



Washington and Lee University School of Law
Washington and Lee University School of Law Scholarly Commons

Assembled by Dr. Butler c. 1958-1969

Scrapbooks

1-1-1968

Dr. Butler Scrapbook 2, 1968

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/butler-scrapbooks-3>

 Part of the [Law Commons](#)

Recommended Citation

Dr. Butler Scrapbook 2, 1968. M. Caldwell Butler Collection. Lewis F. Powell Jr. Archives, Washington & Lee University School of Law, Virginia.

This Manuscript Collection is brought to you for free and open access by the Scrapbooks at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Assembled by Dr. Butler c. 1958-1969 by an authorized administrator of Washington and Lee University School of Law Scholarly Commons. For more information, please contact christensena@wlu.edu.



Scrap Book

eller
457

Jan 7
**Del. Butler To Speak
At GOP Victory Fete**

Shenandoah Valley Bureau
103 E. Beverley St., Staunton

MOUNT JACKSON — Del. M. Caldwell Butler will address a victory celebration here Saturday for Shenandoah Valley Republicans.

The affair, to be held at Stonewall Jackson High School, will honor area Republican candidates who ran in the November elections.

Butler, a Roanoke lawyer, is minority leader of the General Assembly.

Jan 7 68
**Butler Says
GOP To Seek
Curb On Judges**

By PAT AREY
Times Staff Writer

SHENANDOAH CAVERNS — Republicans in the General Assembly will seek curtailment of the appointment powers of circuit court judges in the 1968 session, M. Caldwell Butler of Roanoke, GOP minority leader in the House of Delegates, said Saturday night. Butler spoke at the 7th District victory dinner at Stonewall Jackson High School here.

Butler said, "The two-party system has come of age in Virginia." He added that the GOP will seek equal distribution of committee assignments in the General Assembly and the appointment of Republicans to study commissions and as judges.

Republicans also will work for improving legislative procedure, constitutional revision and annual legislative sessions, Butler said.

About 200 persons attended the dinner which had been postponed from an earlier date.

Also present were State Sen. J. Kenneth Robinson of Winchester, and Sen.-elect H. D. "Buz" Dawban of Waynesboro, Del. Arthur R. "Pete" Giesen of Staunton, and Dels. Donald Earman and Donald Funkhouser of Shenandoah County.

Governor Requests \$70.8-Million Loan

November Vote Sought on Bonds

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. asked the General Assembly Wednesday to break with Virginia's fiscal policy of the past and seek voters' approval of a \$70.8-million bond issue for colleges and mental hospitals.

"I have searched the depths of my own conscience," the governor, reared in the Democratic organization's tradition of pay-as-you-go financing, told the lawmakers.

At the same time the governor asked the legislators to create a commission, to be appointed by him, to recommend changes in Virginia's 65-year-old Constitution and take a hard look at the present ceiling on state bonds.

Godwin proposed the bond issue referendum, under a 1 per cent limit in the present Constitution, and the commission looking to future changes in the Constitution as his solution to Virginia's "sea of troubles, financial and otherwise . . ."

The bond issue referendum, the first in Virginia's history, would be held in conjunction with the Nov. 5 presidential and congressional elections.

It would have to be called by this General Assembly and the decision could become an acid mid-term test for the governor who just two years ago got the General Assembly to enact Virginia's first sales tax.

Godwin told the overwhelming Democratic legislature in his message to a joint session of the House and Senate the 1968-70 budget bill he will send down Thursday will include the anticipated bond issue money as conditional appropriations for college and mental hospital facilities.

It is expected to be about \$3 billion for the next two years, including millions in federal aid from Washington.

He told the legislators Virginia will end the 1966-68 fiscal period next July 1 without any surplus as in the past but, he revealed, aging state tax commissioner C. H. Morrissett has found a one-time tax "windfall" which will yield \$61.5 million.

To get \$61.5 million extra for the coming budget Godwin proposed employers collecting more than \$100 a month in employees' withheld state income taxes be required to remit them to the state monthly instead of quarterly and that businesses with a net income of \$100,000 or more a year pay their corporate income taxes quarterly instead of annually.

The governor gave the legislators some hints on the contents of the budget bill he will send to the House Thursday.

In the field of education, he said, it will provide teachers a basic salary increase of \$300 a year for each of the two years, provide basic salaries for 1,770 more school teachers, and appropriate \$20 million in state aid for the new kindergarten program.

The governor, in answer to a question, and during a budget briefing for editors and reporters, said he would have preferred to have kept the bond issue referendum out of the presidential election campaign, almost certain to be stormy in Virginia.

But, he said, bond attorneys and his legal advisors said if it were held other than on a general election day the date might be challenged in court and the litigation delay the referendum a long time.

Godwin in his message to the legislature saw the referendum as a test of Virginia's attitude toward bond issues—that is removing the present ceiling should it be proposed by the commission he wants the legislature to create.

By pegging the November referendum to \$70.8 million in bonds exclusively for colleges and mental hospitals Virginians have a "clear, uncluttered choice," Godwin said, adding:

"If our people will not pledge the full faith and credit of the commonwealth for these purposes, then the issue (of bonds) will have been settled for some time to come."

The November bond issue

would be held under Section 184-A written into the Constitution when the late U.S. Sen. Harry F. Byrd Sr. was governor. It spelled out the pay-as-you-go philosophy he advocated.

The section limits bond issues to 1 per cent of the assessed value of all property in Virginia—a limit which Godwin in his speech called a "safety valve" Virginia now needs.

The failure of the bond issue, Godwin declared, would "bring the state and its progress to a grinding halt at the very time when new and unprecedented opportunities are opening on every front . . ."

The governor told reporters he intends to campaign hard next fall for approval of the bond issue and in his Wednesday message predicted victory.

"My own conviction is that they will consent to his limited borrowing because they will agree something must be done."

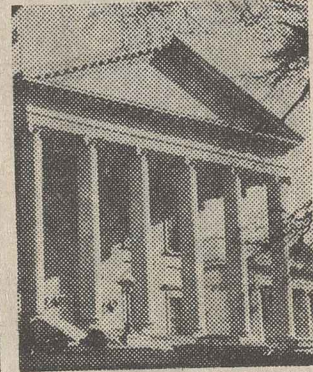
The only alternative, Godwin declared, would be a tax increase and in a briefing he emphasized again to reporters he is on record as saying he will not ask the legislature for any more new taxes.

Godwin's speech ranged from education to metropolitan area problems.

He proposed that the legislature during the coming 60 days enact part of the recommendations of the Hahn Commission—authorize creation of regional planning districts and reorganize the state division of planning into the division of planning and community affairs.

Other recommendations, including the controversial three-member commission on local

(Continued on Page 2, Col. 6)



Assembly At Glance

Gov. Mills E. Godwin Jr. in address at opening session of 1968 General Assembly asks for action to permit a \$70.8-million bond issue to be used for colleges and mental hospitals—Page 1.

Text of Godwin's address to General Assembly—Page 16.

Most Democrats react favorably to bond issue proposed by governor—Page 1.

Dr. T. Marshall Hahn Jr. finds "gratifying indeed," comments of governor on recommendations of Hahn's Metropolitan Areas Study Commission—Page 9.

Sen. J. Kenneth Robinson of Winchester is named chairman of Republican delegation in House and Senate, a post formerly held by Del. M. Caldwell Butler of Roanoke. Butler continues as House minority leader and Sen. James C. Turk of Radford was named Senate minority leader—Page 17.

Bill offered permitting truck lines to operate rigs with twin trailers in Virginia—Page 17.



AP Photo

Gov. Mills E. Godwin Jr. Addresses Virginia Assembly As Del. John Cooke (left) and Lt. Gov. Fred Pollard Listen

Most Democrats Back 2 Major Proposals

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Most Democrats reacted favorably to the bond issue referendum and constitutional commission proposed by Gov. Mills E. Godwin Jr. in his message to the General Assembly.

Some in the Republican minority have been advocating bonds for capital expenditures for years.

"But we are 100 per cent opposed to his method for amending the Constitution; there ought to be a constitutional convention called," Sen. James C. Turk of Radford said, speaking for the GOP's delegation.

The Republicans held a caucus following Godwin's speech and Sen. J. Kenneth Robinson of Winchester, new chairman of the delegation, designated Turk to brief reporters.

Turk said Republicans are alarmed that the governor indicated operating expenses are running millions ahead of estimated income, even with the 1 per cent increase in the sales tax beginning July 1.

He said there was a willingness within the delegation to support the referendum for capital outlays if members are convinced later that there is no alternative.

"He (the governor) did not say one word about economy or any of their (Democrats') pet projects over the years," Turk said.

Administration leaders were pleased with the reaction. This was a cross section of the reaction senators and House members from Western Virginia and the Shenandoah Valley.

Sen. William B. Hopkins, Democrat of Roanoke:

"I was very disappointed that we are not going to have more for capital outlay. We can not do near what needs to be done in capital outlay with the Constitution as it now stands . . . It now seems very evident to me that in order to keep up our program of progress, Virginia will have to abandon our present policy of pay-as-you-go."

Del. M. Caldwell Butler of Roanoke, House minority leader:

"We would have much preferred a constitutional con-

vention (rather than a study commission). I do not know of a single state which is not using the convention method. This is the way, this is the trend, this is the style. Virginia is putting its head in the sand."

