and field units.

The **Department of Corrections** operates correctional institutions for adult offenders; provides an array of inmate programming and training; and supervises adult offenders after release through probation and parole services.

The **Department of Criminal Justice Services** provides forensic laboratory services for law en-

forcement and prosecutors statewide; distributes federal and state grant funding to support projects in law enforcement, prosecution, crime and delinquency prevention, school safety, juvenile justice, crime victims' services, corrections, and information systems; establishes and enforces minimum training standards for law enforcement, criminal justice and private security personnel; licenses and regulates the private security industry in Virginia; provides training, technical assistance, and program development services to all segments of the criminal justice system; conducts research and evaluations; and distributes state law enforcement formula funding ("599") to cities, counties, and towns with police departments.

The **Department of Emergency Management** protects the lives and property of Virginia's citizens from emergencies and disasters by coordinating the state's emergency preparedness, mitigation, response, and recovery efforts.

The **Virginia Department of Fire Programs** (VD FP) is responsible for state fire administration. VD FP works to protect life, property, and the environment against the devastating effects of fire, man-made and natural disasters. VD FP delivers statewide technical fire response, assistance and state response readiness; funding for local fire service operations, state certified training, fire and life safety education programs, prevention, and fire incident research to Virginia citizens and the state's more than 770 fire departments, including municipal, industrial, airport, and military fire departments.

The **Department of Juvenile Justice** provides services to delinquent youth and their families. The department protects public safety by assisting the courts in holding juveniles accountable for their actions by providing probation and parole supervision; custody and care for committed juveniles; and prevention, diversion, and restitution programs in the community.

The **Department of Military Affairs** provides trained and equipped units to augment the active Army

and Air Force during times of war, national emergency, or Presidential Selected Reserve Call-up, and on order of the Governor, provides units to assist civil authorities in protecting life and property and preserving peace, order, and public safety during periods of natural or man-made disaster.

The **Virginia Parole Board** makes determinations concerning the parole or release of inmates and parole violations, and makes arrangements on clemency petitions filed with the Governor.

The **Department of State Police** provides the Commonwealth with a responsive, coordinated, composite statewide police department, independent yet supportive of other law enforcement agencies. The department is responsible for: patrolling over 64,000 miles of state roadways and interstate highways throughout Virginia for the purpose of providing both traffic enforcement and criminal law enforcement; aggressively enforcing Virginia's narcotics and substance abuse laws; managing the Motor Vehicle Safety Inspection Program; enforcing motor carrier and commercial vehicle safety regulations; providing aircraft for search, rescue, law enforcement, and medical evacuation; and operating critical criminal justice information systems, such as the Virginia Criminal Information Network (VCIN), the Central Criminal Records Exchange (CCRE), the Sex Offender Registry, the Automated Fingerprint Identification System (AFIS), the Virginia Firearms Transaction Program, and the Virginia Criminal Intelligence Center. In addition, the department is responsible for providing the following specialized assistance to local law enforcement agencies: arson investigators, bomb and explosive technicians, crime scene examiners, insurance fraud investigators, SCUBA team, tactical teams, canine teams (narcotic detection, explosive/weapons detection, and accelerant detection), auto theft investigators, and computer evidence technicians.

## **Secretary of Technology**

The Secretary of Technology advises the Governor regarding the growth of information technology to enhance the position of Virginia businesses and the efficient and effective use of information technology in state government so that our citizens reap the benefits of the global digital economy.

The **Center for Innovative Technology** established in 1984 through the Innovative Technology Authority Act, is a nonprofit corporation created to foster economic growth in the Commonwealth by linking business with technology assistance resources and university research.

The **Council on Technology Services** develops a blueprint for state government information technology planning and decision-making. The Council, chaired by the Secretary of Technology, has 23 members, including representatives from state agencies, institutions of higher education, and local governments.

The **Department of Information Technology** provides, manages, and coordinates services related to management analysis, ADP systems development, management information systems, computer and systems programming services, systems engineering assistance and telecommunications, and operates state computer services.

The **Department of Technology Planning** develops statewide technology plans, policies, and standards. Agency activities support plans and programs for strengthening the technology resources of the Commonwealth's high technology industry sectors as well as the effective utilization of information technology in support of state agencies and institutions of higher education.

## **Secretary of Transportation**

The **Department of Aviation** promotes aviation within the Commonwealth by administering and

enforcing state aviation laws; planning and implementation of a statewide aviation system; licensing aircraft, airports, and landing areas; collecting fees; and advocating aviation at the state and national level.

The **Department of Motor Vehicles** collects motor vehicle taxes and develops and administers the Commonwealth's motor vehicle titling and licensing laws, the driver licensing laws, the transportation safety laws, and other driver improvement and safety programs.

The **Department of Rail and Public Transportation** advocates for and funds freight rail, passenger rail, transit rail services, local and regional bus operations, paratransit services, ride sharing services, and passenger ferries.

The **Department of Transportation** administers the state's transportation system; establishes, locates, classifies, names, constructs, and maintains state highways; and plans for future transportation needs in a multi-modal environment.

The **Motor Vehicle Dealer Board** is responsible for the licensing, regulation, and oversight of Virginia's new and used motor vehicle dealers and salespersons. The Board promotes the best interests of both the automotive consumer and dealer body.

The **Virginia Port Authority** is the state's lead agency for international transportation and maritime commerce, charged with operating and marketing the marine terminal facilities through which the shipping trade takes place. The agency owns four general cargo terminals - Norfolk International Terminals, Portsmouth Marine Terminal, Newport News Marine Terminal, and the Virginia Inland Port in Front Royal - which are operated by its affiliate, Virginia International Terminals, Inc.

#### **Virginia Liaison Office**

The **Virginia Liaison Office** monitors and tracks the development of federal legislation of interest

to the state; keeps the state congressional delegation informed about the Governor's priorities; and influences the making of federal agency rules and regulations by keeping federal officials informed of the Commonwealth's position.

## **Independent Agencies**

Between 1902 and 1918, two independent agencies were created in the state government: the State Corporation Commission and the Virginia Industrial Commission (subsequently renamed the Virginia Workers' Compensation Commission). In 1987, the General Assembly established an additional independent agency, the Virginia Lottery Department. By law, these three agencies exercise legislative, judicial, and executive powers.

### ***Medical College of Virginia Hospitals Authority***

The Authority was established by an Act of the General Assembly in 1996 to:

- *provide, promote, support, and sponsor education, public knowledge, and scientific research in medicine, public health, and related fields;*
- *administer programs in the delivery of medical and related services to the citizens of the Commonwealth and others;*
- *to participate in and administer federal, state, and local programs affecting, supporting or carrying out any of its purposes;*
- *and to undertake the operation of teaching hospitals and related facilities.*

### ***State Corporation Commission***

Established by the 1902 Constitution of Virginia, the **State Corporation Commission** is vested with regulatory authority over many business and economic

interests in Virginia. The Commission's authority ranges from setting rates charged by large investor-owned utilities to serving as the central filing agency for corporations in Virginia.

First established to oversee railroad and telephone industries in Virginia, the SCC's jurisdiction now includes utilities, insurance, state-chartered financial institutions, securities and retail franchising, as well as rail service and track safety. It is the state's central filing office for corporations, limited partnerships, limited liability companies, general partnerships, and Uniform Commercial Code liens.

