

The Weekly Legislative Summary

Adjournment

The 1973-74 General Assembly did adjourn after that one extra day, Saturday, the 13th of April. The clocks had to be stopped at 2:00 P.M. to conform with the official adjournment resolution, but it was actually 3:46 before the gavel fell simultaneously in the House and Senate. That was the end to the longest legislative session in North Carolina's history, a total of 161 working days over the two year period, 20 working days longer than the 1971 session.

Duration was not the only record set by this legislature. The most bills that had been introduced in a previous session was 2,822 (also in 1971)—on the last Saturday the 3,701st and last bill of the 1973-74 session came in. And on the same day there were added to the session laws the 1,482nd ratified bill and the 188th ratified resolution, bringing a total of 1,668 ratified bills to eclipse the old record of 1,509 in 1957. But that was still not enough ratified bills to prevent this Assembly from setting a record low for percentage of bills ratified, winding up at 45.1 per cent. The 1971 session had been the previous low with 52.9 per cent.

The statistics for the two separate sessions of the 1973 General Assembly are fairly similar. Of the 2,317 bills introduced during 1973, a total of 1,053 were finally ratified, 943 during the 1973 session and the other 110 during 1974. Added with the 31 single-house resolutions that were introduced in 1973 and adopted, a total of 1,084 of the bills introduced in 1973 were passed, or 46.8 per cent. In the 1974 session another 1,384 bills were put in, and 615 of those were ratified. Along with the 14 single-house resolutions that were introduced and adopted in 1974, 629 of the bills introduced in 1974 finally passed, or 45.5 per cent.

As mentioned in a previous Weekly Summary, for the most part the attention of the 1974 half of the session was centered on new legislation. Of the 980 bills left in committee at the end of the 1973 session, only 110 were enacted by the 1974 Assembly. The other 629 bills which passed this year were also introduced this session.

The character of annual sessions
It is probably fair to conclude that the second year of the 1973-74 experimental annual session turned out a great deal like an altogether new session. The rate of introductions and rate of ratifications were about the same, the major issues left over from the previous year were not quickly resolved but mostly ended up being decided in the

last week or two, and most of the legislation being considered was new to this session. From the vantage of hindsight it is easy to say that the 1974 General Assembly should have been expected to be of this character. The one thing that most influences the length of a session (and thus the number of bills introduced and ratified) is the size and complexity of the Governor's budget proposal—and for 1973 and '74 it was decided to consider two budgets rather than one. As state spending has increased dramatically over the last two decades so has the length of the biennial legislative sessions, but despite that increase in length approximately the same amount of business has been conducted each year—the number of ratified bills for each session of the last 20 years ranges from 1,302 to 1,668 and the average is somewhere around 1,400.

What seems to have been happening is that as long as the legislature is in session bills will be introduced at a fairly predictable rate (23.0 per day in 1953; 23.1 per day in 1973-74) but not many more than the 1,400 can be expected to be ratified. With the great number of days needed to adequately consider the budget, the number of introductions has increased dramatically (1,825 in the 1953 session; 3,701 for the just completed session) but the percentage being ratified has dropped just as dramatically (from 76 per cent in 1953 to 45 per cent for this Assembly). The main reason for the increase in introductions seems to be simply that the time is there for it to happen.

The Appropriations Committee takes up about two hours of each working day of the session (which is primarily Tuesday through Thursday) and the rest of the time during those days is left for other committees and for sessions of the two houses. For each session of the last 20 years the legislators have used that non-appropriations time to introduce and consider a very steady 20 bills a day. An interesting question is what would happen to the length of the legislative sessions if the daily schedule were rearranged so that the Appropriations Committee met for most of each day during the early part of the session (perhaps to the exclusion of floor session); perhaps the budgeting process would be speeded up and time would no longer be available for preparation and introduction of a number of the bills which are unlikely to pass anyway.

The legislative institution
Unlike 1973 this was not a year for substantial change in the operations of the legislature itself. Just by being in Raleigh the General Assembly gathered information on what annual sessions are like, but a conclusive decision on that subject will remain for the next session. Constitutional amendments and resolutions for and against the annual meetings were not even brought out of committee for consideration. The most publicized legislative change was the increase in the pay of legislators, finally enacted on the last day of the session. The basic salary of \$2,400 a year will be doubled for the senators and representatives of the 1975 session, the monthly expense allowance will go from \$50 to \$100, and the subsistence payments will be increased from \$25 to \$35 for each day of the session and for each day on legislative business while out of session. Under the current pay scale a legislator might be expected to receive about \$11,000 for the two year period for which he is elected, assuming about 150 of those days were spent in session. Under the new pay rates, that total would instead be closer to \$19,000.

