

The Governor and His Many Hats Lesson Plan

Target Audience: 12th grade government students

Length: 1 day (90-minute class)

Objectives

The student will demonstrate knowledge of the:

1. Organization of the state government as outlined in the *Constitution of Virginia*.
2. Powers of the governor of Virginia.
3. Term of office for the governor of Virginia.
4. Election of and duties of the Lieutenant Governor and Attorney General.

1. Overview

In this lesson, students will use the *Constitution of Virginia* to identify the duties and responsibilities of the Governor, Lieutenant Governor, and Attorney General of the Commonwealth of Virginia. Once students are familiar with the responsibilities of members of the executive branch, they will review an actual schedule of the governor and match his activities with the responsibilities explained in the *Constitution of Virginia*.

2. Activities

Activity 1

Think-Pair-Share

- Distribute Handout #1: *Hats of the Governor*. It might be helpful to also project the handout digitally or use a transparency and an overhead projector.
- Think: Students are asked to silently think about the roles of the Governor represented by each hat and record their thoughts on the handout provided.
- Pair: For one minute, students are to turn to a partner and share their thoughts about the roles of the Governor represented by each hat.
- Share: As a class, students are asked to share their thoughts concerning the roles of the Governor represented by each hat.
- Follow-up with a class discussion explaining to the students that they will be examining the roles of the Governor of Virginia by addressing the following questions:
 1. How do the roles of the Governor compare to the roles of the President of the United States?
 2. How do we know the roles of the Governor?
 3. What is the best primary source to discover information about the executive branch of Virginia?

Activity 2

- Provide students with a copy of the *Constitution of Virginia, Article V*. The *Constitution of Virginia* may also be found at <http://legis.state.va.us/Laws/Search/ConstitutionTOC.htm>.
- Students are to work with a partner to complete Handout #2: *The Executive Branch of Virginia's Government* using information from the *Constitution of Virginia, Article V*.

Activity 3

- Provide students with events from Handout #3: *The Governor’s Schedule*. Additional Governor’s schedules are available at <http://www.governor.virginia.gov> and are updated weekly.
- Cut the Governor’s Schedule into a series of strips. The teacher may cut the strips in advance and place them in a plastic sandwich bag or envelope for use by students.
- In pairs, students sort the events using Handout #1: *Hats of the Chief Executive* to match the hats worn by the Governor to each event.
- Follow-up with a class discussion in which the students compare their answers. Students should use information provided in the *Constitution of Virginia, Article V* and answers from Handout #2: *The Executive Branch of Virginia’s Government* to support their positions.

Activity 4 (optional)

- Handout #4: *The Executive Branch of Virginia’s Government Supplemental Reading* provides a simplified explanation of the roles of the Governor, Lieutenant Governor, and Attorney General.
- Students read Handout #4: *The Executive Branch of Virginia’s Government Supplemental Reading* and highlight the main ideas and details.

Activity 5

- For assessment, students read Handout #5: *News Releases* of Governor Timothy Kaine, May 26-29, 2009.
- Students then write one paragraph or more describing the roles the Governor is performing during this week. The description should include specific references to the *Constitution of Virginia, Article V* and detailed explanations of how the Governor is fulfilling the roles identified by the student. This activity can be finished as homework.

4. Historical Background

In 1624, Virginia became a royal colony and the governor was appointed by the King of England. From 1652-1660 the Virginia colony was almost completely self-governed and the General Assembly elected four governors. Royal authority was restored in 1660, and from then until 1776, the governors were appointed by the English monarch. After the Virginia colony declared independence, a constitution was adopted which provided for the election of the governor by the General Assembly. The Constitution of 1851 provided for the popular election of the governor for a four year term. According to the 1851 *Constitution of Virginia*, the governor may not serve two consecutive terms. Mills Godwin is the only governor who has been elected to two nonconsecutive terms: 1966-1970 and 1974-1978. Of the eight United States Presidents born in Virginia, three served as governor of the Commonwealth: Thomas Jefferson, James Monroe, and John Tyler.

5. SOL Skills

The student will demonstrate mastery of the social studies skills citizenship requires, including the ability to:

- create and interpret diagrams, tables and charts (GOVT.1b);
- analyze pictures and other graphic media (GOVT.1c).

6. SOL Content

The student will demonstrate knowledge of the organization and powers of the state and local governments described in the *Constitution of Virginia* by

- examining the legislative, executive, and judicial branches (GOVT.8a).

7. Materials

- Handout #1: *Hats of the Governor*
- Handout #2: *The Executive Branch of Virginia's Government*
- Handout #2A: *The Executive Branch of Virginia's Government Answers*
- Handout #3: *The Governor's Schedule*
- Handout # 4: *The Executive Branch of Virginia's Government Supplemental Reading*
- Handout # 5: *News Releases May 2009*
- Handout #6: *Constitution of Virginia, Article V*

8. Resources

Internet

- <http://legis.state.va.us/Laws/Search/ConstitutionTOC.htm> - This site contains the *Constitution of the Commonwealth of Virginia*
- <http://www.governor.virginia.gov/> - This is the official website of the Governor of Virginia
- <http://www.governor.virginia.gov/MediaRelations/GovernorsUpdate/subscribe.cfm> - Teachers/students may subscribe to the Governor's email and receive daily updates.

Books and Media

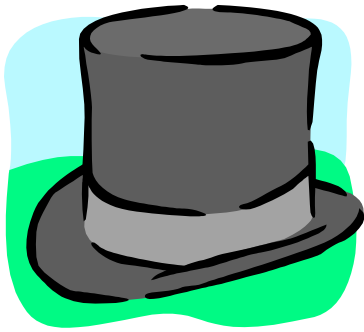
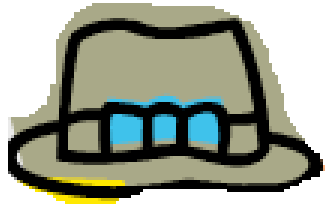
- *The Governors of Virginia, A Guide to the Capitol's Third Floor Portrait Gallery*

Name _____

Period _____ Date _____

Hats of the Governor

Directions: Silently think about the roles of the Governor represented by each hat and record your thoughts in the right hand column.



