

## DELEGATIONS TO INTRODUCE ONLY LOCAL MATTERS

No Bill or Joint Resolution shall be introduced as a delegation bill or resolution unless such bill or resolution relates only to local matters concerning the county which such delegation represents.

Miss GOURDIN proposed the following Amendment to Rule 39:

Any local legislation requiring a statewide referendum shall be referred to a statewide standing committee.

Miss GOURDIN spoke in favor of the Amendment.

(On motion of Mr. ROGERS the amendment was tabled.)

Amend Rule 40 by striking all of the rule and insert the following to be known as Rule 40: "Subject to the foregoing rules when a motion is made the Speaker shall entertain but two substitute motions, which shall be considered in their inverse order".

Amend Rule 42 after line 13 by adding the following "fix the hour to which the House shall next meet".

Amend Rule 44 on line 2 by striking out the words "for the session" and adding a period after the word question.

Amend Rule 55 on line 6 after the word "precedents" and before the word "and" insert the following "of the House of Representatives and if there be none available then by the precedents".

Amend Rule 57 on line 1 of paragraph 4 of Rule 57 after the word "on" and before the word "free" insert the following: "Conference or".

Amend Rule 60 by striking out the last proviso which reads as follows: "Provided, That, unless otherwise ordered, the House shall consider only local uncontested matters on Friday of each week". (NOTE: This proviso was added at the end of paragraph 1 of Rule 1.)

## SEAT REASSIGNMENTS

The SPEAKER announced the following seat reassignments:

Mr. Charles E. Simons, Jr. ....	Seat No. 103
Mr. T. M. Nelson .....	Seat No. 53

## COMMITTEE APPOINTED TO ESCORT THE GOVERNOR

The SPEAKER appointed Messrs Howell, Hynian and Yarbrough of a Committee to escort the Governor.

## HOUSE STANDS AT EASE

The House stood at ease subject to the call of the Chair.

## THE HOUSE RESUMES

At 11:56 a. m. the House resumed, the SPEAKER in the Chair.

## RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 1001.—Mr. BLATT: A Concurrent Resolution inviting His Excellency, Ernest F. Hollings, Governor, to address the General Assembly in joint session at 12:00 noon on Wednesday, January 11, 1961.

Received as information.

## JOINT ASSEMBLY

## ADDRESS BY GOVERNOR ERNEST F. HOLLINGS

At 12:00 noon the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it convened under the terms of a Concurrent Resolution adopted by both Houses.

The Clerk of the House read the Concurrent Resolution:

H. 1001.—Mr. Blatt: A Concurrent Resolution inviting his Excellency, Ernest F. Hollings, Governor, to address the General Assembly in Joint Session at 12:00 noon on Wednesday, January 11, 1961.

Governor Hollings was escorted into the Hall of the House by a committee composed of Senators Bristow, Hays and Jessen and Messrs. HOWELL, HYMAN and YARBOROUGH.

The President of the Senate introduced Governor Hollings who then addressed the Joint Assembly as follows:

This General Assembly faces the challenge of a rapidly changing civilization and economy. To keep abreast of the challenge

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of the 60's proper legislative foundations for the needs of the 60's must be laid this year. The foresight we show now will measure the extent of progress South Carolina will make in the next decade.

Perhaps the greatest responsibility of this General Assembly is to abandon the policy of legislative expediency so often used in previous sessions when only those plans and policies necessary for the coming year were adopted. The challenge—the opportunity this year is to plan and program on a long-range basis.

Here are some of the challenges which must be met with legislative wisdom. First is that of education. Our state's greatest natural resource is its people. Our people are only as strong as their training and education will make them.