The three-member Commission acts as a court of record, holds formal hearings when warranted, and conducts investigations relating to enforcement of certain laws and Commission regulations.

### ***Virginia Higher Education Tuition Trust Fund***

Board of the **Virginia Higher Education Tuition Trust Fund** was created to enhance the accessibility and affordability of higher education for all citizens of the Commonwealth. The board shall administer the fund and shall develop and implement a program for the prepayment of undergraduate tuition at a fixed, guaranteed level for application at a two-year or four-year public institution of higher education in the Commonwealth.

### ***Virginia Retirement System***

The **Virginia Retirement System** administers the Virginia Retirement System, State Police Officers' Retirement System, Group Life Insurance Program, and the federal-state agreement for Social Security coverage for state and local public employees in the Commonwealth.

### ***Virginia Workers' Compensation Commission***

In 1918, the General Assembly passed the Workmen's Compensation Act and authorized the establishment of the Commission to administer the act. The primary task of the Commission is to hear and investigate compensation claims of victims of industrial injuries and violent crimes. The Commission also determines the amounts of compensation to be awarded to accident/crime victims.

### ***Virginia Lottery Department***

In 1987, the General Assembly approved the State Lottery Law, which provided for the operation of a state lottery and the creation of a **Virginia Lottery Department**. This legislation became effective on December 1, 1987, based upon approval of a majority of the voters in a referendum held on November 3, 1987. The major activity of the Virginia Lottery Department is to operate and administer a state lottery involving the sale of lottery tickets to the citizens of the state.

# LOCAL GOVERNMENT

Virginia has 39 independent cities, 95 counties and 192 incorporated towns. Those local governments vary as to type or form of organization and responsibilities. A brief description of each of these forms of government follows.

## **County Government**

The Commonwealth's 95 counties have two distinct governmental capacities. As units of local government, they adopt and enforce local ordinances and provide services for their residents. As political subdivisions of the state, they assist in the local implementation of state laws and programs.

### ***Forms of County Government***

Virginia counties are permitted to establish one of several forms of government for the conduct of their affairs. Those various forms of county government are as follows:

#### **Traditional Form**

The type of county government utilized by most Virginia counties throughout this century is commonly referred to as the "traditional form" of county government. Under this form of government, an elected Board of Supervisors is responsible generally for the legislative and administrative affairs of the county. Under this form of county government, however, the voters also elect five other officers who are responsible for the conduct and administration of various aspects of the county's affairs. Since these officers - Commissioner of the Revenue, Treasurer, Clerk of the Circuit Court, Commonwealth's

Attorney, and Sheriff - are identified by title in Virginia's Constitution, they are commonly referred to as "constitutional officers." Due to the expanding activities of county government in recent decades, virtually all Virginia counties still operating under the traditional form now employ a County Administrator to assist the Board of Supervisors in the daily administration of county affairs.

#### **County Executive Form**

In an endeavor to permit the State's more rapidly developing counties to adopt a form of government better suited for their needs, the General Assembly enacted in 1932 the Optional Forms Act which permitted counties to adopt, by referendum, one of two new forms of government. One of the options permitted by the 1932 enactment was the establishment of the County Executive Form. Under this form of government, the position of County Executive is established and given an increased administrative authority. A major feature of this form of government involves the abolition of the offices of Commissioner of the Revenue and Treasurer, with the duties of those offices placed upon a Director of Finance who serves under the administrative management of the County Executive. Also, under this form of government the County Executive is statutorily directed to make recommendations to the Board of Supervisors for persons to head the major administrative departments which he/she oversees. At the current time, only two counties (Albemarle and Prince William) are organized under the County Executive Form.

#### **County Manager Form**

The County Manager Form was the second alternative form of county government authorized by the Optional Forms Act of 1932. While this form is quite similar to the County Executive Form, the County Manager is given stronger administrative authority. In par-

ticular, the County Manager has the statutory authority to appoint all of the department heads who serve in his/her administration. Also, under the County Manager Form, the offices of Commissioner of the Revenue and Treasurer are abolished, with their duties being transferred to a Director of Finance who is appointed by the County Manager. Only Henrico County utilizes this form of government.

### **County Board Form**

The 1940 Session of the General Assembly authorized Virginia counties to adopt, by referendum, an organization of county government known as the County Board Form. This type of county government closely parallels the traditional form. Unlike the traditional form, however, the County Board Form requires the county's employment of a County Administrator. Also, the County Board Form calls for one member of the Board of Supervisors to be elected at large, with the other members elected from various election districts of the county. Three counties (Carroll, Russell, and Scott) currently utilize the County Board Form alternative.

### **Urban County Executive Form**

In response to the continued development and urbanization of some Virginia counties, the 1960 Session of the General Assembly authorized certain counties in the state, by referendum, to establish a type of county governmental organization known as the Urban County Executive Form. In order to adopt the Urban County Executive Form, a county is required to have a population of more than 90,000. While this form of government is similar to the County Executive Form, it is intended specifically to meet the needs of heavily populated and urbanized areas. This form of government is designed to facilitate the provisions of varying levels of urban services throughout different portions of the county. In addition, no new municipalities may be estab-

lished within the jurisdiction of any county having adopted the Urban County Executive Form. Some of the other major characteristics of this form of county government are as follows:

- ✦ Towns located within the county are permitted to abandon their charters and be administered by the county on the same basis as the unincorporated areas of the county, depending on the choice of the town residents;
- ✦ The Chairman of the Board of Supervisors is elected at large by the county voters;
- ✦ The Director of Finance is appointed to perform the duties of the Commissioner of the Revenue and Treasurer; and
- ✦ Constitutional officers, such as the Sheriff, County Clerk, and Commonwealth's Attorney continue to be elected by the voters.

Only Fairfax County is currently organized under the Urban County Executive Form.

### **County Manager Plan**

In 1930 the General Assembly authorized qualifying counties to adopt, by referendum, the County Manager Plan. This type of government, which should not be confused with the County Manager Form, was made available only to a county with a population density of at least 500 persons per square mile. This governmental form is specifically intended for densely populated and small counties. Counties adopting the County Manager Plan are exempt from annexation by adjacent cities unless the annexation of the entire county is approved by referendum of the county voters. In other major features, this government is similar to the County Manager Form. Only Arlington County utilizes the County Manager Plan.

### **County Charters**

As a result of legislation enacted in 1985, any county in Virginia is statutorily authorized to seek a

county charter which would establish a form of government specifically tailored to that locality's needs. Under the 1985 legislation, county charters may contain any of the powers set forth in the Code of Virginia for inclusion in city or town charters. County charters may be requested from the General Assembly pursuant to referendum by the county electorate or subsequent to a public hearing by the Board of Supervisors on the issue. Only three counties (Chesterfield, Roanoke, and James City) currently function under charters.

## ***Organization of County Government***

Virginia's counties are governed by Boards of Supervisors, constitutional officers, and various appointed officials. A brief description of the responsibilities of the major officials follows:

### **The Board of Supervisors**

The Board of Supervisors constitutes the governing body of each Virginia county. In this capacity, the Board of Supervisors is responsible for establishing local public policy, raising local resources for the support of public programs, and, acting through its appointed administrative officials, overseeing the conduct of the county's affairs. Under general law, the number of supervisors in Virginia's counties may vary between 3 and 11. Members of the Boards of Supervisors may be elected from the county at large, from single member districts, or from a combination of such arrangements. Generally, the Board of Supervisors of each county selects one of its members as chair at its first meeting each year.