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 Period _____ Date _____

The Executive Branch of Virginia's Government

Directions: Using the *Constitution of Virginia*, describe the powers of the Governor as explained in *Article V*. Write the correct answers in the space provided to the right.

1. How many years is the Governor's term of office? (Section 1)	
2. Is the Governor of Virginia eligible to succeed himself? (Section 1)	
3. How is the Governor chosen? (Section 2)	
4. What are the qualifications to be eligible for election to the office of Governor of Virginia? (Section 3)	
5. Where must the Governor live? (Section 4)	
6. What are the Governor's legislative responsibilities? (Section 5)	
7. What are the Governor's legislative powers? (Section 6)	
8. What are the Governor's military powers? (Section 7)	
9. Does the Governor have the power to conduct relations with other states and foreign states? (Section 7)	
10. What are the Governor's executive powers? (Sections 7, 8, 9, 10)	
11. What are the Governor's judicial powers? (Section 12)	
12. When is the Lieutenant Governor elected? (Section 13)	
13. What are the differences in qualifications to be eligible for election to the office of Lieutenant Governor or Governor? (Section 13)	

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14. What are the duties of the Lieutenant Governor? (Section 14)	
15. When is the Attorney General elected? (Section 15)	
16. What are the qualifications to be eligible for election or appointment to the office of Attorney General? (Section 15)	
17. What are the duties of the Attorney General? (Section 8)	

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The Executive Branch of Virginia's Government Answers

1. How many years is the Governor's term of office? (Section 1)	Four
2. Is the Governor of Virginia eligible to succeed himself? (Section 1)	No, the Governor of Virginia is not eligible to succeed himself
3. How is the Governor chosen? (Section 2)	By the voters of Virginia
4. What are the qualifications to be eligible for election to the office of Governor of Virginia? (Section 3)	30 years of age, resident of the Commonwealth, registered voter for five years prior to election
5. Where must the Governor live? (Section 4)	At the seat of government – Richmond
6. What are the Governor's legislative responsibilities? (Section 5)	Deliver the condition of the Commonwealth Address, recommend laws, convene the General Assembly, prepare budget
7. What are the Governor's legislative powers? (Section 6)	Sign, veto bills, use line item veto power
8. What are the Governor's military powers? (Section 7)	He is Commander-in-Chief of the armed forces of the Commonwealth
9. Does the Governor have the power to conduct relations with other states and foreign states? (Section 7)	Yes, he shall conduct all intercourse with other and foreign states
10. What are the Governor's executive powers? (Sections 7, 8, 9, 10)	Execute laws, make appointments with the approval of the General Assembly, may remove officials, oversees the state bureaucracy
11. What are the Governor's judicial powers? (Section 12)	In accordance with Virginia laws, he may remit fines and penalties, grant reprieves, pardons, remove political disabilities, commute capital punishment
12. When is the Lieutenant Governor elected? (Section 13)	Same time as Governor
13. What are the differences in qualifications to be eligible for election to the office of Lieutenant Governor or Governor? (Section 13)	Same qualifications, except no limit on terms of the Lieutenant Governor

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14. What are the duties of the Lieutenant Governor? (Section 14)	Presiding officer in the Senate
15. When is the Attorney General elected? (Section 15)	Same time as Governor
16. What are the qualifications to be eligible for election or appointment to the office of Attorney General? (Section 15)	Citizen of the US, 30 years of age, qualified for judge of a court of record, no limit on terms
17. What are the duties of the Attorney General? (Section 8)	Lawyer for the state, issues non-binding advisory opinions on legal issues, defends state in legal matters.

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The Governor's Schedule

<http://www.governor.virginia.gov/MediaRelations/GovSchedule.cfm>. Retrieved May 26, 2009.



Tuesday, May 26

Partners in Education Breakfast. Governor Timothy M. Kaine will be the guest speaker at Alexandria City Public Schools' Partners in Education Breakfast. The annual event recognizes the over 100 businesses, associations, non-profit and community organizations, city agencies and other partners who contribute to the success of students in Alexandria City Public Schools.

When: 8:15 a.m.

Where: Hilton Alexandria Mark Center
5000 Seminary Road
Alexandria, Virginia



WTOP's "Ask the Governor." Governor Timothy M. Kaine will be a guest on "Ask the Governor," a monthly call-in program on WTOP.

When: 10:00 a.m.

Where: 103.5, 107.7 and 103.9 FM in the Washington, D.C. metro area or online at <http://www.wtop.com>.



Wednesday, May 27

Charlottesville Chamber of Commerce Spring Luncheon. Governor Kaine will address the Charlottesville Chamber of Commerce at its annual spring luncheon.

When: 11:30 a.m.

Where: Doubletree Hotel
990 Hilton Heights Road
Charlottesville, Virginia



Wastewater Treatment Facility Upgrade Groundbreaking Ceremony. Governor Kaine will help break ground on the nutrient removal upgrades at the Moore's Creek Wastewater Treatment Facility. The upgrades will help reduce nitrogen and phosphorous discharge into surrounding water sources and the Chesapeake Bay.

When: 1:00 p.m.

Where: 695 Moore's Creek Lane
Charlottesville, Virginia

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Thursday, May 28

Ride2Recovery Breakfast. Governor Kaine will visit with wounded warriors on the Ride2Recovery tour to benefit cycling-based mental and physical rehabilitation programs for veterans.

When: 8:00 a.m.

Where: Richmond Inn
801 East Parham Road
Richmond, Virginia



WRVA's "Ask the Governor." Governor Kaine will be the guest on "Ask the Governor," a monthly program on WRVA and the Virginia News Network.

