

# WEEKLY LEGISLATIVE SUMMARY

NOTE: This is the fourth of a series of weekly summaries of the work of the North Carolina General Assembly of 1953. It is confined to discussion of matters of general interest and major importance.

Public legislation of major importance began coming in faster and the rate of bill introductions began to pick up as the General Assembly finished its fifth week. Public hearings outside of appropriations hearings have begun to attract state-wide attention; bills of general interest are making their way to the floor of both houses daily, and they are being dispatched with desultory debate; bills ratified into law include some legislation of importance. The Governor's legislative program is moving along with apparent support from both houses and will probably move faster following his return to Raleigh. Occasional controversial legislation not yet introduced and the fact that the appropriations and finance committees are still doing spade work serve as reminders that much work remains to be done.

**Appropriations and Finance**  
Attention this week has shifted to the state's revenue laws, partly because of the disturbing implications of appropriations requests which now exceed the Advisory Budget Commission's recommendations by over \$50 million. A joint finance sub-committee was assigned the task of examining the state's reportedly complicated corporate tax structure with an eye to making it more attractive to industry; a second sub-committee was assigned the job of "modernizing" the license tax schedules (set in 1931) in the light of two decades of economic change. Despite Rep. Winkler's proposal, made on Monday, which would impose a 1 cent tax on retail sales of soft drinks and bring in an estimated \$1 1/2 million annually, little legislative support for additional taxes is evident.

Appearances by the consolidated University of North Carolina and the Hospitals Board of Control highlighted the appropriations committee hearings this week. Two more weeks of hearings remain. University officials asked for over \$5 million, divided between operating funds and permanent improvements, and suggested that if university needs were also incorporated in a bond issue, they would request about \$6 million. The Hospitals Board of Control requested in addition \$5.3 million for operations and fixed \$25 million as necessary for permanent improvements. No decision on appropriations, revenues, and bond issues is expected until Governor Umstead has delivered his budget message.

Meanwhile nibbles are being made at state funds by bills seeking \$35,000 for the employment of six school music supervisors, and \$10,000 for research on hay-rot.

**Reorganization**  
Administration reorganization bills in various stages of legislative processing met little opposition during the week. One bill (SB64), aimed at a reorganization of the Department of Conservation and Development by empowering the Governor to appoint an entirely new 15-member board on July 1, 1953, received rapid approval from the Senate S&D committee and passed the Senate on Friday without a dissenting vote. Displaying an impressive array of sponsors' signatures on their jackets but accompanied by rumors of some opposition, identical bills were introduced in the House and Senate on Thursday to permit a five-member committee appointed by the Governor to increase the number of highway divisions from 10 to 15 and change the boundaries of existing divisions if the Governor determines such changes to be in the public interest. Suggested by Governor Umstead's inaugural message, the last public bill introduced this week in the House (HR 205) provides for a

nine-member commission to be appointed by the Governor to study and make recommendations to the Governor by November 15, 1954, as to the necessity and advisability of a reorganization of the state government in the interest of more efficient and economical administration. HB 36, which creates a three-man paroles board, was ratified on Tuesday.

**Courts**  
Governor Umstead, in his inaugural address, urged more superior court judges but no additional judicial districts, in order to reduce the work load of the judges. This week Rep. Whitmire introduced HB 163, proposed by the Judicial Council, which would add an additional resident judge in the 4th, 9th, 10th, 12th, 14th, and 19th districts and provide for their assignment and rotation. The new judges would be appointed by the Governor this year to serve until their successors are elected in the 1954 general elections. While it is hoped that the new resident judges will reduce the need for as many as eight special judges, HB 175 would give the Governor what has become standard authority to appoint as many as eight for two-year terms.

**Roads and Highway Safety**  
Law enforcement officers seeking to curb speeders on the highways opposed "hotrod" enthusiasts at the public hearing on HB 90 held on Thursday before the House Judiciary 2 Committee. Suggested by Governor Umstead in his inaugural message, the bill would prohibit operation on the highways of any motor vehicle which has been altered so as to increase its speed. The committee deferred action on the proposal following a lively debate. The Senate bill designed to impose a mandatory prison sentence on drunken drivers for second and subsequent offenses received committee approval in the form of a substitute bill this week. The committee substitute would change the penalty originally proposed for a second offense from imprisonment for from 60 days to 6 months to imprisonment in discretion of the court, and for third or subsequent offenses from imprisonment for from 6 months to 2 years to imprisonment for 60 days to 2 years. The substitute bill is on the Senate calendar for Monday.

**Election Law Changes**  
On Monday night six bills containing election law changes endorsed by the State Board of Elections were introduced in the Senate. Perhaps the most newsworthy measure would revise the law providing for investigation and prosecution of election law violations, require SIH investigations on request of the Governor, Board of Elections, Attorney General or any superior court solicitor, permit removal of trial from the county in which the offense took place to any county in the judicial district or adjoining district, and permit prosecution of violators constituting a felony by the Attorney General when called upon by the Governor and Board. Hard-pressed precinct officials will hail the bill requiring any precinct having more than 1500 registrations to be split so that no precinct will have more than 1500 registrations. Among other changes were (1) increased compensation for county election board members, (2) advance registration provisions for cities above 50,000, and (3) statutes to carry into effect the constitutional change permitting the Governor to fill legislative vacancies by appointment of the person recommended by the county executive committee of the party of the deceased member rather than by special election.

