

**ADDRESS**  
**OF**  
**LINWOOD HOLTON**  
**GOVERNOR**

**TO THE**  
**GENERAL ASSEMBLY**  
**TUESDAY, JANUARY 20, 1970**



**SENATE DOCUMENT No. 3A**

COMMONWEALTH OF VIRGINIA  
*Department of Purchases and Supply*  
Richmond  
1970



**ADDRESS**  
of  
**LINWOOD HOLTON**  
**GOVERNOR**  
**TO THE**  
**GENERAL ASSEMBLY OF VIRGINIA**

**TUESDAY, JANUARY 20, 1970**

*Mr. Speaker, Mr. President, Members of the General Assembly,  
Distinguished Guests, and My Fellow Virginians:*

I come before you at a time when partisan considerations must be put aside for the sake of the Commonwealth. We are on the threshold of unbounded opportunities for our State and its people. Yet we are also amidst problems of unparalleled magnitude and challenges of unprecedented scope. How we solve these problems and meet these challenges will determine how history will judge us. Our goal, our commitment, our dedication in this administration, and indeed in this decade, must be to enhance the quality of life in Virginia.

We have the opportunity to show that an urban state can control and contain the very forces shattering so much urban life elsewhere. Yes, we have the opportunity. But we can realize it only if we work together, not as Republicans or Democrats but as Virginians. Certainly, the legislative program I offer for your consideration today is designed to work for the welfare of all Virginians.

**CONSTITUTIONAL AMENDMENTS**

We shall meet the current and future demands on our State government, and we therefore must give our constitution a new viability and vigor. For this reason, I join with Governor Godwin in urging you to give speedy approval to the constitutional resolutions which were adopted at the 1969 Extra Session of the General Assembly, and which are before you for the second time. It is in the interest of orderly administration of our government that this matter be submitted to the people as early as it can be done.

If the proposed amendments to the Constitution are approved, the 1971 General Assembly will be charged with the duty to reapportion the State's electoral districts. To attain an equitable reapportionment, I recommend that you create a Reapportionment Commission to examine all aspects of reapportionment, and to report its findings and recommendations to the Governor and the General Assembly by December 1, 1970.

**GOVERNMENT EFFICIENCY**

This administration has already laid the groundwork for an efficiency study of the State government's executive branch. Similar studies made in other states have resulted both in substantial savings and in improved governmental administration. We have contacted the officials of these states to benefit from their experience and have engaged the services of a consulting firm highly recommended by those officials.

I emphasize that this study will be financed by private enterprise and staffed by a task force of leading citizens. Business and professional people, educators, labor leaders, and others will be asked to join together in the challenging task of examining the State government.

As this study will be a review of the executive branch, I have already solicited the support and advice of State employees through a letter I issued yesterday.

I assure you that members of the General Assembly will be kept informed of this study's progress from its genesis to its completion. I further assure you that any recommendations requiring legislative action will be submitted for your consideration with appropriate recommendations. We would appreciate the support and we solicit the advice and ideas of each member of the General Assembly during the study.

### QUALITY OF ENVIRONMENT

Above us lies a narrow band of usable atmosphere no more than seven miles high, with no "new" air available to us. Beneath us lies a thin crust of land with only one-eighth of its surface fit for human life. And we are surrounded by a finite supply of usable water that we must eternally cleanse and reuse. These are the elements of man's physical environment. This is the envelope in which our planet is perpetually sealed. Hence, one of the first goals of this administration will be to ensure the quality of our environment.

It is not extravagant to suggest that because of his abuse or neglect of his environment, man himself may actually be an endangered species. No one knows just when he will have gone beyond the capacity of man's body to survive polluted air and water, misapplication of chemicals, and the massive accumulation of his own waste. The threats of our environment are moving at a gallop while our concern and our machinery are moving at a trot. I propose that we change pace.

I shall create a Governor's Environmental Quality Council to fill the need for a thorough and comprehensive look at environmental problems which reach beyond the purview of existing agencies. This Council will be comprised of agency and department heads with particular responsibilities for the environment including, among others, the Director of the Department of Conservation and Economic Development, the Executive Secretary of the State Water Control Board, the Executive Secretary of the State Air Pollution Control Board, the State Highway Commissioner, the Chairman of the Commission of Outdoor Recreation, and the Director of the Virginia Institute of Marine Science. In addition, once this Council is established and operating, I propose to add qualified community leaders with an interest in the quality of our environment.