When: 9:00 a.m.

Where: 1140 AM in the Richmond metro area



Virginia Poverty Law Center 30th Anniversary Reception. Governor Kaine and First Lady Anne Holton will speak at the 30th Anniversary Reception of the Virginia Poverty Law Center as it celebrates three decades of work on behalf of low income Virginians. Governor Kaine served as an honorary Chair of the Advisory Committee for VPLC's 30th Anniversary.

When: 7:15 p.m.

Where: Virginia Museum of Fine Arts
200 North Boulevard
Richmond, Virginia



Friday, May 29

Renew Virginia Event: Conservation Easement Signing Ceremony. Governor Kaine will join Richmond Mayor Dwight C. Jones and City Council President Kathy Graziano for the official signing of the James River Park Conservation Easement.

When: 10:00 a.m.

Where: Brown's Island Vehicular Access Bridge
Richmond, Virginia

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The Executive Branch of Virginia's Government Supplemental Reading

The *Constitution of Virginia* outlines the Executive Branch of Virginia's government. It is composed of the Governor, the Lieutenant Governor, the Attorney General, the Governor's Secretaries, and state agencies. (GOVT.8a)

THE GOVERNOR OF VIRGINIA

Qualifications and Requirements

The Governor of Virginia must be at least 30 years of age, a citizen of the United States, a resident of the Commonwealth, a registered voter in the Commonwealth for five years immediately preceding election, and a resident of Richmond during his/her term of office.

Election

The Governor is the chief executive officer of the state and is elected by popular vote. Gubernatorial elections are held on the first Tuesday, after the first Monday, in November of odd numbered years following the presidential election. A candidate must receive a plurality of votes to win the election. A plurality means that the candidate receives the most votes of all the candidates even if that amount is less than a majority of the votes cast. If there is a tie, one of the two candidates will be chosen by a majority of the total membership of the General Assembly.

Term of Office

The Governor of Virginia serves for a term of four years. In accordance to the *Constitution of Virginia*, the Governor may serve more than one term, but may not serve consecutive terms. The inauguration of the Governor takes place on the Saturday, after the second Wednesday in January.

Governor's Compensation

Governors' salaries vary from state to state. As of 2007, the Council of State Governments reported that California had the highest salary at \$206,500 per year and Maine had the lowest with an annual salary of \$70,000. The governor of Maine has not had a raise in 20 years! At \$175,000, the salary for Virginia's Governor is near the top of the scale. The Governor's salary may not be increased nor decreased during his/her term. On October 9, 2008, Virginia Governor Timothy Kaine announced he was taking a pay cut of 5% and curtailing his office and living expenses to begin dealing with an expected multibillion-dollar budget shortfall.

People who become governor are doing it out of public service and not to become rich. However, the governor does receive several perks in addition to a salary. The official office of the Governor is located in the Virginia State Capitol. This gives the Governor a short daily commute because he lives in the Executive Mansion which is located next door on Capitol

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Square in Richmond. The Executive Mansion is the oldest occupied governor's residence in the United States built for that purpose.

Roles and Powers

The Governor of Virginia exercises formal powers granted by the Virginia Constitution. Just like the President of the United States, the Governor wears many hats. The hats of the Governor of the Commonwealth of Virginia include Chief Legislator, Commander-in-Chief, Chief of State, Chief Executive, and Party Chief.



Chief Legislator – As Chief Legislator, the Governor recommends legislation to the General Assembly. The Governor communicates to the General Assembly, at every regular session, the condition of the Commonwealth (State of the Commonwealth Address) and presents his biennial (two-year) state budget. The Governor also has the authority to call a special session of the General Assembly when he deems it necessary.

All bills must be sent to the Governor before becoming law. Upon receiving a bill, the Governor can take one of the four actions listed below:

1. He can sign the bill and it becomes law.
2. He can let the bill sit unsigned for seven days after which time it becomes law.
3. He can veto the bill. If the Governor vetoes a bill, the General Assembly can override the Governor's veto by a two-thirds vote of each house and the bill becomes law.
4. He can return the bill to the General Assembly with recommended amendments. At that time, both houses may agree to the proposed amendments in their entirety or as individual amendments.

When there are fewer than seven days remaining in the legislative session from the date a bill is presented to the Governor and the General Assembly adjourns, the Governor has thirty days from the date of adjournment to act on the bills presented to him. He may sign, veto, or return the bill with recommended amendments. If the Governor does not act on a bill during this time, it becomes law without his signature.

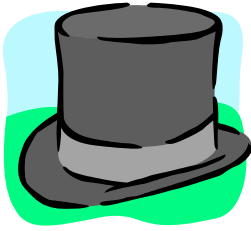
The Governor also has the power to use line-item veto. With line-item veto, the Governor may strike out one part of a bill and allow the remaining sections to be approved. This is especially useful when dealing with specific dollar amounts. Its use discourages wasteful and unnecessary spending on by the General Assembly.



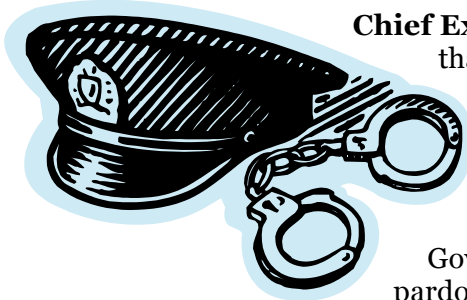
Commander-in-Chief – The Governor is the Commander-in-Chief of the armed forces of the Commonwealth, the Virginia National Guard. He has the power to use the Virginia National Guard to enforce the execution of the laws, put down insurrection, and protect the Commonwealth from invasion.

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Chief of State - As chief executive officer of the state, the Governor has the responsibility of communicating with other States and foreign powers.



