

VIRGINIA CAPITOL CONNECTIONS

QUARTERLY MAGAZINE



INSIDE

The tea party?—page 4

Bill Howell's Primary Victory—page 5

Path To Societal Happiness: *Economic Equality and Populism*—page 6

Summer 2015



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CONTENTS

Summer 2015



KIDD



FARNSWORTH



SHENDOW

Politics

pages 4, 5, 6



HERRING

Campus Sexual Violence

page 8

Veterans' Healthcare

page 12



MALLON



WAGNER



YOST



ALBO

Legislators

pages 12 and 13

- 4** The tea party?
- 5** Bill Howell's Primary Victory
- 6** Path To Societal Happiness: Economic Equality and Populism
- 8** Virginia shows the way forward on campus sexual violence
- 9** What is Virginia Doing About Misclassification of Workers?
- 10** Transportation and Telehealth: Building a System of Veterans' Access to Quality Healthcare in Southwest Virginia
- 12** General Assembly, Governor Act to Promote Electric Rate Stability, Boost Renewable Energy
- 13** Virginia Goes Green for Industrial Hemp
- 13** How We Wrote HB 1445 to Allow Marijuana Oil to Alleviate Epilepsy
- 14** Virginia Health Care Conference
- 15** The Virginia Values Veterans (V3) Program Reaches New Heights; Launches new V3 Employment Grant
- 16** The Photography of Wanda Judd
- 18** A Man for All Seasons
- 20** We're Just Getting Started
- 21** A Capitol Idea For A Family Reunion
- 22** Governor's STEM Academies and Governor's Health Sciences Academies
- 24** Poetry Out Loud: The Art of Recitation and Memorization
- 26** The McShin Foundation
- 27** In Memoriam
Richard Langley Settle, Jr.
The Maverick
Frank Hall
- 30** Association and Business Directory

On The Web

www.vccqm.org

About The Cover:

Park Interpreter Jennifer Saik and mascot Ranger Parker Redfox welcome First Lady and Governor McAuliffe to Raymond R. "Andy" Guest Jr. *Shenandoah River State Park in April, 2015*. Photo by Michaele White.



The tea party?

By QUENTIN KIDD

The tea party. Or is it the tea party movement? Or, is the tea party a movement, a faction, or something even less defined, like a body of ideological energy within conservatism?

Or maybe it is best described as simply the tea party wing of the Republican Party.

However it is labeled, the tea party—as amorphous a group as there is in Virginia politics today—proved once again during the June 2015 primaries just how vexing it can be to Republicans. What its supporters hoped would be a triumphant march to near-total domination of the Republican Party with the slaying of Speaker Bill Howell and several other too-moderate incumbents, turned out to be a humiliating series of losses, instead.

Howell easily fended off Susan Stimpson with 62% of the vote. Emmett Hanger, who incensed many Republicans by supporting Medicaid expansion, got 60% in his intra-party match against Dan Moxley. John Cosgrove got 65% against Bill Haley. The tea party even lost a couple of incumbents, with Mark Berg losing in House District 29, and Democrat Johnny Joannou losing in House District 79.

Yes, you read that correctly: Democrat Johnny Joannou. The Joannou loss is stunning if only because with the exception of a few years, Joannou has been in either the House or Senate since 1976. But the tea party angle to the story is interesting: in the closing days of the race against Steve Heretick, the Portsmouth Tea Party endorsed Joannou and encouraged its members not only to vote for him, but also to volunteer for his campaign and work the polls for him.

The only real win for the tea party was in the 11th Senate district, where Amanda Chase knocked off incumbent Steve Martin.

So why did the tea party perform so poorly in this year's primaries? Tea party leaders misread the electorate leading up to the primaries, and misunderstood their ability to shape the voting behavior of tea party-minded supporters. The Howell-Stimpson race perhaps best exemplifies these mistakes. Many in the tea party wing of the Republican Party assumed (or hoped) that there was a deep well of pent-up frustration among the tea party-minded primary voters, and that they would behave in June 2015 like they had behaved in June 2014 in the 7th congressional district race between then-House Majority Leader Eric Cantor and then-unknown Randolph-Macon College economics professor David Brat. In that race, Brat tapped into a deep well of voter frustration and walked away with a surprise upset of Cantor.

Post-election analysis of the Cantor-Brat race generally concluded that tea partiers rebelled and threw Cantor overboard much like their inspirational forefathers threw chests of tea overboard in the Boston harbor 242 years ago. While there certainly is a lot of truth to this, there was also a lot of anecdotal evidence of general voter frustration that Cantor had lost touch with his district, took too much for granted, and didn't spend time doing the constituency service that he should have been doing. Many Republican voters after-the-fact, expressed remorse at the Cantor loss. Many of them said they wanted to send Cantor a message, but never thought he would lose the race.

Everyone was caught off guard by the Cantor loss. But the take-away lesson for tea party-minded Republicans was that there was a largely unseen segment of the Republican electorate ready to do across the state in June 2015 what they did in the 7th congressional district in June 2014. They were the silent majority among Republican primary voters. Seen through the analytic




framework of the Cantor loss, all that needed to be done for the 2015 primaries was to offer up tea party-friendly candidates, and the results would inevitably follow.

It was a field of dreams strategy, but the masses of angry voters simply did not materialize from amongst the corn stalks. The problem is, tea party-minded voters are much more energized by federal issues than they are by state issues. The tea party movement's roots are in anger over the Troubled Asset Relief Program (TARP), bailouts of big banks by the federal government, rising federal deficits and federal budgets that don't balance, and in the cozy relationships that big business has with elected officials in both parties in Washington. The fundamental misread of the electorate was that this federal-level anger could be channeled into state-level anger, at a legislator's support for a transportation funding bill, or a general tax increase, and produce the same results.


Speaker Howell's position has been strengthened by not only the decisiveness of his win, but in how he ran his campaign. He took the challenge seriously. He campaigned hard against Stimpson. He reminded voters in his district why they had reelected him so many times. Senators Hanger and Cosgrove did similarly in their wins. But while the June primaries were a big win for the establishment wing of the Republican Party, obituaries for the tea party wing are not yet in order. In fact, a big battles looms, and it will be over how Virginia Republicans will select their presidential candidate: primary or convention. This question will tell just how much power Speaker Howell and the rest of the establishment wing gained from their primary wins.

Dr. Quentin Kidd, Vice Provost and director of the Judy Ford Watson Center for Public Policy <http://cnu.edu/cpp/index.asp>




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Bill Howell's Primary Victory

By STEPHEN J. FARNSWORTH

Sometimes Goliath sees David coming.

For months now, many Virginian Republicans have feared they would become the next Eric Cantor, the former US House Majority Leader who lost his re-nomination to a Tea Party challenger in June 2014. Dave Brat, the relatively unknown Randolph-Macon College economics professor turned political giant-killer and now member of Congress, gave hope to long-shot primary challengers in Virginia and beyond.

So when Susan Stimpson, former chair of the Stafford County Board of Supervisors, challenged House Speaker Bill Howell for the Republican nomination for the 28th District of the Virginia House of Delegates, the 27-year incumbent took nothing for granted.

Howell raised more than \$1 million, an unheard of amount of money for a House of Delegates primary nomination in the Fredericksburg-centered district. The campaign knocked on thousands and thousands of doors and waged an aggressive absentee ballot effort. The campaign plastered the city and the district's neighboring Stafford County precincts with "We Know Bill" yard signs. And anyone with a computer in the district was blanketed with the "We Know Bill" campaign message when they went online.

As a result, Howell did not suffer a Cantor-style defeat for renomination. Not even close. He rolled to a relatively wide margin of victory in the district, winning by a 62 percent to 38 percent margin, and claimed victory in 19 of its 23 precincts. The district had the highest turnout statewide, with its 15.6 percent participation double the 7.8 percent average statewide. The more than 4,700 votes Howell received was 1,000 more votes than any winner received in any of the other nine contested House of Delegate primaries this spring.

While challenging Howell had to be daunting, Stimpson nevertheless had some reason for hope. Virginia's low-turnout primaries have been friendly to Tea Party activist candidates in recent years. Besides Cantor's defeat, two senior Republicans in the Legislature who supported then-Gov. Bob McDonnell's 2013 transportation bill, which included a tax increase, were defeated in primaries by more conservative Republicans two years ago. Stimpson tried to follow that anti-incumbent playbook. She focused her campaign on Howell's support of the Republican governor's transportation plan and the related tax increase, arguing that Howell was out of step with today's Republican voters.

The 28th District also has another factor that makes it somewhat challenger-friendly compared to many other state legislative districts outside northern Virginia. The rapid population growth of both Stafford and Fredericksburg mean that many local incumbents are not all that well known to large numbers of district voters who moved to the area between elections. More rural districts, in contrast, feature more stable electorates of longer-term residents.

But the guerrilla campaign approach that propelled Brat to an unexpected victory didn't give Stimpson the same traction. Part of the



explanation was that Stimpson was never going to have the element of surprise that Brat did. But another important factor is that the aggressive outreach employed by Howell's campaign gave many residents a pretty good sense of the speaker's background.

Even so, Stimpson's roughly 2,900 votes were more than the victors received in the other three contested Republican primaries for delegate on June 9.

As the primary day approached, Stimpson's campaign made increasingly extreme—and implausible—claims. The campaign said Howell had a plan to expand Medicaid, a controversial part of the Affordable Care Act that led to a months-long standoff between Democratic Governor Terry McAuliffe and the Republican majorities in the legislature last year. In fact, Howell and other Republicans last year risked a Washington-style government shutdown unless the governor backed down on the Medicaid expansion idea (which he did). The Stimpson team likewise charged that Howell was insufficiently conservative on other hot-button issues, including gun rights and crime.

Quite simply, it's hard to make extreme campaign attacks that stick in fact the face of aggressive incumbent outreach, a largely conservative voting record, and decades of connection to the district. Howell had a record of conservative lawmaking to counter the challenger's claims, and the money to spread that message across the district. The Stimpson campaign's main problem was that the voters of the district really did "know Bill."

Stephen J. Farnsworth is professor of political science and international affairs at the University of Mary Washington in Fredericksburg, where he directs the university's Center for Leadership and Media Studies.

The defeat of long-term GA member Democrat Johnny Joannou by the more liberal Heretick is a victory for Governor McAuliffe in his effort to elect a General Assembly amenable to Medicare expansion and other policy goals. But it is a limited victory. Joannou's defeat owes much to local political issues involving the remarkably bad tolls deal Virginia struck with Elizabeth River Crossings. And the departure of another moderate Democrat is likely to exacerbate polarization.

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Path To Societal Happiness: *Economic Equality and Populism*

By DR. WILLIAM "BILL" SHENDOW

Happiness as a measure of a nation's success is a proposition with a long history. It was the Greek philosopher Aristotle, the founder of the study of politics, who first made the assertion that happiness was man's primary pursuit. According to Aristotle it followed that happiness ought to be the goal of the polis, a term Aristotle used to identify the governing community in which the people of his day lived. In 1776 over 2,000 years later, George Mason reinforced this idea in Virginia's Declaration of the Rights of Man. Mason said the pursuit of happiness was among man's natural rights. That same year Thomas Jefferson repeated this idea in the Declaration of Independence. Coming at a formative time in our nation's history, these statements not only supported the importance of the nation-state ensuring the happiness of its citizens, but also helped to reinforce this concept as a core value in the collective consciousness of early America. As a core value, it is appropriate that Americans regularly reflect on the state of our individual and collective happiness and the extent to which our government's policies contribute or detract from happiness. This is a prime focus of this paper.



The economic turmoil in the world today has been the genesis of numerous examinations of happiness as a measure of a country's success and of those variables contributing to expressions of happiness. The most mentioned reason given in early studies was that a region's relative wealth was the single biggest contributor to the happiness of its residents. However, the results of recent studies reveal that among economically developed societies there is not a direct correlation between a nation's wealth and the overall happiness of its citizens. Many analysts who had formerly held to the idea that a country's measure of success was best found in stark economic realities began asking to what extent are a people really happy with the wealth represented in a nation's Gross National Product. Questions were invariably directed to the United States, a nation that has the world's highest GNP ranking, but is ranked only 15th among the happiest countries.

The quest for common denominator other than wealth that contributes to societal happiness led researchers to search for countries and regions that might serve as models. This search led to the Scandinavian region and the countries of Denmark, Norway, Sweden and Finland. The preponderance of socio-economic analysts of Scandinavian societies believe that Scandinavian countries are indeed unique in their overall sense of happiness. They quote numerous well-respected surveys in support of their conclusion. Furthermore, they are in agreement that much can be learned from an examination of the key determinants supporting the happiness of Scandinavian societies, but they disagree on what these key determinants are.

