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Insurance Commissioner's Powers Curtailed by General Assembly Action

Raleigh, NC—What has been labeled one of the fiercest battles in recent history between the people's interest and special interests is over...for now. But the people once again lost and North Carolina Insurance Commissioner John Ingram says the special interest groups have prevailed.

After three hours of debate last Wednesday, following months of debate, the North Carolina General Assembly passed the bill that would mean unlimited increases in some insurance rates and hikes of up to twelve percent in automobile liability rates over the next two years. The bill has been strongly supported by the insurance industry and many say written by the insurance industry, while being bitterly opposed by state Insurance Commissioner John Ingram. Ingram attributed the bill's passage to the insurance industry and the legislators with insurance ties and Governor James B. Hunt, Jr. who declined to take a position on the issue.

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NOTICE TO PUBLIC
Docket No. H-59, Sub 1

Before the North Carolina Utilities Commission

In the matter of Application of the Housing Authority and Redevelopment Commission of the Town of Pembroke, North Carolina, for a Certificate of Public Convenience and Necessity

NOTICE IS HEREBY GIVEN THAT the Housing Authority and Redevelopment Commission of the Town of Pembroke, North Carolina, has made application to the North Carolina Utilities Commission for a Certificate of Public Convenience and Necessity for the establishment of 100 units of low-rent public housing and for authority to exercise the power of eminent domain for carrying out said project; to purchase property for use in connection therewith and for other purposes incident thereto; and

Probe of 'Oxendine Brutality Case' begun by F.B.I.

PEMBROKE — The Federal Bureau of Investigation (FBI) has begun a probe of possible civil rights violations in the arrest and alleged beating of a local man by two state troopers.

FBI officials Friday confirmed that the U. S. Department of Justice had requested an investigation of the arrest of O'Neil Oxendine by Troopers Hubert Covington and T. J. Evelyn April 22.

"A complaint was made to the Department of Justice, and we have been asked to make a preliminary investigation of possible civil rights violations," an FBI official said Friday.

He would not elaborate on who had made the complaint or how extensive an investigation would be conducted.

Oxendine was found guilty on charges of driving under the influence and resisting arrest in Robeson County District Court last month.

Pembroke Town Manager McDuffie Cummings, an eyewitness to the arrest, asked for a Highway Patrol investigation of the matter, calling the beating of Oxendine during his arrest "savagery."

Highway Patrol officials Friday said they were unaware of an FBI investigation into the matter, and said their internal investigation exonerated the two officers.

Hunt has said repeatedly that he wanted the General Assembly to resolve the issue. "You can't do everything," Hunt said last Friday. He has continuously evaded reporters questions about why he hasn't taken a stand on the bill.

Ingram charged yesterday, "This bill would not have passed without the votes of lawyers who represented the insurance companies, agents and other people in the industry, nor if Governor Hunt had spoken out against the bill."

The new law takes effect September 1st and rates on nonpersonal insurance coverage such as wind and storm damage could go up immediately after that. Automobile liability insurance, which is mandatory under existing laws, could go up six percent by December 1st and another six percent the following year.

LIBERTY LINES

To B-1 or not to B-1?

By Robert M. Bartell
WASHINGTON D.C. (Liberty Lobby News Service)

The decision whether to add the controversial B-1 supersonic bomber to America's arsenal will now wait until the 96th Congress convenes in January. Whether it will be approved or not is another question but you ought to know some pertinent facts concerning this airplane.

The B-1 has been scientifically rated as the most reliable and versatile segment of our defense posture, which of course includes land-based intercontinental ballistic missiles and missile-carrying submarines.

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NOTICE IS FURTHER GIVEN THAT said application will be heard before the North Carolina Utilities Commission in its Hearing Room in the Dobbs Building, 430 North Salisbury Street, Raleigh, North Carolina, on Wednesday, July 13, 1977, at 10:00 a.m., at which time and place the Commission will hear testimony by any and all interested parties for or against the granting of said Certificate of Public Convenience and Necessity for said housing project.

PROTESTS SHOULD BE FILED WITH THE COMMISSION on or before 5:00 p.m. on Friday, July 8, 1977.

NOTICE IS FURTHER GIVEN THAT applicant shall cause this Notice to be published in a newspaper of general circulation in the area once a week for two successive weeks, the last publication not appearing later than five days prior to the date for filing protests, and furnish proof of publication.

"I find it difficult to believe that a thorough investigation into the incident was conducted by the patrol," Cummings said late Thursday. "Especially since I was never questioned, and to my knowledge, Mr. Oxendine was never questioned during their investigation."

Robeson County District Court Judge Charles McLean emphasized during the trial he had no intention of deciding whether the officers used unnecessary force. McLean said his duty was to judge whether Oxendine was guilty of drunken driving and resisting arrest.

Cummings testified during the trial that he saw Evelyn strike Oxendine with his fist, and that both troopers then hit Oxendine with their blackjacks.

The sixteen percent increase needs Insurance Commissioner Ingram's approval.

The new law will allow companies to charge the new rates without the Commissioner's approval ninety days after requesting the increase. If the Commissioner wants to repeal the rate hike, he will have to go to court to prove that it wasn't justified for essential coverage. On the nonpersonal insurance there won't be any delay in increasing the rates, which will remain in effect unless Ingram can prove in court there was no need for increases.

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This 13th day of June, 1977.

NORTH CAROLINA UTILITIES COMMISSION
Katherine M. Peele, Chief Clerk

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Oxendine later required 31 stitches to close wounds on his head.

The officers testified that Oxendine struck Evelyn, and that the blows with a blackjack were delivered only by Evelyn in defending himself.

McLean ruled that Cummings, although he was only 100 feet away, was not in a position to see everything that happened, and that Oxendine could have hit Evelyn without Cummings seeing it.

Ingram reacted strongly to the legislature's decision.

He said, "Wall to wall lobbyists have overcome the will of the people." He said, "This is a pocketbook issue, which the people will not take lightly. There is disappointment that the Governor did not speak out

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Sources Friday told The Fayetteville Times that denial for a warrant may be included in the FBI investigation of civil rights violations.

Oxendine has appealed his conviction to Robeson County Superior Court, but a firm date for the trial has not yet been set.

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