The South Carolina Education Association very wisely adopted as its theme for 1961, "Quality Education." Its major recommendation is the organization of the various state divisions of education into one new State Department of Education. This same improvement has been endorsed by the South Carolina Association of School Boards, the South Carolina Congress of Parents and Teachers, and the Governor's Conference on Business, Industry, Agriculture and Education. To assist this consolidation by the General Assembly, your Budget and Control Board has instituted a management consultant survey to determine the efficiency and effectiveness of our educational effort at the state level. It will survey the functions of the State Department of Education, the State Educational Finance Commission, the State Schoolbook Commission, the South Carolina Educational Television Commission, the State Library Board, the Regional Education Board, and the State Advisory Committee on Adult Education. No doubt it will recommend a consolidation, but the General Assembly need not wait on expert advice on this score. The need is obvious, and the best expert on how it should be done is the General Assembly itself. This survey is not one to disrupt our school pattern. The present local district and county control shall be maintained. My suggestion is that the new Education Department be organized on the same basis as our Highway Department is presently constituted.

After proper organization of our Educational Department we next need to make certain that expenditures in education as well as other fields are wisely made. Economy is our constant goal.

I recommend again that the General Assembly formulate criteria for minimum local support of our public schools in order to qualify for state aid. Committees were appointed by the last General Assembly for this purpose. There is no reason why the Education Committee of both Houses cannot tackle this problem immediately. This will not be easy. This will not be popular. But it is absolutely essential.

Our capital improvement needs require every cent of state revenues available. We cannot afford to continue to allow surplus state revenues to be used as a portion of the operating funds of counties in their educational programs. Rather we must formulate a plan whereby surplus state revenues will be used for necessary capital improvements. Only in that way can we be sure that every child in the future will have an adequate classroom when he needs it as well as an opportunity to attend a state supported institution of higher learning. Only in that way the pressing demands of our other state institutions will be met. Today we must recognize these needs before they become acute. Today we must solve our problems before they multiply into crises.

In 1950, had a legislator proposed on this House floor a \$23 million capital improvement program for the next ten years, he would have been ridiculed here and probably defeated for reelection at home. But the fact remains that we spent that much at Clemson College alone between 1950 and 1960, and the facts also indicate that we will spend in excess of \$50 million during the next ten years for improvements at the state's institutions. Needs at Clemson, the University, Winthrop, The Citadel, State College at Orangeburg, the State Hospital, State Penitentiary, Medical College, the junior college system, additions at Whitten Village, a State Office Building, National Guard Armories and the air fields are impending as we assemble today. Failing to plan and provide, results in sporadic and spastic government. One year the budget is balanced, the counties receive the surplus—regardless of qualification, no new taxes are added, the public is happy and we are called statesmen. The next year the accumulated needs crash down around us. To meet them we have to raise taxes, the people are unhappy and we are called a bunch of cheap politicians.

The first move to forestall a repetition of this predicament was made last week when an Advisory Committee on Higher

Education was appointed. In addition to suggesting methods to improve the quality of higher education, the Advisory Committee will determine the capital improvement needs of our colleges and junior colleges. South Carolina has a relatively youthful population and indications are that we will have at least 65,000 students in the colleges and universities by 1975—over double our present enrollment.

An assistant auditor has been appointed to assist in the planning and coordination of the program and he will also estimate construction requirements of all state institutions. While some of this construction can be cared for by tuition bonds, the main cost must be appropriated by the General Assembly. I earnestly urge that you establish a Capital Improvement Fund into which will go all state revenues in excess of the \$5,000,000 reserve fund. This fund should be controlled by the General Assembly.

Last year the General Assembly adopted a budget that was balanced by a \$5 million windfall from withholding taxes. Consequently, for appropriations to remain at the same level for the next fiscal year, revenues had to increase considerably to prevent a tax increase. The estimate of increased revenues for next year is approximately \$9 million 800 thousand. Deducting the \$5 million windfall, this leaves approximately \$4 million 800 thousand. We have again used the test of what was necessary rather than what was merely desirable. \$3 million, 800 thousand of this has been allotted to educational purposes. We have recommended that the remaining funds be appropriated to the State Hospital, Whitten Village, the Insurance Commission, the Development Board, and the Department of Agriculture.

Foremost is the need for faculty pay increases at the colleges. While we increased salaries approximately 12 per cent last year, another 5 to 10 per cent increase is considered necessary to maintain our college faculties.