The Code of Virginia states that the county Board of Supervisors shall have power to:

- ✍ prepare and approve the county budget;
- ✍ levy taxes and appropriate funds;
- ✍ audit claims against the county;

- ✍ issue warrants in settlement of all claims and accounts;
- ✍ construct and maintain county buildings;
- ✍ approve and enforce the county's comprehensive plan and land use control ordinances;
- ✍ make and enforce ordinances for the health, safety, and welfare of county residents, as authorized by law; and
- ✍ provide for the care and treatment of indigent and physically handicapped county citizens.

In instances where a county has a County Administrator, a County Executive, or a County Manager, such officials are responsible for assisting the Board of Supervisors in its planning for the conduct of these activities and for implementing the Board's policies and decisions regarding them.

## ***Constitutional Officers***

### **Clerk of the Circuit Court**

The Clerk of the Circuit Court is elected by the qualified voters in the county for an eight-year term and serves as the chief administrative officer of the court. The Clerk is responsible for: keeping records of court proceedings; collecting fines; recording and keeping land records and transfer of land ownership records such as deeds and mortgages; the custody of subdivision plats and land tract maps; the sale of hunting, fishing, and marriage licenses; and administering oaths and keeping disclosure statements.

In counties which have not appointed a County Administrator, the Clerk of the Circuit Court may also serve as clerk to the Board of Supervisors. As such he/she keeps the minutes of the Board of Supervisors' meetings, performs the Board's staff work and is the custodian of the county's files and records.

**County Treasurer**

The County Treasurer is responsible for the collection, custody, and disbursement of county funds. This official is also responsible for the custody of certain state funds which flow through the county offices. Under the County Manager, County Executive, and Urban County Executive forms of government, the Treasurer is replaced by a Director of Finance.

**Commissioner of the Revenue**

The Commissioner of the Revenue is charged with the preparation of the real estate and personal property tax books and tax bills. The Commissioner also assesses taxes on merchant's capital, business and professional occupation licenses, and certain machinery and tools. In counties that have adopted the County Manager, County Executive, and Urban County Executive forms of government, the Director of Finance replaces the Commissioner of the Revenue.

**Commonwealth's Attorney**

The Commonwealth's Attorney is the state's attorney for the prosecution of criminal offenses. This official also represents the county and the state in civil cases. The Board of Supervisors may employ a County Attorney to represent the Board in some civil cases and to prosecute violations of county ordinances.

**Sheriff**

The Sheriff and his/her deputies are responsible for the protection of the lives and property of county residents. The Sheriff serves all warrants of arrest and summonses for witnesses and jurors, acts as bailiff at sessions of the Circuit and District Court, maintains order at meetings of the Board of Supervisors, and supervises the county jail and its inmates.

It should be noted that the Sheriff is the chief law enforcement officer in counties which do not have

police departments. He is relieved of law enforcement activities in counties where police departments have been established.

***Appointed County Officials***

A number of appointed officials, boards, commissions, and advisory agencies serve each county. A brief description of a selected set of these entities follows:

**County School Board and School Superintendent**

Public education in Virginia is provided through geographic districts known as school divisions which, with a few exceptions, coincide with the boundaries of the state's counties and cities. The Constitution of Virginia places the responsibility for the supervision of schools in each school division with a School Board. Prior to 1994 in counties operating under the traditional form of government, School Boards were either chosen by a School Board Selection Commission, itself appointed by the Circuit Court of the County, or, if authorized by county voters in a referendum, by the Board of Supervisors. In all instances where counties functioned under one of the other forms of county government, School Board members were appointed by the Board of Supervisors. As a result of legislation adopted by the General Assembly in 1992, counties were authorized to establish, by referendum, a process whereby School Board members would be elected by the voters. Many counties have already approved such an arrangement, with the first election of School Boards held in 1994. The number of School Board members varies with each school division. The School Board is responsible for the selection of a division School Superintendent from a list of persons certified to be eligible for such a position by the State Board of Education. The School Superintendent is responsible for a variety of administrative and instructional functions, including the employment of teachers and the supervision of

educational programs. All school divisions in Virginia are expected to meet certain standards of educational quality which are established biennially by the State Board of Education, subject to review and approval by the General Assembly.

### **Planning Commission**

Every county in Virginia is required to have a Planning Commission which consists of between 5 and 15 members appointed by the Board of Supervisors. One member of the Commission may be a member of the Board of Supervisors, and one member may be an official serving in the administrative branch of county government. At least one-half of the members of a Planning Commission must be property owners. Members of Planning Commissions serve four-year terms. Among the duties statutorily assigned to local Planning Commissions are those requiring the preparation of a comprehensive plan and a subdivision ordinance for review and approval by the Board of Supervisors. In general, a Planning Commission is responsible for assisting the county in the planning and regulation of its physical development.

### **Board of Zoning Appeals**

Every county which enacts a zoning ordinance for purposes of regulating its physical development is required to have a Board of Zoning Appeals comprised of 5 or 7 residents of the county. The members of the Board of Zoning Appeals, who serve five-year terms, are appointed by the Circuit Court of the county. The Board of Zoning Appeals is required to hear and decide appeals made by the county residents from decisions of county officials (e.g., zoning administrators) enforcing the terms of zoning ordinances. In instances where the Board of Zoning Appeals decides that the strict application of the terms of a zoning ordinance unreasonably restricts the use of property, it may grant a variance to the property owner.

### **Board of Social Services**

Every county in Virginia is required to have a Board of Social Services (which may be entitled the Board of Public Welfare) whose members are designated by the Board of Supervisors. The Board of Social Services is responsible for the administration of various public welfare programs conducted within the county. The Board of Social Services may be comprised, at the discretion of the Board of Supervisors, of three or more county residents. Alternatively, under the Urban County Executive Form, the Board of Supervisors may designate the officer in charge of the administration of social service programs in the county as the "Board of Social Services." Where this is done, the Board of Supervisors is required to appoint a committee to serve in an advisory capacity to that officer. Under the County Manager Plan, the Board of Supervisors is permitted to abolish the Board of Social Services and delegate its duties, authority, and powers to the county manager or any other officer of the county.

### **Board of Assessors**

The determination of the value of real property in counties is generally undertaken by the Commissioner of the Revenue or by a professional assessor or Board of Assessors appointed by the Board of Supervisors. Where a Board of Assessors is utilized for this purpose, it is comprised of 3 to 5 resident real property owners. The reassessment of property for local tax purposes may be accomplished annually or less frequently at the discretion of the Board of Supervisors. Counties having a population of 50,000 or less may conduct general reassessments of their real property at 5 or 6-year intervals. The Board of Assessors is also authorized to review requests by property owners for reconsideration of the assessed value assigned to their property.

**Medical Examiner**

The Chief Medical Examiner for the Commonwealth of Virginia is required to appoint one or more medical examiners for service in each county. The local medical examiners must be licensed to practice medicine and must be selected from a list of nominees prepared by the medical society of the county in which the officer will serve. A county medical examiner is responsible for investigating the cause of death in instances where the cause is suspected of being other than natural. The determination of the county medical examiner in each case is presented to the State’s Chief Medical Examiner and to the Commonwealth’s Attorney in the county.