At the same time that legislators' salaries were increased, so were those of the Speaker (salary from \$4,000 to \$9,000; expense allowance from \$100 to \$250/month; subsistence from \$25 to \$35), and the Speaker pro tem, President pro tem of the Senate and the leaders of the minority party (all from \$2,400 to 6,000, \$50 to \$150, and \$25 to \$35). The legislative retirement fund was repealed.

The General Assembly did budget money to add five new staff positions for the Legislative Services office in a continuation of the expansion that began last year. And the Senate is moving to install electronic voting for the 1975 session, following a resolution to that effect adopted fairly early in the session. The House will not be making a similar move.

Finally, legislation was passed at the end of the session to require the Secretary of State to furnish each legislator and Major 1973 issues that were passed in 1974
The delay in consideration of several 1973 bills resulted in a substantial dilution of the original legislation before enactment could be secured. The prize for being most amended on the floor clearly went to the coastal area management bill, rewritten extensively to increase the input of local officials in the land use planning and permitting anticipated by the bill. Most amended by committee was the Criminal Code Commission's lengthy proposal for a revision of the statutes on pretrial criminal procedure. Both the House and Senate wrote committee substitutes and generally left out matters of any controversy.

Perhaps ending up tougher than would have been thought when it was left over in 1973 was the campaign reporting legislation. After considerable work in the interim and during the session, a new bill with rather strict reporting requirements was introduced and passed, with some limitation on spending for media expenses added during consideration. The legislation will get its first test in the campaigns for the November general election. The controversy over capital punishment was finally resolved at the end of the session and the state now has a mandatory death penalty for first degree murder and certain aggravated forms of rape termed first degree rape. The new punishment for first degree burglary and arson is life imprisonment. A state land use policy act was passed after being rewritten in much the same manner as the coastal bill (to increase the participation of local governments). The mountain area management bill, the original companion of the coastal bill, remained in

the Legislative Library with a copy of his list of registered lobbyists, to be provided within 20 days of the opening of the session and to be supplemented each 20 days.

Major 1973 issues killed in 1974
The 1974 session began with a number of significant issues left over from 1973, and most of those matters were finally dealt with affirmatively, but several never did make it. Highly publicized in 1973 was no-fault automobile insurance, subject to lengthy and heated debate in the Senate before passing and going to the House in April of 1973. The House Insurance Committee, never thought to be overly friendly to no-fault, deliberated over the matter in 1973, deliberated some more in the interim between sessions, and continued its deliberations right through the entire 1974 session. It just never came out of that committee.

Several other matters did make it out of committee but then found an unfriendly reception on the floor. The legislative ethics bill was amended extensively on the House floor and then finally killed because it had become too tough. A new landlord-tenant bill did not even get to the point of serious gutting amendments—it was killed before that was necessary. The Missouri Plan proposal for appointment rather than election of judges was voted on favorably in the House but not by the margin necessary for a constitutional amendment. The bills for reorganization of the departments of Correction, Natural and Economic Resources, Commerce, Transportation and Administration all passed the House but the Senate committee could not agree on and thus never reported out any of the bills except for the one dealing with Correction and N&ER, which was ratified. Likewise, only part of the environmental package made it, but the ones that did should be considered fairly significant and will be mentioned below.

Major 1973 issues that were passed in 1974
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committee. An almost forgotten bill creating a state land conservancy corporation was revived in the last few days and enacted, but not before the corporation was stripped of much of its authority.