The Council will not be mere window dressing. It will meet regularly to study and pass on the broad environmental problems which are of great public concern. I am confident that it can do its job without in any way down-grading or interfering with the performance of the agencies involved; in fact, it should enhance their usefulness to the Commonwealth.

With the advice of this Council, this administration will examine the allocation among State agencies of responsibility for the various segments of our environment. We must consolidate the responsibilities for acting on environmental problems.

The Virginia Outdoors Plan which was adopted by the 1966 General Assembly made an excellent start on Virginia's commitment to a park expansion

program. That commitment has not been maintained. During the course of your deliberations, I hope you will consider with me the possibilities of at least regaining the pace established in 1966.

Water has always been vital to Virginia, but our use of Virginia's water resources has not always been wise. Our streams, estuaries and rivers are in serious danger of being engulfed by pollution. We must take action. I recommend that the State provide 7.8 million dollars in order to receive maximum matching funds under the United States Clear Water Restoration Act of 1966. This recommendation represents an increase of 6.8 million dollars over the budget recommendation submitted by the outgoing administration. But this additional money, when combined with the 6 million dollars from local communities, will generate more than 17 million dollars in Federal money for a total of 31 million dollars for pollution control in Virginia. Without State participation the 6 million dollars to be provided by local communities would be matched only by 2 and one-half million dollars in Federal funds for a total water pollution expenditure of only 8 and one-half million dollars. It is good business to spend 7.8 million dollars to obtain a 22 and one-half million dollars increase in the money available to fight water pollution, and it is good business to do it now.

Under Federal law, the local share of a typical 1 million dollar treatment plant is reduced from \$700,000 to \$200,000 when the State government participates. Another pressing reason to find the funds and make this appropriation now is the fact that this Federal program has only one more year of existence; and it is likely that the Federal program will not be extended in its present form.

The State Air Pollution Control Board has now adopted its air quality standards and it reports that it is moving into the enforcement phase of its operations. The Board will have the full support of this administration in enforcing these standards to ensure high quality air in Virginia. If additional legislation is needed by the Board in carrying out these efforts, I will support it.

## BUDGET AND FINANCE

Let me emphasize to you that we realize the importance of economy, and I understand the fact that we are operating in this biennium under very tight budgetary strictures.

It is too early to form final judgments about the details of the budget which was presented to you on Friday, but I have reservations about the rather sharp departure from past practices of using the accumulated surplus only for capital outlays. I ask you to exercise your good judgment and legislative responsibility to examine carefully the proposed expenditures before you, bearing in mind the dangers inherent in the appropriation of one-time surpluses for current operating needs.

The surplus, presently estimated by my predecessor at 84 million dollars, is in large measure related to the revenues from the sales tax. This tax and the increased cost of living go hand in hand, constituting a double burden on our citizens.

It is imperative that relief be provided from the sales tax on essential food. I recommend a plan under which a refund would be made to all Virginians in an amount equal to the tax which would be paid by them for a year's supply of essential food for home consumption. As I stated to each of you in documents dated September 22, 1969, we calculate this to be approximately 9 dollars per family member. The procedure for refunding or crediting an amount to an individual's income tax has been implemented by seven states; it is recommended

by the Advisory Commission on Intergovernmental Relations as a means of maximizing consumer tax yields and minimizing the burden which these levies impose on low income families.

Later this week I will send to the General Assembly a report prepared at my request by the Virginia Department of Taxation which summarizes the programs of other states for a credit or refund on food sales tax, shows the effect of such a credit on Virginia General Fund revenue, outlines the procedures for administering the tax, and estimates the administrative cost.

We will consider reasonable alternatives to our proposal. But this administration stands firm in its commitment to relief from the sales tax on food.

This administration also wants tax relief for the elderly. This will come in part by enactment of relief from the food sales tax, and we hope to provide further relief for our senior citizens when we prepare our first budget for submission to you in 1972.

