

in the town, and to ratify certain prior tax levies by the Town Council of St. Matthews.

R. 5, H. 1036.—Edgefield Delegation: An Act to establish an Agricultural Building Commission for Edgefield County; to define its duties; and to provide for the construction and management of an agricultural building for Edgefield County.

R. 6, H. 1060.—Marion Delegation: An Act to amend the Code of Laws of South Carolina, 1952, by adding a new Section to be known as Section 47-371.2, so as to fix the terms of office of the Aldermen of the City of Marion at four years.

R. 7, H. 1082.—McCormick Delegation: An Act to authorize the Treasurer of McCormick County to transfer four thousand dollars from the general fund of the County to the miscellaneous contingent fund.

THE HOUSE RESUMES

At 11:38 a. m. the House resumed, the Speaker in the Chair.

SENATE AMENDMENTS AGREED TO

The Senate returned to the House with amendments the following:

H. 1071.—The Fairfield, Chester, York, Darlington and Marlboro Delegations: A Concurrent Resolution to fix Wednesday, February 2, 1955, at twelve o'clock noon, as the time for the election by the Joint Assembly of successors for the two members of the Board of Trustees of the University of South Carolina from the Fourth and Sixth Judicial Circuits.

The Senate amendments were agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 1102.—Messrs. Buck and Eppes: A Concurrent Resolution to provide for the election by the Joint Assembly at twelve o'clock noon on Wednesday, January 26, 1955, of a successor to the membership of the board of visitors of The Citadel whose term expires in 1955.

Received as information.

H. 1077.—Messrs. Harvey, Love, Bradford and Dickson: A Concurrent Resolution memorializing Congress to continue a tariff that will protect the American Cotton Textile Industry from competition with the importation of foreign textiles.

Received as information.

JOINT ASSEMBLY

ADDRESS BY GOVERNOR GEORGE BELL
TIMMERMAN

At 12:00 o'clock noon the Senate appeared in the Hall of the House.

The President *Pro Tempore* of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

The Clerk of the House read the Concurrent Resolution:

H. 1105.—Messrs. Blatt and Freeman: A Concurrent Resolution inviting His Excellency, George Bell Timmerman, Jr., Governor, to address the General Assembly in Joint Session at 12:00 noon on Wednesday, January 26, 1955.

Governor Timmerman was escorted into the Hall of the House by a Committee composed of Senators Harrelson, West and McKown and Messrs. Lindler, Stephens and Duncan.

The President *Pro Tempore* of the Senate introduced Governor Timmerman who then addressed the Joint Assembly as follows:

I am fortunate to have the opportunity to serve with so many of my friends who have demonstrated their legislative ability and their loyalty to good government. There are more experienced members in this General Assembly than in any during my eight years as Lieutenant Governor. This demonstrates the established confidence that has been placed in so many of you by the voters. Among your new members are many able men to assist in carrying on the high standards set by this distinguished assembly.

In my inaugural address I spoke in general terms to all our people. On this occasion I speak directly about specific matters for your consideration.

I offer no easy, simple way toward the accomplishment of those ends which may benefit our State. In the democratic pro-

CC Governor - Messrs

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cess of our government these things are resolved by proposal, counter-proposal, debate and compromise among representatives of the various viewpoints of our people.

I respect your right and duty to disagree with me when my views do not accord with your own. But I reserve my right and duty to disagree with you when your views do not conform to mine. In that instance you will find me ever willing to listen to your position. When convinced that I am wrong, I will change my position in the interest of what is best, fully realizing that out of differences of opinion the right may be found.

Our State is troubled by declining revenue, while good planning is a harbinger of a more bountiful economy.

The future of education is endangered by the impending threat of judicial interference while educational opportunity in our State is attaining a high degree of development.

Our economy was challenged by the recent drought and the resultant loss in farm income. But our industrial development of new jobs and new payrolls has proved to be a rich bonanza for the continued prosperity of our people.