Other major 1974 issues
Several matters that had received some discussion during the 1973 session resurfaced in 1974 with even renewed vigor. The hottest topic in that category would have to be the medical school at East Carolina University. Not satisfied with simply continuing the reserve fund that had been begun last year, the General Assembly directed the UNC Board of Governors to come back next year with plans for expansion of the first year program and for addition of a second year. \$7.5 million in additional appropriations was provided (to go with the \$7.5 million set aside last year) to build a basic medical science
Continued on Page 6

Legal Notices

EXECUTOR'S NOTICE
Having qualified as Executor of the estate of J. P. Ricks, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 3rd day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 25th day of April, 1974.
Melvin P. Perry
Executor of the Estate of Lillian Perry Deceased.
May 29, 1974

EXECUTOR'S NOTICE
Having qualified as Executor of the estate of Gordon V. Robbins, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 9th day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 2nd day of May, 1974.
John F. Hapit
Executor of the Estate of Vivian C. Hapit Deceased.
EARNHARDT & BUSBY, P. A.
102 West Eden Street
Edenton, N. C. 27932
May 9, 1974

EXECUTOR'S NOTICE
Having qualified as Executor of the estate of Vivian C. Hapit, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 9th day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 2nd day of May, 1974.
John F. Hapit
Executor of the Estate of Vivian C. Hapit Deceased.
EARNHARDT & BUSBY, P. A.
102 West Eden Street
Edenton, N. C. 27932
May 9, 1974

LEGAL NOTICE
Pursuant to U. S. Department of Health, Education and Welfare regulations, the Comprehensive Health Planning Section of the Office of the Secretary, North Carolina Department of Human Resources, announced on April 29, 1974 approval of the proposal of Cape Colony Haven, Inc., L. F. Amburn, Jr., President, to incur a capital expenditure for a 32 bed expansion of an intermediate care facility under development (total 96 beds) at Edenton, State Route 32-A (Chowan County). Prior to approval, the project proposal was reviewed by the Division of Facility Services, North Carolina Department of Human Resources. The approval decision was consonant with the recommendations of these agencies.
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NORTH CAROLINA CHOWAN COUNTY NOTICE OF SALE
Under and by virtue of the power of sale contained in a certain deed of trust executed by Johnnie E. Hughes and wife, Pearl B. Hughes to W. S. Privott, Trustee, dated the 4th day of March, 1961 and recorded in Deed of Trust Book 78 at page 345, in the Office of the Register of Deeds of Chowan County; and under and by virtue of the authority vested in the undersigned as Substituted Trustee by an instrument of writing dated the 18th day of April, 1974, and recorded in Book 101 at page 96 in the Office of the Register of Deeds of Chowan County, default having been made in the payment of the indebtedness thereby secured and the said deed of trust being for foreclosure, and the holder of the indebtedness thereby secured having demanded a foreclosure thereof for the purpose of satisfying said indebtedness; the undersigned Substituted Trustee will offer for sale at public auction to the highest bidder for cash at the Courthouse door in Edenton, North Carolina, at 12:00 o'clock Noon on Wednesday the 22nd day of May, 1974, the land conveyed in said deed of trust, the same lying and being in First Township, Chowan County, North Carolina, and more particularly described as follows: That certain lot or parcel of land together with all buildings and improvements thereon numbered, known and designated as Lot No. Ten (10) as shown on corrected map of Westover Heights made by Carlyle C. Webb, C.E., dated April 26, 1949 and recorded in Plat Book No. 1, page 54, in the Office of the Register of

Deeds of Chowan County, North Carolina, and being the same property conveyed to the said parties of the first part by the said Richard H. (Henry) Hardin and his wife by deed of even date herewith and duly filed for registration in the aforesaid Office, said plat and deed and those instruments mentioned therein being hereby referred to and made part hereof for further description and chain of title. This conveyance is made subject to all covenants, conditions, restrictions and reservations of record affecting the said property. The property above described shall be sold subject to 1974 ad valorem taxes, not yet due and payable. The highest bidder at the sale shall be immediately required to make a cash deposit not to exceed Ten (10 per cent) Per Cent of the amount of the bid up to and including \$1,000.00, plus Five (5 per cent) Per Cent of any excess over \$1,000.00.
This 18th day of April, 1974.
W. J. P. Earnhardt, Jr., Substituted Trustee
102 West Eden Street, P. O. Box 44, Edenton, North Carolina 27932
Telephone: (919) 482-4441
Apr. 25, May 29, 1974

EXECUTOR'S NOTICE
IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
Having qualified as Executor of the estate of Mildred McMullan Elliott, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 3rd day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 25th day of April, 1974.
Lena M. Leary
Executrix of The Estate of Leon G. Leary Deceased.
May 29, 1974

EXECUTOR'S NOTICE
IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
Having qualified as Executor of the estate of Mildred McMullan Elliott, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 3rd day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 25th day of April, 1974.
Lena M. Leary
Executrix of The Estate of Leon G. Leary Deceased.
May 29, 1974