Another much needed tax reform is legislation to put the State income tax statute in conformity with the income tax laws of the Federal government. This legislative reform will permit the State's use of the Federal Computer tapes to ensure more complete enforcement of Virginia's income tax laws, which will generate additional revenue for the Commonwealth. Furthermore, it will greatly ease the burden of preparing individual income tax returns. It is important to effect this change as soon as possible.

### CONSUMER PROTECTION

Virginians will not tolerate shoddy merchandising techniques, false credit charges, or deceptive advertising.

Virginia and the Federal government now have many laws relating to consumer protection and a number of State and Federal agencies empowered to enforce these laws. I have assigned to an executive assistant the responsibility to examine carefully the whole area of consumer protection. One of his principal duties will be to assemble all the available information and ensure that this information is disseminated to the people most in need of protection. We will also determine whether any additional legislation is needed for adequate protection.

Our approach will not be that of a witch hunt. We recognize that business has a right to a fair profit. We equally recognize that the consumer has a right to protection. We intend to fulfill our responsibility and search for equitable approaches to both.

### PORT DEVELOPMENT

We must develop Virginia's port facilities to their full potential. I enthusiastically endorse the principle of port unification. It is essential that this session of the General Assembly enact legislation to develop our ports on a unified basis. I am prepared to conduct with you, in the immediate future, further study of this opportunity. We must ensure that the State government uses all means and methods available and takes such action now to move the project forward.

Now, Ladies and Gentlemen, let me depart just a moment, because this one I consider of the utmost importance. I recognize also, I'm afraid, that there are some divisions in the approaches that some of you are taking to this and I recognize your right to those divisions and those divergent attitudes. But, I am going, immediately, to have this matter studied in complete detail by persons in whom I have confidence who will summarize and analyze everything that has

been done and give to me specific proposals that I can discuss, and then discuss with you. And let me ask you specifically as you approach this problem not to let any opinions that you may be forming now be so solidified that we have no flexibility; don't get yourselves painted into a corner. This one is of critical importance to the entire Commonwealth, and I want us to be in a position to look at it with an open mind and if it is at all possible during this session to reach a satisfactory beginning for unification of these ports.

### EDUCATION

During the past four years, Virginia has done a great deal to promote and improve upon its educational system. We commend Governor Godwin for reducing the long-standing imbalance between educational needs and educational opportunities. The budget submitted to you last week provides for a large increase in public expenditures for education at all levels, and I endorse that increase as essential to continued growth.

We share the pride of all Virginians in our higher educational facilities. But there are other needs. Our changing employment pattern is leaving the unskilled with fewer and fewer jobs. Vocational training provides the basis for employment and must be available to Virginians, teenager and adult, throughout the Commonwealth.

Textbooks are essential tools for effective education, yet textbooks are unavailable to many children in Virginia. Governor Godwin has recommended an unconditional appropriation of \$2,000,000 for textbooks, in addition to the presently authorized contingency item. I intend to find a way during the next four years to secure the full funds needed to provide textbooks for all school children, without cost to them, as requested and recommended by the State Board of Education.

### MENTAL HEALTH

The adequate care and treatment of the mentally ill and mentally retarded is an obligation of the State government and the citizens of Virginia that has not been fulfilled. Despite recent efforts, we rank near the bottom of all states in salaries, facilities, training, and manpower. Dramatic changes in our mental health programs are imperative.

The Commission on Mental, Indigent, and Geriatric Patients provides a plan to give hope for the mentally ill and dignity to the aged. It follows the important concept that individual mental health programs must be considered in a total package.

This is an area where our new sense of partnership with the Federal Government is particularly valuable. In vocational programs for the mentally ill, every State dollar is matched with four Federal dollars. Yet, this year we are only using half of the 16 million dollars of Federal money available for Virginia in the area. Other assistance for construction, service programs, staffing, and medical coverage is available, some of it not even requiring matching State money. We must claim this money, plow new ground, and, in partnership with the Federal and local governments, provide new initiative in mental health.

### WELFARE

In providing governmental services to the poor, this Commonwealth and the nation have good reason to be concerned with the continued rising cost of welfare programs and their increasing proliferation.

This administration and the General Assembly should diligently seek new and innovative approaches to social problems. We all must work together to find efficient and effective methods for helping people to help themselves.

Most people do not want to be on welfare. This administration is determined to help people get away from welfare and on to work fare, to get people off the relief rolls and on to the payrolls. We believe that most people on welfare would prefer to be working and earning a wage.