**Extension Agents**

Each county has one or more Extension Agents who are appointed by the Board of Supervisors upon the recommendations of the Cooperative Extension Service of Virginia Polytechnic Institute and State University. They provide the county residents with information and practical methods in the areas of agriculture, business, industry, home economics, and resource development.

**Game Wardens**

Game Wardens, who are appointed by the state’s Commission of Game and Inland Fisheries, are charged with enforcing the state’s game, inland fishing, and boating laws. They are authorized to arrest persons who are in the act of violating the state game laws and to search for game taken unlawfully. In addition, the County Board of Supervisors may enact a local dog ordinance and appoint a Dog Warden to enforce the ordinance.

**Tie Breaker**

The Board of Supervisors may appoint a Tie Breaker whose duty is to cast the deciding vote in case of a tie vote among members of the Board of Supervisors. The Tie Breaker, at the discretion of the Board of

Supervisors, may be appointed by the Circuit Court Judge, elected by the county voters, or selected by the Board of Supervisors. The Board of Supervisors is also permitted by law to abolish the office of a Tie Breaker. In such instances, a tie vote would defeat the motion, resolution, or issue voted upon by the board.

**Circuit and District Judges and Magistrates**

These officials and their duties are described in the Judicial Department section of this publication.

**City and Town Governments**

The Commonwealth of Virginia has 39 cities and 192 towns, giving the state a total of 231 municipalities. These municipalities, like their counterparts in other states, were established essentially to provide urban services to densely populated areas in need of such. Virginia cities, however, are distinct from cities in other states in that they are independent governmental entities. No county authority or taxing power extends within the boundaries of a Virginia city. Due to this situation, cities in Virginia are also required to serve like counties as administrative subdivisions of the state for the implementation of state programs and policies. Virginia towns, on the other hand, are governmentally part of the county in which they are located. Towns, thus, exist primarily for the provision of urban services to their residents and do not have, in general, responsibility for the administration of state concerns.

The current Virginia Constitution, which became effective in 1971, while recognizing as “towns” all communities previously incorporated as such, requires that all new towns must have a minimum population of 1,000 persons and become a town through the process established by law. The Constitution, while recognizing as “cities” all communities previously incorporated as such, re-

quires that all new cities must have a population of at least 5,000 persons and become a city in the manner provided by law. The Constitution, however, authorizes the General Assembly to increase by general law the population minimum required for town or city status. The Constitution also explicitly recognizes Virginia's distinct system of city-county separation by defining a city as an "independent incorporated community." Virginia law permits towns which reach a population of 5,000 persons to seek city status. The process by which a town becomes a city requires judicial review of the fiscal capacity of the municipality, the impact of the proposed transition on the affected county, and other state concerns. The transition of a town to city status also requires approval by the town electorate in a referendum. The laws of the Commonwealth do not mandate that a town must become a city when it attains the population of 5,000 persons. Many Virginia towns have populations well in excess of that threshold.

While all Virginia municipalities have charters which give them distinct governmental attributes, the two principal forms of government utilized by Virginia towns and cities are listed here.

### ***Forms of City and Town Governments***

#### **Council-Manager Form**

This form of government was first adopted by the City of Staunton, Virginia, in 1908 and has since been widely adopted by many cities and towns in the nation. Under this form, most of the council members in cities and towns are elected at large instead of by individual wards or districts. The Council then appoints a professional manager to handle the day-to-day affairs of the city or town. The Council also elects one of its members as the presiding officer (generally known as the Mayor), whose position is ceremonial in nature. The Mayor serves as the official head of the city or town and generally has

the same legislative power and duties as other council members.

#### **Mayor-Council Form**

The Mayor-Council form is used by many of Virginia's small towns. Under this form, Council members are elected by the people, and the Mayor is directly elected by the people. In addition to those legislative powers which he/she shares with members of Council, the Mayor is provided certain executive and administrative authority. Under this form of municipal government, the Mayor may be granted the power to appoint and dismiss certain town officers and may veto ordinances and resolutions approved by the Council.

### ***City/Town Organization and Officials***

#### **City/Town Council**

The City/Town Council may be elected at large or composed of one council member from each ward or a combination of both in accordance with individual charter provisions. The Council is the local legislative body and has the power to act for the common good of the people in regard to such areas as police protection, fire protection, water supply, sewage disposal, and street lights. Also, it can, by ordinances or resolutions, set business license rates and levy taxes and fees for covering the expenses of the governmental operations.

#### **City/Town Manager**

The City/Town Manager, appointed by the City/Town Council, is the chief administrative officer of his/her locality and performs a variety of duties, which include:

- ≈ faithful implementation of all laws and ordinances;
- ≈ employment of certain city/town officials as needed to assist in the handling of the day-to-day affairs;

- ✍ reporting to the Council on the affairs of the city/town;
- ✍ keeping the Council fully advised of the city's/town's financial condition and its future financial needs;
- ✍ preparing an annual budget for review and approval by the Council; and
- ✍ attending all Council meetings and performing such other duties as may be prescribed by the Council.

### **City/Town Attorney**

The City/Town Attorney serves as the chief legal advisor to the Council and is responsible for the drafting of local ordinances. He/She is appointed by the City/Town Council as the head of the Department of Law in some municipalities.

### **City/Town Treasurer**

The Town Council is authorized to employ a Town Treasurer to collect all town taxes. Under most of the current city charters, the tax collection and assessment functions are performed by the Commissioner of the Revenue and the City Treasurer or by the Finance Director.

### **Director of Planning**

The Director of Planning serves as the head of the Planning Department and is responsible for preparing various long-range plans in the areas of land use, transportation, and public facilities for consideration and adoption by the City/Town Council.

### **Director of Purchasing**

The Director of Purchasing, as head of the Purchasing Department, is charged with maintaining a central storehouse of materials and supplies for the locality

and with purchasing, by means of competitive bidding, items that are needed for governmental operations.

### **Director of Personnel**

The Director of Personnel is responsible for recruiting and hiring personnel, as well as administering pay, classification, and merit plans. This official is also charged with preparing and implementing a personnel plan for his/her locality.

### **Director of Public Works**

The Director of Public Works serves as the head of the Department of Public Works and is generally responsible for such projects as road and street construction and maintenance, solid waste collection and disposal, and street cleaning.

### **Chief of Police**

The Chief of Police has the responsibility to maintain law and order in his/her community. In some Virginia cities, the Department of Police has been merged with the Fire Department into a Department of Public Safety.

### **Municipal Judges and Courts**

In 1973, the General Assembly replaced Municipal Courts and their judges with a system of General District Courts. Thus, matters pertaining to the enforcement of city or town ordinances, fines, and penalties were consolidated into various District Courts throughout the state.

### **Constitutional Officers**

Virginia cities are generally required to elect the following constitutional officers: Court Clerk, Commissioner of the Revenue, Treasurer, Sheriff, and Commonwealth's Attorney. However, some city charters permit the deletion of some constitutional officers.

Generally, the duties and responsibilities of the constitutional officers are the same in counties and cities. A description of the duties and responsibilities of the county's constitutional officers appears under the County Government section of this publication.