EXECUTOR'S NOTICE
IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
Having qualified as Executrix of the estate of Gordon V. Robbins, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 9th day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 30th day of April, 1974.
Sue K. Robbins
Executrix of The Estate of Gordon V. Robbins Deceased.
May 29, 1974

EXECUTRIX' NOTICE
Having qualified as Executrix of the estate of Leon G. Leary, late of Chowan County, North Carolina, this is to notify all persons holding

claims against the estate of said deceased to present them to the undersigned on or before the 3rd day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 29th day of April, 1974.
Lena M. Leary
Executrix of The Estate of Leon G. Leary Deceased.
May 29, 1974

EXECUTOR'S NOTICE
Having qualified as Executor of the estate of Mildred McMullan Elliott, late of Chowan County, North Carolina, this is to notify all persons holding claims against the estate of said deceased to present them to the undersigned on or before the 3rd day of November, 1974, or this notice will be pleaded in bar of any recovery thereon. All persons indebted to said estate will please make immediate payment.
This 10th day of April, 1974.
PEOPLES BANK & TRUST COMPANY
Executor of the Estate of Mildred McMullan Elliott Deceased.
Earnhardt & Busby, P. A.
Attorneys at Law
Edenton, N. C. 27932
Apr. 25, May 29, 1974

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IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION
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This 25th day of April, 1974.
Lena M. Leary
Executrix of The Estate of Leon G. Leary Deceased.
May 29, 1974

NOTICE OF RESALE
Under and by virtue of the power of sale contained in a certain deed of trust executed by COASTAL WATER CORPORATION to W. J. P. EARNHARDT, JR., TRUSTEE, dated the 22nd day of October, 1969 and recorded in Book 88 at page 355 in the Office of the Register of Deeds of Chowan County, default having been made in the payment of the indebtedness thereby secured and the said deed of trust being for foreclosure, and the holder of the indebtedness thereby secured having demanded a foreclosure thereof for the purpose of satisfying said indebtedness; and under and by virtue of an order of resale of the Clerk of Superior Court of Chowan County, North Carolina, the undersigned Trustee will offer for sale at public auction to the highest bidder for cash at the Courthouse door in Edenton, Chowan County, at 12:00 o'clock Noon on Thursday the 16th day of May, 1974, certain land and premises conveyed in said deed of trust, the same lying and being in Chowan County, North Carolina and described as follows:
1.799 Acres in Fourth Township, Chowan County, according to the survey plat of Jasper W. Hassell dated February 16, 1974 and more particularly described as follows: BEGINNING at a set iron pin, said pin being located North 7 degrees 01' East 369.40 feet, South 7 degrees 01' East 390.01 feet, South 7 degrees 01' West 135.30 feet and South 82 degrees 59' East 181.70 feet from the intersection of the center lines of Midway Road and County Road No. 1114, formerly referred to as Guadaluca Road, and running

thence from said beginning point North 7 degrees 01' East 246 feet to a set iron pin; South 82 degrees 59' East 275.51 feet to a set iron pin; South 7 degrees 01' West 296.70 feet to a set iron pin; North 81 degrees 12' West 183.10 feet to a set iron pin; North 7 degrees 01' East 225 feet to a set iron pin and North 82 degrees 59' West 92.50 feet to a set iron pin, the place of beginning.
TOGETHER WITH, the main lines of the fresh water distributor system of the former Marine Corps outlying field, Edenton, North Carolina, as the said main lines of the said system are presently situated in and on said former Marine Corps outlying field, TOGETHER WITH an easement over, upon, under and across those certain strips of land where the said main lines of the said fresh water distribution system are presently situated, which strips of land extend in width 10 feet; being 5 feet on each side of, measured at right angles from the center lines plus 10 feet beyond the end of any main line, for the purpose of repairing, maintaining, operating and/or removing said main line, with the right of ingress to and egress from said strips of land for said purposes.
TOGETHER WITH ALSO, an easement of right of way for the purpose of ingress and egress, over and upon those certain paved roadways which include the East-West roadway known as Henderson Drive, and the North-South roadway which extends along the Western boundary of the property hereinabove described, which said easements burden the land known as Tract No. 1,11,993 acres of the former U. S. Naval Air Station, Edenton, according to the survey plat of Jasper W. Hassell dated February 16, 1974.
EXCEPTING from the property hereinabove described a perpetual easement of right of way reserved unto the Town of Edenton, its successors and assigns, for ingress to and egress from the water tower located on the premises hereinabove described for the purpose of repairing, replacing, maintaining and operating the airport beacon light affixed to said tower.
THE OPENING BID ON THE ABOVE DESCRIBED LAND WILL BE: \$37,090.85.
The land above described shall be sold as one contiguous tract, subject to 1974 Chowan County ad valorem taxes, and the sale will be made without covenant or warranty regarding title, possession, or encumbrances, and for the purpose of paying the obligation secured by the aforesaid deed of trust, including fees, charges and expenses of the Trustee. The highest bidder at the sale shall be immediately required to make a cash deposit not to exceed Ten (10 per cent) Per Cent of the amount of the bid up to and including \$1,000.00, plus Five (5 per cent) Per Cent of any excess over \$1,000.00.
This 29th day of April, 1974.
W. J. P. Earnhardt, Jr., Trustee
102 West Eden Street
Edenton, North Carolina 27932
Telephone: (919) 482-4441
May 29, 1974