In the light of these circumstances I submit in person for your consideration the following recommendations:

SCHOOLS

a. Separate Schools

Our educational progress must be continued.

It is impossible to offer a solution to a problem until that problem is known. Therefore, we must await a final decree from the Supreme Court of the United States in the school segregation cases to learn what our final problem will be in maintaining separate schools. Any action toward the establishment of a final plan would be premature and may well hamper our future course of action when the Court's decree is known.

However, the suggested changes contained in the Second Interim Report of the South Carolina School Committee would clarify our present law and increase the efficiency of present administration.

I shall not restate the legislative recommendations contained in the report of this Committee.

These recommendations meet with my approval and I recommend them to you for your favorable consideration.

In my inaugural address I pointed out that the greatest constitutional problem facing the American people today is how to curb the presently uncontrolled authority of the Supreme Court of the United States.

The Congress of the United States, in the exercise of the power granted to it by Article III of the Constitution, can return to the States their rightful and constitutional prerogatives, including the traditional right to regulate and control their schools. The Congress may do this by the enactment of a simple piece of legislation limiting the appellate jurisdiction of the Supreme Court and the jurisdiction of the other Courts of the United States.

I, therefore, recommend that you memorialize Congress to exercise its power for this purpose.

We cannot expect others to speak for us if we are unwilling to speak for ourselves. And we can never expect others to stand with us unless we are first willing to take a stand.

b. School Financing

In 1951 a school building program was begun. Annual appropriations together with the authority to issue bonds have provided a total of one hundred thirty-one and a half million dollars to finance the program.

Approximately seven hundred and seventy-three individual projects, costing an estimated one hundred twenty-four million dollars have been approved. A balance of seven and one-half million dollars is available to apply on additional projects. Applications awaiting Commission action total approximately twenty-four million dollars, or sixteen and a half million dollars more than is now available.

At the beginning of the program in 1951, the primary objective was the elimination of all substandard facilities then existing. This initial objective has not been reached.

Improvement of Negro schools was emphasized by the Commission in the early stages of the program. Of funds thus far allocated, sixty per cent have been for Negro facilities. The majority of applications now before the Commission are for white schools.

In 1951 no detailed studies were available to indicate the extent of need. In 1954 it was necessary to raise the original bond ceiling of seventy-five million dollars to one hundred million dollars.

The Educational Finance Commission has completed a projected plan through the fiscal year 1959-60.

This program would cover substantially within the next eighteen months the remaining backlog of needs existing in 1951. It also includes plans to meet expected increases in enrollment.

To carry this program to a successful conclusion, the State would reach the peak of its bonded indebtedness at the end of the second quarter of the fiscal year 1959-60.

The advantages of adopting a final ceiling at this time under a five-year program are three-fold:

1. A well planned program of financing would insure continuance of the excellent credit rating now enjoyed.
2. Orderly administration of the entire State budget requires the fixing of a final limit on the State's financial responsibility in the major field of school building.
3. Local school districts are entitled to know the maximum aid that may be expected from the State, thereby relieving the uncertainty where further construction is needed.

To complete this projected program satisfactorily, it will be necessary to raise the bond ceiling to one hundred thirty-seven and a half million dollars. The rate of current appropriations for the school program—\$20 per pupil—would be sufficient to retire these additional bonds, without additional appropriation.

I recommend that a *final* bond ceiling of one hundred thirty-seven and a half million dollars be authorized.

c. Scholarships

School buildings alone will not improve our educational standards. As school enrollment increases, the need for trained teachers will increase.

I recommend that the General Assembly give its attention to a program of scholarships for prospective teachers to encourage students to enter this field. Such a program should carry provisions which would insure that schools of this State would

benefit from the talents of the recipients of these scholarships. This could be done at a minimum cost.

STATE CONSTITUTION

The present Constitution of our State needs a general overhaul to make it the meaningful basic law that it should be.