Del. Willis M. Anderson, Democrat, of Roanoke:

"I thought the governor threw down a real challenge. . . It's a very bold and courageous program which he proposed. . . I have every reason to believe the Assembly will approve the major concepts of the program. I think it's essential if Virginia is to continue its forward pace."

Del. Ray L. Garland, new Republican from Roanoke and Roanoke County:

"Gov. Godwin sounded very much like a Republican running for office. . . The speech exemplified great courage. The pity is it wasn't made many years ago. I fully agree with . . . making use of the constitutional provision to borrow . . . I think this is essential for our needs. The governor's plan for a constitutional commission also agrees with my own position. . ."

Del. Don Funkhouser, Republican, of Mount Jackson:

"As far as the pay-as-you-go system, I think it has served Virginia very well. Instead of looking for ways to spend all the money, we ought to be finding some ways of getting rid of some of the outdated things that we have such as the Commission on Constitutional Government. . ."

Del. Beverley O. Roller, Republican, of Augusta County:

"I do think we may have to scrap pay-as-you-go and go on a program of borrowing what the Constitution will allow. . . For capital improvements."

Del. Arthur R. Giesen, Republican, of Staunton:

"He did not recommend any economies which might be effected. . . We feel that this new step (sale of general obligation bonds), as long as it is done within bounds, can save the state money and is a proper and efficient way to do it. . . I personally would favor a constitutional convention (rather than a commission)."

Sen. M. M. Long Sr. of Wise County, a member of the Senate Finance Committee:

"I think it is a fine thing. We need the money and that is the only way we can get it."

Sen. H. Clyde Pearson, freshman Republican from Roanoke County:

"I am convinced that the governor expects to be known as the last of the big spenders. . . He did not indicate that the constitution revisions committee would be bipartisan. His designation of 'important people' does not mean that among them would be Republican citizens."

Sen. D. Woodrow Bird, chairman of the Senate Agriculture Committee from Bland County:

"We have no alternative but

(Continued on Page 2, Col. 7)

Good Morning!

| | |
|---------------------|--------|
| Add One | 35 |
| Astrology | 40 |
| Billy Graham | 40 |
| Bridge | 39 |
| Business | 10, 11 |
| Checking Up | 39 |
| Classified Ads | 34-37 |
| Comics | 39 |
| Crossword Puzzle | 39 |
| Deaths and Funerals | 7 |

Today's Chuckle

Some statistics may be inaccurate, but those that deal with the cost of living are on the up and up.

| | |
|---------------|-----------|
| Dr. Molner | 40 |
| Editorials | 6 |
| Local | 9, 14, 15 |
| PIXies | 28 |
| Sports | 29-33 |
| State | 9, 18, 19 |
| Sylvia Porter | 11 |
| TV-Radio | 33 |
| Weather | 7 |
| Women | 12, 13 |

Reaction to Godwin Split on Party Lines

From Page 1

for two years in support of this.

He also said he is glad the governor backed two major proposals of the Virginia Metropolitan Areas Study Commission. (The Hahn Commission).

"We, I think, should enact the whole package of proposals of the commission," he said.

Anderson was on the commission, which made recommendations aimed at solving the problems of Virginia's growing urban areas.

Butler, leader of the assembly's Republican minority, said the governor took a strong position only on constitutional revision and bonded indebtedness.

"And," he said, "his approach to constitutional revision is wrong."

"In recommending against a constitutional convention, he exhibits a traditional organization distrust of the people. If a constitutional convention can't be trusted to rewrite our constitution, then a handful of selected gubernatorial advisers certainly can't."

he said. "We may be putting the cart before the horse."

Hopkins said he is pleased that the governor is committed to a good educational program for Virginia.

But he expressed disappointment over the progress of the state's community college program.

Hopkins, who often has criticized some of the state's fiscal policies, said that legislators cannot continue to raise taxes at each session.

"Therefore," he said, "it is mandatory that we finance some of the buildings for our community colleges with bonds."

"I am disappointed that so many of these buildings will have to be financed with bonds right now."

"I am further disappointed that we are not doing more for our community colleges at this time."

Butler gave the sharpest comment on what Godwin said about the Metro Commission report, saying:

"The governor's lukewarm endorsement — if it is that much — indicates it's not going to get in its present form. I

Reaction Divided Along Party Lines

By Ozzie Osborne

World-News Political Writer

RICHMOND — Roanoke City's delegation to the General Assembly reacted along party lines to Gov. Mills E. Godwin's message to the assembly today.

There appeared to be a strong feeling among Roanoke and other legislators that the governor's comments on the Virginia Metropolitan Areas Study Commission report represented only a tepid endorsement and that this might make it difficult for its recommendations to be enacted into law.

But comment for publication was sparse, with some saying they hoped that the governor would elaborate further on the matter.

Del. Willis M. Anderson, Democrat, said the governor "laid down a challenge to the General Assembly."

"I think he presented a far-reaching, but realistic, program," said Anderson.

Del. M. Caldwell Butler said the governor failed "to come to grips with many of the major problems before this General Assembly."

State Sen. William B. Hopkins said:

"The governor's speech points out why Virginia will have to abandon its present fiscal pay-as-you-go policy or else retreat from progress."

Anderson said that Godwin correctly pointed out that to finance his program every source of revenue short of raising taxes must be used.

Anderson said he is particularly pleased with the governor's idea of naming a commission to study revision of the State Constitution. Anderson has been speaking to various groups

See REACTION, Pg. 2, Col. 1

Inside Stories On the Assembly

Butler named House minority leader; Turk gets identical post in Senate.

New speaker of House, Del. John Warren Cooke, has been in legislature half of his life.

Both on page 13

Text of Gov. Godwin's address to Assembly. Pages 14 and 15.

Bill to be asked to ban gasoline station games. Page 22.

GOP Legislators Seek Report on Vote Probe

World-News Capitol Bureau

RICHMOND — General Assembly Republicans are going to write the governor and ask him for a report on the investigation of alleged mail ballot frauds in far Southwest Virginia.

State investigators started an investigation of fraud charges following the November elections.

The Republicans, meeting today, decided to ask the House Privileges and Elections Committee to hold public hearings on the mail ballot situation.

If the all-Democratic committee does not do so, Republicans may hold public hearings of their own.

Del. Rufus V. McCoy of Dickenson County said he has statements from a number of people who want to testify concerning vote frauds.

Republicans have charged that there were widespread mail ballot frauds in Wise, Dickenson and Lee counties.

In another development involving Republicans, three of them—State Sens. James C. Turk of Radford and J. Kenneth Robinson of Winchester and Del. M. Caldwell Butler of Roanoke—are going to ask the governor to name a Republican committee that the governor proposes to name.

The Roanoke World-News

Thursday, Jan. 11, 1968

13

Governor's 'Crucial Decision' Program

State Needs To Catch Up, Godwin Says

Mr. Speaker, Mr. President, members of the General Assembly, distinguished guests and my fellow Virginians:

Once more, I extend to the members of the House of Delegates and the Senate of Virginia the warmest of welcomes to this historic capitol, and to your labors on behalf of Virginia.

The familiar faces I see among you stir old memories, and rekindle friendships forged in the heat of debate, and tempered in the cool of the evening.

Some of you have yet to savor the traditions of this body. You will find that they become very much a part of your lives, the more so because they are so willingly shared by the more seasoned members.

You have come here, freshmen and veteran alike, at a time of crucial decision for Virginia.

Two years ago, as a new governor with the expectations of the electorate still ringing in my ears, I urged upon this body a series of new dimensions for this commonwealth.

You responded with the first major new tax in more than a century, making possible unprecedented commitments to education, to highways and to every phase of public service.

Wise as you are in the ways of Virginia and of her government, you realized then that these were long-range commitments, that they were, in effect, a down payment on Virginia's future.

Willingly, our people accepted the new burden you imposed, because they could see immediate returns; an increase in teachers' salaries twice as large as ever before, new millions returned to each community for public schools, new community colleges already overflowing, a record number of new buildings on our college campuses, new help for hard-pressed summer schools and the promise of state aid to kindergartens.

They could drive the new four-lane highways. They could see new mental health clinics and new mental hospitals. They could look forward to three times as many state parks. On every front, they could see that Virginia was moving, and they approved of what they saw.

In normal times, these new beginnings would have been handsome laurels on which you could rest. But for Virginia these are not normal times.

Must Catch Up

Our people are restless with change, impatient with things as they once were. As events have unfolded, it has become clear to them and to you that much of what you have done has been a catching up. Now comparisons with other states tell us unmistakably that even this is not fully accomplished.

Two years ago, you made possible the largest salary increase in history for our public school teachers, but today these salaries still are below the national average.

You supported the national average as a benchmark for college faculty salaries, but our colleges and universities have been hard put to maintain even this standard.

Great as they were, your increased general fund appropriations for public schools have not attained for Virginia her rightful place among the states, and the pace continues to quicken. The disparity between one school district and another across Virginia still persists.

In spite of a completely new system of community colleges, and vast expansions at our four-year colleges, Virginia is still in the lower echelon of the South and of the nation in the percentage of her college age population actually in college. Surely in this respect, our people would have us do more.

For Virginia, the community college program was a major innovation, but today every state except one has publicly supported two-year colleges. California has 78, New York has 35, Florida has 25, North Carolina has 23, Alabama has 14, Virginia has 8.

Realizing that this state will never have a great system of higher education until we improve and expand our graduate programs, you provided a million dollar graduate incentive fund two years ago. But again, other states were ahead of us, and in the interim, Virginia has actually

16 THE ROANOKE TIMES, Thursday, January 11, 1968.



Del. John Warren Cooke of Mathews, Behind Microphone, Comes In For Round of Congratulations After Being Picked as House Speaker

slipped back among the states in the number of graduate degrees awarded.