Stiff Fine Is Given Jackson

Judge Fentress Horner of Elizabeth City Tuesday continued his policy of dealing harshly with shoplifters. Lessel Jackson entered a plea of guilty to larceny of a 93-cent item from Macks in Northside Shopping Center. Judge Horner sentenced him to six months, suspended upon payment of \$100 fine and costs.

Keith Teague of Elizabeth City prosecuted the docket. The following other action was taken:
Robert W. Jackson, worthless check, \$25 fine and costs.
Willis Morse Brice, Jr., drunk driving, 90 days, suspended upon payment of \$125 fine and costs.
Willie Athen Twine, Jr., false report of a stolen motor vehicle, reckless driving and two counts of driving while license revoked, 12 months, suspended upon payment of \$500 fine and costs.
Wheeler Holley, worthless check, sots.
Robert Cooper, assault on a female, 60 days, - suspended upon payment of \$50 fine and costs.
Willie Lee Twine, assault on a female, costs.
Haywood Williams, non-support of illegitimate child and non-support of child, six months, suspended upon payment of costs and \$25 per week for support of children.
Three uncontested divorces were granted. They were: Mary Lou Jennings Harrell from Calvin M. Harrell; Edna Holley Locklear from Randy Locklear; and Bruce F. Jones from Nelle P. Jones.

Perhaps ending up tougher than would have been thought when it was left over in 1973 was the campaign reporting legislation. After considerable work in the interim and during the session, a new bill with rather strict reporting requirements was introduced and passed, with some limitation on spending for media expenses added during consideration. The legislation will get its first test in the campaigns for the November general election. The controversy over capital punishment was finally resolved at the end of the session and the state now has a mandatory death penalty for first degree murder and certain aggravated forms of rape termed first degree rape. The new punishment for first degree burglary and arson is life imprisonment. A state land use policy act was passed after being rewritten in much the same manner as the coastal bill (to increase the participation of local governments). The mountain area management bill, the original companion of the coastal bill, remained in

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A Wonderful Gift For

MOTHER

Sunday, May, 12th




Dinehurst Lingerie

TARKINGTON'S
Edenton, N. C.

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THANK YOU!
I greatly appreciate the support and vote of the people of Chowan County in re-electing me to the Board of Commissioners. The vote of confidence gives me renewed strength to work for more efficient and effective government in our county.



N. J. GEORGE

A SINCERE THANK YOU....
Inadequate as it may be, I want to take this opportunity to thank the voters of Edenton and Chowan County for their overwhelming vote of confidence in the Democratic Primary on May 7th. I will continue to put forth my best effort on behalf of all the citizens of the county as a member of the Edenton-Chowan Board of Education.
Emily G. Amburn

Steal me. Burn me. Throw me away. I'm still yours.

Once you bring me home, I'm yours forever. Even if I'm burned. Or lost. Or stolen. If you look for me and can't find me, just report it. And you'll get me back, as good as new. And remember: I'll never break your heart. Or leave you stranded in the tight spots. I'll always be there when you need me. And that ought to make you feel pretty secure.

Now E Bonds pay 6% interest when held to maturity of 5 years (4 1/2% the first year). Bonds are replaced if lost, stolen or destroyed. When needed they can be cashed at your bank. Interest is not subject to state or local income taxes, and federal tax may be deferred until redemption.



Take stock in America.
Join the Payroll Savings Plan.