Chief Executive (Administrator) – The Governor shall take care that the laws be faithfully executed. As Chief Administrator, the

Governor oversees the state bureaucracy. The Governor oversees the execution of laws and policies, appoints cabinet secretaries, the heads of various state agencies, and the members of policy-setting boards and commissions. The Governor may commute (lower) fines or sentences and grant pardons (forgiveness) for State offenses. The Governor may also restore voting rights and overturn political penalties on individuals.



Party Chief – As Party Chief, the Governor leads his/her political party. The Governor is the public face of the political party. He/she appoints members of the political party to State positions and campaigns for party candidates at both the state and national level. Why is this responsibility of the Governor not written into the *Constitution of Virginia*?

LIEUTENANT GOVERNOR

Election and Qualifications

A Lieutenant Governor is elected at the same time and for the same term as the Governor. His qualifications are the same, except there is no limit on the terms of the Lieutenant Governor.

Duties

The Lieutenant Governor succeeds to the governorship if a vacancy occurs. He is the President of the Senate and presides over all Senate proceedings. The Lieutenant Governor has no vote in the Senate except in case of a tie vote.

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ATTORNEY GENERAL

Election and Qualifications

An Attorney General is elected by the voters of the Commonwealth at the same time and for the same term as the Governor. However, there is no limit on the terms of the Attorney General. No person is eligible for election or appointment to the office of Attorney General unless he is a citizen of the United States, is at least 30 years of age, and has the qualifications required for a judge of a court of record.

Duties

The Attorney General is the state's lawyer. He/she acts as the legal advisor to State officers and agencies as they perform their duties, represents the Commonwealth in court, and oversees the work of local prosecutors as they try cases on behalf of the State. The Attorney General issues non-binding advisory opinions on legal issues. These opinions are formal written interpretations of constitutional and statutory law provided to the governor, other executive officers, legislators, and local officials regarding the lawfulness of their actions or proposed actions.

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News Releases

COMMONWEALTH OF VIRGINIA
Office of the Governor

Timothy M. Kaine
Governor

FOR IMMEDIATE RELEASE
May 26, 2009

Contact: Gordon Hickey
Phone: (804) 225-4260
Cell Phone: (804) 291-8977
Internet: www.governor.virginia.gov

Tim Paul/DCJS
(804) 786-2407

www.dcjs.virginia.gov/grants

**GOVERNOR KAINE ANNOUNCES \$1.3 MILLION IN GRANTS TO IMPROVE
SCHOOL SAFETY IN VIRGINIA**

~ 21 localities receive 28 grants to fund school resource officers~

RICHMOND—Governor Timothy M. Kaine today announced that grants worth more than \$1.3 million have been awarded to support programs to improve school safety throughout the Commonwealth. Twenty one localities were chosen to receive a total of 28 grants to fund school resource officers.

“These grants demonstrate Virginia’s commitment to providing safe schools where students can learn and teachers can teach,” Governor Kaine said. “When students succeed, the entire community succeeds.”

The Criminal Justice Services Board (CJSB) approved 28 School Resource Officer (SRO) grants. The SRO program provides law enforcement officers in middle, high and alternative schools to ensure safety and prevent truancy and violence. SRO duties include three main functions in the school: law enforcement, law-related counselor, and law-related educator. As a law-related counselor, the SRO serves as a liaison between school officials, parents, and the law enforcement community. As a law-related educator, the SRO teaches courses such as safe driving, alcohol and drug awareness, gang prevention awareness, and other safety and law enforcement subjects.

Support for the SRO grants is provided by funds appropriated by the General Assembly. Localities are required to make available matching funds.

For more information regarding grant opportunities with DCJS, go to www.dcjs.virginia.gov/grants.

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Department of Criminal Justice Services Criminal Justice Services Board School Resource Office Awards July 1, 2009 – June 30, 2010			
Location Name	State Funds	Local Funds	Total Award
Abingdon, Town	\$26,603	\$13,341	\$39,944
Abingdon, Town	\$26,603	\$13,341	\$39,944
Amelia County	\$33,970	\$16,030	\$50,000
Amelia County	\$33,970	\$16,030	\$50,000
Bluefield, Town	\$27,630	\$8,337	\$35,967
Buchanan County	\$41,162	\$16,198	\$57,360
Buena Vista, City	\$42,094	\$10,028	\$52,122
Christiansburg, Town	\$29,329	\$15,766	\$45,095
Covington, City	\$39,729	\$11,271	\$51,000
Dayton, Town	\$33,980	\$16,020	\$50,000
Dinwiddie County	\$37,554	\$12,266	\$49,820
Grayson County	\$25,111	\$8,855	\$33,966
Grayson County	\$25,613	\$9,032	\$34,645
Isle of Wight County	\$33,752	\$19,798	\$53,550
Middlesex County	\$15,445	\$32,477	\$47,922
Northumberland County	\$12,543	\$34,020	\$46,563
Page County	\$34,551	\$16,735	\$51,286
Rockingham County	\$33,943	\$16,003	\$49,946
Rocky Mount, Town	\$30,255	\$19,222	\$49,477
Rocky Mount, Town	\$30,255	\$19,222	\$49,477
Russell County	\$39,448	\$10,354	\$49,802
South Boston, Town	\$30,679	\$9,586	\$40,265
Spotsylvania County	\$32,115	\$18,821	\$50,936
Suffolk, City	\$41,804	\$17,771	\$59,575
Suffolk, City	\$41,804	\$17,771	\$59,575
Suffolk, City	\$41,804	\$17,771	\$59,575
Tazewell, Town	\$25,288	\$7,630	\$32,918
Tazewell, Town	\$28,804	\$8,691	\$37,495
Total Awarded	\$895,838	\$432,387	\$1,328,225

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News Releases

COMMONWEALTH OF VIRGINIA *Office of the Governor*

Timothy M. Kaine
Governor

FOR IMMEDIATE RELEASE
May 22, 2009

Contact: Gordon Hickey
Phone: (804) 225-4260
Cell Phone: (804) 291-8977
Internet: www.governor.virginia.gov

Joel Davison
Department of Taxation
(804) 786-3507
www.tax.virginia.gov

Laura Southard
VDEM
(804) 897-6500 ext. 6519
www.vdem.virginia.gov

GOVERNOR Kaine RECOGNIZES HURRICANE PREPAREDNESS WEEK *~ Encourages Virginians to prepare for emergencies, take advantage of Sales Tax Holiday May 25-31 ~*

RICHMOND— Governor Timothy M. Kaine has recognized May 24-30 as National Hurricane Preparedness Week and today reminded Virginians that the Commonwealth will mark its second annual Hurricane Preparedness Sales Tax Holiday from Monday, May 25, through Sunday, May 31.