Our second challenge is in the field of social responsibilities. The care of the sick and less fortunate, the protection of the health of our people are basic responsibilities of state government. Nowhere are these responsibilities more acute or the needs more demanding than in the field of mental health. Year in and year out we have increased appropriations for our mentally ill. However, psychiatric positions appropriated for cannot be filled. In the last two years we have lost four potential psychia-

trists to residency programs in North Carolina. A residency program at the State Hospital here in Columbia must be instituted at once so that we can intensify our mental health effort. We need to provide direction and coordination of non-public school programs for the mentally retarded. I, therefore, recommend the creation of a division of mental retardation within the South Carolina Mental Health Commission. The legislature should also authorize the community mental health services plan recommended by the Morris Committee so that each county in the state may participate in a community program.

Another social obligation of our government is the rehabilitation of prisoners. Many of the inmates of the penitentiary can neither read nor write. When returned to society, they have difficulty establishing for themselves a meaningful role, and making a meaningful contribution. One of the wisest investments we can make would be the expenditure necessary to increase the educational facilities of our penal system. I recommend this be authorized for the purpose of educating at least to a minimum level the inmates of the State Penitentiary.

The increased use of pre-packaged food has fostered the growing use of artificial substances ostensibly to protect or preserve the contents. Some of these additives have been found deleterious, particularly in meat products. Inspection, detection and a continuing program of pure food and drug work is vitally necessary in the state. I urge that adequate funds be provided for the Department of Agriculture to continue and further the protection of our people.

The third challenge facing this year's General Assembly is a continuation of administrative reorganizations and reforms begun in previous years and the adopting of legislation which will result in more economy in our government and more and better services to our people. The General Assembly last year took the first step in the creation of a model agency by reorganizing the Insurance Department. We need only now to complete the work. For this purpose I recommend an increase in the Insurance Department funds, to provide stability to the program and to give proper protection to the insurance investment of our people.

The Tax Commission has been strengthened by the appointment of an Executive Secretary who has the responsibility of establishing a budget and personnel policies. The Commission

is also moving to implement other phases of the recommendations of the management consultants and of the Tax Study Commission. I commend this action.

The practice of an individual in a judicial or quasi-judicial position deciding a case initially and then sitting as a part of an appellate court or review board is a poor one. It was abandoned in our judicial system many years ago. It should be eliminated from the present system of our Workmen's Compensation Act. I therefore recommend the institution of an appellate board to hear appeals from the findings of the single Commissioner. Cases would be heard and determined by a single Commissioner, as is the procedure now, with the Commission maintaining its administrative authority. This will expedite the payment of awards to deserving claimants.

There is a need for the revision of our existing laws in several areas:

First, our corporate laws need revision. The Judicial Council will undertake this study for the General Assembly, and we have recommended an appropriation for the study.

I recommend the reform of our Criminal Code as submitted by the Campsen Committee.

I again recommend that the rules for civil procedure in the courts of our State be amended in accordance with the recommendations of the Judicial Council.

I recommend the adoption of the Uniform Securities Act as submitted by the Richardson Committee. I further urge that the General Assembly provide an accountant-investigator for the Securities Department.

The Mazingo Committee has been working diligently investigating lending practices throughout our State is continuing its investigation and will shortly file a report. I commend the work of this committee and recommend for your consideration legislation covering consumer and installment financing, motor vehicle financing, and further regulation of direct lending practices in the small loan field.

I recommend the adoption of the accumulated leave program as endorsed by the South Carolina State Employees Association.

Members of this Joint Assembly, it is a tragic and fearful indictment that South Carolina continues to lose the battle for

highway safety. Last year 703 persons died on our highways. Before you convene tomorrow two more will be killed. I recommend that South Carolina institute a system of compulsory re-examination so that at least once in each ten years every South Carolina driver will be re-examined. Special provisions for the re-examination of traffic violators and disabled drivers should be instituted. I recommend that we reinstitute the program of compulsory annual motor vehicle inspection. It is recommended that a driver training program be provided in the high schools of our state in cooperation with the local civic and community organizations. Finally, I urge that you join with me in alerting the judiciary to their responsibility for imposing severe sentences in keeping with the nature of serious traffic violations.