Even with new highway taxes and reduced diversions from the highway fund, 40 per cent of the interstate system and sixty per cent of the arterial system remain to be completed. Meanwhile, the need for urban thoroughfares becomes ever more pressing.

Despite new buildings at every mental hospital site and new community clinics added every year, Virginia's rank is low among the states in expenditures behind each mental patient.

Despite a beginning on seven new state parks, we turned thousands away last year, and we will again, until we realize your commitment to triple their number.

Medicaid Costs

In the fields of public health and welfare, we must make a beginning on the new federal program of Medicaid at a cost to the commonwealth of some \$20,000,000 in the last year of the next biennium alone, or lose all federal funds for medical care payments in public assistance programs. This cost to Virginia will certainly multiply drastically in the years ahead.

But if we are confronted with new dimensions of need, we can count also on new dimensions of ability to meet those needs. Incomes are rising with virtually full employment. New industry, commerce, world trade, continue to flow in our direction.

Most important of all, our people are ready. Time and time again in the past two years, they have let it be known that they would have you continue what you have begun.

With a minimum of complaint, they have accepted the sales tax because they knew it would bring better state and local services.

Many of them, including some of our soundest financial thinkers, are now asking why Virginia should not pledge her credit to house her institutions.

But our immediate concern is that these new dimensions in the thinking of our people are dramatically reflected in state agency budget requests for the coming biennium.

The general fund budget two years ago included operating funds from all sources totaling \$978,000,000 in round figures. Comparable requests for the next two years total some \$1,483,000,000.

Where you provided \$103,000,000 in capital outlays two years ago, these agencies have requested nearly \$250,000,000 for the next biennium.

These requests are not visions of sugar plums. They are no more than the honest attempts of our state administrators always make to reach the levels of service demanded of them by our people.

To meet minimum essentials, I am recommending to you a total from the general fund of approximately \$1,304,000,000 for operating expenses. Even this figure is more than \$179,000,000 short of requests for this purpose.

Excluding revenue bonds and certain other special funds, I am recommending approximately \$107,000,000 for new buildings and equipment, or considerably less than half of the total capital outlay requests from the general fund.

Your first question will be, where will Virginia get that kind of money? My answer is that it will take the full use of

every tax law now on the books, and in addition the only constitutional provision available to us in the coming biennium.

If this is a sobering thought, let me give you further pause. Excluding capital outlay, the minimum needs over the next two years will exceed the most generous estimates of total revenue from all existing tax sources, including the additional one per cent sales tax. In fact, it will exceed those estimates by some \$24,000,000.

Your next question will be, where then is the money for new buildings? My answer has to be that as our revenues now stand, there is nothing left for capital outlay.

At this point and time in her history, Virginia simply cannot live within these bounds. You cannot go back to the people and tell them they must partake of state services without a roof over their heads. I would be derelict in my own duty if I suggested that you try.

Tax Law Changes

I therefore propose that you take two major steps.

The first is that you continue the modernization of Virginia's tax laws by requiring our major corporations to remit their tax obligations earlier and more frequently.

Specifically, I suggest that employers now collecting more than \$100 a month in state withholding taxes, be required to submit them to the commonwealth on a monthly basis instead of quarterly.

I suggest further that firms with net incomes of \$100,000 a year or more, pay their corporate income taxes to Virginia quarterly instead of annually.

In order to treat all our corporate citizens alike, I suggest still further that the taxes on our public service corporations and on our insurance company premiums also be paid quarterly instead of annually.

In these suggestions, I am supported in principle by the recommendations of the Income Tax Study Commission, headed by the able delegate from Culpeper.

These changes would affect only our larger firms. The net result is that they would be paying their state taxes at the same time they pay their federal taxes.

Bear in mind that this program is not a tax increase. No individual taxpayer of Virginia would be affected.

But for you as budget makers, it will result in a one-time tax windfall of approximately \$61,500,000.

From this amount, you can cover the \$24,000,000 gap I mentioned earlier between our expected tax receipts including the additional one per cent sales tax, and our minimum needs for operating funds.

You will be able to reappropriate \$10,000,000 in capital outlays authorized in this biennium, but still not under contract, and another \$10,000,000 to complete the new college buildings which had to get curtailed in part over the past two years, in order to bring construction expenditures in line with appropriations.

These obligations will utilize approximately \$44,000,000 of the windfall funds. With approximately \$16,230,000 of the remainder, you can construct and equip vitally needed new buildings at our

correctional, health, welfare and other institutions. The balance of \$1,270,000 will be available for other necessities.

But the windfall will not begin to meet the major capital outlay needs for mental health, and especially for our community colleges and our four-year institutions of higher learning. For these, we must take the next step.

Traditionally, we have financed capital outlays largely from accumulated surplus, but come next June 30, we cannot count on a surplus.

The one-time windfall I have described to you is the last lonely rabbit that the magic of our distinguished tax commissioner, Judge C. H. Morrisett, can produce.

I have examined every avenue and every alternative, but the ultimate question remains.

Unless we are willing to say to the families of those afflicted with mental illness there is no room in our state hospitals and clinics;

Unless we can say to the parents of high school seniors, there is no room for your sons and daughters in our colleges and universities;

Unless we are prepared to say to our bright young undergraduate scholars and scientists and to the industries crying for their talents, we are sorry, but Virginia cannot afford good graduate schools;

Unless we say to our people in need of medical attention, we cannot meet your need for more nurses, technicians, doctors and dentists;

Unless we can in good conscience say all of these things, we must make a hard choice. We must raise taxes, or we must borrow the necessary funds.

Needs Can't Wait

Faced with such a choice, your initial reaction may be, as mine was, that there is surely some less painful means, that perhaps by patching and shoring up the present capital outlay program, or by juggling the figures, we may be able to put off the fateful day.

I suggest then that you look at the future capital outlay needs that are projected by our state agencies, and ask yourselves how long they can wait.

My own conclusion is that they can wait no longer. Recognizing that the final decision is yours, I recommend that you make use now of the limited borrowing authority contained in Section 184-a of the Constitution of Virginia.

If this seems a drastic step, I remind you that various instrumentalities of the Commonwealth have already incurred approximately \$400,000,000 in bonded indebtedness, secured by revenues.

As a similar safeguard, the Constitution requires that borrowings under Section 184-a be secured by a sinking fund.

If we must break precedent and pledge the full faith and credit of the commonwealth, this section places upon us the limitation of one per cent of the assessed value of all taxable real estate in the commonwealth. The 1967 assessment sets this figure at approximately \$81,000,000.

From a reading of constitutional history, it appears that the framers of Section 184-a had in mind the situation in which the commonwealth now finds herself.

The section provides that borrowing may be only "for some single purpose

constituting new capital outlay" to be authorized by law and that each such law must be separately presented to the voters in a referendum.

The mechanics of this section make it possible to have in hand the necessary capital outlay funds before the end of this calendar year, instead of more than two years hence. With proper advance planning by the institutions concerned, the actual delays in construction will not be burdensome.

The categories of higher education and mental health are the most appropriate ones for bond financing. Their capital outlay requests are by far the largest. Their needs typify graphically Virginia's growth and change.

In a referendum, they would offer the voters a clear, uncluttered choice. If our people will not pledge the full faith and credit of the commonwealth for these purposes, then the issue will have been settled for some time to come.

My own conviction is that they will consent to this limited borrowing, because they will agree that something must be done, and this means would be their preference.

Referendum Asked

I therefore recommend that you enact the necessary statutes to authorize a statewide referendum next November on the question of borrowing under the provisions of Section 184-a, in order to provide the necessary new buildings at our two-year and four-year colleges, and our mental hospitals and clinics.

The total of these will come to approximately \$70,000,000. Itemized amounts to match these borrowings are included in the capital outlay budget you will receive shortly.

Let me underline one vital point. Section 184-a is a safety valve built into the constitution itself. Its use requires no constitutional change.

The sum of these recommended general obligation bonds, of college revenue bonds and of general fund commitments will give Virginia the means of meeting the heaviest capital outlay needs in her history. Current anticipated tax revenues plus the one-time windfall will make possible a record budget for operating expenses.

I offer these recommendations to you with the conviction that to do less is to bring this state and its progress to a grinding halt at the very time when new and unprecedented opportunities are opening on every front for all our people.

Before you apply your own judgment to them, you are entitled to know what the total budgetary package will buy in the way of public services. Let us begin where Virginia's future begins, with education.

The recommended budget will provide approximately \$139,000,000 more for public schools from the general fund than the budget for the current biennium.

It will provide \$20,000,000 in state aid for kindergartens, with a local option of applying the proceeds to a nine-month program or one of shorter duration.

It will raise the State scale for teacher salaries to a minimum of \$5,000 during the biennium, with accompanying increases in retirement and insurance benefits for which the state pays the entire employer contribution.

It will provide state support to localities for one hundred more guidance counselors and

two hundred more special education teachers than in the current year.

As an assist to localities, the number of teaching positions to which the state contributes will be increased by 1,770.

Teaching scholarships will be increased in number by more than 1,700, for a total of almost 13,000.

There are included additional funds to help localities with libraries, with summer school costs, with transportation and to extend the reach of educational television among our public schools.