“Hurricane season will soon be here and now is a good time to start thinking about what you will need if one of these devastating storms affects Virginia,” Governor Kaine said. “These tax breaks should help everyone buy the items they need to see them through the difficult days that follow the storms.”

During the sales tax holiday many items that are very useful during and after a hurricane will be exempt from the 5 percent state and local sales tax. Twenty-two items will be tax exempt, including batteries, flashlights, bottled water, smoke detectors, fire extinguishers, first aid kits, and generators that cost \$1,000 or less. A complete list of tax-exempt products and frequently asked questions is available on the Tax Department’s Web site at www.tax.virginia.gov. All Virginia retailers who sell the tax-exempt products are required by law to waive the sales tax on these items during the seven-day exemption period.

“This sales tax holiday is the perfect time to go shopping and buy tax-exempt items that will help you get through a hurricane or other large storm when there are usually power outages and other problems,” said Tax Commissioner Janie Bowen.

Since 2003, Virginia has had 49 fatalities and suffered over \$2 billion in damage from storms including Hurricane Isabel, Hurricane Jeanne, and Tropical Depression Gaston. This

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year also marks the 40th anniversary of Hurricane Camille, which left more than 100 dead and damage of more than \$1 billion in Virginia.

Governor Kaine also encouraged Virginians to take advantage of the resources available on [Ready Virginia](#) to ensure that they are prepared for a hurricane, other natural disaster, or any emergency. [Ready Virginia](#) provides information to help Virginians prepare emergency kits, make emergency plans, and stay informed in the event of an emergency.

During the sales tax holiday, retailers are also permitted to pay the sales tax themselves on any non-qualifying item or items they sell and pass the 5 percent savings on to customers. Virginia will have two additional sales tax holidays this year— for school supplies and clothing from Aug. 7-9, 2009, and for Energy Star and WaterSense products will from Oct. 9- 12, 2009.

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News Releases

COMMONWEALTH OF VIRGINIA
Office of the Governor



Timothy M. Kaine
Governor

FOR IMMEDIATE RELEASE
May 21, 2009

Contact: Gordon Hickey
Forestry
Phone: (804) 225-4260
Cell Phone: (804) 291-8977
Internet: www.governor.virginia.gov

John Campbell, Dept. of
(434) 977-6555
(434) 220-9070
www.dof.virginia.gov

Jon Schwedler, The Nature Conservancy
The Nature Conservancy
Group
(301) 897-8570
www.nature.org

Brian Carmichael
Hancock Timber Resource
(617) 663-4748

**GOVERNOR KAINE ANNOUNCES CONSERVATION OF 4,188 ACRES
WITHIN DRAGON RUN WATERSHED**

~ Vital tributary to Chesapeake Bay to be permanently protected ~

RICHMOND—Governor Timothy M. Kaine today announced that the Commonwealth and The Nature Conservancy have purchased 4,188 acres of environmentally extraordinary land within the Dragon Run watershed from the Hancock Timber Resource Group. This purchase brings the total land conservation under Governor Kaine to 335,000 acres, well on pace to meet his goal of preserving 400,000 acres during his term.

“The purchase of this property will add significantly to our protected state forest land,” Governor Kaine said. “It will also ensure that this ecologically important land will never be developed and will be enjoyed by Virginians for generations.”

The Commonwealth’s investment comes through a Virginia Public Building Authority bond for public land acquisition approved by the General Assembly in 2008. The Commonwealth will use these bond funds to protect large tracts of important conservation lands at several key sites across the state. All of the acreage acquired with bond funds will provide recreational opportunities to the public.

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Dubbed the “second most ecologically important watershed in the Chesapeake Bay” by the Smithsonian Institution, Dragon Run includes the northern-most tidal cypress swamp community on the western shore of the Chesapeake Bay. Ninety bird species, such as bald eagles and prothonotary warblers, are found in the area, along with 55 species of fish. The waters provide vital nurseries for perch, rockfish, and alewives, which are important for Chesapeake commercial fishermen and sportsmen.

The Nature Conservancy originally purchased 4,188 acres from Hancock Timber Resource Group in November 2008. Of that, 2,411 acres are being acquired by the Virginia Department of Forestry with bond funds and added to Dragon Run State Forest. The State Forest is used to demonstrate forest management that promotes sustainable forestry, contributes to the local economy, and promotes healthy wildlife habitat.

Michael Lipford, director of The Nature Conservancy, said, “The Dragon Run watershed is one of the few watersheds in eastern Virginia that remains primarily undeveloped, rural forest land. This partnership between the Hancock Timber Resource Group, the Commonwealth of Virginia, and The Nature Conservancy represents our shared interest in conserving the ecology and traditional industries this special place supports.

“It is important to recognize that this project will produce benefits far from the site itself,” he added. “By protecting large forest tracts in the Dragon Run watershed, we are also helping to protect water quality in the Chesapeake Bay. Just downstream, the Conservancy is restoring native oyster reefs in the Piankatank River, and the protection of this watershed enhances those efforts.”

Mike Wolf, director of North American Forest Operations at Hancock Timber Resource Group, said, “The Hancock Timber Resource Group, the Commonwealth of Virginia and the Nature Conservancy have a long history of working together to protect environmentally sensitive land. We are very pleased to be able to work with the Conservancy and the Department of Forestry once again to protect more land in the Dragon Run watershed.”

