

GIVE GOVERNORS A SHOT AT TWO TERMS

By William Nicoson

The legislative session of the Virginia General Assembly which ended February 23rd will be remembered not for what it accomplished but for what it failed to accomplish. In an election year, politicians tend to turn timorous. But for Republicans, with majorities in both houses, the irony is that the lack of focused performance at this session will be a major negative factor in their performance at the polls later this year.

The legislative debacles of the session included failure: to grant local jurisdictions greater taxing power and more control of development; to finance transportation improvements to relieve congestion and to require that funds from the transportation trust fund be used only for transportation; to increase the cigarette tax (lowest in the nation) to help relieve the deficit; and to expand use of intersection cameras to improve road safety and law enforcement.

But the most shortsighted failure of all was refusal to approve a constitutional amendment permitting governors elected in 2005 and thereafter to run for a second 4-year term. Virginia stands alone among the states in banishing from office its chief executive after a single 4-year term.

The U.S. Constitution, as enacted by our founding fathers, contained no term limits at all on presidential service. After Franklin D. Roosevelt was elected to four consecutive terms, the constitution was amended in 1951 to provide that "No person shall be elected to the office of the President more than twice..."

Among the sponsors of the House Joint Resolution to free Virginia from its archaic one-shot limit on gubernatorial service were Del. Vincent F. Callahan, Jr. (R-Dist. 34, McLean), Del. Thomas Davis Rust (R-Dist 86, Herndon), Del. James M. Scott (D-Dist. 53, Merrifield), Del. John A. Rollison (R-Dist. 52, Woodbridge) and Sen. William C. Mims (R-Dist. 33, Loudoun).

Notwithstanding the leadership of Northern Virginia Republicans, only 18 of 64 Republicans in the House of Delegates voted for the Joint Resolution. It was returned to committee by a vote of 50 to 47.

In most democratic governments, an incumbent's service may be tested at the ballot box for a second term. Only Virginia Governors are denied the opportunity of electoral validation of their record in office.

Only Virginia Governors, after four years of executive training on the job, are summarily turned out of office to make way for a new trainee. This extremist version of executive term limits has not and cannot serve the best interests of Virginia citizens.

Can anything be salvaged from the lackluster legislative session just concluded? On April 2nd, the General Assembly will return for a one-day session to review vetoes and proposed amendments by Governor Mark R. Warner (D).

The Governor strongly believes that future governors should be permitted to stand for two terms in office rather than one. He might propose an amendment to that effect be added to an adopted joint resolution amending the constitution on a related matter, such as HJ 641 which expands the list of successors to the office of Governor. He might also work hard to turn to yea votes the nay votes of at least 4 members of the House of Delegates.

It's a long shot but a worthy one.

William Nicoson is a lawyer.