

Weekly Legislative Summary

This is one in a series of weekly summaries prepared by the legislative staff of the Institute of Government under the North Carolina General Assembly of 1961. It is confined to discussions of matters of general interest and major importance.

Motor Vehicles

SB 98, the motor vehicle inspection bill, failed to pass inspection in the House Tuesday and was tabled by a vote of 56-55. The bill would have required motor vehicle owners to have their vehicles inspected annually, and to correct defects before obtaining a sticker authorizing operation of the vehicle on the public roads. As in past sessions, the ghost of the highly unpopular 1947 inspection law arose to haunt proponents of mandatory inspection. The demise of the bill was followed by the introduction of HB 714, which would appropriate \$1,354,805 for the 1961-63 biennium to employ 100 more highway patrolmen—an action which opponents of the inspection bill argued would be a more effective safety measure. Another new House bill, HB 712, would require local law enforcement officers to give warning by means of a siren, flashing light or similar approved device before stopping a vehicle on the highway. SB 92, deleting the provision that an appeal automatically suspends the Commissioner's order suspending a driver's license, was sent back to committee in the House. HB 223, providing for regulation and licensing of driver training schools, was tabled in the House Monday.

The Senate, which under the urging of Sen. Moore has been more receptive to highway safety bills, passed HB 224, the point system amendments, on second reading Thursday, after amending it to provide that points shall be assessed for out-of-state convictions if the compensation of the arresting officer or trial court was not contingent upon a finding of guilty. The House had earlier stricken out a provision for giving points for out-of-state offenses; this action was based primarily on fears that North Carolina might add injury to injury by penalizing further a person who had been victimized by an out-of-state speed trap. The Senate amend-

ment to minimize this possibility is scheduled for reconsideration when the bill comes up for third reading on May 17. New Senate bills included SB 299 which would give law enforcement officers broad authority to remove from streets and highways vehicles illegally parked, abandoned or left unattended; the vehicle owner would have to pay the removal expense.

Small Loans

The House Committee on Banks and Banking reported favorably a committee substitute for HB 15, the Braswell small loans bill. The substitute changes the original bill in about a dozen particulars, all tending to give at least some slight new benefit to the borrower. Interest rates are left substantially unchanged—ranging from \$24 per year for the first \$100 to \$6 per year on the fourth \$100 for the original amount of the loan. If the loan extends for more than a year, the substitute provides a substantial reduction in charges for the second year—these charges would be only one-third of those for the first year. If a loan is made in violation of the act, the borrower may collect double the amount of charges as a penalty. The bill was placed on the calendar for consideration on May 16.

As HB 15 was reported to the House, the Senate received a new entry in the small loans contest. SB 299, by Sen. King, would limit small loans to \$300, as opposed to \$600 in the Braswell bill, and would limit charges to 2% per month on the unpaid balance. Lenders who deliberately violate the law would forfeit both interest and principal of the illegal loan.

Finance and Appropriations

Finance Subcommittees announced this week are as follows: Senate—White, Forsyth, Alford, Cook, Eubanks, Hamilton, Hancock, Johnson, Kesler, Moore, and Whitmire; House—Wicker, Arledge, Bell, Blue, Brooks, Eiford, Harding, Harris of Wake, Henley, Jordan, Kemp, McLaughlin, Murphy, Peel, Rodenbaugh, and Woodard of Northampton.

Tax measures introduced during the week included HB 660 to exempt from the sales tax small businesses operated by blind merchants not under the supervision of the Commission for the Blind; HB 664 to exclude from the wholesale tax sales by manufacturers who have two or more plants in NC and who maintain a separate sales place for selling to wholesalers and retailers for resale; HB 674 to exempt from state income taxation pensions and retirement benefits received by retired federal employees under any federal law; HB 691 to reduce from \$60 to \$30 the registration fee on U-Driv-It passenger vehicles of 9-passenger capacity or less; and HB 707 to delete the exemption from the 1% gross premiums tax which exemption now applies to insurance written on property in unprotected areas.

New appropriations bills included HB 713 appropriating \$1.8 million for sick leave for public

school teachers; the sick leave would amount to five days per year at full pay and would be cumulative indefinitely. Substitute teachers would no longer be paid by the regular teacher.

Property Taxes

HB 711 would end the practice of intra-county tax-benefit competition for tobacco storage and similar facilities. The bill would amend the Constitution to specify that only the General Assembly can classify property for taxation, and that classifications must apply uniformly in every part of the state. A similar provision would apply to permissible tax exemptions. If the voters should approve the amendments, existing statutes would be automatically amended to provide that stored tobacco and similar products are to be taxed at 60% of the regular local property tax rate, and penalties in the year following the year grow are to be taxed at 20% of the regular local tax rate. Counties and cities would retain their authority to classify trades and professions for local license tax purposes, but all other classification and all exemption would be the exclusive province of the General Assembly.

Legislative Representation

SB 275, by Sen. Thomas of Union, takes the present 1st, 2nd and 3rd Congressional districts and converts them into Dental Laboratory Examiners: two districts. Congressman Herbert Bonner would reside in an enlarged first district, and L. H. Fountain and Dave Henderson thus make sure that false teeth fit.

WINS HONOR AT COLLEGE

William David Cahoon of Columbia was among eight Mount Olive College sophomores recognized at a special awards program at the college on May 10.

Mecklenburg Counties.

Miscellaneous

Two study commissions would be appointed under bills introduced this week; SR 283 calls for appointment of a 3-to-7-member commission to study public welfare programs in the state; SR 298 authorizes a 5-member commission to study the enforcement laws of the state and to recommend, if appropriate, a change in the basic manner of regulating the industry . . . HB 685 expands the criminal laws governing bribery of athletes to cover "point-shaving" and to increase the maximum penalty to 10 years' imprisonment and \$10,000 fine . . . SB 276 would prohibit the use of male prisoners in state buildings where women are housed or employed, unless the prisoners are in the immediate, close personal custody of a Prison Department guard or agent. HB 652 would add, as a permissible condition of probation that the probationer submit himself for jailing on week-ends or at other intervals directed by the court . . . SB 286 would allow merchants to select any week between Thanksgiving and Christmas as the week to employ female workers for as long as 10 hours per day; the law

now permits such employment only between the 18th and 24th of December . . . HB 699 would create a 7-member Board of Dental Laboratory Examiners; the avowed purpose of the bill is to eliminate unqualified dental laboratory technicians and

to eliminate unqualified dental laboratory technicians and