This is the most recent transaction between Hancock Timber Resource Group and The Nature Conservancy in the Dragon Run watershed. With this purchase, a total of 6,700 acres of Hancock land have been conserved in this area.

In April 2008, The Virginia Department of Forestry created the Dragon Run State Forest, an 1,811-acre property in King and Queen County on the Middle Peninsula that borders a major tributary to the Dragon Swamp, which feeds into the Piankatank River and, ultimately, the Chesapeake Bay.

Lowland areas of the State Forest contain forested swamps managed under an open-space easement with Virginia Outdoors Foundation (VOF). The Department of Forestry worked with TNC and VOF to limit certain activities on some particularly unique riparian areas of the property to further protect the water resource. In addition, DOF’s practice of establishing buffers along the waterways will protect the waters of the Dragon Swamp—one of the most significant forested areas in the coastal plain of the Chesapeake Bay. The upland areas of the property will continue Hancock Timber’s sustainable forestry regime for managing southern yellow pine, and providing raw material for local industry.

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In Virginia, the Hancock Timber Resources Group has worked with conservation groups to permanently conserve nearly 10,000 acres. Hancock Timber in the late 1990s sold approximately 2,500 acres to The Nature Conservancy to help create the Piney Grove Preserve, providing habitat for the northernmost population of the red-cockaded woodpecker, which was listed as endangered in 1970.

Through its Sensitive Lands Program, the Hancock Timber Resource Group has helped preserve and protect nearly 400,000 acres of environmentally sensitive lands across the United States.

Today's announcement comes as Governor Kaine continues to move his "Renew Virginia" initiative, a series of legislative and administrative actions to promote renewable energy, create green jobs, and encourage preservation of the environment.

For more information on Renew Virginia, visit www.governor.virginia.gov.

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News Releases

COMMONWEALTH OF VIRGINIA

Office of the Governor

Timothy M. Kaine
Governor

FOR IMMEDIATE RELEASE
May 28, 2009

Contact: Gordon Hickey
Phone: (804) 225-4260
Cell Phone: (804) 291-8977
Internet: www.governor.virginia.gov

Marianne McGhee, VDSS
(804) 726-7105

www.dss.state.va.us

GOVERNOR KAINE ANNOUNCES \$38 MILLION FOR CHILD CARE ASSISTANCE

~ Recovery Act funds will expand aid for eligible families, improve quality of care and delivery of services ~

RICHMOND— Governor Timothy M. Kaine today announced a \$38 million infusion into Virginia’s Child Care and Development Block Grant (CCDBG) from the American Recovery and Reinvestment Act (ARRA). The increased federal funding will assist low-income families with child care and improve the quality of care and delivery of services.

“These funds offer critical assistance to hardworking families with children—and contribute broadly to the Commonwealth,” said Governor Kaine. “When parents can work and still send their children to a safe and enriching environment—and when child care programs have the opportunity to enhance their skills and services—our families, communities, and economy are all made stronger.”

Approximately \$18 million in ARRA funds will be used over the next two years to enhance and expand assistance to income-eligible families through the state’s child care subsidy program, which provides services for the children of working parents and parents currently receiving job training. The increased financial support from the ARRA funds will raise infant reimbursement rates to child care providers while expanding child care services for families in the child care subsidy and Virginia Initiative for Employment not Welfare (VIEW) programs. Nearly 55,000 children are already benefiting from the subsidy program this year.

The ARRA funds will also help reduce the match payment required of local departments of social services to assist with the delivery of child care subsidy services for needy families. Communities that have struggled in the past to make the matching contribution will be better able to meet the needs of families already in the subsidy program and can apply any savings to address the needs of families currently on waiting lists for services.

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In addition, approximately \$14 million of the grant will be used to create an automated system for administering and tracking payments to child care providers. When fully implemented, the automated system is projected to provide the Commonwealth significant annual savings through improved efficiency and accuracy.

“The automation will benefit families for years to come, not just during the ARRA funding window,” said VDSS Commissioner Anthony Conyers Jr. “Considering this is one-time support, federal partners are encouraging the use of recovery monies for system infrastructure. Savings from automation will be the ‘gift that keeps on giving’ to families and children, who will benefit through reinvestment in services.”

Finally, \$6 million of the grant will expand Virginia’s Quality Rating and Improvement System (QRIS) and provide support for early childhood teachers to develop their skills and knowledge. Early childhood education through child care programs can contribute to children in low-income families in particular by providing school readiness skills that help ensure children arrive at kindergarten ready to learn and succeed.

The CCDBG is administered by the Virginia Department of Social Services (VDSS) in conjunction with 120 local departments of social services that provide direct client assistance.

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PRIMARY SOURCE: CONSTITUTION OF VIRGINIA
<http://legis.state.va.us/Laws/Search/ConstitutionTOC.htm>

ARTICLE V
Executive

Section 1. Executive power; Governor's term of office.

The chief executive power of the Commonwealth shall be vested in a Governor. He shall hold office for a term commencing upon his inauguration on the Saturday after the second Wednesday in January, next succeeding his election, and ending in the fourth year thereafter immediately upon the inauguration of his successor. He shall be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

Section 2. Election of Governor.

The Governor shall be elected by the qualified voters of the Commonwealth at the time and place of choosing members of the General Assembly. Returns of the election shall be transmitted, under seal, by the proper officers, to the State Board of Elections, or such other officer or agency as may be designated by law, which shall cause the returns to be opened and the votes to be counted in the manner prescribed by law. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest and an equal number of votes, one of them shall be chosen Governor by a majority of the total membership of the General Assembly. Contested elections for Governor shall be decided by a like vote. The mode of proceeding in such cases shall be prescribed by law.

Section 3. Qualifications of Governor.