In distributing state aid to public schools, I am proposing an increase from \$100 for each pupil in average daily attendance to \$110 the first year and \$115 the second year.

College Buildings

To strengthen our post high school program, the budget will build seven new community colleges. I wish this figure could be higher, but I felt constrained to balance the distribution of the funds available as equitably as possible across the spectrum of education.

In this light, the budget will provide a total of nearly \$64,000,000 from the general fund and from general obligation bonds for new buildings at our four-year colleges, plus more than \$53,000,000 from revenue bonds.

You placed in the current budget an item of one million dollars as a graduate incentive fund. Already it has attracted far greater sums in private endowments, and the combination has provided both new offerings and new facilities.

This time, the one million dollars has been included in the individual budgets of the respective colleges and universities, and a new item of \$500,000 has been added for graduate scholarships, as an incentive to the students themselves.

My hope is that when the impact of both these programs is fully felt, we will see a substantial improvement in Virginia's low rank among the states in the number of her graduate students.

Apart from the institutional appropriations themselves, I have recommended a lump sum of \$5,000,000 to maintain the relationship of our college faculty salaries to the national average. Another lump sum of \$2,500,000 has been added to upgrade college libraries, where needed.

The eminent scholars incentive program has been expanded in the budget by increasing from \$100,000 to \$400,000 the state funds to match private endowment income for this purpose.

A smaller item will help to launch pioneer experiments in recording entire college credit courses on video tape for use in collateral educational television.

An entirely new dimension in education awaits your consideration in the report of the Wayne Commission headed by a distinguished Virginian, with its prospect of a great new university for Central Virginia by welding together two institutions which now complement each other separately.

Here is an opportunity unique in Virginia, and one with virtually unlimited potential. I earnestly recommend to you the commission's general concept.

Every local official across the state will be able to see the new university building under construction. It will be a landmark in the history of education in Virginia.

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Every local official across

Finally in the field of education, I have recommended that you extend the benefits of the wider perspective we have gained from Virginia's membership on the Southern Regional Education Board to include its new national counterpart, the Education Commission of the States.

The Hahn Report

There are other new dimensions aside from education. To one of these the Metropolitan Areas Study Commission, under the able chairmanship of Dr. T. Marshall Hahn Jr., has devoted nearly two years of study, exploring virgin territory with creative diligence.

I recommend that you take the initial step suggested in the report and authorize the establishment of regional planning districts and reconstitute the State's Division of Planning into the Division of Planning and Community Affairs. I also commend to you the commission's Service District concept, which can be provided on a voluntary basis, subject to approval by each affected jurisdiction.

These two phases can logically be separated from the interlocking package outlined in the commission's report. The others raise constitutional questions, which should be resolved before legislative action is taken.

These first steps taken now can pave the way for calm, cooperative action in the future on the vexing problems surrounding Virginia's rapid urban growth.

There are new developments also in Virginia's cultural and artistic life. These have been inventoried in detail and plotted graphically for us by the Cultural Development Study Commission, under the chairmanship of a man who spent many fruitful years in this body. I commend the report to you for your study and consideration.

A more specific and more tragic new dimension cries for your attention in the rising death and accident toll on our highways. To this threat, the Traffic Safety Study Commission, chaired by a distinguished member of the General Assembly, has devoted the most thorough study that this state, or perhaps any other, has yet undertaken.

Its recommendations are numerous and vary widely in their implications and importance. I will not try to discuss them individually, but I commend the entire report to your consideration, together with the caution from my own observation that there is a growing frustration among our people and an increasing impatience with half-way measures.

One other hazard darkens Virginia's horizon, the rising tempo of studied lawlessness across our nation.

I am gratified, as I know you are, that this virus of violence has not seriously infected Virginia, that the innate respect for law and order among our people has so far prevailed, but I am not so naive as to believe it could not happen here.

Law Enforcement

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Every local official across the state will be able to see the new university building under construction. It will be a landmark in the history of education in Virginia.

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Every local official across the state will be able to see the new university building under construction. It will be a landmark in the history of education in Virginia.

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Every local official across the state will be able to see the new university building under construction. It will be a landmark in the history of education in Virginia.

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Every local official across the state will be able to see the new university building under construction. It will be a landmark in the history of education in Virginia.

As a consequence, both our state and local enforcement agencies of every kind are now prepared to contain violence wherever it may erupt, just as they are aware that the responsibility for preventing the first spark from igniting rides in every squad car and walks with every policeman on the beat.

Virginia knows that the full resources of the commonwealth are available if they are really needed, and he knows too that this governor of Virginia will not hesitate to use them.

The report of the Crime Study Commission, led by one of your number, offers you further thoughts on this subject, especially with respect to Virginia's riot control statistics.

In the unlikely event of an extreme emergency, I recommend for your endorsement the interstate compact covering an exchange of National Guard units, drawn up by the member states of the National Governor's Conference.

In the course of this session, you will approach many other problem areas with the guidance of able study commission reports, among them the Marine Resources Study Commission and the Money and Interest Commission, and the many valuable recommendations of the Virginia Advisory Legislative Council.

The chairmen and members of each of these groups merit our grateful thanks, and the results of their labors deserve your careful review.

There remain the new dimensions to which you have already committed yourselves. Critical among these is our construction program, which is already paying such handsome dividends in new industry and new travel accommodations.

Roads and Parks

Virginia's highways are her lifelines. They carry her commerce and her casual motorists. They bring supplies to the farm, and food and fiber to market. They come to industry with raw materials and depart with its finished goods. They carry our men to work, our women on their errands and our children to school.

I feel that I reflect the strong sentiments of all our people when I say that I would oppose any reduction in highway revenues.

Another extended commitment has been made to parks and recreational facilities, with their returns in travel dollars for which no local investment is required.

Still another new dimension, and one long delayed, is the deepening of the James River channel to Richmond. Here a series of studies has assessed the benefits, and found no threat to our seafood industry.

State agencies with special interest or jurisdiction have all given their consent. The machinery for your own approval is spelled out by law. I recommend it to you.

One further and specific recommendation is that you increase unemployment benefits across Virginia from a maximum of \$42 to \$45 a week, and workmen's compensation benefits from a maximum of \$45 a week to \$51. These are in keeping with increases in the average wage since you last met.

Within the vast framework of Virginia's state services, there are many more items in need of your decisions. I have not tried to mention them all here, but I will have other recommendations for you before this session concludes.

Constitution Study

In these last few turbulent years of growth and change, Virginia's new dimensions have many times extended to the constitution itself. Now the time has come, in my judgment, for a studied and impartial analysis of its provisions in the light of today.

The constitution has not had a thorough review in more than four decades. Federal court decrees, federal law, and the inevitable passage of time all call us now to that task.

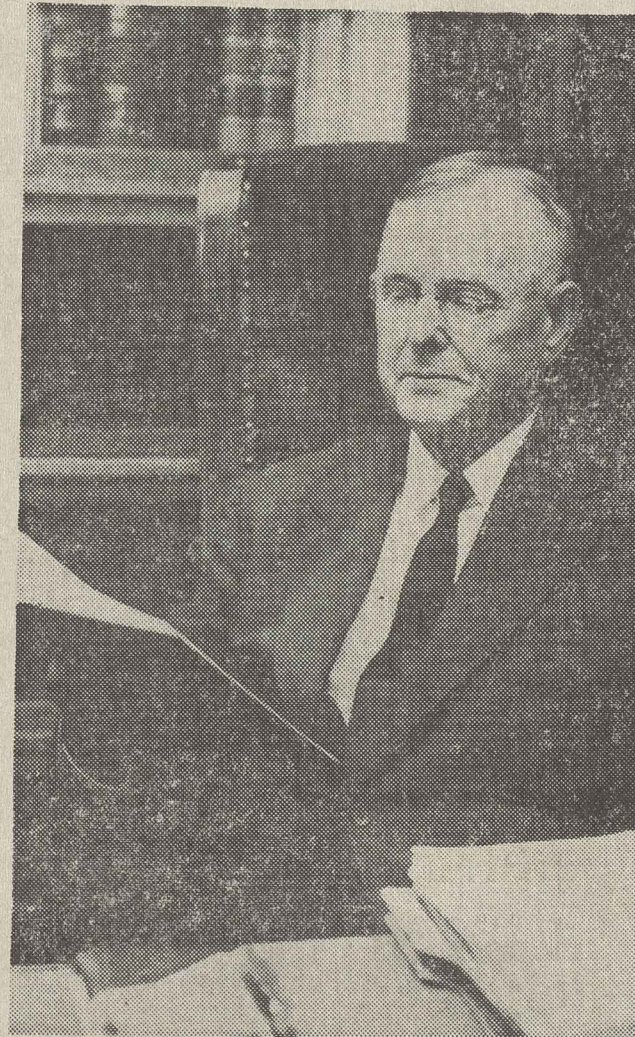
There are two ways in which the constitution can be amended. One is in open convention.

Only twice in the past century has Virginia's basic law been rewritten by this means, once in 1867 and 1868 to impose the federal will upon a prostrate people, and again in 1901 and 1902 to restore to that people an organic law of their own making.

It is worth noting that the second convention remained in session for more than 12 months before a agreement could be reached. Thereafter, the resulting document was proclaimed to be the law of the land, without ratification by the people.

I would approach constitutional revision by more thorough and deliberate means. No matter how time and passing storms may have eroded its bricks and mortar, it is still the foundation of this commonwealth.