### **School Boards and School Superintendents**

Most of Virginia's cities also constitute school divisions, with those entities being served by School Boards and School Superintendents in the same manner as county school divisions.

Prior to 1994 all the School Boards serving city school divisions were appointed by city council. However, as a result of the previously cited 1992 legislation, a number of Virginia's cities have established, by referendum, a process for the election of such officials by the voters. The initial election of city School Boards occurred in 1994.

Special districts and authorities are mostly political subdivisions of the state and are created under special authorization of the General Assembly. Nearly all of these districts and authorities serve one or more special functions such as planning, transportation, and water and sewer. Examples of the state's special districts and authorities are described below:

### ***Planning District Commissions***

Under the Regional Cooperation Act, formerly known as the Virginia Area Development Act of 1968, local governments are authorized to organize planning district commissions within boundaries established by the Department of Housing and Community Development. A planning district commission is a public body corporate with the general powers of such institutions, including the right to adopt a common seal; sue and be sued; adopt bylaws; make and enter into contracts or agreements; apply for and accept grants and loans from private, state, and federal agencies; employ personnel; and implement other duties as prescribed by the Code of Virginia. Each planning district commission is authorized to prepare plans and programs that will promote orderly physical, social, and economic development within the defined boundaries. Any action taken by a planning district commission, however, may not affect the powers and duties of local planning commissions. While initially established to function solely as regional planning entities, the planning district commissions are now authorized to actually undertake and implement programs on behalf of their member jurisdictions.

Counties, cities, and most towns within each planning district are eligible for commission membership. The composition of the membership of the commission is established by agreement among the participating governmental subdivisions.

**Transportation Districts**

A transportation district is designed to facilitate the planning and development of the needed transportation facilities on a regional basis. Under the Virginia Transportation District Act of 1964, as amended, a transportation district may be created by ordinance adopted by any two or more counties or cities or combinations thereof. In addition, any county or city may constitute itself a transportation district if no contiguous county or city wishes to join.

By law, a transportation district is managed by a commission which consists of such a number of members as the component governments shall from time to time agree upon. Members of a transportation district commission are appointed by the governing body of each participating county or city, except for the chairman of the Commonwealth Transportation Board or his/her designee who shall be an ex officio member of the commission.

After its formation, a transportation district is authorized to:

- ✍ prepare a district transportation plan;
- ✍ operate transit facilities, including buses and terminals, within the district; and
- ✍ acquire land by purchase, lease, gift, condemnation, or otherwise for the construction of mass transit and/or parking facilities in connection with any transportation service or an adopted mass transit plan.

However, a transportation district commission may not prepare a transportation plan nor construct nor operate transit facilities if it is located in a metropolitan area that includes all or a portion of a state or states contiguous to Virginia.

**Industrial Development Authorities**

Under the Virginia Development and Revenue Bond Act, as amended, counties, cities, and towns are authorized to form nonprofit industrial development authorities to acquire, own, lease, and dispose of properties for the purpose of inducing new industrial, commercial, and institutional developments within their jurisdictional boundaries. In addition, these authorities have the power to issue revenue bonds from time to time to cover the cost of developing and/or operating their facilities.

An industrial development authority, by law, is governed by a board of seven directors who are appointed by the local governing body. These directors must be local residents who, except in certain instances, are neither officers nor employees of the locality.

**Public Service Authorities**

The Virginia Water and Waste Authorities Act permits the governing body of any county, city, or town, or the governing bodies of two or more such localities, to create, by ordinance, resolution, or agreement a water authority, a sewer authority, a sewage disposal authority, a storm water control authority, refuse collection and disposal authority, or any combination thereof. These authorities are considered as corporate entities and must be registered with the State Corporation Commission. After their incorporation, these authorities are authorized to acquire, purchase, lease, construct, improve, operate, and maintain any storm water control system or water or waste system, or any combination of such systems within or outside one or more of the participating localities. These authorities also may fix and collect fees, borrow money, issue revenue bonds, and acquire property through the exercise of the right of eminent domain.

***Soil and Water Conservation Districts***

In order to conserve soil resources and control and prevent soil erosion and sediment damages, the General Assembly enacted the Soil Conservation District Law to allow the creation of soil and water conservation districts throughout the Commonwealth. A soil and water conservation district may be composed of one or more counties and cities. By law, a soil and water conservation district has the power to:

- ✍ conduct surveys, investigations, and research relating to the character of soil erosion and sediment damages;
- ✍ implement preventative and control measures concerning soil erosion and sediment damages;
- ✍ develop soil erosion and sediment control programs and plans; and
- ✍ administer soil conservation, flood prevention, drainage, irrigation, erosion prevention, and agricultural and nonagricultural water management projects.

***Sanitation Districts***

As stated in the Virginia Sanitation District Act of 1938, as amended, the purpose of a sanitation district is to eliminate pollution and contamination from the tidal waters of the Commonwealth caused by raw sewage and industrial wastes. A sanitation district can be created when 200 or more qualified voters of the proposed district petition the circuit court to hold an election of the district’s formation and when the court-ordered election is approved by a majority of the voters in the proposed district.

A sanitation district is authorized to construct, maintain, operate, and use such trunk and intercepting sewers, conduits, pipes, pumping and ventilating stations, and treatment plants or works necessary to provide an

effective and efficient water pollution control service to its users.

In 1948, the General Assembly passed a law similar to the Virginia Sanitation District Act of 1938, as amended, which permits the creation of a sanitation district in the non-tidal water portion of the state.

***Sanitary Districts***

There may be created within counties, cities, or towns, by court order upon petition of at least 50 qualified voters, special taxing districts known as sanitary districts. The governing body of the locality serves as the governing body of the sanitary district. These districts are, in actuality, special service districts managed by the local governing body. Districts may construct and operate a variety of public facilities among which are water and sewer, garbage collection and disposal, parking, recreational, and drainage facilities. To finance these activities, districts may impose user fees, levy taxes on property within the district, and issue bonds (under certain limitations). In counties operating under the Urban County Executive Form of government, sanitary districts can be created only by an act of the Board of Supervisors.

## GOVERNMENT FACTS

This chapter contains some basic facts and figures for the state and its local governments. Items of special interest to the reader include questions and answers on some of the state's notable events and matters, dates of formation of Virginia counties, dates of incorporation of Virginia cities, how a bill becomes a law in Virginia, and the capitals of Virginia.

### **~ Virginia~ Questions and Answers**

1. For whom was Virginia named?
2. When and where was Virginia founded?
3. Why is Virginia called The Old Dominion?
4. When was the title Commonwealth of Virginia adopted?
5. Why is Virginia called Mother of States?
6. What is the state motto?
7. What is the official state flower?
8. What is the official state dog?
9. What is the official state shell?
10. What is the official state bird?
11. What is the official state beverage?
12. What is the official state folk dance?
13. What is the official state insect?
14. Where is the capital of Virginia located?
15. What is the total area of Virginia?
16. Where is the geographical center of Virginia?
17. Where is the highest point in Virginia?
18. What is the mean altitude of Virginia?