Despite studies to the contrary, a number of observers of Scandinavian countries still hold to the notion that happiness is primarily linked to a country's wealth. Other researchers in search of an alternative explanation attribute happiness among Scandinavians to the fact that they live in societies that are homogeneous with a strong sense of identity and a common culture. Still others explain Scandinavian expressions of happiness to the socialistic policies of their governments' economic programs. To varying degrees all of the reasons given for the happiness of the Scandinavian people have some merit and can be supported. They, however, fall short as a consistent predictor of happy societies. There is, however,

one indicator that can be shown to be a consistent contributor to societal happiness. That indicator is economic equality.

Studies consistently show that economic equality within a country makes for a comparatively happy citizenry. Inequality, on the other hand, is a consistent inhibitor of happiness in societies. There is a strong correlation between economic inequality and a multitude of societal problems. This correlation is too strong to be dismissed as a chance finding. Notable among those who have studied differences between unequal and equal societies are Professors Richard Wilkinson and Kate Pickett. They co-authored *The Spirit Level : Why Equality Is Better For Everyone*. Their book was said to be groundbreaking for it put forward the idea and supported its thesis with years of research and hard evidence showing how societies are impacted positively by economic equality.

Like many of their contemporaries, Wilkinson and Pickett's research led them to the Scandinavian countries. In Scandinavia their research revealed societies that were both happy and more economically equal than other well developed societies. To determine the relative economic equality in Scandinavian societies Wilkinson and Pickett relied on two measures. The first measure used by Wilkinson and Pickett was the Gini coefficient score. For each country this measure produces a number between 0, the completely economically equal society, and 100, a country with a completely unequal distribution of wealth. The Gini coefficient score for Scandinavian countries range from a low of 25 (Sweden) to a high of 28.1 (Denmark). These low scores support the conclusion that the distribution of wealth in Scandinavian countries is significantly more equal than other developed countries to include the United Kingdom at 36.1 and the United States which at 40.8 was among the most unequal of all advanced nations.

A second less sophisticated study used by the authors of *The Spirit Level* relied on a measure that focuses on the income gap between the 20% richest people and the 20% poorest people in a society. This study produced a similar conclusion as the Gini coefficient. Findings from this measure revealed that the four Scandinavian countries were among the five countries having the smallest income gap between the 20% richest and 20% poorest people in their respective countries. Among the twenty-five countries surveyed for this study, the income gap in the United States was greater than all developed countries except Singapore.

Despite the difficulty in bringing about a more balanced and equal economic system in the United States, it has been accomplished in past. Ever since this nation's founding period whenever the economic system was seen as being out of balance there have been political movements designed to restore a greater degree of balance and equality. The modern history of these movements can trace its origin to the populism movement of the latter part of the 19th century. This movement was a reaction to the Gilded Age, a time from the late 1860s to about 1896 that was characterized by an economic system that benefitted the very rich at the expense of the common man.

While the populism movement failed to elect its own leaders, it did serve to influence others to take-up the cause of a more balanced economic system. Those who were so influenced did so under the label of a new movement, the progressivism movement. Theodore Roosevelt was the most notable leader of this movement at the dawn of the 20th century. Under his leadership numerous policies were enacted which helped to establish greater economic equality.

Following Theodore Roosevelt's term of office, progressivism politics became somewhat less influential. After a relatively brief respite progressivism re-emerged with the election of Theodore Roosevelt's cousin, Franklin. FDR's policies, known collectively as the New Deal, helped to fuel the politics of progressivism and the cause of economic equality. Even after Franklin Roosevelt's death momentum in support of economic equality continued relatively unabated for over 30 years. Between 1947 and 1979 family income grew for everyone, but based on the relative percentage it grew most for the poorest 20% of the population.

There is not an exact date when the economic equality movement in the United States began to decline. Most analysts trace the beginning of the demise of the movement to the mid 1970s. During the period from 1979 – 2007 the economic system became less equal. The family income of those in the lowest income quintile increased 17% in this period, not nearly enough to match inflation. During this same period, the income of the top 1% of wage earners increased 156%. According to the Internal Revenue Service data for the period the wage for average Americans was at the lowest level as a share of the national income since World War II and the gulf between the richest 1% of and the rest of Americans was the widest since the 1920s.

Despite the economic recovery since the depression beginning in 2007, little has changed regarding economic equality in the U. S. With a growing amount of quantitative and qualitative data revealing an economic system producing greater inequality what does the immediate future hold for economic equality and a corresponding increase in a sense individual and collective happiness among citizens of the United States? Despite the many barriers to economic equality in American society, some pundits see indications of what could be at the harbinger of significant economic reform. These indications include a growing awareness among a large segment of society that greater economic equality is needed for our nation to continue to prosper.

With the beginning of the 2016 campaign for president there has been a general recognition on the part of politicians and political pundits alike that there well maybe the dawning of a new era of economic populism, an era which will reflect policies that create a greater balance in our economic system. Increasing political interest in economic equality has prompted some candidates to begin talking like populists on the campaign trail. This is true for candidates of both major political parties. Will the renewal of populism in the political arena be sufficient to bring about a reform movement leading to greater economic equality and ultimately to a happier society? So far the question is unanswered. There are some early indications forces are aligning to produce the type of consensus populist movement this nation has experienced in the past. An economic populist movement producing a more equal and happier society is far from a utopian possibility. Economic equality reform leading to a happier society has happened in the past. It can happen in the future.

Dr. Shendow is Professor Emeritus and Former Chair of the Political Science Department at Shenandoah University.



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Virginia shows the way forward on campus sexual violence

By ATTORNEY GENERAL MARK R. HERRING

In August 2014, I stood on the steps of the State Capitol with Governor Terry McAuliffe to declare that Virginia will not tolerate sexual violence on our college and university campuses, nor be a part of a culture that condones it. We were in the midst of a long-overdue national conversation about campus sexual violence, and we were confident that Virginia could be a national leader.

That day, Governor McAuliffe established the Governor's Task Force on Combating Campus Sexual Violence to improve the way Virginia prevents sexual violence and responds to reports of sexual violence at our colleges and universities. As Attorney General of Virginia, chair of Governor McAuliffe's Task Force, and the father of two college students, I took this mission to heart.

The events of fall 2014 put an even sharper focus on the importance of our work as Virginia found itself thrust into the national spotlight. The tragic death of Hannah Graham, a beloved member of her campus community, and the publication of *Rolling Stone's* now infamous retracted article about campus sexual violence put our Commonwealth front and center in this important conversation.

We knew this issue was finally coming out of the shadows, as it should, and we knew Virginia and the rest of the country was looking to our Task Force for our best ideas on how to prevent and respond to campus sexual violence.

During hundreds of hours of meetings, calls, and conversations, our Task Force heard from young people whose lives were changed forever by an incident of sexual violence. We heard from advocates who helped us understand the trauma, fear, and confusion some survivors experience. We heard from campus and local law enforcement and higher education administrators about the complex set of state and federal laws, policies, and regulations that, while all well-intentioned, can be difficult to navigate. Most importantly, we heard from students who told us that this time was different. They want to be the generation of students that turns the tide.

After eight months of work, the Task Force has delivered to Governor McAuliffe the most comprehensive statewide plan to address campus sexual violence in the country.

The report includes 21 recommendations to help Virginia colleges and universities prevent campus sexual assault, help survivors feel safe, respected, and able to report the crime, ensure a survivor-centered response to reports of sexual violence, and promote a prompt, fair, and just outcome for the accuser and the accused.

One recommendation directs each college and university to develop a prevention plan that is both comprehensive and evidenced-based. These plans should include tailored messaging to reflect the culture and experiences of different groups, such as freshmen, student-athletes, international students, and fraternities and sororities. Prevention efforts also need to continue throughout college, and should include programs on risk reduction and the responsible use of alcohol, as well as innovative programs, like bystander intervention training, which engages the entire campus community, as well as bartenders, waiters, taxi drivers, and others to help change the culture surrounding sexual assault on our campuses.

Another recommendation will expand innovative reporting options that connect with young people, such as online portals, apps and infographics to explain the reporting process. Campus sexual violence is greatly underreported for a variety of reasons and we



need to meet students where they are so that more survivors will feel comfortable coming forward.

Another recommendation encourages "trauma-informed response" training for those who work with sexual violence survivors. Knowing how to interact with a survivor is essential to ensuring they feel safe pursuing justice against a perpetrator.

And, to test evidence-based approaches in Virginia, one recommendation pilots the "You Have Options" program. The "You have Options" program provides sexual violence victims with a variety of different reporting options when they reach out to law enforcement. Proven statistically effective in Oregon, this partnership between the survivor and law enforcement provides three different levels of reporting options and mandates that all investigators are trained in trauma-informed response to strengthen victim recall and minimize additional trauma. When you empower survivors with options, you are helping to set them on a path towards healing. I'm proud to say my office is already exploring ways to implement this pilot program here in the Commonwealth.

In previous years, Virginia's elected officials faced criticism for what was perceived as indifference to what was happening on our campuses and the experience of survivors. It's clear that those days are over. Governor McAuliffe and I have made it clear that this is a priority and the 2015 legislative session saw a renewed focus and bipartisan commitment to addressing the issue, including bills signed into law by the Governor to improve coordination and response to reports of sexual violence. I look forward to keeping that momentum going and working with the legislature in 2016 to implement the Task Force's recommendations.

This comprehensive report is a huge step forward in Virginia, but it is just the first step. True change will require the commitment of every campus community and the continued investment of Virginia state government. We recognize that the issue demands our attention, our creativity, and our continued diligence. That's why we presented recommendations to institutionalize the work of the Task Force so the report can be implemented and its progress monitored.

Every student must know that their school and their state are committed to keeping them safe and encouraging their success. No student should fear for their safety or find a response that is inadequate, or worse, indifferent. I believe this generation of students will be the one that says "no more," and we will help them make it happen. We will continue to work to ensure that Virginia's institutions of higher learning are the safest places for our students to live, learn, and work.

Mark R. Herring is the 48th Attorney General of Virginia and chaired Governor Terry McAuliffe's Task Force on Combating Campus Sexual Violence.



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What is Virginia Doing About Misclassification of Workers?

By JAY WITHROW, BILL BURGE, PAUL SCHILINSKI, CHRIS BUISSET, VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

The Charlotte Observer calls it an “abuse of workers”.¹ The New York Times refers to it as “wage theft”.² Governor Terry McAuliffe pulls no punches when he classifies it as “payroll fraud”.³ And the Virginia Joint Legislative Audit and Review Commission (JLARC) concludes that it leaves employers who play by the rules “unable to compete.”⁴

What is Worker Misclassification?

Misclassification occurs when an employer improperly classifies an employee as an independent contractor.

Why is Misclassification So Harmful?

While employees are afforded many protections and benefits by the federal government and the Commonwealth of Virginia, individuals designated as independent contractors are excluded for the most part.

Worker misclassification is a destructive practice—whether intended or accidental—and costs Virginia’s taxpayers, employees and employers tens and perhaps hundreds of millions of dollars annually.

It also denies essential employment protections and benefits to hundreds of thousands of Virginia workers in such areas as⁵:

- occupational safety and health protections
- unemployment benefits
- workers’ compensation
- minimum wage and overtime
- health insurance
- retirement benefits, including Social Security
- family and medical leave
- protections from discrimination (e.g., Americans With Disabilities Act (ADA), Age Discrimination in Employment Act (ADEA))

“Employers who misclassify can save significantly in payroll costs. Studies in other states reported that these savings can range from ten to 40 percent. As an example, a Virginia employer in the construction industry could save an estimated 26 percent of payroll costs by classifying an average-wage construction worker as an independent contractor instead of an employee. In industries where competitive bidding occurs, misclassifying employers may be able to underbid their competitors due to their lower payroll costs, leaving employers who properly classify unable to compete. Employers who properly classify their workers may also face higher costs when unemployment tax and workers’ compensation insurance rates are adjusted upwards to cover costs incurred by misclassified workers.”⁶

What is the Extent of the Problem in Virginia?

In 2012, the Joint Legislative Audit and Review Commission (JLARC) reported that:

“A Virginia Employment Commission (VEC) audit of one percent of Virginia employers found 5,639 workers were misclassified in 2010. Based on findings in other states, Virginia could have on the order of 40,000 misclassifying employers and 214,000 misclassified workers.”

Misclassification is only thought to be more widespread and costly now than when JLARC first studied the issue three years ago.

Commissioner of Labor and Industry, C. Ray Davenport:
“Misclassification stifles competition and directly harms honest Virginia companies by allowing unscrupulous employers to undercut their bids on construction projects and in other procurement scenarios.”

Which Virginia Industries are Most Impacted?

The JLARC Study reported on the frequency of misclassification in Virginia industries based on Virginia Employment Commission audits conducted in 2010:

Administrative and Support and Waste Management and Remediation Services Industry Has Highest Proportion of Misclassifying Employers (2010)

Industry ^a	% of Audited Employers Found to Be Misclassifying Within Industry	Number of Misclassifying Employers
Administrative and Support and Waste Management and Remediation Services	40	58
Construction	33	242
Accommodation and Food Services	27	20
Real Estate and Rental and Leasing	27	11
Transportation and Warehousing	26	16
“All Other” Industries ^b	24	51
Health Care and Social Assistance	24	30
Retail Trade	23	55
Wholesale Trade	22	23
Other Services (except Public Administration)	19	42
Professional, Scientific, and Technical Services	19	31
TOTAL	27%	579^c

^aNorth American Industry Classification System (NAICS) code descriptions.