No person except a citizen of the United States shall be eligible to the office of Governor; nor shall any person be eligible to that office unless he shall have attained the age of thirty years and have been a resident of the Commonwealth and a registered voter in the Commonwealth for five years next preceding his election.

Section 4. Place of residence and compensation of Governor.

The Governor shall reside at the seat of government. He shall receive for his services a compensation to be prescribed by law, which shall neither be increased nor diminished during the period for which he shall have been elected. While in office he shall receive no other emolument from this or any other government.

Section 5. Legislative responsibilities of Governor.

The Governor shall communicate to the General Assembly, at every regular session, the condition of the Commonwealth, recommend to its consideration such measures as he may deem expedient, and convene the General Assembly on application of two-thirds of the

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members elected to each house thereof, or when, in his opinion, the interest of the Commonwealth may require.

Section 6. Presentation of bills; powers of Governor; vetoes and amendments.

- (a) Every bill which passes the Senate and House of Delegates, before it becomes law, shall be presented to the Governor.
- (b) During a regular or special session, the Governor shall have seven days in which to act on the bill after it is presented to him and to exercise one of the three options set out below. If the Governor does not act on the bill, it shall become law without his signature.
 - (i) The Governor may sign the bill if he approves it, and the bill shall become law.
 - (ii) The Governor may veto the bill if he objects to it by returning the bill with his objections to the house in which the bill originated. The house shall enter the objections in its journal and reconsider the bill. The house may override the veto by a two-thirds vote of the members present, which two-thirds shall include a majority of the members elected to that house. If the house of origin overrides the Governor's veto, it shall send the bill and Governor's objections to the other house where the bill shall be reconsidered. The second house may override the Governor's veto by a two-thirds vote of the members present, which two-thirds shall include a majority of the members elected to that house. If both houses override the Governor's veto, the bill shall become law without his signature. If either house fails to override the Governor's veto, the veto shall stand and the bill shall not become law.
 - (iii) The Governor may recommend one or more specific and severable amendments to a bill by returning it with his recommendation to the house in which it originated. The house shall enter the Governor's recommendation in its journal and reconsider the bill. If both houses agree to the Governor's entire recommendation, the bill, as amended, shall become law. Each house may agree to the Governor's amendments by a majority vote of the members present. If both houses agree to the bill in the form originally sent to the Governor by a two-thirds vote of all members present in each house, which two-thirds shall include a majority of the members elected to that house, the original bill shall become law. If the Governor sends down specific and severable amendments then each house may determine, in accordance with its own procedures, whether to act on the Governor's amendments en bloc or individually, or any combination thereof. If the house of origin agrees to one or more of the Governor's amendments, it shall send the bill and the entire recommendation to the other house. The second house may also agree to one or more of the Governor's amendments. If either house fails to agree to the Governor's entire recommendation or fails to agree to at least one of the Governor's amendments agreed to by the other house, the bill, as originally presented to the Governor, shall be returned to the Governor. If both houses agree to one or more amendments but not to the entire recommendation of the Governor, the bill shall be reenrolled with the Governor's amendments agreed to by both houses and shall be returned to the Governor. If the Governor fails to send down specific and severable amendments as determined by the majority vote of the members present in either house, then the bill shall be before that house, in the form originally sent to the Governor and may be acted upon in accordance with Article IV, Section 11 of this Constitution and returned to the Governor. The Governor shall either sign or veto a bill returned as provided in this

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subsection or, if there are fewer than seven days remaining in the session, as provided in subsection (c).

15(c) When there are fewer than seven days remaining in the regular or special session from the date a bill is presented to the Governor and the General Assembly adjourns to a reconvened session, the Governor shall have thirty days from the date of adjournment of the regular or special session in which to act on the bills presented to him and to exercise one of the three options set out below. If the Governor does not act on any bill, it shall become law without his signature.

- (i) The Governor may sign the bill if he approves it, and the bill shall become law.
- (ii) The Governor may veto the bill if he objects to it by returning the bill with his objections to the house in which the bill originated. The same procedures for overriding his veto are applicable as stated in subsection (b) for bills vetoed during the session.
- (iii) The Governor may recommend one or more specific and severable amendments to a bill by returning it with his recommendation to the house in which it originated. The same procedures for considering his recommendation are applicable as stated in subsection (b) (iii) for bills returned with his recommendation. The Governor shall either sign or veto a bill returned to him from a reconvened session. If the Governor vetoes the bill, the veto shall stand and the bill shall not become law. If the Governor does not act on the bill within thirty days after the adjournment of the reconvened session, the bill shall become law without his signature.
- (d) The Governor shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section for a bill vetoed by the Governor.
- (e) In all cases set forth above, the names of the members voting for and against the bill, the amendment or amendments to the bill, or the item or items of an appropriation bill shall be entered on the journal of each house.

The amendment ratified November 8, 1994, and effective January 1, 1995—Rewrote the section to provide that the Governor may offer only one set of amendments to any bill, to require the Governor to take action to veto a bill, to allow the General Assembly to sever the Governor’s amendments, acting on them individually or en bloc, and to allow the General Assembly to propose its own amendments if it determines the Governor’s amendments are not severable. [The amendment to this section ratified November 4, 1980, and effective January 1, 1981, was superseded by the 1994 amendment.]

Section 7. Executive and administrative powers.

The Governor shall take care that the laws be faithfully executed.

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The Governor shall be commander-in-chief of the armed forces of the Commonwealth and shall have power to embody such forces to repel invasion, suppress insurrection, and enforce the execution of the laws.

The Governor shall conduct, either in person or in such manner as shall be prescribed by law, all intercourse with other and foreign states.

The Governor shall have power to fill vacancies in all offices of the Commonwealth for the filling of which the Constitution and laws make no other provision. If such office be one filled by the election of the people, the appointee shall hold office until the next general election, and thereafter until his successor qualifies, according to law. The General Assembly shall, if it is in session, fill vacancies in all offices which are filled by election by that body.