Before the General Assembly approaches a general



Tax Commissioner Morrisett Produces 'The Last Lonely Rabbit' of His Magic

(Continued on Page 17)

Butler, Turk Named Leaders Of GOP In House And Senate

World-News Capitol Bureau

RICHMOND — Del. M. Caldwell Butler of Roanoke was named House minority leader and State Sen. James C. Turk of Radford was elected Senate minority leader by Republican members of the General Assembly today.

State Sen. J. Kenneth Robinson of Winchester was named chairman of the over-all Republican delegation.

Butler formerly was head of the GOP minority but the party changed its setup this year so here will be leaders in both the House and Senate.

A. R. (Pete) Giesen of Staunton and Turk were renamed to the Republican State Central Committee.

Butler was authorized to second the nomination of Democrat John Warren Cooke of Mathews to be speaker of the House, although vigorous opposition to this was expressed by Dels. Donald K. Funkhouser of Mt. Jackson and Rufus V. McCoy of Nora.

The second by Butler was okayed mainly because it is reported that Cooke will name House Republicans to major committees. The retiring speaker, Del. E. Blackburn Moore, rarely did this.

Funkhouser and McCoy both opposed what they called "going along" with the Democrats with Funkhouser saying he would not vote for Cooke under any circumstances.

Del. Vincent S. Callahan, a new GOP House member from Fairfax, was named secretary of the Republican delegation.

Robinson suggested that the Republicans this year work more closely together than ever before and take a united stand on various issues. The group was to meet this afternoon to issue a statement on the governor's address.



Del. M. Caldwell Butler



Sen. James C. Turk

The Roanoke World-News

Wednesday, Jan. 10, 1968 13

Site Question Brakes Jr. High Design Work

THE ROANOKE TIMES

FRIDAY, January 12, 1968

Page Six

Opinion Page

Godwin Taps All Available Money But State Needs Require No Less

Gov. Godwin's massive \$3 billion budget — barely in balance even with bond issues, tax windfalls, rising federal aid and a \$113 million sales tax hike — provides for many significant new services and a large-scale expansion of existing programs.

Nonetheless, some major needs will remain underfinanced or ignored simply because the state's income will still remain inadequate to meet a growing population's demands for better schools, more colleges, new recreational facilities, health and welfare reforms, ad infinitum.

In his budget message yesterday, Gov. Godwin reiterated the warning that he first sounded in his State of the Commonwealth address at the opening Wednesday of the General Assembly's 1968 session: In the future, Virginia must find new revenue sources to maintain the momentum that will be largely irreversible once the 1968-70 budget becomes operational.

With the new General Fund operating budget showing a \$24 million deficit, and with capital outlay needs continuing to mushroom, Mr. Godwin had no choice but to propose use of a \$61 million windfall-speedup in certain tax collections and a \$70.8 million general obligation bond issue, the first in modern times. Yet even with \$58.7 million of the bond issue earmarked for the colleges, an additional \$53.4 million must be raised by self-liquidating bonds to provide the dormitories and other facilities needed to house sharply increased college enrollments.

Why Bonds Are Needed

Having recognized that the state faces a recurring fiscal crisis, Mr. Godwin is beginning both a long-range study of financial needs and, if the legislature gives its approval, a constitutional revision program that is likely to ease the state's existing debt ceiling. In his budget message yesterday, the Governor stressed that revenue estimates again have been "stretched . . . to the limits," thus ruling out any sizable surplus for the second consecutive biennium. Consequently, he warned, "the Commonwealth will be faced in 1970 with further budget problems."

Such candor, while not likely to be matched by gubernatorial candidates in the 1969 elections, at least puts both the Assembly and the citizen on notice: The state's use of income tax withholding, adoption of the sales tax and abandonment of pay-as-you-go are but a taste of what is to come. Obviously, without additional bond issues or some form of federal-state tax sharing, the state's taxes (still relatively low) soon could become overly burdensome.

Some aspects of the budget merit special note. In several instances,

Mr. Godwin necessarily has put off new spending programs until the second year of the '68-70 biennium. This device has been employed in the inauguration of the costly, federally-required Medicaid program and a token start toward providing needed day-care centers for children of mothers who ought to be working instead of drawing welfare aid.

In other instances, Mr. Godwin has utilized a two-step increase in benefits to help postpone some of the new spending. This was done in providing a 15 per cent hike in per-pupil state grants to local school systems and in raising the welfare department's maximum Aid to Families of Dependent Children benefits to a more realistic level.

In subsequent budgets, these cost-saving devices will not be available, a factor that Mr. Godwin undoubtedly had in mind in sounding his warning about the likelihood of a 1970-72 revenue gap.

If anybody gets the idea that Mr. Godwin is suddenly turning into a wild-eyed spender, he is wholly uninformed about both the state's backlog of unmet needs and its present-day population pressures. Or he is blinded by partisan considerations, as is the case with the first-day critics who sit in the Republican corner of the legislature.

Obvious Shortcomings

Consider the following budget items:

\$20 million for kindergartens—an adequate amount for the start of a kindergarten program, but years late in coming.

1968-70 adoption of a \$5,000 basic salary scale for teachers, still so low that only two or three school systems fail to supplement the scale with hundreds or even thousands of dollars in local money.

Only modest additional state funds for special education programs, many of which have been underway for years in quality school systems—again entirely at local expense.

Significant increases in the Basic School Aid Formula, but no lowering of pupil-teacher ratios and no reward to localities that do not divert education-earmarked sales tax rebates to non-school use.

Seven new community colleges to be built—but no existing ones will be expanded.

Only \$500,000 to be provided for a new program of graduate-level scholarships, although the state's lag in post-graduate work requires at least twice as large an appropriation.

In non-education allocations, similar examples could be cited.

A gratifying start is to be made toward reshaping some of the dead-end welfare programs and the correctional system, with emphasis in the latter instance being given to rehabilitation, counseling and work training. But short-sighted budget decisions apparently are not yet a thing of the past, as indicated by a welfare budget cut that will not permit a liberalized work incentive program to be instituted in the biennium.

Similarly, the Virginia Outdoors Plan is to be given only a minimum of state funds to match declining federal revenues, thereby raising the danger that the state's dwindling supply of recreational resources will be left undeveloped for years to come.

Spendthrift? Hardly!

The Godwin budget is not a spendthrift budget, obviously. In fact, it provides some important economies, including a job-abolishing data processing program for the Department of Motor Vehicles and a further consolidation of underused tuberculosis sanatoria, thus freeing needed hospital beds for an alcoholics treatment center.

The responsibility now rests with the General Assembly to discover other ways to cut nonessential costs of running the state government, at least to the extent that funds are required to meet some of the additional needs that Mr. Godwin has overlooked.

Gov. Godwin is unshakable in the view that his overall budget request is a "minimum" one. Certainly, as to its total amount, we do not question that view.

THE ROANOKE TIMES

Established 1886

Published by Times-World Corporation, Roanoke, Va., and issued every morning, Times-World Building, Roanoke, Va. Zip No. 24010.



Member of The Associated Press, American Newspaper Publishers Association, Southern Newspaper Publishers Association and Audit Bureau of Circulations. The Associated Press is entitled exclusively to the use for publication of all the local news printed in this newspaper as well as AP news dispatches. Unsolicited articles, manuscripts, letters and pictures are sent to The Roanoke Times at the owner's risk.

M. W. ARMISTEAD III
President and Publisher

BUSINESS OFFICES
SHIELDS JOHNSON
Vice President and General Manager

NEWS AND EDITORIAL OFFICES
BARTON W. MORRIS JR.
Vice President and Executive Editor

NEWS DEPT. EDITORIAL PAGE
Norwood C. Middleton Forrest M. Landon
Managing Editor Editor

SUBSCRIPTION RATES

(By Mail—Payable in Advance)
Virginia, West Virginia and North Carolina

| | One Yr. | Six Mos. | Three Mos. | One Mo. |
|------------------|---------|----------|------------|---------|
| Daily and Sunday | \$24.00 | \$12.00 | \$6.50 | \$2.25 |
| Daily Only | 18.00 | 9.00 | 4.75 | 1.75 |
| Sunday Only | 10.40 | 5.20 | 2.50 | 1.00 |

Other States and U.S. Territories

| | One Yr. | Six Mos. | Three Mos. | One Mo. |
|------------------|---------|----------|------------|---------|
| Daily and Sunday | \$27.00 | \$13.50 | \$7.50 | \$2.60 |
| Daily Only | 20.00 | 10.00 | 5.25 | 2.00 |
| Sunday Only | 10.40 | 5.20 | 2.50 | 1.00 |

(By Carrier—Payable Weekly)

| | |
|----------------------|----------------|
| Daily and Sunday 55c | Daily Only 35c |
|----------------------|----------------|

Daily and Sunday (By Motor Route) \$2.40 Per Month

All carriers, dealers and distributors are independent contractors keeping their own accounts free from control; therefore The Roanoke Times is not responsible for advance payments made to them, their agents or representatives.

Telephone Dial 344-3211 All Calls

Disruptive Demonstrations Banned by Duke University

DURHAM, N.C. (AP) — Duke University President Douglas M. Knight has announced a ban on disruptive picketing and demonstrations "to maintain a climate of freedom in which diverse views might be expressed freely and without harassment."

Dr. Knight, who said violators of the new policy will make themselves "liable to separation from the university," promised that peaceful picketing and demonstrations will still be permitted.

He said the new policy prohibits "any action by individuals or groups which disrupts the orderly operations of the institutions or any action

that might in any way jeopardize public order or safety."