^bIncludes Educational Services; Public Administration; Manufacturing; Finance and Insurance; Information; Arts, Entertainment, and Recreation; Management of Companies and Enterprises; Utilities; Agriculture, Forestry, Fishing and Hunting; and Mining, Quarrying, and Oil and Gas Extraction.

^cNAICS industry codes were missing for five misclassifying employers, so total is less than the total number of misclassifying employers (584).

Source: JLARC staff analysis of 2010 audit data from the Virginia Employment Commission.

What is the Government’s Response?

Misclassification of workers has garnered considerable attention over the last several years from the federal government and state governments, including Virginia.

The U. S. Department of Labor’s Wage and Hour Division has a Misclassification Initiative which has established multi-jurisdictional Memorandums of Understandings (MOU) with twenty-one states with varying political constituencies from Texas to New Hampshire and Florida to Hawaii.⁷

A number of states, such as our neighbors to the north in Maryland, have identified misclassification of workers as not only a very harmful practice to workers and businesses, but as a significant cost center in the state’s budget. In 2009, Maryland adopted a statute to prevent misclassification in the construction and landscaping industries.⁸ An in-depth study conducted in Indiana found that lost state revenues resulting from misclassification was conservatively estimated to be 246.2 million dollars per year.⁹ A similar study in Illinois put the figure at 300.6 million dollars per year.¹⁰ Other states that have enacted laws include Colorado, Illinois, Massachusetts, Pennsylvania, New Jersey and New Mexico and New York.

In response to the 2012 Report of the Joint Legislative Audit and Review Commission (JLARC), which identified and defined the problem of worker misclassification in Virginia, Governor

See *Worker Misclassification*, continued on page 11

Transportation and Telehealth: *Building a System of Veterans' Access to Quality Healthcare in Southwest Virginia* By MIKE MALLON

Joe Ratliff, director of Four County Transit, says his peers call his system, based in the counties of Tazewell, Dickenson, Russell, and Buchanan, the “little country transit.” However, it is apparent that this transit system is much more. It is an innovative and resourceful system, working to meet the needs of its ridership with good service and affordability. Riders can travel via established routes and make requests for pick up and off routing to meet their transportation needs, all for an affordable price ranging from \$0.25 to \$1.00. It is programs and services like these that prompted a meeting in Christiansburg on April 30, 2015, to discuss and develop a plan to address two priority, intertwined areas for veterans’ needs in Southwest Virginia: Transportation and Telehealth. Those in attendance included Secretary of Veterans Affairs, John Harvey; Deputy Secretary of Health, Jennifer Lee; and Debra Ferguson, Commissioner of the Virginia Department of Behavioral Health and Developmental Services (DBHDS), as well as a diverse group of stakeholders representing agencies such as the Virginia Department of Health, the Department of Veterans Affairs, the governor’s office and cabinet, Carillion Clinic, and various representatives from non profits and associations.



Transportation



Transportation was the first matter on the docket. The discussion highlighted local rural transit currently available in the Southwest part of the state, senior-specific programs, hospital based options, and other veteran-specific services.

Ronnie Smith, Assistant Director for the Tennessee Valley Healthcare System, shared a model used in Oregon aimed at increasing transportation options for veterans. The program helps coordinate and provide transportation for veterans to and from medical appointments. Several main tenets of the program include a one call, one number centralized routing system to coordinate transportation logistics; VA scheduling of medical appointments to align with veterans’ transportation needs; expanded service into the community via establishment of community outpatient clinics; aggressive outreach to the DAVs for assistance and coordination; and expanded options for vehicle purchasing through Oregon’s DOT.

Krista Henderson, Senior Director for Carillion’s Patient Transportation, highlighted the vast emergency service transportation options available to veterans, including the need to think about emerging trends and innovations in EMS that will expand the reach of services. Regina Sayers, Executive Director for the Appalachian Agency for Senior Systems, outlined the myriad of services available via her organization. She specifically highlighting the PACE transportation program, which provides door-to-door service, and when needed, hand-to-hand assistance.

Challenges exist to develop a rural Southwest Virginia transit system aimed at supporting veterans and their families, but the systems presented can be integrated and held up as models to other rural localities; particularly areas that are challenged by greater distances to cover and other geographic hardships not faced by the typical urban-based transit system.

Telehealth

Telehealth provides another tool in the toolbox to help veterans gain increased access to quality healthcare. Historically, the VA has been a leader at the forefront of telehealth and telemedicine, and has been using telehealth in its practices for a number of years. The agency has built a variety of services and modalities of telehealth options. These include the standard Clinical Video conferencing for face-to-face consultations; a Store and Forward method that uses clinical images routed through a centralized reading center which are then passed to specialists for consultation; a home telehealth option to monitor patients through video and mobile devices in the patient’s home to help manage chronic diseases; and a project called SCAN-ECHO, which allows for providers to communicate with each other for continuing education, mentoring, and case management advice. Another organization working to build a robust telehealth system is the University of Virginia. The UVA Center for Telehealth has established an integrated telemedicine program, which includes not only clinical services throughout the state, but education and research components to advance the practice and usage of telehealth. It is estimated that the VA and UVA Center for Telehealth combined have saved Virginians over 19 million miles of travel through telehealth practices.

Despite the community assets presented, the questions still loomed: What are the options now? What do we do from here? From a transportation perspective, the discussion turned to one of a basic economic principle, supply and demand. Several group members were tasked with looking at all of the existing transportation options in Southwest Virginia. An exhaustive look at transportation systems, public, private, and informal, is needed to identify where the gaps exist. This strategy is complemented by others taking on the demand side to work to understand what transportation options veterans and their families need and want. Pairing the two analyses will allow a picture of a way forward for expansion of transit for those who have certainly earned it.

What options exist for expanding telehealth in Southwest Virginia? The answer lies in a continued effort to expand services and service options coupled with increased use of the services by providers and patients. The VA is in the process of upgrading clinics’ and hospitals’ bandwidth capacity. Meanwhile new telehealth models and options are being explored by UVA and other partners to grow service options.

From a technical capacity, one of the primary barriers typically thought of for telehealth is access to bandwidth. However, the meeting shed some light on another often overlooked, but equally important technological barrier: wireless cell phone coverage. A dual push to increase bandwidth and cellular coverage is fundamental for increasing

Continued on next page

Worker Misclassification from page 9

Terry McAuliffe issued Executive Order 24 on August 14, 2014, entitled “Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud”: The misclassification of employees as “independent contractors” undermines businesses that follow the law, deprives the Commonwealth of millions of dollars in tax revenues, and prevents workers from receiving legal protections and benefits.”

The Secretary of Commerce and Trade is leading the Governor’s Task Force in its preparation of a report and recommendations on the issue. Other participating agencies are:

- Virginia Employment Commission (VEC)
- Workers’ Compensation Commission (VWCC)
- Department of Labor and Industry (DOLI)
- Department of Professional and Occupational Regulation (DPOR)
- Department of Taxation (TAX)
- State Corporation Commission Bureau of Insurance (SCC)

The Taskforce’s initial report was presented to Governor McAuliffe on December 1, 2014. It established a work plan with a timeline for researching and setting parameters for the implementation of a multi-agency pilot program by July 1, 2015. While some of the parameters are being finalized, the program will include employer outreach and education, the ability of agencies to better share data and information, and enhanced collection of data on the number and instances of employee misclassification. Results of the pilot program are to be reported by November 1, 2015.

What is One Agency Doing?

Commissioner of Labor and Industry C. Ray Davenport announced on June 2, 2015¹¹, the adoption of a new Virginia Occupational Safety and Health (VOSH) policy directed at preventing the misclassification of workers in VOSH cases:

“The Department today is committing itself to aggressively pursuing Governor McAuliffe’s initiative to root out the destructive practice of misclassification of workers in Virginia. Misclassification of workers as independent contractors constitutes payroll fraud, and denies hard-working Virginia employees of basic legal protections such as workers’ compensation, family and medical leave, and unemployment insurance. Misclassification also cheats those honest employers and contractors who properly classify employees, since employers who misclassify can undercut their bids due to lower operating costs.”

New VOSH Policy¹²

The VOSH Program conducts thousands of safety and health inspections annually, and starting **July 1, 2015**, will take the following actions in worker misclassification cases:

- If VOSH penalties are proposed, penalty reductions for size and good faith will NOT be afforded to the employer.
- In construction inspections each contractor will be asked to provide its Department of Professional and Occupational Regulation (DPOR) contractor’s license AND proof of the DPOR license for any subcontractors.
- Make a referral to DPOR if a contractor has used an unlicensed subcontractor (DPOR sanctions may include fines, probationary terms, suspension or license revocation).
- For contracts under \$1,000, VOSH will make a referral to the Virginia Employment Commission (VEC) and/or the Virginia Workers’ Compensation Commission (VWCC) for potential audits of employment practices. Referrals may be made for contract values over \$1,000 as well.

The new policy and education and outreach materials can be found at: <http://www.doli.virginia.gov/>

¹NC’s \$467 million problem: Abuse of workers, failure to collect taxes”, Mandy Locke, David Raynor, Rick Rothacker and Franco Ordenez, Charlotte Observer, October 6, 2014.

²More Workers Are Claiming ‘Wage Theft’”, Stephen Greenhouse, New York Times, September 2, 2014

³Executive Order 24, “Establishing an Inter-Agency Task Force on Worker Misclassification and Payroll Fraud”, August 14, 2014.

⁴Review of Employee Misclassification in Virginia”, Senate Document No. 10, Joint Legislative Audit and Review Commission (JLARC), June, 2012, page 16.

⁵JLARC Report, pages 14-20

⁶JLARC Study, page iii

⁷<http://www.dol.gov/whd/workers/misclassification/>

⁸<http://www.dllr.state.md.us/workplace/>

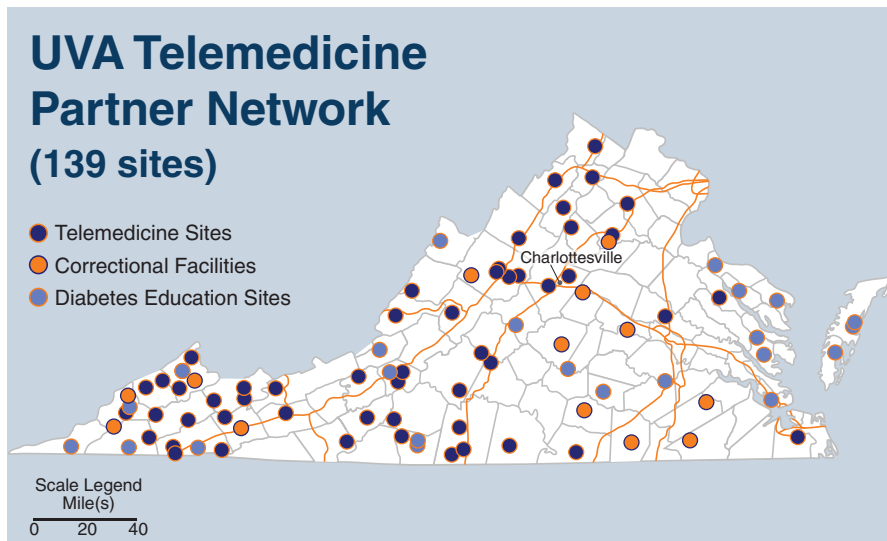
⁹The Economic Costs of Employee Misclassification in the State of Indiana

¹⁰The Economic Costs of Employee Misclassification in the State of Illinois

¹¹DOLI Misclassification Public Service Announcement

¹²DOLI Policy Memorandum 17

Continued from previous page



healthcare access, and the benefits of increasing coverage of both of these modalities is far reaching, beyond just healthcare. It will also support local economies, transportation networks, and day-to-day life of residents in Southwest Virginia. In addition, obstacles of funding, integrating with the Health Information Exchange (HIE), credentialing, licensing, and selecting appropriate clinical models present ongoing challenges that need to be addressed.

Ultimately, we are seeing the development of a network in Southwest Virginia centered on meeting the needs of veterans via mechanisms to increase access to services and efficiencies in how that access is increased. A cohesive transportation-telehealth system will help ensure high quality care and availability of services for veterans.

Mike Mallon is a Community Health Specialist with the Virginia Department of Health, Office of Minority Health and Health Equity. 17

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General Assembly, Governor Act to Promote Electric Rate Stability, Boost Renewable Energy

By SENATOR FRANK WAGNER

All of the members of the Virginia General Assembly are very proud of the Commonwealth's consistently high ranking as one of the best places to do business in our country. We've earned this recognition from distinguished organizations such as CNBC and Forbes in large part because of our abundant, reliable and consistently low-priced supplies of energy.