The question of calling a constitutional convention for the purpose of writing a new constitution should be submitted to the people.

FISCAL AFFAIRS

a. Appropriations

Every precaution should be exercised in making appropriations for the next fiscal year to insure needed services without the creation of a deficit. This calls for the elimination of all but essential needs.

I recommend increasing the present reserve fund limit from three million to six million dollars to provide a reserve that will be sufficient to cover fluctuations in our revenue, and thus avoid in the future some of the present fiscal difficulties. This is the wisdom of experience.

b. Property Assessment

The present system for assessing property for taxation is antiquated, unjust and unconstitutional. This problem cannot be solved locally.

It is the responsibility of good government to establish an adequate method that will be constitutional and free from favoritism.

This could be accomplished under a State assessment program. Once an equitable system of assessment is established, a graduated method of taxation could be devised to provide adequate revenue for local purposes and to afford relief to those least able to pay.

c. Floor Tax

Consideration should be given to the establishment of a more workable and a more equitable method for collecting tax revenue from merchants.

The present floor tax acts unfairly.

INSURANCE

Insurance is a big business in South Carolina.

Thousands of investors annually place millions of dollars in the hands of insurance companies operating in our State. These funds become trust monies and should be protected fully.

The authority to regulate this vast enterprise is vested in only one Insurance Commissioner. His rules and regulations influence the stability of legitimately operated concerns and affect the security of millions of dollars invested by the public.

The room for favoritism is great.

This is too much undivided and uncontrolled power for one fallible person.

The statute makes no provision for removing a Commissioner who abuses his power or neglects his duty. The responsibility for his selection is not pinpointed in any person or group of persons directly responsible to all the people.

In practice the Legislature is limited to a choice from among those who apply. The person seeks the job rather than the job seeking the right Commissioner.

It would be difficult to conceive of a set-up that is potentially more inadequate or more dangerous.

I recommend a thorough investigation of the Insurance Department and that the Department be thoroughly reorganized by law.

I further recommend that the impending election of a new Commissioner be held in abeyance until a final course of action for reorganization of the Department may be determined by you.

SCHOOL OF DENTISTRY

In 1953 a four-year school of dentistry was established by law at the Medical College but no funds have been provided for its operation.

South Carolina is at or near the bottom of the list as compared to the other States in the number of dentists per capita.

Graduates of dental schools in other States have failed in large numbers to be licensed by the State Board of Dental Examiners.

We cannot provide the dentists we need by providing no dental school of our own while excluding dental graduates from schools in other States.

I endorse the worthiness of this school and recommend an adequate appropriation as soon as financially feasible.

HIGHWAY SAFETY

a. Introduction

Safety upon our highways is becoming an increasing problem.

The newspapers, the radio and television stations have made valuable contributions to highway safety awareness.

The State Highway Department and the public are to be commended for the recent drop in highway fatalities.

The Governor's Highway Safety Committee has made a detailed study and important recommendations.

But if our highways are to be made safe, a more determined effort must be made to eliminate casualties.

b. Study Committee

I recommend the establishment of a legislative committee to study highway safety and to report its findings with recommendations to the Governor and the Legislature.

c. Suggestions

I would like to suggest to such a committee that many of the accidents which occur on the highways of our State could be avoided by the exercise of reasonable care by motorists and the exercise of sensible precautions by the State. To encourage such care and to establish such precautions, I suggest that your committee consider:

1. Enactment of a law to provide a driver point system that is fair but firm, a system to exclude habitually careless drivers from our highways.
2. Required courses in automobile driving in all high schools.
3. Widening of heavily traveled main highways to meet the needs of modern travel.
4. Auxiliary roadways to provide channeling of traffic into main highways, reducing the frequency of entrances.

5. Walkways for pedestrians along heavily traveled main highways in thickly populated rural areas and in rural school zones. Many pedestrians in rural areas are forced to walk on highways. Last year approximately ninety-eight pedestrians were killed in traffic accidents in rural areas of this State. Three hundred and four pedestrians were injured in traffic accidents. Last year the average toll of dead and injured was in excess of one each day.