The Duke president said two recent situations on the campus made implementation of the policy necessary.

The first involved a "study-in" by a group of Negro students demanding a university policy against use of segregated off-campus facilities by student organizations.

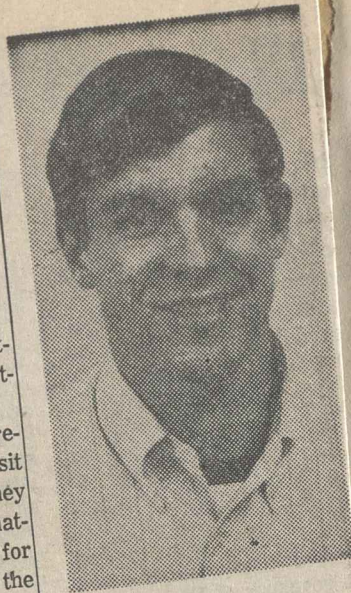
At various times during the seven-hour demonstration Nov. 13, students blocked the entrance to Dr. Knight's office and other offices in the administration building.

A second situation involved military recruiters who postponed a scheduled visit to the

Duke campus when anti-Vietnam War demonstrators threatened to picket the recruiters.

Dr. Knight said military recruiters are scheduled to visit the campus this week, but they will be required to use designated rooms as do recruiters for business and industry. In the past, they have been able to set up booths in lobbies, congested passageways and outdoor locations, Dr. Knight reported.

Disruptive demonstrations, Dr. Knight said, are "intolerable for they are destructive to the pursuit of learning and of a free society. All parts of the academic community are under strong obligation to protest its processes from these tactics."



ASSIGNED—David Yolton of McLean, sophomore forestry student at Virginia Tech, has been assigned to work alternate quarters on the New Castle.

Del. Butler Well-Liked In Assembly



Osborne

House Pages Laud His Friendliness And Helpfulness

By Ozzie Osborne
World-News Political Writer

RICHMOND—Some Capitol newsmen who aren't busy worrying about such weighty matters as constitutional revision and pay-as-you-go are wondering whether success is going to spoil Roanoke's Del. M. Caldwell Butler.

First, he was elected spokesman for House Republicans without a dissenting vote, something you can appreciate only if you have sat in on a Republican caucus.

Then he was named by the House speaker to notify Gov. Mills E. Godwin Jr. that the assembly was organized and ready for business, an honor usually reserved for life-long Democrats.

Later in the week, House pages who sit on a bench next to Butler's desk applauded when he entered the House chamber.

The pages explained their unprecedented action thusly: "He gives a lot of cute comments and explains things to us" (Gene Watson, Farmville); "He's a friendly fellow" (Jimmy Lewis, Bowling Green); "He likes to kid around" (Thomas Sanderson, Richmond).

Garland Campaigned for Loser

Another Roanoke Republican, Del. Ray L. Garland, spent much of last week in the Albemarle-Greene counties area campaigning, not for himself but for the GOP candidate running for the seat vacated by Richard H. Middleton.

When Garland arrived in Richmond this week, he found he had the desk next to that of the man he tried to beat—Daniel G. Van Clief, an Albemarle County Democrat who is known nationally and internationally as a horse breeder.

The two have hit it off fairly well, but predictably they disagree on why Van Clief won.

Van Clief thinks one factor was his getting many Republican votes. Not so, said Garland. A big reason, Garland said, was that the Republican was far less well-known, adding:

"If we had just had five or six more days . . ."

In any case, Van Clief said he hopes that Garland will have to stay in Roanoke to campaign for himself the next time legislative candidates run.

2 Called Most Eligible Bachelors

Garland, incidentally, set a high tone in dress when he appeared at the legislature's opening session in morning coat and striped trousers. He and Del. Willis M. Anderson, also of Roanoke, are being spoken of as the assembly's two most eligible bachelors.

The legislature's large opening day crowd was, as usual, swelled by a large number of relatives of legislators, including Del. John N. Dalton's wife, "Eddie," and four children.

The youngest Dalton son, John Jr., 7, got away from his mother shortly before the governor was to speak, went out into one of the Capitol halls and there ran into his dad who, along with several other legislators, was formally escorting the governor to the House chamber.

"Who are all the people, daddy?" John asked. This led to a slight delay in the governor's entrance while young John was introduced all around.

Another distinguished dad—Sen. William B. Hopkins of Roanoke—got his comeuppance from his son, Bill Jr., after the senator appeared in a handsome new mustard-colored suit, shedding one he had worn for what the son obviously considered too long a time.

"Well," said Bill after looking over his father, "where is old baggy pants?"

McCoy Asks Bonus for Veterans

Veterans of World Wars I and II and the Korean and Vietnam conflicts may be interested to know that Del. Rufus V. McCoy of Dickenson County will try again to get them bonuses.

His bill, introduced yesterday, would give veterans \$200 for each year of service.

But it appears that the bill has scant chance of passage, what with some legislators already fretting over what they consider insufficient money in the budget bill for such things as colleges and mental hospitals.

McCoy, like other legislators, is being flooded with mail from constituents over the just-introduced legislation that would allow sale of liquor-by-the-drink. Some say they'll vote the issue on its merits, But McCoy put it more bluntly, saying:

"Oh, I'm going to vote against liquor-by-the-drink. If I didn't, they'd run me out of Dickenson County."

CHUCK

has not yet been certified. Van Clief, a Democrat, is expected to take his oath later this week.

It was obvious that Del. James M. Thomson of Alexandria will, as expected, succeed Cooke's majority leader. He was performing many of the ceremonial functions Cooke formerly was assigned and was seated at Cooke's former desk. Thomson's elevation will become formal when Cooke announces his committee assignments. The chairman of the Privileges and Elections Committee normally serves as majority leader. Thomson is in line for that post.

Reasonably soon after receiving its report, I propose to call you to a special session. You will then have the options of approving the commission's report, rejecting that report, amending its provisions, or of taking such other action as is your pleasure.

With this timetable, a carefully reviewed and properly revised Constitution of Virginia could be considered and approved for the second time by this body at its next regular session, and submitted to the people of Virginia for their ratification by the summer of 1970.

66

69

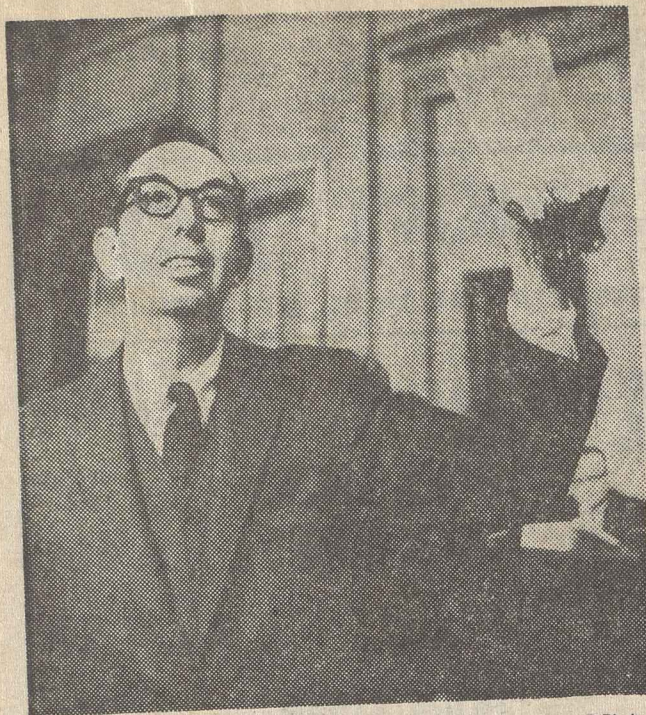
69

56

Governor's 'Crucial Decision' Program

THE ROANOKE TIMES, Thursday, January 11, 1968.

17



AP Photo

Del. M. Caldwell Butler of Roanoke Waves Bills He's Ready to Introduce

Robinson Named GOP Chairman

RICHMOND — State Sen. J. Kenneth Robinson of Winchester — elected in 1965 to the General Assembly seat vacated by U.S. Senator Harry F. Byrd Jr. — was named Wednesday to the chairmanship of the Republican delegation in the House and Senate.

The post was formerly held by Del. M. Caldwell Butler of Roanoke, who continues as House minority leader. Sen. James C. Turk of Radford was named Senate minority leader. The Republican legislators — six senators and 14 delegates — decided to change Robinson's title to "chairman of the Republican delegation," rather than "chairman of the Republican caucus," which had been Butler's title. Several members said the word "caucus" carried a bad connotation.

Del. Vincent Callahan of Fairfax was elected secretary of the joint delegation. Turk and Del. Arthur R. Giesen Jr. of Staunton were re-elected as the legislative delegation representatives on the GOP State Central Committee.

Robinson announced the delegation would meet daily at 10 a.m. during the Assembly session. He said the press and public would be welcome at all GOP deliberations.

The House of Delegates unanimously elected Del. John Warren Cooke of Mathews as speaker, to succeed E. Blackburn Moore of Berryville, who did not seek re-election to the House.

Cooke was nominated by Del. Lewis McMurren of Newport News, on behalf of the Democratic caucus. McMurren termed Cooke "still a young man filled with vigor. He will be as fair and competent in his rulings as his predecessor."

One of the seconding motions was made by Republican leader Butler, who noted that Cooke had promised to name Republicans to major committees, a privilege the GOP never enjoyed under Moore.