So we were understandably concerned last summer when the U.S. Environmental Protection Agency released its draft Clean Power Plan for reducing carbon dioxide emissions from existing power stations. The draft rule imposed extremely strict carbon limits on Virginia—a goal that is twice as strict as the goals for West Virginia and Kentucky and 46 percent stricter than the one for Maryland.

We were even more alarmed in October when the State Corporation Commission Staff, in its comments on the draft rule, warned that the regulation could lead to widespread shutdowns of power stations—particularly those operating on coal—and huge price increases for energy customers throughout Virginia. The staff reported—in what it termed “conservative” assumptions—that the draft rule would likely impose between \$5.5 billion and \$6 billion in compliance costs on Dominion Virginia Power alone—and that those costs would ultimately be borne “by residents and businesses of Virginia.”

Faced with these warnings, most members of the General Assembly knew we had to act to protect our consumers, maintain price stability and give our utilities enough time to deal with this harsh regulation. We knew that we couldn't hope and wait to see if the EPA, somehow, issued a less costly and more sensible final rule later this year. So beginning last fall, the Senate Commerce and Labor and House Commerce and Labor Committees began meeting to evaluate the situation and seek ways to keep reliable and low-priced energy available in the Commonwealth.

The result was Senate Bill 1349, which I had the honor of sponsoring during the 2015 session.

The legislation, in its final form, was approved by strong, bipartisan majorities in both the Senate and House of Delegates and signed into law by Governor McAuliffe. During its course through the General Assembly, the legislation underwent numerous changes and was repeatedly revised as various stakeholders reviewed it and offered their input. Frankly, as is usually the case with legislation, the end results didn't please everybody. But I—and most of my fellow senators and delegates—believe it goes a long way toward protecting Virginia electric customers during this very uncertain period. Here are some reasons why.

- First, it freezes a huge portion of customer bills for Virginia's two largest utilities—Dominion Virginia Power and Appalachian Power Company. This portion is called base rates; they cover many utility costs and expenses and make up about 60 percent of the average residential customer's monthly bill. Under Senate Bill 1349, no matter what impact the final Clean Power Plan has on our utilities and their power stations, these rates cannot be increased during this transitional period. It runs through 2019 for Appalachian, 2020 for Dominion.
- During this transitional period, utilities—not their customers—must bear all the costs associated with the premature closure of



power stations due to the federal carbon rules. We will work to keep these plants open and running, but we are under no illusions. The continued operation of thousands of megawatts of coal-fired generating capacity serving our state has been cast into doubt by the Clean Power Plan.

- Also during this transitional period, the utilities will absorb all the costs for repairing their systems and restoring power after severe weather events and other natural disasters. Major storms such as hurricanes can result in hundreds of millions of dollars in utility system damage. During the transitional period, customers will not be responsible, through higher rates, for any of these costs.
- Senate Bill 1349 also promoted rate stability for many Virginia consumers through a significant reduction in Dominion Virginia Power's fuel factor, the portion of consumer rates used to recover, on a dollar-for-dollar basis, the cost of the fuel used to generate electricity in power stations. Senate Bill 1349 directed Dominion to write off \$85 million in fuel expenses it incurred during 2014 but had so far not collected. It also directed the State Corporation Commission to implement as soon as practicable a reduction in the Dominion fuel factor to reflect the write-off, as well as other planned adjustments in the rate. The Commission approved the reduction and Dominion implemented it on April 1. Residential customers immediately saw their monthly bills go down about 5.5 percent; for commercial and industrial customers, the fuel factor cut produced monthly savings from 7 to 10 percent.

Beyond price stability, Senate Bill 1349 took several other important steps to promote a sound energy future for the Commonwealth—even as we face harsh, and in my opinion, discriminatory and unreasonable regulations.

- It directs our investor-owned utilities to file with the Commission each year long-range plans for meeting their customers' needs and serving them reliably.
- It requires the utilities to set up pilot programs to provide energy assistance and weatherization services for low income, elderly and disabled individuals. These are the groups that will be hit hardest by any large rate increases caused by the federal carbon regulations.
- Finally, it recognizes the importance of renewable energy in meeting the Commonwealth's energy needs and helping it comply with future carbon regulations. The bill authorizes our utilities to build or purchase up to 500 megawatts of solar-powered facilities within Virginia's boundaries. Operating at full capacity, these solar arrays could meet the energy needs of 125,000 homes. Renewable energy cannot take the place of more conventional generation—but they will help ensure the Commonwealth has a diverse mix of electric generating units as we deal with the new environmental regulations.

Senate Bill 1349 will not end all the uncertainty associated with federal carbon regulations. But I believe it will be an important measure to help ensure that Virginia remains a lower-cost energy state and a good place for doing business, even as these new rules take their final form.

Member of the House of Delegates: 1992-2001; Member of the Senate: 2001- District 7 includes part of Virginia Beach and Norfolk. ▮

Virginia Goes Green for Industrial Hemp

By DELEGATE JOSEPH YOST

An old friend is coming back to Virginia. Since its federal ban in the 1930's, industrial hemp will once again be allowed to be grown in the Commonwealth. HB 1277/SB955, patroned by Delegate Joseph Yost (R-12) and Senator Rosalyn Dance (D-16), allows for industrial hemp to be grown for research purposes, with the intent of allowing for full scale production within the upcoming years. The bill received vast bipartisan support, passing unanimously out of the Virginia House of Delegates and with three nay votes from Virginia's Senate. Governor McAuliffe signed the bill into law in March of 2015.



Hemp and Virginia have a long history together. Jamestown settlers grew hemp for paper, rope, and clothing. Presidents Washington and Jefferson grew hemp, and early Americans were legally bound to grow the crop during times of war. But the Commonwealth's friendly relationship with the crop was not to last.

Due to the public's increasingly negative sentiments towards marijuana, Congress passed the Marihuana Tax Act of 1937 which discouraged the production of Cannabis. At the same time, the U.S. government was actively encouraging farmers to grow hemp for fiber and oil during World War II. Within the next two decades, hemp would face increased competition from synthetic fibers, governmental resistance, and mounting public concern regarding marijuana, which resulted in the cessation of hemp production and cultivation by 1958.

Despite America's resistance towards the production of hemp, the demand for its products has rapidly increased in recent years. In 2012, the United States imported half a billion dollars worth of hemp products from China, Romania, Hungary, India, Great Britain, and Canada. These products include cosmetics, pharmaceuticals, fabrics, industrial oils, and papers. Our northern neighbor Canada is enjoying the positive impacts of their billion dollar hemp industry.

In 2014, the federal Farm Bill included a provision allowing universities and State Departments of Agriculture to grow hemp for research purposes. Using this framework, HB1277/SB955 directs Virginia's Commissioner of the Department of Agriculture and

Consumer services to establish an industrial hemp research program and relevant regulations in the Commonwealth.

Because of this, we can now explore the plant's potential economic boost to Virginia's economy. Industrial hemp production would create jobs and economic development, particularly in rural areas in Virginia. Should federal regulations allow for commercial production in the future, this bill would ensure that we are ready to move forward in Virginia.

Although the bill will not take effect until July 1, earlier this spring the Procurement Office at the Virginia Department of Agriculture and Consumer Services (VDACS) issued a Request for Proposals (RFP) for participation in the industrial hemp research program.

The Request sets forth the information an interested public institution of higher education must submit as part of its proposal. All proposals are due on June 26, 2015. VDACS evaluation committee will then review each proposal and determine which public institutions of higher education are qualified and best-suited to directly manage an industrial hemp research program that focuses on one or more of the research topics outlined in the legislation.

VDACS will enter into a memorandum of agreement with each public institution of higher education that is selected to manage an industrial hemp research program.

Separately, VDACS is also preparing its application for a controlled substance importation registration of industrial hemp. The Department plans to submit this application to the U.S. Drug Enforcement Agency in the near future.

Because of what many dub as "the world's most sustainable plant," the future is a little bit brighter and greener for Virginia. This program will help lay the foundation for a new industry that will be great for agriculture, great for the environment and great for jobs.

Industrial Hemp Fast Facts:


Industrial hemp has been grown in the U.S. since the first European settlers arrived in early 1600's.

George Washington, Thomas Jefferson and John Adams all grew hemp and actively advocated for commercial hemp production.

Hemp was a staple crop of 1800's American agriculture, reflected in town names like "Hempfield" and "Hempstead."

Hemp was handled by the U.S. government like any other agricultural crop. More than 150,000 acres of hemp were cultivated as a part of the USDA's "Hemp for Victory" program during WWII.

America is one of the only industrialized nations to federally prohibit industrial hemp farming.

Member of the House of Delegates: 2012–District 12 includes Giles, Radford and part of Montgomery and Pulaski. 

How We Wrote HB 1445 to Allow Marijuana Oil to Alleviate Epilepsy

By DELEGATE DAVE ALBO

Since this magazine is read by people in the business of writing laws, I thought you would like to know how we were able to draft a bill that allows parents to use marijuana oil when marijuana is still illegal.

About 3 million Americans currently live with epilepsy, and my neighbor's son suffers from a severe form, often described as "intractable epilepsy." He is now 22 and has been plagued with hundreds of seizures a year since infancy and has been placed on life support 40 times due to his seizures being so violent and unshakable. His parents, and other parents of children with intractable epilepsy, learned that oil derived from the marijuana plant (Cannabidiol Oil a.k.a. "CBD Oil" and "THC-A Oil") has reduced seizures in 1/3 of patients with intractable epilepsy. (Note: These oils cannot give you a high, but since it is derived from the marijuana plant, it was still illegal under Virginia law.)



With nowhere else to turn, these mothers pleaded to me and Senator Dave Marsden (the Senate Patron of the cognate bill SB 1235) to allow them to use the CBD and THC-A Oil for their children. I told them, "Marijuana is illegal and the vast majority of the House Republicans will never vote to make marijuana legal. But if you want to accomplish this seemingly impossible task, I have a challenge for you. If you provide the medical science in the form of medical studies from respected journals and schools, and if every member of your parents group speaks with their own Delegate and Senator, I will put in a bill."

Fast forward to 2015, these mothers delivered what they promised, and Senator Marsden and I delivered what we promised—a bill to legalize CBD and THC-A Oil for patients with intractable epilepsy.

In House Courts, the first version of this bill went down in flames. It was clear that the majority of members did not want to make "medical marijuana" legal. So, how were we able to get this bill passed in a House of Delegates that would never legalize marijuana? First, we had to convince them that the oil works. Since the medical science on the

See How We Wrote HB 1445, continued on page 14

Virginia Health Care Conference

By PAUL LOGAN

RICHMOND – The business community must be fully involved in improving our health care delivery system. That's the message health futurist and medical economist Dr. Jeff Bauer delivered to a packed room of more than 500 health care professionals and business leaders from around Virginia at the Greater Richmond Convention Center June 4th. They were gathered for the Virginia Chamber of Commerce's 5th Annual Virginia Health Care Conference.



"Although most of my presentations are to groups of hospital leaders, medical groups or pharmaceutical industry representatives, I really think the secret sauce is the business community," said Dr. Bauer in his morning keynote address. As a consultant, Dr. Jeff Bauer assists provider, purchaser, and payer organizations with strategic planning and performance improvement.

Barry DuVal, President and CEO of the Virginia Chamber of Commerce said that health care plays a critical role in Virginia's economy, representing 18 percent of our state GDP. The Carilion Clinic, represented at the conference by CEO Nancy Agee, for example, is the largest Virginia employer west of Richmond.

Panel discussions throughout the day included some of the top employers and thought leaders in the health care and business community.

"What people fail to understand is there are really two types of health care reform going on in this country right now," said Bob Kiskaddon, Chief Medical Officer for Dixon Hughes Goodman Healthcare. "One is payment reform, which is the Affordable Care Act, Obamacare. And the other is provider reform, and that's how we're actually delivering health care to patients."

"What we do in health care advising with Dixon Hughes Goodman is we try to find that sweet spot. We try to help organizations move from a fee for service system into a value-based system. Because that is going to be a very precipitous change at some point."

Dr. Bauer forecasted that by 2019, 30% of health enterprises will cease to exist as organized. While he argued that many politically driven reforms have been counterproductive, Bauer said, "We have got to find another way...what can you do collectively between the business community, the provider community to become efficient, get the waste out of the system, and to be effective."

John Fitzgerald, CEO of Inova Fair Oaks Hospital said that change is taking place right now. "We are reorganizing the hospital around the patient. This is a real breakthrough idea, starting with the patient and organizing the hospital in to the patient to the outcome the patient wants."

How We Wrote HB 1445 from page 13

efficacy of the oil was compelling, everyone on the House Courts of Justice Committee wanted to help these families. But at the same time, most still refused to legalize medical marijuana. (Note: Marijuana is still a Schedule I drug. This schedule is a federal designation that says there is no medical use.)