6. Maximum-minimum speed zones for open highway travel to make traffic speed more uniform, reducing the frequency of passing and eliminating the danger of slow moving traffic.

7. Safety advertising along highways as a constant reminder to the motorist of what to expect and what he should do. The frequency and duplicity of such signs should measure up to good advertising standards.

I make these suggestions in a spirit of helpfulness. I am concerned with the innocent victims of highway accidents.

LABOR

Our government must have a heart and conscience. It is the duty of good government to be concerned with the welfare of men and women who are employed by others.

Their rights must be protected in all vocations. Every effort must be made to improve their earning capacities and their living and working standards.

In the broad field of labor-management relations, South Carolina has enjoyed much progress in recent years. I shall support fair and just labor laws.

Unfair wage and hour standards in any segment of our industrial family offend the public conscience. Reasonable regulation is necessary both for protection of good industry and for the protection of employees.

I, therefore, recommend the establishment of a committee to make a thorough study of South Carolina labor laws and to make such recommendations for revision and amendment of existing laws as the committee may deem wise for the protection of our working people.

STATE EMPLOYEES

a. Merit System

Our State employees render valuable service. They are entitled to all the protection and opportunity that we can reasonably afford.

I recommend that you give serious consideration to the adoption of a sound merit system for State employees who work in the administrative agencies of our government.

b. Social Security

The present Social Security Act provides for coverage of State, county and municipal employees now covered by State retirement.

A plan could and should be worked out for our State employees to retain the major benefits of the State Retirement System and provide the benefits of social security, without increased annual cost to the State.

LAW ENFORCEMENT

a. Statement of Policy

The Law Enforcement Division will assist local officers in every reasonable way in the detection of crime and in the enforcement of criminal laws. It will not await an invitation when the law is not enforced locally. It will be used whenever action is necessary.

The duty of the Governor is to use the facilities available to him without fear or favor.

I intend to see that South Carolina does not become a haven for the lawless or a feather bed for crime.

b. Training School

To meet the needs of changing conditions we need to strengthen law enforcement.

A State Law Enforcement Training School was established by the Legislature in 1953 as an element of the Extension Division of the University of South Carolina.

Limited funds were made available by the Budget and Control Board in order to start the work of this school. But no funds have been appropriated for its operation.

A useful purpose in grading up the quality of law enforcement by education is the aim of this school, but it cannot be operated with any degree of effectiveness until an adequate appropriation is made.

c. Peace Officers

Our peace officers fulfill an often dangerous duty. Their safety cannot be secure always. But their future can be made more secure.

The present retirement system for peace officers is inadequate and there is serious question as to its legality.

I recommend the establishment of an adequate retirement system for this purpose.

d. Firearms

Many States require registration of firearms to aid in the enforcement of criminal laws. I recommend such a law for South Carolina.

e. Safecracking

The safecracking statute makes it a felony to use any explosive in or about a safe with intent to commit a crime. The crime is punishable with life imprisonment, or, upon recommendation to mercy, a minimum of ten years. Safecracking is a vocation of the professional criminal. The minimum penalty for this crime should be the same regardless of the method employed in committing it.

f. Hardened Criminals

Under present criminal procedures the hardened criminal, irrespective of his character, is released from prison upon completion of a sentence. He is free to prey upon honest and law-abiding citizens until he is caught, convicted and reconfined. The price of this contest between the law and the habitually lawless is borne by the innocent public.

The insane are confined until it is safe for them to be released. There is just as much reason for the hardened criminal to be confined until it is safe for him to be released. This would in time insure South Carolina of being an unhealthy place for those who habitually deal in crime.

