

## WEEKLY LEGISLATIVE SUMMARY

This is the eighth of a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1955. It is confined to discussions of matters of general interest and major importance.

The Department of Revenue reports that sales tax collections continue to show slight gains, indicating business is good in North Carolina. But legislative business during the eighth week of the session was comparatively slow, in that considerably fewer bills were introduced in both the Senate and the House than during the previous week. Committee activity also slowed up as the Joint Appropriations and Joint Finance Committees took a little time off on Thursday afternoon, so that legislators could go to the opening games of the Atlantic Coast Conference Basketball tournament being held in the coliseum on the N. C. State College campus. These two committees will hold their next meetings on Wednesday of next week, as Tuesday afternoon legislators will journey to East Carolina College in Greenville to help commemorate "Founder's Day." Though other committees are increasingly resorting to subcommittees on the more intricate pieces of legislation, the Joint Appropriations Committee voted against the subcommittee arrangement last week. Governor Hodges in his radio-television address on Wednesday evening made it plain that he had not changed his mind on the major recommendations contained in his address to the General Assembly early in January. Giving much attention to the revenue question, the Governor recognized the responsibility of the General Assembly to make the final decision on what new taxes should be levied, but stated his belief that the people of the state would prefer increased taxes on items of a luxury or pleasure nature, rather than extending the sales tax to basic essentials such as food and medicines.

### Redistricting and Reapportionment

Beginning July 1, the state will be divided into 30 superior court judicial districts, instead of the present 21. A strong majority in the House fought off every attempt to amend SB 107, both in committee and on the floor, and the bill now has passed both houses as it was originally introduced. Mecklenburg and Guilford Counties will be one-county districts, with two judges in each, while 28 other districts will have a single judge. Superior court solicitorial districts will not be changed; nor are special judges affected by the new law, although it is contemplated that there will not be a need for 11 special judges which we now have. The bill providing for reapportionment of the House, as was generally expected, was defeated in the Senate, but only after some long

and at times bitter, debate. Redistricting, which is required by the Constitution, was due in 1951, and would give Alamance and Rockingham Counties an additional representative each, with Cabarrus and Pitt losing one each. A Commission appointed by the President of the Senate, under the terms of a Senate Resolution, to study Senate redistricting, has until March 21 to make its report.

### Courts

With superior court redistricting now accomplished, court-minded legislators can turn their attention to the lower courts. A series of new bills has a two-fold purpose: (1) reform of the JP system, and (2) expedition of traffic cases in the courts. The JP bill would curtail sharply the number of JPs by reducing the number of JPs by restricting appointments by the Governor and legislators to filling vacancies, or actual certified needs. To many people the main feature of the bill is a provision which would eliminate the necessity of a guilty verdict in order for the JP to receive his fees (now true in a large number of cases). This would be accomplished without cost to the counties. Under the new proposals, operating without a license, speeding, and reckless driving would have lower penalties, so as to bring these offenses within the JP's trial jurisdiction. Other new bills would (1) raise the age limit for juvenile court cases to include 16-year old first offenders (except for felonies or motor vehicle law violations); (2) increase the maximum amount which may be recovered against the state under the Tort Claims Act from \$8,000 to \$10,000; and (3) provide for a retirement plan for superior court solicitors at age 65, after 15 years' service, at 2/3 pay.

### Regulation

Governor Hodges has noted that North Carolina is reportedly 44th among the states in per capita income. Perhaps aimed at improving this ranking, a bill introduced by Reps. Philpott and Turner would provide a minimum wage of \$3.55 per hour (compared with the \$2.75 federal minimum) for all em-

ployees in the state except those engaged in agriculture, dairying, domestic service in private homes, and outside salesmen on commissions, individuals with mental or physical impairment, employees in occupations where pay is customarily tips and wages, apprentices, and learners. . . . Senator Scott's controversial milk bill was amended in the House by adding two additional public members to the price-setting Milk Commission. After the most lengthy and spirited debate of the session, this bill cleared the House on its second reading. Final action was postponed until next Wednesday. . . . As a result of criticism, that the public is not amply represented on the present Milk Commission, a bill sent up by Rep. Poi would abolish the Commission as now constituted and provide for a public utilities-type commission composed of six public members, none of whom may be connected with the milk producing or distributing industry, plus the Commissioner of Agriculture. . . . The Senate egg-marketing bill passed the House and was returned to the Senate for concurrence in a House amendment requiring that cold storage eggs be labeled as such.