Thus, I was faced with a dilemma. How do I draft a bill to allow the CBD and THC-A Oil, while at the same time acknowledging it is illegal? How could we make something legal at the same time declaring it illegal? It seemed impossible, until Courts Legal Counsel Dave Caddell, Legislative Services attorney Dave Cotter, and I took a break from a long Courts meeting to brainstorm. It occurred to us that this is exactly what the Virginia Code does for concealed weapons. The statute first says that guns and other weapons are illegal to be concealed, but if a person has a court approved form showing that the person has completed gun training, has no dangerous mental health condition, has not been convicted of certain crimes, etc., a person can possess a concealed weapon. So we took the structure of the concealed weapon statute, VA Code §18.2-308.1 (A), ("The prohibition against

Sally Hartman, Senior Vice President of Riverside Health System, said, "We have embraced that philosophy of 'just try it,' so we are piloting things all the time." She discussed a recent program that eliminated the copay for diabetes treatments for Riverside employees, which resulted in an 11.5 decrease in blood sugar levels over just one year, a 4% decline in BMI, and saw the percentage of employees with high blood pressure decrease from 22% to 14%.

Karen Babos, Vice President of Clinical Programs and Quality for Walgreen Co., discussed opportunities for reaching more patients with telemedicine, particularly for those with behavioral health needs who often face waiting lists at providers. "I see a huge expansion of telemedicine. The states that were against it are now coming along and changing their minds."

Bill Ermatinger, Corporate Vice President & Chief Human Resources Officer with Huntington Ingalls Industries, said that he recognized early on that they had to align their health care strategy with their human capital strategy. "It had to have accountability on both sides, both us as employer and as employees. It had to offer employee choice. I learned early on from the HMO days that one-size-fits all doesn't work."

Ermatinger said he had an "aha moment" as a human resources officer when he recognized that, "health care is no longer a benefit. It's an investment."

"I'll use the analogy of cars," he continued. "You blow your engine, we're fixated on which one is the best mechanic to fix it, who has the highest quality, are they convenient. You know what? If you just change your oil every 6,000 miles, you wouldn't have a blown engine."

"The big trump card was incentive," said Peter Bernard, CEO of Bon Secours Virginia about their pilot wellness program. "We gave our employees \$900 the first year if they got a personal physical assessment. The second year it was three, three and three: You had to get a primary care doctor, a physical assessment, and then you had to have another analysis done online."

The lunch panel featured leaders in research and development and a discussion of impediments to investment in bioscience.

Dr. John Herr with the University of Virginia said more funding was needed to get researchers from the basic science discovery phase to proof of concept.

Robert Gourdie, Director of the Center for Heart and Regenerative Medicine with Virginia Tech's Carilion Research Institute agreed, saying it was a matter of remaining globally competitive. "The People's Republic of China is set to become the world's largest spender on research and development by 2021, and I think if we're going to compete for the industries of the 21st

Continued on next page

carrying a concealed handgun...shall not apply to a person who has a valid concealed handgun permit issued pursuant to this article...") and applied it to CBD and THC-A Oil. So concealed weapons are still illegal, but you can have one if you have a permit. In short, HB 1445 does the same thing for CBD/THC-A Oil. The oil is still illegal, but the bill bars prosecution for the possession of CBD/THC-A Oil for people who have a doctor's certification.

C. In any prosecution under this section involving marijuana in the form of cannabidiol oil or THC-A...it shall be an affirmative defense that the individual possessed such oil pursuant to a valid written certification issued by a [doctor... for treatment or to alleviate the symptoms of (i) the individual's intractable epilepsy...

Again, this bill does NOT legalize marijuana. Rather, it says that Virginia will not make a criminal out of a parent who is trying to find a way to help their ailing child.

Member of the House of Delegates: 1994– District 42 includes part of Fairfax. 17

The Virginia Values Veterans (V3) Program Reaches New Heights; *Launches new V3 Employment Grant* By ANDREW SCHWARTZ

300. 9,000. 3,000.

Those numbers demonstrate the success of the Virginia Values Veterans (V3) Program in putting Virginia veterans to work in the New Virginia Economy.

300 is the number of Virginia employers who have partnered with the V3 Program to hire veterans; 9,000 is the number of veterans hired to date, and 3,000 is the number of additional veterans the V3 companies have committed to hire.

Operated by the Virginia Department of Veterans Services, the V3 Program helps Virginia employers develop strategies and tools to recruit, hire, and retain veterans.

Virginia employers have always been eager to hire veterans because they want to help the *veteran*. But the V3 Program takes a different approach: employers should hire veterans because they want to help *their bottom line*.

Great talent is becoming harder to find for employers. As industries become increasingly high-tech, demand quick thinking, and expect leadership at every level, locating the ideal candidate can be an expensive task for employers—many of whom seek new employees who are motivated, quick thinking, have worked in a team environment, and can quickly learn new skills.

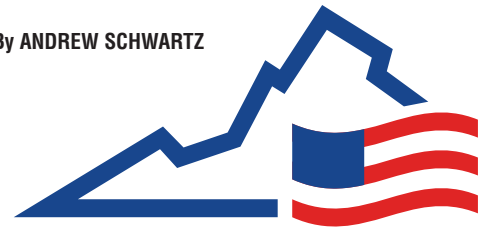
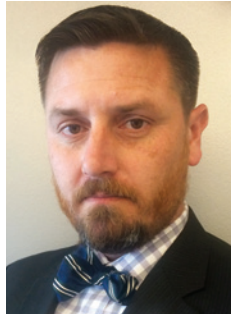
Enter the 21st Century veteran and the V3 Program.

The V3 Program: a win-win-win approach

Whether today's veterans leaving the military after serving for three years or thirty, they have been exposed to state-of-the-art technology, have had to make quick decisions in high-stress situations, have led or been a part of a diverse team, and have acquired many different skills in a short amount of time.

The V3 Program is proactive about staying in front of employment trends in Virginia and is aggressive about being well informed of the needs of its diverse pool of current and potential employers. Armed with this information, the V3 Program takes it one step further by ensuring that employers know how to engage with potential veteran hires. By employing this multi-pronged strategy, the V3 Program serves as a powerful force in driving successful economic development. That is why the Commonwealth has invested so vigorously in the V3 Program over the last three years—it's a win-win-win scenario for veterans, employers, and the state.

This plays out in multiple ways. Businesses may be unaware of how knowledge, skills, and abilities acquired in the military can be used in the workforce. The language of the military—full of specialized terms and acronyms—may not always translate easily to the language of the business world. Even though a veteran may be the ideal candidate, his or her resume may not rise to the top of the screening pile. The V3 Program helps Virginia employers learn to tailor their recruitment practices to attract veteran applicants, and how to screen applications so that a veteran's talents and experience rises to the top.



Virginia Department of Veterans Services

Virginia Values Veterans V3 Program

Training costs drive the bottom line for many employers. The U.S. military invests significant resources in training leadership and management at all levels—from small units of three to four people to organizations with several thousand members. The V3 Program helps Virginia employers recognize what is already there, and how hiring a trained leader or manager will contribute immediately to any company's success.

80,000. Number One

The number of veterans hired, and the number of Virginia employers that have committed to hiring veterans, is only part of the story. The number of veterans in the labor force, and the growth in the state's veteran population, tell the rest of it. Virginia needs the V3 Program because more Virginia veterans need jobs.

Since 2010, Virginia has added over 80,000 new veterans to its labor force; that's more than the other 49 states combined. There are 508,000 veterans the Virginia labor force.

Virginia also boasts the highest veteran labor force participation rate in the United States, and is one of only two states in which the veteran population is projected to grow.

New V3 Employment Grant

On July 1, the V3 Program launched a new initiative designed to recognize Virginia employers that have achieved success in both hiring and retaining veterans.

Under the new initiative, employers may apply to the V3 Program for a \$1,000 grant for each veteran that has been hired and retained for one year, up to a maximum of \$10,000 per company per year. Veterans must have been out of the military for one year or less when hired, and must be paid at least the prevailing wage for the locality in which they work. Grants are limited to small and medium sized businesses, with 300 or fewer employees.

The grants will be funded through a \$500,000 appropriation approved by Governor McAuliffe and the 2015 General Assembly, and will be available on a first-come, first-served basis until available funds are exhausted. To learn more about the V3 Program and the new V3 Employment Grant, visit www.dvsV3.com.

If you're a private or public sector employer who is looking for the best person for your company, look no further than the V3 Program—we'll help you learn to recruit, hire, and retain the best employees in Virginia. Veterans!

Andrew Schwartz is the Virginia Values Veterans (V3) Program Manager.

Continued from previous page

century, we have got to invest in basic research."

On top advice for Virginia lawmakers, the President and CEO of Kaleo Spencer Williamson said, "Capital is critically important. The R&D tax credit in this state has been fantastic. The Virginia Chamber supported it. The legislature continues to support it. Those kinds of things are very important as we're building companies. At a higher

level, our corporate tax rate in the United States is challenging as we compete with companies around the world. In the longer term, that's something we need to tackle."

Paul Logan is the Communications Director, Virginia Chamber of Commerce.



THE PHOTOGRAPHY OF Wanda Judd



Jefferson and
Washington –
Washington, DC



Capitol Roses – Capitol Square, Rich



Amphitheater – Arlington



mond, Virginia



h National Cemetery

Williamsburg Love – Williamsburg, Virginia



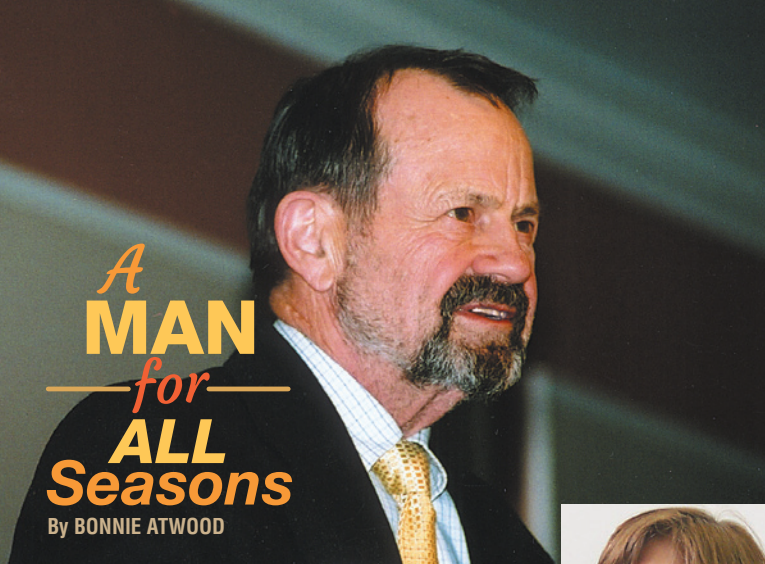
Tomb of the Unknowns – Arlington National Cemetery



Spring – Williamsburg, Virginia

A MAN for ALL Seasons

By BONNIE ATWOOD



You don't find too many people around today who remember the day when they, at age 11 months, learned to walk. You don't find too many people who spent their fourth grade year in a body cast and then become experts in tennis. You don't find too many people who paid their last two years of college with savings from a newspaper route.

You don't find too many people who taught their fathers to drive. You don't find too many people whose parents lived to age 103 and age 99. You don't find too many people who just got back from their 65th college reunion. You don't find too many people who get to sleep by eating chocolate ice cream with a regular Pepsi. You don't find too many people who came back from retirement three times. You just don't find too many people like Charlie Todd.

Todd was born in Tarboro, North Carolina, in 1929. No matter how many times you ask him the date, he'll remind you that it was the last day of Calvin Coolidge's presidency. Why is this significant? Well, for a couple of reasons. First, it puts him firmly as having lived under 21 U.S. presidents so far. That in itself is no small accomplishment. Second, it seems to have sparked his interest in presidential trivia. Todd has used his outstanding analytical skills to track all the facts, large and small, that have gone in to the making of our presidents.

Todd's steel-trap mind is a thing to behold. He remembers tiny things from his first five years of life (being in a box with straw: playing the Baby Jesus in a pageant). His memories go back to when he was "practically a baby." His father was a "telephone man"—one of the first. In the 1920s, he laid the first phone lines across the vast western states and territories. (Arizona and New Mexico were still territories.) He went from town to town, usually by foot. He thinks he walked to every town in Colorado. He was in San Francisco before and after the big earthquake. He talked of the day that Arizona became a state—the men jubilantly rode horses and fired pistols into the air.

Everything changed for the Todd family when the Great Depression struck. Mr. Todd, the adventurous telephone man, "lost everything," including his job. He had a wife and two small children, Martha and Charlie. He was unemployed for 12 years. The family, who soon moved to a house in Rocky Mount, North Carolina, rented out extra rooms to make enough money to get by.

Young Charlie Todd was bright, hardworking and thrifty. He graduated high school, and his father managed to pay his first two years of tuition at the University of North Carolina. The cost was \$25 per quarter. After those two years, the money ran out. Todd dug into his savings from his newspaper route. He had saved \$1,500. That was enough to get him through his graduation with a degree in geology.