To attain this goal, I pledge this administration to the following:

The planning and development of centers, consistent with the availability of funds, which can take care of children while their mothers seek employment;

The establishment of additional work training programs in our localities; and

Vigorous effort to promote more job opportunities.

These are steps which we hope will permit more of our citizens to become self-supporting.

#### PUBLIC SAFETY

Quality of the life to which we aspire is dependent upon the maintenance of an orderly society. We see even in Virginia alarming increases in crime.

We have particular anxiety when we see the rising crime among our youth. Drug use, defiance of the law, immorality, and juvenile delinquency reach into many homes of Virginia.

The solutions to this problem cross many boundaries from education to law enforcement, planning, to the judicial system, to correctional institutions, to rehabilitation. Assistance is provided by the Federal government under the Omnibus Crime Control and Safe Streets Act of 1968. That legislation provides major assistance to State and local governments to strengthen law enforcement and to improve judicial and correctional assistance. Virginia responded with its 1969 Comprehensive Law Enforcement Action Plan. This plan is designed to effect the greatest possible reduction in crime and further to improve the criminal justice system. I commend it to you for your study.

In the fight against juvenile delinquency, we must make a stronger effort to prevent as well as treat criminal behavior. Morality and conscience direct us to act now in helping our young people to realize that their lives can be wrecked by turning to criminal pursuits.

In the fight against crime, we must examine our correctional facilities to ensure that we have the facilities, programs, and personnel necessary for effective rehabilitation.

A great deal more than buildings is involved in improving our correctional program; yet inadequate and outdated physical facilities like the State penitentiary in Richmond severely hamper rehabilitation efforts.

The present penitentiary, established in 1797 on a seventeen-acre tract of land, is now in the heart of Richmond. It offers no room for additional facilities. Many of its buildings are old and functionally out of date and they cannot create the climate or environment desired to accomplish the goal to restore the inmates to a productive place in our society.

The need for a new penitentiary in a different location is well-known, yet no money has been provided in the present budget. The Department of Welfare and Institutions has completed phase one of the study authorized by the 1968 General Assembly and has recommended the establishment of a Reception and



Medical Center for the entire Division of Corrections. This is an excellent report and I commend it to you. I consider the relocation of the Virginia penitentiary a necessary first step, and we shall make every effort with you to find sufficient funds to begin the relocation. It is possible that a significant portion of the 9 million dollar cost of this initial Reception and Medical Center can be obtained from the Federal government.

Another significant step forward in the field of rehabilitation is the work release program as authorized by the General Assembly in its 1968 session and initiated by the Division of Corrections. This program provides for the assignment of prison inmates to particularly suited local jail facilities from which they can be released during the daytime for employment. I encourage the continuing development of the work release program.

For improved justice in Virginia there must be a comprehensive review and reform of the State Penal Code. I recommend to the General Assembly the reports of the American Bar Association and the State Crime Commission on this subject. A specific revision to the Code that should not wait for a comprehensive review is the unnecessarily strict first offense penalty for the possession of marijuana. Justice will be better served and injustices averted if the first offense penalty for the possession of marijuana is reduced.

#### JUDICIARY

I am aware of many changes required in our judicial system. But I will await the recommendations of the Courts Study Commission before making a comprehensive proposal. There is one area of judicial reform, however, where the people of Virginia will not tolerate further delay—the political appointive powers of judges. Our judges should not be responsible for the appointment of political officials. Vacancies in political offices should be filled by elections, not by judicial appointment. I believe that the continuation of the open involvement of Virginia's judiciary in the political life of the Commonwealth does a disservice to both their profession and the citizens they serve. We should eliminate the power of non-judicial appointments by State judges and restore these functions to the proper authorities. The judges themselves would welcome this reform.

#### CONFLICT OF INTERESTS

The General Assembly in its 1968 session adopted Senate Joint Resolution No. 26 creating the Conflict of Interests Study Commission. That Commission developed a philosophy for conflict of interests legislation and embodied that philosophy in a bill which will be before you for consideration.

I wholeheartedly support the Commission's report. The proposed legislation will consolidate the conflict of interests provisions which are now scattered throughout the Code in one Virginia Conflict of Interests act with uniform guidelines that will apply throughout the State.