### Reorganization

What many persons feel will be among the most controversial of the bills sponsored by the Reorganization Commission is a bill introduced this week dealing with personnel. This bill would transfer the functions of the Merit System Council to the State Personnel Council, create a division of merit system administration within the State Personnel Department, and replace the present Personnel Council of seven members with five; and since the salaries of 54 administrative officers are now fixed in 11 different ways, another provision will make the fixing of those salaries uniform by giving that power to the Governor and Advisory Budget Commission.

### Motor Vehicles

The House, after having turned down similar proposals in past sessions, this week passed and sent to the Senate a bill to authorize "ham" radio operators to receive and display special radio call letter license plates. Another bill would authorize the Motor Vehicles Department to issue driver licenses of different colors to denote convictions of motor vehicle law viola-

tions, license suspensions and revocations, and limited or restricted licenses. Another bill provides that a plea of nolo contendere is the equivalent of a conviction for purposes of suspending a driver's license. A bill introduced on Monday would increase motor vehicle license fees 50%, up to a maximum of \$10. This increase, payable to the General Fund, reportedly would bring in an additional \$7½ million a year.

### Miscellaneous

New bills introduced include one providing for staggered terms for county commissioners. . . . a bill allowing county commissioners to waive governmental immunity from liability for damages due to torts committed by their employees (by securing liability insurance). . . . a bill providing for the appointment of county welfare board members in July, after the submission of budget estimates in May, rather than appointing them in April, as is presently required. . . . and a bill providing that the old age assistance liens will not attach unless the recipient's land exceeds \$1,000 in value.

### FRESHMAN SCHOLARSHIPS

The Agricultural and Technical College of North Carolina will be included under the Kroger Scholarship Plan for 1955-56, it has been announced by Joseph E. Hall, president of the retail food firm. Two \$200 awards will be offered for freshman students planning to major in home economics or agriculture.

Any graduate of an accredited high school is eligible for the scholarships. Applications and information on the program may be obtained from Dean William E. Rood of the college of agriculture, or through county agents, home demonstration agents, home economics teachers or vocational agriculture teachers. Selection of winners will be made by the scholarship committee at the college.

'Tis like the breath of an unfeeling lawyer; you gave me nothing for it. —Shakespeare.

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**SENATOR SAM ERVIN SAYS**



Washington — Major legislation which will be before the Senate later on is now being framed in Committee.

**Trips**  
While duties here have kept Senators tied down for the most part, I was able to get to Washington and Durham, North Carolina, for meetings. These trips afforded pleasant respite from the fast tempo of things attendant to Congress when in session.

I spoke at Virginia's Jefferson-Jackson Day Dinner in Richmond on last Friday night. My subject on that occasion was "Our Heritage." A Blessing And An Obligation, referring to the Psalmist of old who asserted: "The lines are fallen unto me in pleasant places; yea, I have a goodly heritage."

**Heritage of Liberty**  
We received our heritage in trust for ourselves and our children and our children's children from all their forefathers for all time upon those men and women, both great and small, whose blood, sweat, tears, and prayers made the America we know and love a living reality.

Our heritage is liberty. While liberty has blossomed in our land, love of liberty did not have its origin here. It was brought hither by courageous men and women who craved above all the things of earth the economic freedom, the political freedom, and the religious freedom denied to them by the tyrannical rulers of the Old World.

Since so many men now appear so anxious to swap the reality of liberty for the mirage of economic security, it would be well if we would pause a moment, and ponder the choice our ancestors made when they forsok the comparative security of the Old World for the terrifying insecurity of the New. It was not without many pang of regret that they turned their children's children from all their lands for all time upon those men and women, both great and small, whose blood, sweat, tears, and prayers made the America we know and love a living reality.

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graves of their beloved dead, and the comparative security of the then civilized world.

Why did they do this? The answer is simply this and nothing more: They believed that only the slave, who depends upon a master for the bread of bondage, is really secure; and they knew that only the self-reliant soul, who spurns security for opportunity, is truly free. For this reason, they chose liberty rather than security.

**Reciprocal Trade**  
HR-1, the Reciprocal Trade Agreements Bill, has caused a lot of mail to be written from folks employed in the great textile industry of North Carolina. This bill, now pending before the Senate Finance Committee, will be carefully studied, my colleagues on that Committee have advised me. No-

one can predict at this time what the final form of the Bill will be when it comes to the floor of the Senate. I hope that the Finance Committee, headed by Senator Byrd will amend the bill in such a way to remove any objectionable features and make certain that it will not cause injury to our textile industry or those employed in it. I am urging members of the Committee to make such amendments. Since I do not know in what final form HR-1 will emerge from the Senate Finance Committee, I am unable to state how I shall vote on HR-1. It can be truthfully said that I appreciate the importance of the textile industry to North Carolina and the Nation and that I will do everything within my power to save it from harm.

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