Most of his classmates were WWII veterans. They attended college on the G.I. Bill. Todd remembered one prophetic day after classes. He and these older students were sitting around on the school steps when they learned the details about the new war in Korea.

They had already served in the military and they looked at Todd.

"Charlie, this is your war," they told him.

They could not have been more right. Immediately after graduation, Todd was drafted. With a geology degree, the army especially valued his mapmaking skills. After basic training, they put him on a troop ship to The Philippines. Suffice it to say, the trip was unpleasant. Once in the Philippines, his unit set up camp on one small island. They had a generator, and the ability to show the one film they possessed: "Tomorrow is Another Day," starring Ruth Roman. They showed it every night. What else was there to do? Imagine what was in the minds of the local fishermen, who stopped by to watch. These people lived primitively, and spoke several languages, none of them English. One wonders what they were to make of the United States based on film noir. If only we could know.

Finally, Todd's military service came to an end. As a skilled geologist and mapmaker, he was offered a very good job from an up and coming company that would later be known as Texas Instruments. But it required immediate world travel, and Todd had had enough of that, at least for a while. He turned the job down. Instead he went home to Rocky Mount and enrolled in Appalachian State Teachers College. He became qualified to teach.

That first teaching job was "a disaster," said Todd. He taught eighth grade in Raleigh. Subjects were not differentiated, so he taught "everything." But that disaster led to some very good jobs in many other places. It also led to his pursuit of more education and his meeting of Alice, the French student who was to become his wife. They met at the University of North Carolina. Alice was studious, too, studying for higher degrees, and teaching along the way.

Todd would probably say that his big break came in 1956. He had done well in teaching, and somebody sent him a letter urging him to use his experience in the "booming" county of Fairfax, Virginia. This county was golden. It was filled with families who worked in good federal government jobs, and filling even faster with the unprecedented number of baby boomers hitting elementary schools. Everything, and maybe especially the school system, was growing madly.

Todd moved up to Fairfax. He had two fellows as roommates, and Alice came from the University of Virginia in Charlottesville to see him on the weekends. Todd's face cracks into big smiles as he describes that "delightful time." He and his friends toured all the landmarks of Washington, D.C., with a special affinity for celebrating on the famous Wisconsin Avenue in Georgetown. (Paving the way for that wild wave of baby boomers who poured across Key Bridge ten years later.)

In the summer, Todd and Alice were married. They attended the Old Presbyterian Meeting House in Alexandria. (George Washington was buried there, Todd quickly adds, with plenty of supplemental presidential facts.)

Both Todds were teaching school, but when Alice became an expectant mother, her employer required her to stop. That was part of life in the 1950s. She had two boys, Chuck and John. Meanwhile, Todd moved up to school administrative work, and the family moved to Richmond. Todd was an assistant principal in Highland Springs, and then a principal at Short Pump. We now know Short Pump as a shopping mecca, but at that time, it was pure country.

"There were days when the telephone did not ring," said Todd. "Everybody knew each other. Everybody took care of the children and knew the families. If a child got on the wrong bus, the bus driver took the child to his home."

After more teaching, and more education, and more moving, Todd took a job with the Virginia Department of Education as a Director of Planning. He was happy to get a call asking him to come back to the local level, and switched to a job as superintendent for Hopewell Schools. By the time he moved on to the University of Virginia's Continuing Education Center in Richmond, Todd had put in a full 30 years and he retired.

Or so he thought. He got a real estate license, practiced that, and he also traveled the world. Upon one of his returns, Hopewell was calling him back. They wanted him to take his old job again, and he did. After another retirement, he was asked to do lobbying work for the Virginia

Retired Teachers Association (VRTA). After four or five years, he was ready to retire again. He would have done so, too, if a certain writer/lobbyist had not become ill and needed a substitute real fast.

Todd has pursued many interests over the years—too many to list here. He self-published a book of essays called “The Lumber Room.” That’s a phrase that has been used for collections of all sorts. His essay subjects range from Shakespeare to basketball. Oh, and, of course, the trivia of the U.S. presidents. He worked out an algorithm that showed that a person with a long name, and certain other characteristics, appears to have a more likely chance to become president. These are not predictions, but merely an analysis of facts—leading to conclusions that sometimes scare his listeners to death.

After years of avid tennis, he has switched to the new hot game that is sweeping the country: pickle ball.

“I just bought a new paddle for 70 bucks,” he said.

He has also volunteers for Virginia Voice, Keep Virginia Beautiful, and his church. Readers of this publication will be pleased to know that one of his favorite projects is his work with Virginians for Integrity in Government—the 501c3 organization that makes “Virginia Capitol Connections Quarterly Magazine” possible. He has served on the board, and he has been board chair. He also is a frequent contributor to the magazine.

We’ve barely scratched the surface here. A day spent with this educator-citizen-scholar is a rare opportunity. You don’t find too many people like Charlie Todd.

Bonnie Atwood is a freelance writer and a registered lobbyist for the Virginia Retired Teachers Association. She is indebted to Charlie Todd for taking over her duties in the 2013 Virginia General Assembly.

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We're Just Getting Started

By **DEBBIE JOHNSTON**,
VIRGINIA'S ADOPTION CHAMPION



A few short months feel like years to us at Connecting Hearts— The Deborah J Johnston foundation! Armed with the insight I have gained as governor appointed Virginia's Adoption Champion, we jumped into our work head first. By meeting with local adoption and foster care agencies, organizations, and advocates, we started gaining a clearer picture of the very complex and layered system. One thing I know for certain is that I have merely scratched the surface of understanding the intricacies of our state's process.

Every day I learn something new about the system and the problems our state faces. Some of the stories I have heard from foster youth, foster parents, and those working in the field are nothing short of shocking. Thousands of children in Virginia have been and will continue to be removed from their homes due to neglect, abuse, or other forms of endangerment. These kids are our neighbors. They are your children's classmates. They are our future! It is our responsibility as a state to not only care for these children, but to offer them proper support to address the trauma they have suffered.

The good news is that community members throughout the Commonwealth are diligently working to help these children. Through my efforts, I have met so many wonderful and extremely dedicated professionals and advocates. It is truly amazing how deeply invested they are in navigating the foster and adoption system to help our children. Although these individuals work sometimes literally night and day, more work is always on the horizon. This is never-ending work because there will always be children in need of help. With Connecting Hearts, I am hoping to supplement and enhance exiting efforts. My goal is to make the foster care and adoption field a more connected and collaborative community across the state. All of the organizations, professionals, and advocates in this field have the same goal: supporting children and families and finding children happy and loving homes, whether they be foster or adoptive. The demanding work may prevent them from becoming familiar with the efforts of others. There is power in numbers. I believe that by partnering and sharing experience and resources, our state could help kids more efficiently.

Apart from assisting the overall system, my main priority is awareness. Rarely in the mind of the public is the widespread problem of children needing to enter foster care and then having difficulties finding a permanent family (in cases when returning home is no longer an option). Organizations and professionals are working hard, but the Commonwealth as a whole needs to rally behind Virginia's children. Our community has the power to make a difference in their lives! Over 750 kids in foster care are ready to be adopted by a loving family. During a time when stability is hugely important to development, they wait in temporary and changing environments. Some ways members of our community can help are by talking about the issue, volunteering at local organizations, or identifying potential foster or adoptive families.

I am here to offer support to those who are helping our children and to bring this problem to the attention of the public. I know the road ahead is long, but the thought of helping even one child have a safer and happier life is all the motivation I need! Connecting Hearts is just getting started, but I am confident our efforts will help the children who need and deserve it!

Governor Terry McAuliffe appointed Debbie Johnston as Virginia's Adoption Champion in August of 2014. She is a successful entrepreneur, author, public speaker, and philanthropist. She is the founder, owner, and CEO of multimillion dollar healthcare companies, Care Advantage, Inc., All About Care, and Nurse Advantage. [V]



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A Capitol Idea For A Family Reunion

By SARAH ALDERSON

It all started with a simple search for information to include in an otherwise routine speech. Legislators are asked to do it all the time – to say a few words to recognize or commemorate a person, a group or a particular event. It just so happened that this time the research led to a new and bigger discovery. Which led to a few more. And so on.

It's kind of like how a pebble tossed into a pond can create a series of ripples that eventually reach the shore. When you delve into any one person's past, it's possible to unearth any number of links that can connect a whole string of other lives. You can even remake history and create far-reaching effects on generations to come.

In the early 2000s, the late Senator Yvonne Miller sent a request to the Division of Legislative Services to research the life and legislation of the late Delegate Roland Ealey for a speech that she was to deliver at a dedication. It was during this search that staff member Brenda Edwards discovered the names of some delegates and senators whose race was indicated as Negro, colored, or mulatto. Edwards says, "I realized that I had stumbled upon the fact that African Americans served in the General Assembly after the Civil War."

In 2004, Edwards' findings were presented to the Dr. Martin Luther King Jr. Memorial Commission. They, in turn, decided to establish the African American Legislators Project in order to create a database of all African Americans who had ever served in the General Assembly from Reconstruction to the present.

According to Library of Virginia staff member John Deal, the Library got involved with the project in September 2011 by a request from Commission member and former Delegate Viola Baskerville, who had taken part in an African American genealogical workshop at the Library and was impressed by the amount of research material they had. Baskerville emailed Gregg Kimball to ask if they would help in the development of the list of legislators along with the compilation of comprehensive biographical material for the Commission's website.

During the winter, spring, and summer of 2012, the staff involved with LVA's Dictionary of Virginia Biography worked extensively with members of the Commission. And since then, the Library of Virginia and the MLK Commission have collaborated on several projects to further the research and its uses.

As part of the events celebrating the 150th anniversary of the Emancipation Proclamation, the Commission decided to honor the African American legislators from the 19th century with special resolutions from the General Assembly, which were sponsored by Senator Henry Marsh and Delegate Jennifer McClellan in 2012. In 2013, commemorative plaques that included the names, tenure, and localities represented by each of the legislators were unveiled and hung in the Capitol.

As various ways of honoring these early African American legislators developed, the search in earnest for their descendants began so that extended families could take part in the dedications. Brenda Edwards is proud to say that several descendants have been found so far. And as family members spread the word about the project, more descendants contact the Commission to add their stories to this new series of family trees.

New discoveries continue to be made at every step along the research process. For instance, they just recently found out that one



of the Commission members, Juanita Owens Wyatt, is actually a descendant of two of the legislators.

Deal thinks that it's been especially interesting to learn how many African American men were ready to participate in politics as soon as the Civil War was over. "They immediately began holding political meetings and organizing associations to advocate for their civil rights, especially voting," he explained. "A number of Virginians who had escaped slavery returned to participate in Virginia's government after the Civil War. Many African Americans continued to exercise their right to vote and be elected to local offices throughout the rest of the 19th Century."

Author Alex Haley's own quest to learn more about his family history resulted in his writing the Pulitzer Prize-winning book "Roots." In an article in "Reader's Digest" in May 1977, he shared what the research had meant to him personally. "In all of us is a hunger, marrow deep, to know our heritage – to know who we are, and where we come from." In addressing why that search for heritage is such a universal thing, he also said, "When you start about family, about lineage and ancestry, you are talking about every person on earth."

One simple search for background information on one person at the Capitol has led to a wealth of biographical information that impacts the history of the entire Commonwealth and, indeed, our nation.

"This project is extremely important because to the Commission's knowledge no other state is doing or has done what Virginia is attempting to accomplish," explains Edwards. "With diminished emphasis on American history, particularly African American history, few know, understand, or appreciate the contributions of African Americans to Virginia or this country. The Commission's project preserves this vital historic information for future generations."

John Deal goes even further by adding, "What I can say without equivocation is that the Dictionary of Virginia Biography has profoundly rewritten the history of African Americans in Virginia and our collaboration with the MLK Commission has brought into the light their astounding courage and accomplishments."

The latest way that the Commonwealth is recognizing the accomplishments of these outstanding Virginians is by hosting another celebration of their contributions. The descendants of the African American members of the 1867-1868 Virginia Constitutional Convention and the African American Legislators in the General Assembly during Reconstruction are invited to participate in an extended Family Reunion on Monday, July 6, 2015. The event will be held in House Room 3 at The State Capitol in Richmond and is co-sponsored by the Dr. Martin Luther King, Jr. Memorial Commission, the Library of Virginia, the Virginia House of Delegates, and the Senate of Virginia.

It will also kick off the new exhibition at the Library, "Remaking Virginia: Transformation through Emancipation" exploring how the end of slavery and emancipation affected every Virginian, forcing people to renegotiate and transform their relationships.

As Alex Haley said in describing the importance of family on history, "In every conceivable manner, the family is link to our past, bridge to our future."