### **Answers**

1. Virginia was named after Queen Elizabeth I of England (the Virgin Queen).
2. Virginia was founded at Jamestown on May 13, 1607.
3. Virginia was called The Old Dominion by King Charles II because of the Colony's loyalty to the Crown.
4. The title Commonwealth of Virginia was adopted June 29, 1776.
5. Virginia is called Mother of States because its territory once included the present states of Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, Wisconsin, and part of Minnesota.
6. The state motto is Sic Semper Tyrannis (Thus Always to Tyrants).
7. The official state flower is the American Dogwood.
8. The official state dog is the American Foxhound.
9. The official state shell is the Oyster Shell.
10. The official state bird is the Cardinal.
11. The official state beverage is Milk.
12. The official state folk dance is the Square Dance.
13. The official state insect is the Tiger Swallowtail Butterfly.
14. The City of Richmond is the capital of Virginia.
15. The total area of Virginia is 40,766.63 square miles. (U.S. Bureau of the Census, State/County Area Measurement, 1980).
16. The geographical center of Virginia is located in Buckingham County, a short distance from Mt. Rush.
17. The highest point, Mt. Rogers (about 5,720 feet above sea level), is located in Smyth and Grayson Counties.
18. The mean altitude of Virginia is 950 feet above sea level.

**Virginia Counties and Cities—Past and Present Backgrounds**

**1617:** By this time, the settlements of the Jamestown Colony were organized under the four incorporations and parishes of James City, Charles City, Henrico, and Kikotan (Elizabeth City).

**1619:** Two delegates or Burgesses from each of eleven settlements or boroughs met at Jamestown and established the General Assembly on June 20th--the first state representative legislative authority in the United States.

**1621:** Local justice-of-the-peace courts were authorized for the communities of political subdivisions.

**1634:** The increase and spread of population, extension of court services and need of definite boundaries of governmental responsibility led to the establishment of eight shires, later counties: Accomack, Charles City, Charles River, Elizabeth City, Henrico, James City, Warrosquyoake, and Warwick River. Northumberland, the "original county" and the Indian district of Chickacoan, was organized as a county in 1648.

**Counties Established by the General Assembly of Virginia (172)**

**Extinct (18)**

Accawmack (old), Charles River, Dunmore, Fincastle, Illinois, Kentucky, Lower Norfolk, New Norfolk, Norfolk (1963), Rappahannock (old), Upper Norfolk, Warrosquyoake, Warwick River, Elizabeth City (1952), Princess Anne (1963), Warwick (1958), Yohogania, Nansemond (1972).

**In Kentucky (9)**

Bourbon, Fayette, Jefferson, Lincoln, Madison, Mason, Mercer, Nelson, Woodford.

**In West Virginia (50)**

Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Logan, McDowell, Marion, Marshall, Mason, Mercer, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood, Wyoming.

**In Virginia (95)**

- Accomack** Formed in 1632-42  
Formed from: Original shire  
Named for: Indian word
- Albemarle** Formed in 1744  
Formed from: Goochland  
Named for: Earl of Albemarle
- Alleghany** Formed in 1822  
Formed from: Bath, Botetourt, Monroe (W. Va.)  
Named for: Indian word
- Amelia** Formed in 1735  
Formed from: Prince George, Brunswick  
Named for: Daughter of George II
- Amherst** Formed in 1761  
Formed from: Albemarle  
Named for: Sir Jeffrey Amherst
- Appomattox** Formed in 1845  
Formed from: Buckingham, Prince Edward, Charlotte, Campbell

	Named for: Indian word
<b>Arlington</b>	Formed in 1847 Formed from: Former Alexandria County Named for: Custis estate
<b>Augusta</b>	Formed in 1738 Formed from: Orange Named for: Mother of George III
<b>Bath</b>	Formed in 1791 Formed from: Augusta, Botetourt, Greenbrier (W.Va.) Named for: Medicinal springs
<b>Bedford</b>	Formed in 1754 Formed from: Lunenburg, Albemarle Named for: Duke of Bedford
<b>Bland</b>	Formed in 1861 Formed from: Giles, Wythe, Tazewell Named for: Richard Bland
<b>Botetourt</b>	Formed in 1770 Formed from: Augusta, Rockbridge Named for: Lord Botetourt (Berkeley)
<b>Brunswick</b>	Formed in 1720 Formed from: Surry, Isle of Wight, Prince George Named for: German Duchy
<b>Buchanan</b>	Formed in 1858 Formed from: Tazewell, Russell Named for: James Buchanan, U.S. President
<b>Buckingham</b>	Formed in 1761

	Formed from: Albemarle Named for: Duke of Buckingham
<b>Campbell</b>	Formed in 1782 Formed from: Bedford Named for: Gen. William Campbell
<b>Caroline</b>	Formed in 1727 Formed from: Essex, King William, King and Queen Named for: Wife of George II
<b>Carroll</b>	Formed in 1842 Formed from: Grayson Named for: Carroll of Carrollton
<b>Charles City</b>	Formed in 1634 Formed from: Original shire Named for: Prince Charles (Charles I)
<b>Charlotte</b>	Formed in 1765 Formed from: Lunenburg Named for: Wife of George III
<b>Chesterfield</b>	Formed in 1749 Formed from: Henrico Named for: Lord Chesterfield
<b>Clarke</b>	Formed in 1836 Formed from: Frederick Named for: George Rogers Clarke
<b>Craig</b>	Formed in 1851 Formed from: Botetourt, Giles, Monroe (W.Va.), Alleghany, Roanoke, Montgomery Named for: Robert Craig, House Delegate of Virginia
<b>Culpeper</b>	Formed in 1749 Formed from: Orange

**Cumberland** Named for: Lord Culpeper,  
Governor of Virginia  
Formed in 1749  
Formed from: Goochland  
Named for: Duke of Cumberland

**Dickenson** Formed in 1880  
Formed from: Russell, Wise,  
Buchanan  
Named for: William J. Dickenson

**Dinwiddie** Formed in 1752  
Formed from: Prince George  
Named for: Lord Dinwiddie,  
Lt. Governor of Virginia

**Essex** Formed in 1692  
Formed from: Rappahannock (old)  
Named for: English County or Earl  
of Essex

**Fairfax** Formed in 1742  
Formed from: Prince William  
Named for: Lord Fairfax

**Fauquier** Formed in 1759  
Formed from: Prince William  
Named for: Francis Fauquier,  
Lt. Governor of Virginia

**Floyd** Formed in 1831  
Formed from: Montgomery  
Named for: John Floyd, Governor  
of Virginia

**Fluvanna** Formed in 1777  
Formed from: Albemarle  
Named for: Queen Anne

**Franklin** Formed in 1786  
Formed from: Bedford, Henry  
Named for: Benjamin Franklin

**Frederick** Formed in 1738  
Formed from: Orange  
Named for: Son of George II

**Giles** Formed in 1806  
Formed from: Montgomery,  
Tazewell, Monroe (W.Va.)  
Named for: William B. Giles,  
Governor of Virginia