Gubernatorial appointments to fill vacancies in offices which are filled by election by the General Assembly or by appointment by the Governor which is subject to confirmation by the Senate or the General Assembly, made during the recess of the General Assembly, shall expire at the end of thirty days after the commencement of the next session of the General Assembly.

Section 8. Information from administrative officers.

The Governor may require information in writing, under oath, from any officer of any executive or administrative department, office, or agency, or any public institution upon any subject relating to their respective departments, offices, agencies, or public institutions; and he may inspect at any time their official books, accounts, and vouchers, and ascertain the conditions of the public funds in their charge, and in that connection may employ accountants. He may require the opinion in writing of the Attorney General upon any question of law affecting the official duties of the Governor.

Section 9. Administrative organization.

The functions, powers, and duties of the administrative departments and divisions and of the agencies of the Commonwealth within the legislative and executive branches may be prescribed by law.

Section 10. Appointment and removal of administrative officers.

Except as may be otherwise provided in this Constitution, the Governor shall appoint each officer serving as the head of an administrative department or division of the executive branch of the government, subject to such confirmation as the General Assembly may prescribe. Each officer appointed by the Governor pursuant to this section shall have such professional qualifications as may be prescribed by law and shall serve at the pleasure of the Governor.

Section 11. Effect of refusal of General Assembly to confirm an appointment by the Governor.

No person appointed to any office by the Governor, whose appointment is subject to confirmation by the General Assembly, under the provisions of this Constitution or any statute, shall enter upon, or continue in, office after the General Assembly shall have refused to confirm

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his appointment, nor shall such person be eligible for reappointment during the recess of the General Assembly to fill the vacancy caused by such refusal to confirm.

Section 12. Executive clemency.

The Governor shall have power to remit fines and penalties under such rules and regulations as may be prescribed by law; to grant reprieves and pardons after conviction except when the prosecution has been carried on by the House of Delegates; to remove political disabilities consequent upon conviction for offenses committed prior or subsequent to the adoption of this Constitution; and to commute capital punishment. He shall communicate to the General Assembly, at each regular session, particulars of every case of fine or penalty remitted, of reprieve or pardon granted, and of punishment commuted, with his reasons for remitting, granting, or commuting the same.

Section 13. Lieutenant Governor; election and qualifications.

A Lieutenant Governor shall be elected at the same time and for the same term as the Governor, and his qualifications and the manner and ascertainment of his election, in all respects, shall be the same, except that there shall be no limit on the terms of the Lieutenant Governor.

Section 14. Duties and compensation of Lieutenant Governor.

The Lieutenant Governor shall be President of the Senate but shall have no vote except in case of an equal division. He shall receive for his services a compensation to be prescribed by law, which shall not be increased nor diminished during the period for which he shall have been elected.

Section 15. Attorney General.

An Attorney General shall be elected by the qualified voters of the Commonwealth at the same time and for the same term as the Governor; and the fact of his election shall be ascertained in the same manner. No person shall be eligible for election or appointment to the office of Attorney General unless he is a citizen of the United States, has attained the age of thirty years, and has the qualifications required for a judge of a court of record. He shall perform such duties and receive such compensation as may be prescribed by law, which compensation shall neither be increased nor diminished during the period for which he shall have been elected. There shall be no limit on the terms of the Attorney General.

Section 16. Succession to the office of Governor.

When the Governor-elect is disqualified, resigns, or dies following his election but prior to taking office, the Lieutenant Governor-elect shall succeed to the office of Governor for the full term. When the Governor-elect fails to assume office for any other reason, the Lieutenant Governor-elect shall serve as Acting Governor.

Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Delegates his written declaration that he is unable to discharge the powers and duties of his office and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor.

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Whenever the Attorney General, the President pro tempore of the Senate, and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall immediately assume the powers and duties of the office as Acting Governor.

Thereafter, when the Governor transmits to the Clerk of the Senate and the Clerk of the House of Delegates his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Attorney General, the President pro tempore of the Senate, and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit within four days to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon the General Assembly shall decide the issue, convening within forty-eight hours for that purpose if not already in session. If within twenty-one days after receipt of the latter declaration or, if the General Assembly is not in session, within twenty-one days after the General Assembly is required to convene, the General Assembly determines by three-fourths vote of the elected membership of each house of the General Assembly that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall become Governor; otherwise, the Governor shall resume the powers and duties of his office.

In the case of the removal of the Governor from office or in the case of his disqualification, death, or resignation, the Lieutenant Governor shall become Governor.

If a vacancy exists in the office of Lieutenant Governor when the Lieutenant Governor is to succeed to the office of Governor or to serve as Acting Governor, the Attorney General, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If the Attorney General is ineligible to serve as Governor, the Speaker of the House of Delegates, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If a vacancy exists in the office of the Speaker of the House of Delegates or if the Speaker of the House of Delegates is ineligible to serve as Governor, the House of Delegates shall convene and fill the vacancy.

In the event of an emergency or enemy attack upon the soil of Virginia and a resulting inability of the House of Delegates to convene to fill the vacancy, the Speaker of the House, the person designated to act in his stead as prescribed in the Rules of the House of Delegates, the President pro tempore of the Senate, or the majority leader of the Senate, in that designated order, shall serve as Acting Governor until such time as the House of Delegates convenes to elect a Governor.

The General Assembly may provide by law for the waiver of the eligibility requirements for the Attorney General, Speaker of the House, or acting Speaker to serve as Governor or Acting Governor in the event of an emergency or enemy attack upon the soil of Virginia as evidenced by a proclamation of the Governor or alternative authority prescribed by law.

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The amendment ratified November 2, 2004, and effective January 1, 2005—Added two new paragraphs after paragraph six.

Section 17. Commissions and grants.

Commissions and grants shall run in the name of the Commonwealth of Virginia, and be attested by the Governor, with the seal of the Commonwealth annexed.