Sarah Alderson is an award-winning freelance writer who also works in the Senate broadcast control room during sessions and the Capitol Studio throughout the year. She can be reached at aldersonproductions@gmail.com 

Governor's STEM Academies and Governor's Health Sciences Academies By DR. BRENDA D. LONG

Career and Technical Education (CTE) continues to focus on the big picture—preparing an educated and flexible workforce. CTE offers comprehensive programs that involve K-12 educators, students, parents, higher education institutions, and local communities and provides multiple pathways to success.

With the opening of the first Governor's STEM (Science, Technology, Engineering, and Mathematics) Academies and, soon thereafter, the Governor's Health Sciences Academies, CTE further reinforced its mission of addressing the need for a skilled workforce. The academies combine core academic coursework with CTE skill sets, credentials, industry partners, and pathways to ensure college readiness and fill critical workforce needs.

Twenty-three Governor's STEM Academies currently educate students across the Commonwealth. The first six Governor's STEM Academies were opened during the 2007-2008 school year with \$120,000 grants from the National Governor's Association. Since 2008, the revenue stream for funding Governor's STEM Academies primarily has come from small incentive planning grants. However, school divisions need more capital to start and sustain Governor's STEM Academies.

The Governor's Health Sciences Academies were started during the 2012-2013 school year to prepare students for health science careers at all levels. These careers are among the fastest-growing in the nation and boast the highest increases in numbers in the workforce, according to the Bureau of Labor and Statistics (2014). The nine Governor's Health Sciences Academies partner with public school divisions, healthcare institutions, the private sector, and institutions of higher education in order to create challenging and relevant programs. For instance, the Governor's Health Sciences Academies' five pathways offer instruction in informatics, bioresearch, and the modern healthcare system.

Governor's STEM Academies and Governor's Health Sciences Academies require higher-level mathematics and science courses, communication and teaming skills, and a career focus. The academies and other STEM initiatives—relevant to all CTE programs—are growing in popularity with both school divisions and industry. The



academies provide options and experiences for students to acquire STEM literacy, problem-solving skills, and credentials that will prepare them for postsecondary education and for high-skill, high-demand, and high-wage careers that are critical to the New Virginia Economy.

There is an identifiable need to increase the number of and improve the sustainability of Governor's STEM Academies and Governor's Health Sciences Academies across Virginia. The academies are important—they have produced competency-based results, have grown across three governorships, and have survived the recession and budget cuts. However, the consistent and intentional priority to assure a future workforce is critical and should be guaranteed as sectors of the economy change.

The current Virginia economy needs to grow a qualified and competitive workforce as shown by:

More than 103,000 secondary CTE students earned industry credentials during the 2013-2014 school year.

Governor's STEM Academies and Governor's Health Sciences Academies enable students to experience work-based learning through cooperative education, internships, clinical experiences, job shadowing, mentorships, and/or service learning.

The Virginia Employment Commission and the Bureau of Labor Statistics report a high growth of STEM-related and health occupations in Virginia until 2020.

Permanent line-item funding is needed to equip or update laboratories to meet the needs of rapidly changing curricula and provide students with rigorous and relevant programs of study.

The Virginia Association for Career and Technical Education supports college and career readiness while placing emphasis on CTE programs that address current high-demand jobs and anticipated employee shortages.

Dr. Brenda D. Long is the executive director of the Virginia Association for Career and Technical Education. She has more than 30 years of CTE experience as a classroom teacher and administrator.

Jesse W. White is the vice president of public policy for the Virginia Association for Career and Technical Education. He has extensive CTE experience as an educator, administrator, and Governor's STEM Academy and Governor's Health Sciences Academy leader. ▣

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Virginia Officials and their Military Service

This informative directory recognizes and celebrates the sacrifices and struggles of veterans serving as state officials in the Commonwealth of Virginia.

Thanks to VADA and others for providing underwriting for ***In Service to Our Country***.

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Lance Corporal Don Hall, USMC, training with NATO Troops in Sardinia, Italy 2nd Marine Division, 1975



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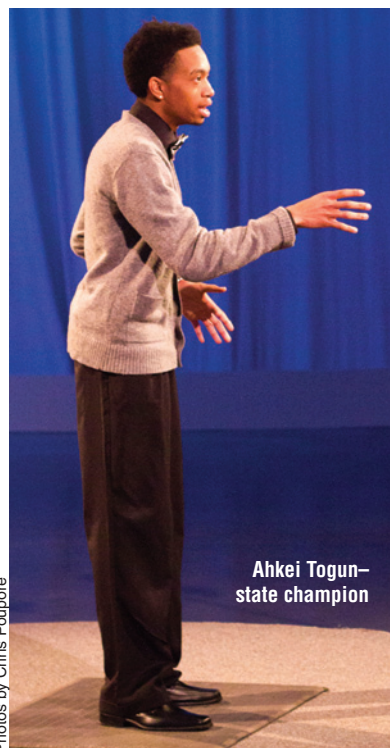
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Poetry Out Loud:

The Art of Recitation and Memorization

Since the fall of 2014, over 10,800 high school students across Virginia delved into great classical and contemporary works of poetry revisiting the art of memorization and recitation through the national program “Poetry Out Loud”. Celebrating its tenth year as an arts education partnership of the National Endowment for the Arts and the National Poetry Foundation and in cooperation with the Virginia Commission for the Arts (VCA), Poetry Out Loud encourages high school students to learn great poetry through performance, public speaking, and memorization. Jessie Uργο, an 11th grader at Grace Christian School (Staunton), and Poetry Out Loud participant said, “Memorizing is more than simple remembering—it also turns into a meditation on the meaning of the poem and the poet’s skillful weaving of language.”



Ahkei Togun—state champion

On Friday, March 13, 2015, eleven regional winners from across the Commonwealth convened at the Community Idea Station WCVE (Richmond) to compete for the title of Poetry Out Loud Virginia State Champion and the opportunity to represent Virginia at the national competition taking place April 28-29, in Washington, DC. Poetry Out Loud begins at the high school classroom level where students compete to advance to the school-wide, regional, state and ultimately the national finals. The eleven state competitors included: Isabelle Andrews (Richmond), Grace Burgess (Arlington), Ben Elliott (Staunton), Kayla (Alexandria), Annie

Hackney (Haysi), Hunter Grace Jernigan Lee (Winchester), Brennan Reid (Crozet), Anna Repp (Fredericksburg), Ahkei Togun (Virginia Beach), Jessie Uργο (Staunton), and Alex Walhout (Virginia Beach). All students competed in two rounds of poetry with selections they chose from over 800 works in the Poetry Out Loud Anthology.

Judges for the 2015 Virginia Poetry Out Loud championship included: Anna Bushman, visual artist and educator; Rebecca Jones, a Richmond playwright and lyricist; Shara Lessley, author, educator, and 2015 NEA Creative Writing Fellowship winner; and Tracy Fair Robertson, K-12 English Language Arts Coordinator for the Virginia Department of Education. After two rounds of competition, the judges identified the top three finalists who recited a third poem of their choice. First runner-up Isabelle Andrews of St. Catherine’s School, received a \$100

cash award and \$200 for her school library. Second runner-up was Ben Elliot (Staunton). Anne Holton, Virginia’s Secretary of Education, attended the state finals program and spoke to the competitors and the audience about the importance of poetry in building self-confidence. She presented the awards to the winners and offered her congratulations to the regional finalists and to all of the participating students throughout the state.

The state winner, Ahkei Togun of Tallwood High School (Virginia Beach) recited “The Way It Sometimes Is” by Henry Taylor, captivating the audience with his visually expressive interpretation. As the state champion, he received a \$200 cash award, a \$500 stipend for his school and all all-expenses paid trip to represent Virginia in the Poetry Out Loud finals. At the national finals, Ahkei took 4th place in the regional competition, winning \$1,000 and additional funds for his school library.

On April 17th, Ahkei was invited to participate in a poetry workshop at the White House with poet Elizabeth Alexander on behalf of the RISE, an award winning out of school and after school program in Hampton Roads. The poetry workshop was coordinated by the President’s Committee on the Arts and Humanities in celebration of National Poetry Month. Gail Easley, Executive Director of the Crispus Attucks Cultural Center and RISE coordinator stated, “We are excited to share this opportunity with Ahkei, and know that he represents some of the best young voices in the nation--so we look forward to seeing him and our students rise to the challenge of a ‘master class’ and workshop.” At the White House, President Obama spoke with the students and invited guests stating, “Poetry matters. Poetry—like all art—gives shape and texture and depth of meaning to our lives. It helps us to understand others—their struggles, their joys, the ways that they see the world.”

Poetry is important to the fabric of our culture and in the 10th anniversary year of Poetry Out Loud, VCA has partnered with WCVE and Virginia Education Association (VEA) to record and broadcast the Virginia Finals throughout the state. WCVE contributor and frequent host Daphne Maxwell Reid served as emcee for the state



Annie Lee from Winchester performing at the WCVE studios

Poetry Out Loud participants



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finals program. Broadcasting dates and affiliates are listed below. VCA Executive Director, Margaret Vanderhye stated, “We are so pleased to launch our new partnership for this program so that we can reach a wider audience and encourage even greater participation in the future.”

To find out more about Virginia’s Poetry Out Loud program and how to participate visit www.arts.virginia.gov/programs_POL.html.

About

The Virginia Commission for the Arts (VCA) is the state agency that supports the arts through funding from the Virginia General Assembly and the National Endowment for the Arts. The Commission distributes grants to arts and other not-for-profit arts organizations, educational institutions, educators, artists, and local governments.

For more information about VCA, visit www.arts.virginia.gov or call 805.225.3132. 



State Champion Ahkei Togun with his mother Dayo Greenway along with Secretary of Education, Anne Holton

The McShin Foundation

By DAVID ROOK

The McShin Foundation was founded in July 2004. McShin is an Authentic Recovery Community Organization (ARCO). We are a 17 member 501c3 non-profit board made up of primarily (85% recovery people; board compilation) citizens (non-government agency employee's) who are in long-term recovery from Substance Use Disorders (SUD).

McShin is one of 5 accredited RCO's in America, accredited by www.capriss.org the inaugural accreditors were JCAHO and CARF accreditors, the same organizations accrediting hospitals and clinical treatment center etc.

President and co-founder John Shinholser, so far has been clean and sober since 8/10/82, Carol McDaid McShin's co-founder has been clean and sober since 10/20/97, all of McShin's ten employee's are clean and sober, most of which came through the McShin program i.e. CEO Honesty Liller herself came through over 8 years ago and has as long clean and sober.

Simply put McShin staff and peer leaders (*Recovery Coaches) provide instant Peer Recovery Support Services (PRSS) in a Recovery Oriented System of Care (ROSOC).

McShin's main Recovery Community Center (RCC) is housed in a 15,000 square ft. building, a far cry from its original office of 56 sq. ft. McShin operates on a self-funded annual budget of \$850,000.00 increasing annually.

*Recover Coaches, McShin is the original training institute in Virginia for certified recovery coaches, we wrote the *book, we are currently a 40 hour CEU provider of www.naadac.org McShin is also one of the leading recovery coach trainer in the U.S. McShin's coach manual is the most utilized recovery coach manual in the U.S.

Over 50,000 consumers visit McShin annually to attend one or more of our recovery support meetings (open and available to the public at no cost, over 2000 such meeting a year), families may and do walk in unannounced and get a free family intervention on the spot by recovering staff and volunteers, at no cost.

McShin facilitates several recovery residences; we are Virginia's original accredited recovery residences VARR/NARR <http://narronline.org/> McShin oversees 55 recovery beds currently, aligned with over 100 other recovery resident beds operated by other recovery people.

McShin has scientifically proven the cost effectiveness of ROSOC embedded in the correction setting as well as court referrals. No other authentic grass root organization specializing in SUD's in Virginia has gone to the lengths McShin has excelled at to demonstrate the value to "Healing Families and Saving Lives", to include a huge increase in public safety, a huge decrease in recidivism.

The McShin ROSOC systems saves Virginia millions of tax dollars annually and has for over 11 years, McShin strategic plan is to increase these services to the citizens of Virginia and else where.

McShin is featured in a national documentary The Anonymous People as well as featured in a newly released book *Many Faces One Voice* by Bud Mikhitarian.

McShin's leading recovery support is "old timers" demonstrating hope to new comers so they may see for themselves (from those who have come before them) that all will be well if they follow simple suggestions. McShin provides these services in the community as well as jails, prisons and institutions, wherever the hopeless may be McShin seeks them out.

McShin also is closely aligned with like-minded clinical and medical providers, those specializing in the linkage to (and importance of) the ROSOC.

There is a 100% percent scale of those needing help with SUD's; the McShin model is very effective for the center 70% of this scale.

McShin model provides hope as well as facilitates the steps necessary to navigate safe housing, livable wage job/jobs, family reunification and community/civic restoration.

A day at McShin may look like a peer advocating in court for a chance at recovery instead of incarceration, a peer facilitating a group in a jail, a peer greeting a grieving family lost and looking for solutions.

Daily meeting and recovery activities, educational groups and lessons on how to grow up and embrace responsibilities of being a adult living in a community.