The 1960's have been aptly called the decade of nuclear development. The application of the power of the atom to peacetime functions is one of the intriguing challenges of our generation. We in South Carolina have a unique and unlimited potential in this field because of public and private nuclear facilities. The Legare Committee studying the peacetime uses of nuclear energy has been working diligently and I commend to your attention their recommendations when submitted. I particularly wish to comment on the bringing together of the fields of nuclear energy and that of agriculture. Solutions to the farm problem generally are beyond the capacity of state government but South Carolina is fortunate in being one of the most progressive agricultural states in the South. Through the combined efforts of many persons and agencies, including the Legare Committee and Clemson College, we are happy that a southwide seminar on the peaceful uses of atomic energy in the field of agriculture is to be held at Clemson College next month.

This meeting, which will include many of the outstanding scientific and agricultural leaders in the United States and is of signal significance of the progressiveness which our state is showing in these fields—one new and one old. It is striking testimony of our recognition that a healthy expanding agriculture is the foundation of a sound and progressive economy. Those states with acute industrial problems are those lacking in proper agricultural balance. The common sense wisdom and stability of character of our farmer citizens are lost to those states. Fortunately we have the proper balance. We cannot afford to lose it by neglect. This Fall I asked Clemson College to prepare a list of



goals necessary for the future of South Carolina agriculture. Clemson, in cooperation with other agricultural agencies and commodity groups, has worked during the Fall on this, and a copy of their findings and recommendations has just been placed on your desks. I commend these goals to your attention. Generally speaking, they do not call for special legislation, but the goals do emphasize the need for more research and attention in our state if agriculture is to move forward on an efficient and progressive basis.

Recently I had the pleasure of awarding the 400th tree farm certificate in South Carolina under the Busy Acres program. In accordance with my recommendation of last year, we are putting to work idle acres of forest land. However, some of us still fail to appreciate South Carolina's second largest industry. The annual yield of timber in this state could easily be doubled if most woodland owners adopted proper forestry practices. Our forest study committee has made excellent recommendations. I commend its recent report to you for action.

South Carolina, in the face of many obstacles, continues to lead the parade of southeastern industrial and economic development. While still relatively low, our personal income climbed an impressive 10.1 per cent in 1960, nearly doubling the national average increase. During 1960, \$209,759,000.00 was committed for new and expanded industry. In 1959, the total was 207 million dollars, giving South Carolina the greatest industrial expansion in any two consecutive years in its history. During the past 24 months, over 25,000 new jobs have been created for our people.

Many factors played important roles in this success. The expanded State Development Board, local community groups and cooperating agencies made meaningful contributions to the total effort. Community groups made 15 out-of-state industry solicitation trips last year, when 104 of you and your neighbors made a total of 633 personal visits with industrial executives throughout the nation. In the fall of last year, 28 business leaders in South Carolina paid their own way to travel over 12,000 miles through four South American countries in search of increased trade and better business for South Carolina. Lasting benefits have accrued, and will accrue to our economy as a result of this effort; and certainly our overall development posture has been strengthened.

Now, there is one great need which must be met if we are to continue to progress industrially. We must either adopt an industrial training program or forget about industrial development. Imagine my dismay, if you will, when I attended recently the open house ceremonies of a new friend and resident of ours, the Jacobs Manufacturing Company at Clemson, and found that their skilled labor was obtained from the North Georgia Area Trade School. We had worked diligently to obtain this industry to create jobs for South Carolinians but natives of our state did not have adequate industrial training. All of our sister states have instituted such programs and they are paying for themselves. For example, today North Carolina readily admits that 75 per cent of its incoming industry locates there as a result of its industrial training program. Again—our greatest resource is our people. We can improve and enhance this resource by producing a better trained, better educated people. Fortunately, the West study committee has been at work this Fall. It will have excellent recommendations which I commend to your attention. Proper financing for this program can be obtained from the funds estimated to be available this present fiscal year.