**Local Government**  
Expected permissive "home-rule" legislation has now materialized in the form of three house bills to give county commissioners authority to fix: (1) salaries of all county officials and employees except county commissioners; (2) fees of the superior court clerk, register of deeds, sheriff, jail-

or, and coroner; and (3) the number of county employees. The Senate has passed and the House received legislation designed to permit the use of on-street parking meter revenues in purchasing and maintaining off-street parking lots.

**Miscellaneous**  
To meet in North Carolina what has become an urgent national problem, SB 86 drastically tightens the Uniform Narcotic Drug Act and provides stiff penalties for violators (who are rumored to be busy in the vicinity of Fort Bragg) . . . Fishermen, tobacco farmers, and short line railroads will find bills of interest which (1) revise commercial fishing taxes and regulations; (2) reduce tobacco warehouse commissioners from 2 1/2 per cent to 2 per cent; and (3) eliminate statutory regulation of intrastate railroad fares and transfer such regulation to the Utilities Commission . . . Another proposal would require routing of school buses to within 1/2 mile of any child living more than 1 1/2 miles from school.

## Proceedings Of Commissioners

February 2, 1953.

At a regular meeting of the Board of County Commissioners held at the Court House on Monday, February 2, 1953; present and presiding, A. T. Lane, chairman, with Commissioners Wm. C. Chappell, H. B. Hollowell, R. L. Spivey and Warner Madre. Absent: None.

On motion the request of J. C. Morgan, Superintendent of the County Home, to bill the county for \$6.00 per week for extra help while Will Toms and wife were in the County Home was approved.

On motion the Board approved the request of W. W. White and Fenton Eure, that the State Highway and Public Works Commission take over and maintain the road leading from Hertford-New Hope Highway to Homeplace of Charney Umphlett (now W. W. White) a distance of about 1/2 mile, known as Charney Umphlett lane.

On motion the Board approved the request of Belvin Eure and J. A. Russell, that the State Highway and Public Works Commission take over and maintain the Polly Tillet Road leading from Hertford-New Hope Highway a distance of about 1/2 mile.

On motion the purchase of vault cabinet for Clerk Superior Court office, be referred for consideration in the 1953 budget.

On motion the Board approved the request of Mrs. Francis McM. Wright, Mrs. Lillabelle E. Brinn and Mrs. J. E. Everett, that State Highway and Public Works Commission take over and maintain about 1.2 mile road leading from Hertford-Center Hill Highway, through their farms.

On motion resignation of Claude Ruter, Assistant County Agent, effective March 1, was accepted with regret.

On motion the Board approved a refund of \$1.77 for Norfolk-Southern Railroad Company for overpayment on 1952 taxes.

On motion the Board approved a refund of \$21.06 for W. S. Evans, taxes on car for 1952, which was listed to him and also to his son Robert Oliver Evans.

S. M. Whedbee, County Attorney, made report on condition of jail and recommended that certain repairs be made and certain locks fixed and certain duties be assigned to janitor. Chairman Lane and Commissioner Spivey delegated to supervisor repair to jail. Sheriff Owens and County Attorney requested to make further recommendations as to janitor service.

Whereas there is before the Legislature

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lature a bill to repeal the "Old Age Lien Law" and whereas it is the opinion of this Board of Commissioners that said law should not be repealed. It is therefore on motion ordered that this Board of Commissioners respectfully request Honorable C. R. Holmes, Representative for Perquimans County, to use his influence to defeat said bill and that a copy of said resolution be forwarded to Mr. Holmes.

On motion, whereas in the opinion of the Board, certain fees of the Sheriff and Register of Deeds, should be adjusted. It is on motion requested that Honorable C. R. Holmes, County Representative introduce proper legislation to set up the following fees: Sheriff's fees, claim and delivery \$3.50, warrant of attachments \$3.50, Civil summons \$2.00, criminal warrant \$2.00, subpoena 75c, eviction \$3.00, and jury service 50c; Register of Deeds fees, Certified Certificate of birth \$1.00, Certified Certificate of death \$1.00, and Certified Certificate of Marriage \$2.50.

The Treasurer was ordered to pay the following bills:  
W. S. Evans, \$21.06; Norfolk-Southern Railroad Co., \$1.77; C. Edgar White, \$9.65; W. C. Strowd, \$2.58; Minnie B. Taylor, \$7.35; Melvin G. Owens, \$41.40; Hilton M. White, \$5.00; Sam Hourmouzis, \$102.05; Robert A. White, \$10.80; Owen G. Dunn Co., \$19.46; Darden Bros., \$13.79; Edwards & Broughton Co., \$16.30; Sinclair Refining Co., \$24.35; Eastern Office Equipment Co., \$9.96; Julian C. Powell, \$6.25; The Perquimans Weekly,

\$68.56; W. H. Lane & Sons, \$6.76; Commercial Printing Co., \$71.36; Hertford Hardware & Supply Co., \$26.49; J. C. Morgan, \$367.09; Dr. C. A. Davenport, \$10.00; Dr. T. P. Brinn, \$63.00; Chowan Hospital, \$72.00; Albemarle Hospital, \$64.75; Office Supply Store, \$4.16; Claude Ruter, \$10.55; Warner Madre, \$5.00; R. L. Spivey, \$17.55.  
No further business the Board adjourned.

A. T. LANE, Chairman.  
JULIAN C. POWELL,  
Clerk to Board.  
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—Ralph W. Emerson.  
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