I recommend the enactment of a statute which will empower our criminal courts to order the confinement of an established hardened criminal until such time as proper authorities may determine that his traits have been corrected.

g. Juvenile Delinquency

Delinquent tendencies in juveniles, when ignored, too often become hardened traits of character.

The employment of understanding methods of correction will eliminate much crime at its source, save the State and the public from needless harm, and reclaim many potentially useful lives. Careful consideration should be given to the establishment of a State system of domestic and juvenile courts designed to deal with problems of juvenile delinquency and with closely related problems in the field of domestic relations.

AGRICULTURE

a. Water Rights

As stated in my inaugural address, the demands upon water necessitate a sound water rights law to define water rights in terms of modern usage and to insure equitable distribution with full protection for all users.

I recommend that you give serious consideration to the enactment of a sound water rights law. But care must be taken to avoid provisions which would hamper our industrial progress.

b. Conservation

I also pointed out in my inaugural address that the establishment of a sound water conservation program is essential to the future development of our State. Conservation of water, available to this State at times in abundance, would minimize the need of regulatory controls by increasing the available supply.

A committee should be established to make an initial study of this subject and to report its findings and recommendations to the Governor and to the Legislature.

The problem is too intricate and too important to be left to the chance of individual initiative and should not be confused with water rights. They are two separate problems.

OVERLAPPING SERVICES

There are still overlapping services among some of our departments. These duplications are costly and should be eliminated.

I recommend that a legislative committee should be established to make a study of the services rendered by our various State agencies and to report its findings to the Governor and to the Legislature with recommendations for elimination of unnecessary duplication.

PERMANENT IMPROVEMENTS

Many physical improvements have been made within recent years at our correctional and educational institutions and at our hospitals. Some improvements are under construction. Others have not been undertaken. All needed construction should be completed as soon as financially feasible.

CONCLUSION

From time to time I may have other recommendations for your consideration.

The task of this General Assembly is not an easy one. Your problems are many and complicated. But you are a body rich in experience and proved ability.

Whatever your problem, you will find me and my office open to you, ready to cooperate in seeking solutions to the problems which face us.

I am confident that we, working closely together, will find the road which will lead South Carolina to continued progress and prosperity.

I thank you.

ELECTION OF A MEMBER OF THE BOARD OF VISITORS OF THE CITADEL

The Clerk of the House read the Concurrent Resolution:

H. 1102.—Messrs. Buck and Eppes: A Concurrent Resolution to provide for the election by the Joint Assembly at twelve o'clock noon on Wednesday, January 26, 1955, of a successor to the membership of the board of visitors of The Citadel whose term expires in 1955.

The President announced that nominations were in order for a successor to the membership of the board of visitors of The Citadel whose term expires in 1955.

Mr. BUCK nominated Mr. J. M. J. Holliday of Galivants Ferry. Senator Graham and Mr. EPPES on behalf of the Greenville Delegation, seconded the nomination of Mr. Holliday.

On motion of Mr. EPPES nominations were closed and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the President announced that Mr. J. M. J. Holliday was duly elected for the term prescribed by law.

ELECTION OF FOUR MEMBERS OF THE BOARD OF TRUSTEES OF THE MEDICAL COLLEGE OF SOUTH CAROLINA

The Clerk of the Senate read the Concurrent Resolution:

S. 51.—Messrs. Baskin, W. Lewis Wallace, Harrelson and Spigner: A Concurrent Resolution to fix Wednesday, January twenty-sixth at twelve o'clock noon as the time for a joint assembly for the election of successors to the four members of the Board of Trustees of the Medical College of South Carolina, whose terms expire in 1955.

The President announced that nominations were in order for the election of successors to the four members of the Board of Trustees of the Medical College of South Carolina whose terms expire in 1955.

Senator Legare on behalf of the Charleston Delegation, nominated Dr. E. H. Barnwell of Wadmalaw Island. Senator Mazingo and Mr. MAYBANK on behalf of the Greenville Delegation, seconded the nomination of Dr. Barnwell.