The current fad in industrial development is that to attract an industry one must offer tax lures and government financing. Nine Southern States have employed this gimmick. Fortunately South Carolina is not one of them. Such concessions have little impact on industrial development. The best way for a state to attract industry is to provide good traditional services — good schools, good community facilities, and sound government. Let us not be tempted by the fancy claims of other states' gimmicks and devices. Let us keep our industrial development program on a sound business-like basis.

One of the greatest benefits we receive from the surge of new industrial development is the civic and political leadership given by our new citizens. Certainly a one year's residency is sufficient to establish them as qualified voters in South Carolina and I recommend that the law be so amended.

Two years ago a survey designed to illustrate ways of saving money reported that a new state office building was indispensable if we were genuinely interested in economy. The \$2,350,000 required for this purpose can and should be appropriated from our present fiscal resources.

Our thoughts are of necessity based primarily upon problems arising out of the material needs of our state and its citizens. We should not overlook, however, other needs of non-material things which contribute to the success and happiness of our state and continue to build the fine traditions which we cherish. In accordance with a resolution I submitted to the Southern Governors' Conference in September of last year, which resolution was adopted by the unanimous vote of the Southern Governors, I recommend that the high schools of this state place greater emphasis on the teaching to its students the history, meaning and appreciation of the United States Constitution and its amendments, as is presently required by state statute.

One of South Carolina's principle attractions of new industry and new citizens is the good moral climate which prevails in our communities. Recently, however, we have noticed a flow of pornographic and obscene literature. I recommend that the General Assembly adopt a stronger legislative policy aimed at the abolition of this filth.

I commend the South Carolina Confederate War Centennial Commission and its Chairman, Representative John A. May, for their splendid work in commemorating the memory and the honor of our participation in the war which divided our nation. I also commend the new Travel Promotion Program of the State Development Board and strongly urge the increased appropriation recommended for its work.

State agencies and institutions have been relentless in their search for information concerning our needs and strengths—research is being carried on at the University of South Carolina and at Clemson College on transportation, population changes, textile imports, available skills and labor, wage rates, fringe benefits, industrial markets and the like. These are examples of a state on the move, a state where there is progress with honor. Now the hopeful eye of the public is turned on you asking for your guidance, your judgment and your wisdom. Working together we can provide the leadership and guidance necessary for the continued progress of our state. You have my support. You have my confidence.

#### JOINT ASSEMBLY RECEDES

The purposes of the Joint Assembly having been accomplished, the President announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

#### THE HOUSE RESUMES

At 12:32 p. m. the House resumed, the Speaker in the Chair.

#### RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 1004.—Mr. HART: A Concurrent Resolution requesting the Congress of the United States to propose an Amendment to the Federal Constitution providing for validating any Supreme Court decision which transfers from the States to the Federal Government powers not contemplated by the Constitution of the United States.

Received as Information.

H. 1006.—Messrs. FRED CONNER, JR., FAIREY, OTT, YARBOROUGH and SAMS: A Concurrent Resolution expressing sympathy of the Members of the General Assembly to the family on the death of the Honorable Andrew Jackson Hydrick, Sr., and providing that when the General Assembly adjourns on January 12, 1961, it adjourn out of respect to his memory.

Received as Information.

#### HOUSE RECEDES

Mr. SHEALY moved that the House recede until 5:00 p.m., which motion was adopted.

#### THE HOUSE RESUMES

At 5:00 p.m. the House resumed, the SPEAKER in the Chair.

#### R. 1142, H. 2214—DEBATE ADJOURNED ON GOVERNOR'S VETO

The following was received:

THE STATE OF SOUTH CAROLINA  
EXECUTIVE OFFICE  
Columbia

*Mr. Speaker and Members of the House of Representatives:*

I am returning herewith to your Honorable Body without my approval House Bill No. 2214, Ratification No. 1142, entitled,