Socializing in small and large groups at picnics, churches, camp outs, sporting, recovery events for the whole families. McShin leads the community for family education and coping techniques. McShin excels at demonstrating through practical application how to become that useful productive member of our community.

McShin has been very influential in the passage of many legislative laws always improving our systems. McShin is Virginia's best watch dog for ROSOC issues as well as irresponsible law making of anti recovery laws. McShin advocates nation wide to include our nations capital.

When combating SUD's no other single agency comes close to the effectiveness of McShin. Some agencies focus on homelessness, differently abled; McShin understands recovery is the solution for SUD's, McShin understands the recovering person is the ultimate weapon against SUD's. Time and history proves this to be so.

McShin also deploys gender specific peer recovery techniques; McShin understands the value of women helping women and men helping men with the recovery process.

McShin delivers the message of recovery from SUD's utilizing the many different pathways to recovery. The facilitators are recovering themselves in those very pathways; this keeps the teaching style authentic in nature.

McShin organizes the thousands of recovery people and their families for the purpose of reducing the stigma associated with SUD's, events sometimes reach thousands of citizens attending. Politicians are always invited to comment and carry policy messaging.

The McShin Model is one of the greatest solutions we have to overcoming SUD's fully acknowledging the authentic ROSOC is the future system for recovery.

David Rook is a Peer Leader and Intake Specialist at The McShin Foundation. [V]



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Whether as a young man climbing to the tops of poles to repair telephone lines, or more recently sitting with a Virginia legislator to make a policy point, Richard Settle was always about communication.

His lines of communication ran from his beloved Southwest Virginia to whatever nook or cranny in state government that needed to be informed about something folks needed in Richard's back home—whether those needs were in telecommunications, education or especially economic development.

First and foremost, Richard Settle was always about what was best for his Southwest Virginia, where his roots ran deep.

When Richard Settle passed away on April 16, 2015 at the age of 65, all of Virginia lost an advocate for those qualities of life that typify the Commonwealth at her best.

Richard loved his home, in the Southwest Virginia mountains, and he embodied the warm-heartedness for which the region is known. Most of us knew Richard for his indefatigable good humor, ever-present twinkle in his eye, and inventive golf rules. Richard endured what to others would be devastating loss and hardship in his life and yet he persevered, prospered and brought joy and a reassuring presence to others.

Anita Robinson, a life-long friend commented on Richard's strength of character, "I tell you, Richard Settle was a strong man in many ways. His faith in God is evident by the way he lived. He was a mountain of a man literally and figuratively."

Richard also cared deeply about public policy – especially as it affected telecommunications, coal, higher education and economic development. Another of his oldest friends, R. D. Snead, in speaking of Richard, made the point that he never doubted that the best path for economic progress was the path that best empowered the people in terms of education and job opportunities.

Before he founded Settle and Associates, his government relations business, Richard was a 31-year employee of Verizon. He learned the business from the ground up – first as a pole climber, and then as Southwest Area Manager of External Affairs.

His public service began when he served in the United States Air Force. After returning home, he was elected to the Russell County Board of Supervisors where he served as chair and vice-chair. He also

served on the foundation boards of Mountain Empire Community College and The University of Virginia, Wise. In 2003, he was inducted into the Mountain Empire Community College Hall of Honor.

Richard served as chair of the Virginia Coalfield Economic Development Authority. He was selected by the Governor as a special envoy to the 2001 Economic Summit in Tokyo, and was appointed to the Virginia Workforce Council. The General Assembly of Virginia also recognized his leadership and appointed Richard to the Southwest Economic Development Commission. In addition, he was a charter member of the Southwest Virginia Technology Council, and member of the Board of Directors of Virginia Economic Bridge. He also held several advisory board positions for privately held companies.

Richard served as a deacon of Miller View Primitive Baptist Church in Lebanon, Virginia. He was an active member of Sandy Valley Masonic Lodge #17, the Wise County Shrine Club and the Kazim Temple in Roanoke. He graduated from the Russell County Public Schools and attended Clinch Valley College.

"He was not only my best friend; he was the definition of a Virginia Gentleman," said Donnie Ratliff, one of Richard's closest friends. "He cared so much for Southwest Virginia and he wanted it all to prosper, he would do anything he could to help someone who had a need. In many ways his work in our region was even more effective than many Governors. It just won't be the same without him."

The Senate of Virginia and Virginia House of Delegates adjourned in memory of Richard on April 17, 2015.

He is survived by his wife Janet Swearingen Settle; son Jamie Settle; daughter Sarah Rae Easter and son-in-law Nick Easter; grandsons Tommy and Taylor Settle; brother Billy Settle and sister-in-law Judy; daughter-in-law Jennifer Taylor Yates; niece Sally Ketron and husband Wes; niece Lora Beth Settle; and niece Lindsay Greer and husband Joe.

In memory of Richard, a scholarship fund has been set up in his name. Donations can be made to the Richard L. Settle Jr. Scholarship Fund, Mountain Empire Community College, 3441 Mountain Empire Road, Big Stone Gap, VA 24219 or Miller View Church, P.O. Box 973, Lebanon, VA 24266. [Z]

The Maverick

By SUSAN CLARKE SHAAR

We all have people who come into our lives at different times and make a major impact. Some move on and others remain. Little did I know that Senator Dudley J. “Buzz” Emick would be such a person when he first strolled into the Senate Clerk’s Office after his election to the Senate in 1976.

Buzz grew up in Roanoke with three brothers and a sister. From all accounts he ran the show. His brother Mark (the youngest) told the story that he was the one who polished Buzz’s VPI cadet brass buckles, ran to get his socks and got paid a quarter for all that work. According to Mark, Buzz was fiscally cheap even then.

In the 7th and 8th grades, Buzz suffered rheumatic fever and could not attend school. It was during this time that he developed his love of reading. He read profusely often having two or three books going at one time. He loved history and biographies of people from all walks of life. He also read the classics and philosophy. He delighted in discussions on just about any topic and could certainly argue with the best. I can remember him standing to debate in the Senate. He would get his microphone set just right, clasp his hands behind his back and proceed to demolish the opposition.

Buzz’s love of baseball was something that carried through his life. During the time he had rheumatic fever, he would carry on imaginary baseball games. He would announce the action while his brother Steve performed the action outside the window in the alley. His love of announcing led him serve as the announcer for the Lord Botetourt High School football team for thirty years.

His love of baseball followed him during his military service.

His commanding officer found out he was a good high school player and assigned him the duty of coaching the ball team on the base. This allowed him to travel through Europe coaching and playing ball.

After military service Buzz returned to Virginia and entered T. C. Williams School of Law at the University of Richmond. He then returned to Botetourt County and started practicing law with Stuart Carter. Stuart Carter had been a member of the Senate and was a prominent member of the debate over desegregation. He encouraged Buzz to enter politics.

Buzz served as a member of the House from 1972-1974. No one expected him to beat Senator Dave Thornton in 1976, but the Emick clan took on the challenge going door to door and he won. He gave credit to the determined work of family and friends and meeting people face to face.

During his time in the Senate Buzz became known as a maverick. He was willing to take on the more senior members such as Ed Willey, Hunter Andrews and Joe Gartlan. He would show up in committee, especially Courts of Justice with his dark glasses and cowboy hat and would not hesitate to take on the guys in the “Brooks Brothers suits.” Right before he left the Senate I found out that one of his favorite hiding place when everyone was looking for him was the reading room in the State Library!

Buzz was considered a highly effective legislator, willing to ask the hard questions. He was tenacious in his work and diligently worked to keep up with the hundreds of bills. He formed a coalition with Senator Danny Bird, Delegates Dickie Cranwell, Vic Thomas and Chip Woodrum to serve the people of Southwest Virginia. It was a coalition that was well-respected and got the job done.



Buzz loved his family and gave nicknames to family and friends. As his daughter Leigh said at the service, “Everyone had to have a nickname – family, friends, friends of friends.” He loved to hold court with the young people.

Buzz Emick encouraged the next generation of leaders. One of our former Senate pages, Taylor Holland, told me at the service that the one thing he remembered about Senator Emick was that he was genuinely interested in what the pages thought. Taylor said, “He would look you in the eye and really listen to what you said, and he would talk to different pages every day. He was not aloof with us.”

I also think he encouraged women to seek their dreams. When he approached me about the Clerk’s position in 1990 I turned him down. Then he explained why he thought I would do a great job. I honestly had not thought of myself in that role. I went home and discussed it with my family, called him back and agreed to run. His response was “I will take care of the rest.” He did.

Thanks to Buzz Emick and his trust in me, I have had an amazing career that I never envisioned. He felt strongly that women should have the opportunity to succeed. I could never thank him enough for the faith he had in me or the counsel he has given me over the years. He was tenacious – a fighter – a scholar – a man of integrity and strong convictions who cared for those less fortunate – a traveler – a maverick – thrifty and frugal – a husband, father and Papaw.

I literally paused with my mouth open the day he stood up and announced, “I will neither seek nor shall I accept my party’s nomination for the Twenty-second Senatorial District. It’s been real.” and walked out of the chamber. That day we lost a powerful force in the Senate.

The people of Southwest Virginia lost a true champion.

I was fortunate, I still had a friend and a mentor. One I truly miss today.

Susan Clarke Schaar is Clerk of the Senate of Virginia. [V]

Frank Hall

By FELIX SARFO-KANTANKA, JR.

Many people will remember Frank Hall for the great man that he was...a devoted husband, father, uncle, grandfather, a caring brother, a talented lawyer, a respected businessman, and an outstanding legislator. I remember him as my mentor.

Nearly fifteen years ago I took my first position in government relations serving as Delegate Hall’s legislative assistant. Through him I learned about the importance of good government, the intricacies of politics, and the humility one must possess to become a great public servant.

I felt honored that Frank would take the time to guide me in the right direction, and advise me on how to develop my career. I would certainly not be where I am today if it were not for his support and assuredness. Frank Hall was a blessing in my life and because of him we can all call Virginia a better place. He was the epitome of what a public servant should be and I feel fortunate that through the years not only was he my boss; he was my friend.

Thank you, Frank Hall, for your friendship, leadership, generous spirit, and your service to our Commonwealth.

Felix Sarfo-Kantanka, Jr. is the Legislative Director, Office of Governor Terry McAuliffe. [V]

Frank Hall

BY BERNIE HENDERSON

Readers of *Capitol Connections* are aware of Frank Hall's record of public service in the House of Delegates, and any who are not can easily access those facts of his life. Those accomplishments alone show that Frank's life made a considerable contribution to his constituents and our entire Commonwealth, but those things are just the tip of the iceberg in describing the significance of this public servant.

At a relatively intimate gathering of Frank's friends on the evening before Frank's memorial service, Congressman Bobby Scott recalled that Frank's initiation into public service was as a member of Vice President Hubert Humphrey's staff, which began when Frank was still a student. There is a strong thread of pure gold that was woven through Frank's life that started with that influence. Vice President Humphrey was nicknamed "The Happy Warrior" and that applied to Frank as well.

Perhaps the most eloquent quote from Hubert Humphrey is: *"The moral test of government is how it treats those who are in the dawn of life, the children; those who are in the twilight of life, the aged; and those in the shadows of life, the sick, the needy and the handicapped."* To know Frank Hall is to know that those sentiments were indelibly etched on Frank's heart. But he took them a step further, beyond government, and made them the purpose of his life.

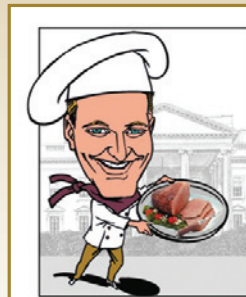
I treasure my friendship with Frank that goes back nearly a decade before he first ran for elective office. It includes our time together in the Richmond Jaycees in the early 1970s, when he was President. His term wore us all out, but we were the most contented exhausted young people one could ever see. He initiated and accomplished an enormous list of projects that all focused on addressing specific needs of segments of our community that most of us had never even seen before. And Frank was leading the charge in each of these projects.

Even after Frank's service in public office, he was still actively engaged in the community. He wouldn't just let his name be used for a cause, if his name was there, so also would he be there leading by example. In our last project together, just last summer and fall, I served under his leadership as Co-Chair for the Empty Plate Luncheon to benefit programs for seniors in Richmond. Even though a few of us knew Frank was battling illness, he never even hinted at it and he refused to allow it to slow him down.

Frank didn't just serve by holding elective office or leading in many organizations and committees, he cared for and helped individuals who could use his assistance. The one of many examples of this that I will never forget is one that he allowed me to help with. With utmost confidentiality, he would offer help to a friend or acquaintance who was facing unemployment. He would assist them in preparing their resume, provide personal references and arrange interviews with prospective employers.

We will never forget that perfect hair, those gleaming teeth, the unique voice that made it unnecessary for him to say who was calling and that laugh like no other, but those trademarks are nothing compared to the heart and soul of this man who devoted his life to making the lives of others worth living.

Bernie Henderson is the President and Funeral Celebrant at Woody Funeral Home. [V]



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