**Gloucester** Formed in 1651  
Formed from: York  
Named for: Duke of Gloucester

**Goochland** Formed in 1728  
Formed from: Henrico  
Named for: William Gooch,  
Lt. Governor of Virginia

**Grayson** Formed in 1793  
Formed from: Wythe  
Named for: Wm. Grayson, U.S.  
Senator

**Greene** Formed in 1838  
Formed from: Orange  
Named for: Gen. Nathanael Greene

**Greensville** Formed in 1781  
Formed from: Brunswick  
Named for: Gen. Greene or Granville

**Halifax** Formed in 1752  
Formed from: Lunenburg  
Named for: Earl of Halifax

**Hanover** Formed in 1721  
Formed from: New Kent  
Named for: George I, Duke of  
Hanover

<b>Henrico</b>	Formed in 1634 Formed from: Original shire Named for: Henry, son of James I
<b>Henry</b>	Formed in 1777 Formed from: Pittsylvania Named for: Patrick Henry, Governor of Virginia
<b>Highland</b>	Formed in 1847 Formed from: Bath, Pendleton (W.Va.) Named for: Its topography
<b>Isle of Wight</b>	Formed in 1634 Formed from: Original shire formerly Warrosquyoake Named for: Isle of Wight, England
<b>James City</b>	Formed in 1634 Formed from: Original shire Named for: James I
<b>King George</b>	Formed in 1721 Formed from: Richmond Named for: George I
<b>King &amp; Queen</b>	Formed in 1691 Formed from: New Kent Named for: William and Mary
<b>King William</b>	Formed in 1702 Formed from: King and Queen Named for: King William
<b>Lancaster</b>	Formed in 1652 Formed from: York, Northumberland Named for: English county
<b>Lee</b>	Formed in 1793 Formed from: Russell

	Named for: Henry Lee, Governor of Virginia
<b>Loudoun</b>	Formed in 1757 Formed from: Fairfax Named for: Earl of Loudoun
<b>Louisa</b>	Formed in 1742 Formed from: Hanover Named for: Daughter of George II
<b>Lunenburg</b>	Formed in 1746 Formed from: Brunswick Named for: Lunenburg
<b>Madison</b>	Formed in 1793 Formed from: Culpeper Named for: James Madison, U.S. President
<b>Mathews</b>	Formed in 1791 Formed from: Gloucester Named for: Thomas Mathews
<b>Mecklenburg</b>	Formed in 1765 Formed from: Lunenburg Named for: Charlotte, Wife of George II
<b>Middlesex</b>	Formed in 1668-69 Formed from: Lancaster Named for: English county
<b>Montgomery</b>	Formed in 1777 Formed from: Formerly Fincastle Named for: Gen. Richard Montgomery
<b>Nelson</b>	Formed in 1808 Formed from: Amherst Named for: Gen. Thomas Nelson, Jr. Governor of Virginia

## VIRGINIA GOVERNMENT IN BRIEF

<b>New Kent</b>	Formed in 1654 Formed from: York Named for: English Kent or Kent Island
<b>Northampton</b>	Formed in 1634 Formed from: Original shire formerly Accomack Named for: English county
<b>Northumberland</b>	Formed in 1648 Formed from: Original County (see p. 66) Named for: English county
<b>Nottoway</b>	Formed in 1789 Formed from: Amelia Named for: Indian tribe
<b>Orange</b>	Formed in 1734 Formed from: Spotsylvania Named for: William, Prince of Orange
<b>Page</b>	Formed in 1831 Formed from: Rockingham, Shenandoah Named for: John Page, Governor of Virginia
<b>Patrick</b>	Formed in 1791 Formed from: Henry Named for: Patrick Henry, Governor of Virginia
<b>Pittsylvania</b>	Formed in 1767 Formed from: Halifax Named for: Wm. Pitt, Earl of Chatham

## 2002 — 2006

<b>Powhatan</b>	Formed in 1777 Formed from: Cumberland Named for: Powhatan, Indian Chief
<b>Prince Edward</b>	Formed in 1754 Formed from: Amelia Named for: Prince Edward Augustus
<b>Prince George</b>	Formed in 1703 Formed from: Original shire formerly Charles City Named for: George of Denmark, husband of Queen Anne
<b>Prince William</b>	Formed in 1731 Formed from: Stafford, King George Named for: William, Duke of Cumberland
<b>Pulaski</b>	Formed in 1839 Formed from: Montgomery, Wythe Named for: General Pulaski
<b>Rappahannock</b>	Formed in 1833 Formed from: Culpeper Named for: Indian Tribe
<b>Richmond</b>	Formed in 1692 Formed from: Rappahannock (old) Named for: English county or Duke of Richmond
<b>Roanoke</b>	Formed in 1838 Formed from: Botetourt, Montgomery Named for: Indian word
<b>Rockbridge</b>	Formed in 1778 Formed from: Augusta, Botetourt Named for: The natural rock bridge
<b>Rockingham</b>	Formed in 1778 Formed from: Augusta

	Named for: Rockingham, British Prime Minister
<b>Russell</b>	Formed in 1786 Formed from: Washington Named for: Gen. William Russell
<b>Scott</b>	Formed in 1814 Formed from: Lee, Russell, Washington Named for: Gen. Wingfield Scott
<b>Shenandoah</b>	Formed in 1772 Formed from: Formerly Dunmore, Frederick Named for: Indian-daughter of the stars
<b>Smyth</b>	Formed in 1832 Formed from: Wythe, Washington Named for: Gen. Alexander Smyth
<b>Southampton</b>	Formed in 1749 Formed from: Isle of Wight Named for: Earl of Southampton
<b>Spotsylvania</b>	Formed in 1721 Formed from: Essex, King William, King and Queen Named for: Alexander Spotswood, Lt. Governor of Virginia
<b>Stafford</b>	Formed in 1664 Formed from: Westmoreland Named for: English county
<b>Surry</b>	Formed in 1652 Formed from: James City, OS Named for: English county
<b>Sussex</b>	Formed in 1754 Formed from: Surry

	Named for: English county
<b>Tazewell</b>	Formed in 1800 Formed from: Wythe, Russell Named for: Henry Tazewell, U.S. Senator
<b>Warren</b>	Formed in 1836 Formed from: Frederick, Shenandoah Named for: Gen. Joseph Warren
<b>Washington</b>	Formed in 1777 Formed from: Formerly Fincastle Named for: George Washington, U.S. President
<b>Westmoreland</b>	Formed in 1653 Formed from: Northumberland Named for: English county
<b>Wise</b>	Formed in 1856 Formed from: Lee, Scott, Russell Named for: Henry A. Wise, Governor of Virginia
<b>Wythe</b>	Formed in 1790 Formed from: Montgomery Named for: George Wythe, Virginia Lawyer
<b>York</b>	Formed in 1634 Formed from: Original shire formerly Charles River Named for: Duke of York

**Dates of Incorporation of Virginia Cities**

City	Incorporated as a Town (a)	Incorporated as a City (a)	City of 2nd Class	City of 1st Class
Alexandria	1779	1852	-	1902
Bedford (Liberty)	1912(1812)	1968	1968	-
Bristol	1856	1890	1902	1942
Buena Vista	1890	1892	1902	-
Charlottesville	1801	1888	1902	1916
Chesapeake	-	1963(b)	-	1963(b)
Colonial Heights	1926	1948	1948	1960
Covington	1833	1954	1954	-
Danville	1830	1890	-	1902
Emporia	1887	1967	1967	-
Fairfax	1874	1961	1961	-
Falls Church	1875	1948	1948	-
Franklin	1876	1961	1961	-
Fredericksburg	1782	1879	1902	1941
Galax	1906	1954	1954	-
Hampton	1849	1908	1908	1952(c)
Harrisonburg	1849	1916	1916	-
Hopewell	-	1916(d)	-	1916(d)
Lexington	1874	1965	1965	-
Lynchburg	1805	1852	-	1902
Manassas	1873	1975	1975	-
Manassas Park	1957	1975	1975	-
Martinsville	1873	1928	1928	-
Newport News	1880	1896	-	1902
Norfolk	1736(e)	1845	-	1902
Norton	1894	1954	1954	-
Petersburg	1784	1850	-	1902
Poquoson	1952	1975	1975	-
Portsmouth	1836	1858	-	1902
Radford	1887	1892	1902	1946
Richmond	1782	1842	-	1902
Roanoke	1874	1884	1902	-
Salem	1806	1968	-	1968
Staunton	1801	1871	1902	1906
Suffolk	1808	1910	1910	1944(f)
Virginia Beach	1906	1952	1952	1963(g)
Waynesboro	1834	1948	-	1948
Williamsburg	-	1884	1902	-
Winchester	1779	1874	1902	1932

**Notes**

(a) The year of incorporation, not of establishment.