There had been some discussion at the morning meeting of the Republican minority members should support Cooke, abstain, or nominate their own candidate for the speakership.

With Dels. Don Funkhouser of Mount Jackson and Rufus McCoy of Dickenson County dissenting, the members agreed they should not take the chance of losing their chance to serve on important committees.

"It's a matter of principle," said Funkhouser. "We campaigned on giving the people a choice. How can we not give our own members a choice in electing a speaker?"

Butler said he was not sure that the majority party did not, as a matter of principle, have the right to organize the House.

Del. Beverley O. Roller of Augusta County said the opportunity to sit on committees which actually meet and conduct business was "a real breakthrough" which should not be jeopardized.

Cooke was sworn in as speaker by State Supreme Court Justice Albert S. Harrison Jr., the former governor.

In his acceptance speech, Cooke said he was succeeding a man who was "the epitome of fairness and impartiality."

He said he would propose a study of the rules of the House, to be considered at the 1970 session. The members adopted the 1966 rules for the 1968 session.

The Assembly's first negro member since Reconstruction, Del. W. Ferguson Reid of Richmond and Henrico County, sat almost unnoticed on the back row with other freshmen. He was given the ceremonial chore of nominating a candidate for first doorkeeper.

A Negro page was on duty in the Senate and another in the House.

Daniel G. Van Clief, elected Tuesday to fill the seat left vacant by the resignation of Del. Richard H. Middleton of Albermarle, was present on the

(Continued from Page 16)

overhaul, wisdom dictates that you have in hand a set of blueprints from which to work. I therefore recommend that you authorize the governor to appoint forthwith a small Commission on Constitutional Revision.

It should be comprised of impartial and eminently qualified citizens, whose stature is commensurate with the task to be performed, and whose recommendations would command the respect and thoughtful consideration of the General Assembly and the people of Virginia.

Moreover, it should not be restricted in any way as to the scope of its study. Its members should have free rein in approaching the sensitive areas of bond financing, of voting requirements, of annual legislative sessions and the recommendations of the Metropolitan Areas Study Commission.

Asks Prompt Action

The necessary resolution will be placed before you today, and I urge its prompt enactment. The commission will be appointed without delay, and will be requested to submit its report by Jan. 1, 1969.

Reasonably soon after receiving its report, I propose to call you to a special session. You will then have the options of approving the commission's report, rejecting that report, amending its provisions, or taking such other action as is your pleasure.

With this timetable, a carefully reviewed and properly revised Constitution of Virginia could be considered and approved for the second time by this body at its next regular session, and submitted to the people of Virginia for their ratification by the summer of 1970.

Mindful of the mounting needs projected for the future by our state agencies, and of the constitutional borrowing question with which you will eventually wrestle, I have directed the Office of Administration to begin an independent, long-range study of our budgetary requirements, in order that you may have these clearly in mind for subsequent sessions.

I have spelled out for you today in some detail the new dimensions I propose for Virginia. I ask you now to look at them again as a whole, and at some of their implications.

All Sources Tapped

In order to finance the

commonwealth during the coming two years, I have tapped every source of revenue available to us in this biennium.

With full knowledge that Virginia's future was thereby mortgaged, I have gone further, and recommended that you use large portions of a one-time windfall for recurring expenses. I did so because the only alternative was to raise taxes.

I feel constrained to add that it is highly unlikely the next governor of Virginia will have that option.

I have recommended that you commit virtually all of the one-time borrowing authority authorized by the constitution, within the limitation

and with the safeguards provided by that document.

Again, I am acutely aware, as you must be, of the consequences you will face at future sessions.

In the meanwhile, I have assigned the one-time general obligation bonds exclusively to mental health and higher education. I feel strongly that on the critical issue of pledging the full faith and credit of the commonwealth, we owe our people a choice as precise and as unclouded by extraneous matter as we can possibly devise.

Finally, as a solution to a sea of troubles, financial and otherwise, I have proposed a procedure for a general revision of the constitution itself, separate and distinct from the complex and far-reaching considerations facing you at this session.

Urges Acceptance

If you accept these means of meeting Virginia's needs, you will do so, as I did, with the knowledge that you have committed yourselves to continue in subsequent

sessions the momentum they will generate during the next two years.

But you will at the same time have pledged to the people of Virginia that you intend to carry out the wishes they have so often and so urgently expressed.

Having offered such a program, I now remind you that this is no visionary who speaks to you.

To this chamber, 20 years ago almost to the day, I came as a country lawyer from a farm in Southeastern Virginia, deeply imbued with a philosophy that only a closeness to the land can instill. That philosophy remains with me. It is still my guide.

Believe me when I say that whatever your initial reaction to what I have proposed, obstacles of law or of precedent, whatever the reservations of mind or of principle, I, too, have experienced each one.

For days and nights on end, I have pored over the figures,

and weighed the alternatives. I have tested public sentiment from one end of Virginia to the other. I have probed the convictions of others. I have searched the depths of my own conscience.

But to every question I could raise, the answer was always the same, that to do less than this was to break faith with the people of Virginia. I offer you now the final product of that refining process.

In the aftermath of our great effort two years ago, some of you may yearn instead for a breathing spell. Others may be inspired to more precipitous adventures.

I remind all of you that as you assemble here, you take on a new dimension of your own, one that encompasses the whole of this commonwealth.

I trust that you have come prepared for just such an hour, for in all of Virginia's long, proud and treasured history, few indeed have been given greater opportunity to fashion her destiny.

By World-RICHMOND—Some worrying about such revision and pay-as-you-go going to spoil Roanoke's First, he was elected

NEW YORK (AP) — The list of participants in the annual... 10. Mildred Ingle, bowling (3) 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Crosby

fourth time, she won the... the No. 1 spot in the world... plishments, and clearly gained... Wimbledon and U.S. cham-... tangled steel racket, won the... Mrs. King, using a new-... swimmer... world's outstanding freestyle... year-old Debbie Meyer, the... placed fourth followed by 15... Championships at Vienna, the... the World Figure Skating... scored a runaway triumph in... Colorado Springs, Colo.,... Miss Fleming, from... and the Alamo Open... were awarded on a basis of... three for a first-place vote... two for second and one for... third.

Open, the Ladies World Series



Assembly At Glance

Gov. Mills E. Godwin Jr. sends General Assembly a proposed \$3-billion budget for 1968-70 which utilizes \$110 million from 1 per cent sales tax increase beginning July 1 and a \$70.8-million bond issue—Page 1.

Members of the State Senate receive their committee assignments, including Sen. William B. Hopkins of Roanoke who was named to the important Senate Finance Committee—Page 22.

Senate and House sponsors of liquor-by-drink legislation introduce their bills as Right-to-Vote Committee, an organization urging local option on the question, appoints area chairmen in 12 localities—Page 22.

Salary increase for state officials and judges included in budget bill submitted to Assembly—Page 22.

Chart showing how colleges and mental hospitals would share in \$70.8-million bond issue proposal—Page 22.

Budget submitted by governor includes \$11.6 million for construction of seven new community colleges with locations to be chosen by the State Community College Board—Page 22.

Del. John Hagen thinks Salem's proposed new charter contains unconstitutional sections. He will confer with city officials on the matter today—Page 1.

City-County-State

NEWS
of THE TIMES

Sunday, January 14, 1968.

Other Features in This Section

Crossword Puzzle ... D-5 Classified Ads ... D-6-11

D-1

Behind Capitol Columns



By Melville Carico

RICHMOND—Unused political notes on the first week of the General Assembly, the halfway mark in the Administration of Gov. Mills E. Godwin Jr. who, the first two years, had to worry about what Speaker E. Blackburn Moore thought:

He's gone now.

On the Senate side of the Capitol the big boards flashing the green and red lights when a vote was taken have shown the totals for and against the bill.

But there were no totalizers on the boards in the House of Delegates. The legislators could see the burning green and red lights but, on close votes, it was impossible to add them up quickly. There are 100 members voting. But on the Speaker's rostrum overlooking the House chamber a small computer showed Moore the totals. He would always ask if any member wanted to change his vote—and sometimes a few did if it was close—and then the Speaker announced the outcome himself.

Members noticed the change right away.

The inside explanation from Capitol engineers when asked why the House had not had the totalizers before: "Mr. Moore wouldn't allow it."

New Strategy of the Republicans

The four Republicans in the Senate and 14 in the House have come up with a way to get their views before the public. Democrats naturally dominate the General Assembly news because they are the majority party and, in the realm of this political reality, it will be Democrat-sponsored legislation that is passed.

Every morning the Republicans will hold a meeting at 10 a.m.—they no longer call it a "caucus"—with the press and public invited. Since the General Assembly does not convene until noon they will have a better crack at news in the afternoon newspapers and on early evening radio and TV news programs.

Watch for the Republicans to demand that the governor appoint Republicans to the commission to revise the constitution he proposes. Most think there should be a constitutional convention instead but since the Democrats have the votes to set up a commission they want representation on the commission.

The Change That a Decade Brings

We went to Richmond for the first time just 10 years ago and what a change 10 years has made.

"Massive resistance" to school integration was the issue of the day. Now it sounds like something in the Civil War era.

Money and bonds are the issues now and without any fanfare, except in the Negro press, the House and Senate elected its first Negro pages and accepted its first Negro member—likeable Dr. Ferguson Reid, a surgeon, who wants to be thought of not as the first Negro in the legislature since 1892 but a member of the legislature who happens to be a Negro.