I would propose that you go one step beyond the Commission report and impose the same restrictions upon yourselves that you impose upon other State employees.

#### HIGHWAYS AND HIGHWAY SAFETY

We in Virginia have reason to be proud of our highway system. The development of the Interstate System has brought closer together many Virginians and their products and services. Better highways mean faster economic develop-

ment, greater recreational opportunities and more safety for travelers. We must continue with an aggressive and balanced highway expansion and improvement program.

One of the tragic aspects of modern living is the continuing slaughter of our fellow citizens on the nation's highways. In Virginia as in other states, we try to design our new highways to maximize safety conditions. We need to strengthen our laws to curb the senseless waste of human life. I wholeheartedly endorse the Highway Safety Commission's six-point plan for improvement of highway safety and commend it to you for your consideration in this session. I especially commend the proposals to reduce the blood alcohol level to 0.10% for creating a presumption of driving under the influence of alcohol; to permit use of a breath test in addition to a blood test for evidence of driving under the influence; and to permit police to use electro-mechanical speed detecting devices. I also urge that consideration be given again to use of reflectorized license plates in Virginia.

#### ADDITIONAL RECOMMENDATIONS

Obviously, one cannot discuss in detail every matter to come before you at this session. Nevertheless, I would like to cite several additional legislative issues which will deserve your careful consideration.

As an additional aid to more effective government, I support and commend to you the report of The Commission on The Legislative Process. Some of its recommendations are wisely already being implemented. I urge you to act on the others. I consider particularly important the recommendation to make the compensation of legislators more adequate.

The area of election law reform has been given thorough study by the Election Laws Study Commission, and its proposals will soon come before you for your full consideration. Governor Godwin has emphasized, and I agree, that there is a need for greater protection against abuse of the absentee ballot, one of the problems focused upon by the study commission.

During this session I hope that legislation will be enacted to increase the levels of both workmen's compensation and unemployment compensation.

This administration is keenly aware of the importance of the seafood industry to all Virginia citizens and to our Commonwealth's economy. Therefore I will, during the course of the next four years, solicit your recommendations and advice as to programs for ensuring the preservation and improvement of our seafood industries and the vast wetlands area with which they are associated.

Tourism is another area of industrial development which needs greater attention by State government. Virginia offers many unique tourist attractions, yet, we are not getting our full share of the nation's tourists. We need to improve upon our management of these resources, mold a new and dynamic image for Virginia, and develop a more aggressive sales program.

Just as we must expand our efforts to gain more tourists, so we must continue to seek vigorously new industry for Virginia. The continued growth of all areas of our economy is dependent upon the continued growth of industry and business. I shall take an active and personal role in encouraging new businesses to establish in Virginia, and in helping businesses already in the State to expand. With intelligent planning for the full range of economic resources available to Virginia, we shall achieve a proper economic growth with balanced benefits for rural and urban areas.

You will note that I have made no specific reference to race relations else-

where in this message. Our efforts to make Virginia a model of race relations, as I stated in my inaugural address, require the influence and example of each member of the General Assembly in a common effort to end all forms of prejudice or discrimination in the Commonwealth. We expect to achieve rapid progress in this area under existing laws, but if necessary, we will recommend any additional legislation that may be indicated.

While these legislative programs are our main areas of concern, I am aware that others may, and probably will, develop during the course of the session. In addition, this administration will always be open to further suggestions from any member of the General Assembly which will result in the betterment of our Commonwealth.

#### VIRGINIA IN THE 1970'S

In just six years, Virginia and the nation will commemorate the bicentennial of the Declaration of Independence. A galaxy of greatness shone over the Commonwealth in those years which witnessed the birth of a new nation. We are, of course, proud descendants of the Virginia dynasty. Yet we should not live merely to be proud of our ancestors; rather we should so live in order that our descendants may be proud of us.

Our chance, our challenge in this decade, is to infuse this Old Dominion with new ideas and ideals, new dreams of grandeur, new aspirations. While we have so much behind us in history and achievement, we have even more before us. Let us, therefore, strike toward new horizons with the same courage and determination our forefathers displayed two hundred years ago. This Commonwealth and this nation were not founded by complacent men, and complacent men will not preserve them.