(b) Created by the consolidation of the former City of South Norfolk and Norfolk County, effective January 1, 1963, Virginia Acts 1962, ch. 211, pp. 301-16; South Norfolk, first incorporated in 1919, became a city of second class in 1921 and a city of the first class in 1952.

(c) So classified when the County of Elizabeth City, the City of Hampton and the Town of Phoebus consolidated as the City of Hampton, effective July 1, 1952, Va. Acts 1950, ch. 583, pp. 1591-95.

(d) Incorporated as a city of the first class from unincorporated territory, effective July 1, 1916, Va. Acts 1916, ch. 65, pp. 89-102.

(e) Incorporated as the Borough of Norfolk.

(f) Merged with the former City of Nansemond, January 1, 1974.

(g) So classified when the County of Princess Anne and the City of Virginia Beach combined as the City of Virginia Beach, effective January 1, 1963, Va. Acts 1962, ch. 147, pp. 204-14.

**Sources**

1. Chester W. Bain, A Body Incorporate: the Evolution of City/County Separation in Virginia (Charlottesville: The University Press of Virginia; published for the Institute of Government, University of Virginia, 1967).

2. Secretary of the Commonwealth, Commonwealth of Virginia, Report of the Secretary of the Commonwealth, 1980-81 (Richmond: The Author, 1981).

3. Devereux Weeks, Dates of Origin of Counties and Municipalities (Charlottesville: Institute of Government, University of Virginia, 1967).

4. Virginia State Library, A Hornbook of Virginia History (Richmond: The Author, 1965).

## ***How a Bill Becomes a Law in Virginia***

The following steps depict the normal procedure whereby a non-controversial bill becomes a law. Bills may originate in either House of the General Assembly.

- 1** Delegate Accomack Lee as requested by constituents prepares to introduce legislation permitting the governing bodies of localities to prohibit the sale and use of certain fireworks.
- 2** Delegate Lee then explains exactly the proposal he has in mind to a staff attorney in the Division of Legislative Services.  
  
The staff attorney checks existing law and the constitutionality of the proposed legislation.
- 3** A bill is then drafted by the Division of Legislative Services.
- 4** Draft copies of the bill are made and delivered to Delegate Lee.
- 5** Delegate Lee signs his name on the bill and introduces it by laying the original and duplicate copies on the desk of the Clerk of the House of Delegates.
- 6** The bill is ordered printed and referred to the Committee on Counties, Cities and Towns.
- 7** The members of the Committee on Counties, Cities and Towns--in public session--familiarize themselves with the bill and decide to approve it without amendments.

- 8** The Committee then reports the bill favorably to the House.
- 9** First Reading: The bill title is printed in the calendar or is read by the Clerk, and the bill advances to second reading.
- 10** Second Reading: The next day the bill title appears in the printed calendar on second reading.  
  
Bills are considered in the order in which they appear in the calendar.  
  
The Clerk reads the title of the bill a second time.
- 11** A bill on second reading is amendable.  
  
The bill is explained by its patron (Delegate Lee) who answers any questions that may be asked.  
  
By voice vote the House votes to advance the bill to third reading.
- 12** A bill that has passed second reading with or without amendments is "engrossed." If amendments are adopted, the bill is reprinted in its final form for passage.
- 13** Third Reading: The next day, the engrossed bill title appears in the House calendar on third reading.  
  
The bill is read by title a third time by the Clerk.  
  
By recorded roll call vote, the bill is passed by the House of Delegates.

## VIRGINIA GOVERNMENT IN BRIEF

- 14** Communication: When passed, the bill is sent to the Senate either by the Clerk in a communication or by a member in person, informing the Senate that the bill has passed the House and requesting the concurrence of the Senate.
- 15** In the Senate: The bill goes through substantially the same procedure as it did in the House. The bill is read by title a first time, referred to a standing committee, considered and reported by the committee, read a second time and a third time before passage by a constitutional majority.
- 16** After the bill has been passed by both houses of the General Assembly ...
- 17** It is printed as an enrolled bill, examined, and signed by the presiding officer of each house.
- 18** Then the bill is sent to the Governor for his approval.
- 19** After being signed by the Governor, the bill is sent to the Clerk of the House (Keeper of the Rolls of the Commonwealth) and is assigned a Chapter number. All Chapters of a session are compiled and bound as the Acts of Assembly.
- 20** Bills enacted at a regular session (or the reconvened session which follows) are effective the 1st day of July following adjournment of the regular session, unless another date is specified.
- Bills enacted at a special session (or the reconvened session which follows) are effective on the 1st day of the 4th month following the adjournment of the special session, unless another date is specified.

## 2002 — 2006

The General Appropriation Act is usually effective July 1st and Emergency acts become effective when signed by the Governor.

### ***Capitals of Virginia***

#### **Jamestown 1607-1699**

Although four public buildings and a private residence are historically identified as onetime seats of the colonial government, none is portrayed in any known contemporaneous picture, etching or painting. The third state house, built about 1660, was burned in 1676 in Bacon's Rebellion.

#### **Williamsburg 1699-1780**

The restored Capitol at Williamsburg, rebuilt on its original foundations, marks great events in Virginia and American history--the introduction of Virginia's Declaration of Rights, Patrick Henry's Stamp Act speech, lowering of the British flag in favor of that of the American colonies, and other stirring colonial and Revolutionary actions.

#### **Richmond 1780-present**

The central section of the Virginia State Capitol, at Richmond, was designed by Thomas Jefferson after the Maison Carre at Nimes, France, when Jefferson was Minister to France. The cornerstone was laid in 1785 and the building was sufficiently completed for occupancy in 1788. Here meets the oldest representative legislative assembly in the new world--an assembly which met first at Jamestown in 1619, and later at Williamsburg when it was the Colonial Capital of Virginia. Here met, during the War Between the States, the Congress of the Confederate States of America. In the Rotunda is the famous Houdon statue of George Washington, life-size, the only statue for which the First President posed. Surrounding

that statue are busts of the other seven Virginia-born Presidents: Thomas Jefferson; James Madison; James Monroe; William Henry Harrison; John Tyler; Zachary Taylor; and Woodrow Wilson. There is also a bust of the Marquis de Lafayette, Virginia's first honorary citizen.

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***Commonwealth of Virginia***

Richmond, Virginia

May 2002



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