But he is a celebrity in Negro newspapers. Negro photographers take only his picture, interview only him, and one white reporter remarked, he seems embarrassed by the attention he is getting because he is a Negro.

The Afro-American in Richmond carried a front page

(Continued on Page D-5)

Capitol Columns

(Continued from Page D-1)

banner headline hailing "Fergie Reid" as the "watchdog" for "the black people" in Virginia.

A Combination for Coping

Democrats think now they have a combination that can cope on the floor with Del. M. Caldwell Butler, the House minority leader, and the Republican minority bloc.

They were peased with the way Speaker John Warren Cooke, with his customary good will, handled Butler on opening day when Butler began feeling him out.

And in Del. "Jim" Thomson from Alexandria as new floor leader they have a man who thinks fast on his feet. In politics Thomson is known as a "gut fighter" when the chops are down.

Some Rude Shocks to Tradition

The few old-timers remaining in the Senate can expect some rude shocks to their tradition in the days ahead.

There is even talk of discharging the Welfare Committee and bringing a whisky-by-the-drink bill to the floor for a vote if it becomes bottled up in the committee. Nose counters claim 19 of the 21 senators would vote to discharge the committee if it has to be done.

Outspoken Henry Howell of Norfolk has never hesitated to say what he thought, regardless of how it might offend some of his colleagues.

Now comes "Bill" Fears who beat one of the "Old Guard" on the Eastern Shore—Almer Ames—and took one of the old Byrd organization's dependable anchor men out of the Senate.

What's more he introduced a conflict-of-interest bill" and joined 10 other senators as co-patron on whisky-by-the-drink legislation the first week.

What's more he was quoted by the Associated Press as saying he could not see how any member of the Assembly could vote against conflict-of-interest legislation "unless they are on the gravy train."

Liquid Issue That Brings Deluge

Members of the legislature seldom see the tops of their desks because they are stacked high with mail, official documents and brochures advocating one cause or another.

It will be worse than ever Monday.

When whisky-by-the-drink is up the mail comes in by the bag full, most of it against.

"I'll be glad when the issue is settled, one way or another," is the general feeling among legislators.

Doubts Grow Over Wisdom Of \$70.8-Million Bond Issue

RICHMOND — Members of the General Assembly are home this snowbound weekend anxious over voter reaction to the proposal of Gov. Mills E. Godwin Jr. that Virginia, out of necessity, abandon pay-as-you-go financing.

The immediate reaction within the Democratic ranks of the legislature was favorable.

But by the weekend some legislators and investment attorneys on Richmond's little Wall Street who support Godwin's bond issue proposal are

By
**Melville
Carico**
Times
Political
Writer



having second thoughts about the political climate next fall when spending in Washington

will be a major issue in the presidential election.

The governor does not like the idea of holding the referendum in conjunction with the presidential and congressional election either but, he said, attorneys advised against holding it other than on a general election day because of legal questions it might raise.

Godwin himself acknowledged that the risk is great, that the stakes are high and the outcome will be crucial in charting Virginia's fiscal course for the future. Higher taxes, he holds, is the only alternative unless Virginia is to bring to a "grinding halt" its expansion of colleges, mental hospitals and other facilities.

Some legislators, now favoring a bond issue but worried about the timing of the referendum, are searching for a temporary alternative.

Privately they would prefer to wait until the commission proposes sweeping revisions in the state constitution, including the 1 per cent limit on bonds which the governor is using, and then go to the public in the 1970s with a whopping bond issue.

"If you're going to prostitute yourself why do it for a few dollars," one legislator reared in the Byrd tradition remarked. Pay-as-you-go financing has been the fiscal doctrine of Virginia since the late U.S. Sen. Larry F. Byrd Sr. was governor in the 1920s. He had it written into the constitution, leaving the per cent "safety value" under

which the November bond issue referendum will, in all likelihood, be held.

Some legislators fear voters will reject the bond issue, feeling that somehow the state ought to find the \$70.8 million somewhere in a \$3-billion budget for the next two years.

It is not, they feel, the \$70.8 million dollars—it is the principle involved, a principle which thousands of voters have supported down through the years.

If the bonds are turned down, Godwin says the issue of bonds will have been settled, politically, for a long time to come.

College officials and mental hospital interests are anxious, too.

While only \$70.8 million is involved in the bond issue its rejection by voters would tie up construction, at least until the 1970s, of about \$155-million worth of college and mental hospital facilities. Bond money is only one facet of the financing since the projects would be paid for in part by other state funds and, in some cases, money from Washington too.

Godwin has made it plain he has no intentions, should the bond issue fail, of calling a special session and asking for another increase in taxes.

Thus the whole problem would be dumped in the lap of Godwin's successor and become a major issue in the campaigns for the governorship next year.

Anticipating the political climate in this fall, Godwin's

(Continued on Page D-4, Col. 1)

D-4 THE ROANOKE TIMES, Sunday, January 14, 1970

Doubts Grow Over Wisdom Of \$70.8-Million Bond Issue

(Continued from Page D-1)

friends recognize he will face a difficult task.

Virginians will be feeling the pinch of the 1-cent increase in the state sales tax beginning July 1, which will mean a 4 per

cent sales tax (counting the 1 per cent local tax) in nearly all cities and counties.

On top of that, Social Security deductions will be larger and there is at least a 50-50 chance Congress will have enacted a 10

per cent, or possibly less, federal income surtax.

"I can hear them now talking about Virginia wanting to do like they do in Washington, spend more than they take in," one Democrat lamented.

Some are fearful too that the bond issue might turn into a ready-made issue for a Republican candidate for governor next year, although some GOP leaders in the past have advocated bonds too.

It is no secret the GOP delegation headed by conservative Sen. J. Kenneth Robertson of Winchester is going to try to find some "fat" in the appropriations bill the governor sent to the House Thursday. Public hearings will be held the beginning Monday, Jan. 22 with a lot of complaints over cuts. Godwin cut requests \$179 million.

The administration's legislation authorizing Godwin to appoint a "blue ribbon" commission to propose changes in the state constitution already is in the hopper and will get speedy passage.

Godwin wants to announce the membership while the legisla-

ture is in Richmond for two reasons:

One, he wants the commission to start to work as soon as possible since he intends to call for a special session in the fall of 1969 to act on the proposed changes. If they are approved by the special session and then the 1970 General Assembly which will be convening soon thereafter in January, the changes agreed on by both sessions can be submitted to voters for approval that year in a referendum.

Second, it heads off the Republican minority's insistence on legislation calling an unrestricted constitutional convention. They stand no chance though with the Administration united on the amendment procedure advocated by the governor.

The commission will be free to propose amendments which will sweep some of the cobwebs out of the constitution enacted by a 1901-1902 constitutional convention which was in session in Richmond for 13 months, cost the state over \$1 million, and proclaimed the constitution without submitting it to voters for approval.

Court decisions in recent years have made some sections, such as the poll tax as a prerequisite for voting, unconstitutional. Sixty-five years have made others sound ridiculous. One provision forbids dueling.

But two questions are inescapable. Demands for annual sessions instead of the 60-day sessions every two years and removing the present ceiling (1 per cent of the total assessed value of all property in Virginia) on bonds. The maximum bond issue now would be \$81 million. Godwin is asking for only \$70.8 million.

GOP Fights for Voice In Constitution Study

By MELVILLE CARICO
Times Political Writer

RICHMOND — Smarting over House and Senate committee assignments, the Republican minority bloc Monday started a fight for GOP representation on the governor's commission to modernize the State Constitution.

They first sought the backing of Gov. Mills E. Godwin Jr.

Sen. J. Kenneth Robinson of Winchester, chairman of the GOP delegation, and two other Republicans got a half-hour meeting with the governor after Democratic leaders in the Senate agreed to delay a vote on the resolution creating the commission.

In a statement released to newsmen after the conference Godwin said he had "made no commitment to any group that it would be represented on the commission on constitutional revision."

Godwin said he "told the Republican delegation that I had pledged an impartial and able commission and one representative of Virginia and that I intended to keep that promise."

Godwin said his "position has not changed" since his message to the General Assembly on Wednesday, when he recommended the governor be authorized to appoint "a small Commission on Constitutional Revision," unrestricted "in any way as to the scope of its study." His proposal did not involve a convention.

Later in the day the House Rules Committee, headed by Speaker John Warren Cooke, listened to a plea from Del. M. Caldwell Butler of Roanoke, the minority leader, and then reported out the resolution for a vote in the House.

Both the House and Senate likely will vote on the resolution Tuesday and Robinson said,

Committee Assignments and New Bills Highlight Assembly's Day — Related Stories Page 18.



AP Photo

AP Photo
Del. Caldwell Butler . . . Happy and Unhappy

barring voluntary agreement by Democratic leaders, Republicans will try to get through an amendment specifying that Republicans will have representation on the commission. amendment, Godwin can appoint all Democrats, and Republicans will have no voice in what the commission will propose. They prefer an unlimited

They prefer an unlimited constitutional convention.

The legislation authorizes Godwin to appoint a 11-member commission to draft proposed revisions to be presented to a special session of the General Assembly in 1969.

Robinson said the GOP also is asking the governor to agree that the commission is free to

Robinson said that without the (Continued on Page 7, Col. 2)

GOP Fights for Voice In Constitution Study

(Continued from Page One)

advocate a constitutional convention if it thinks best.

Godwin wants the commission's proposed changes passed by two sessions of the General Assembly and then voted on in a referendum.

Meanwhile, there was a division within the ranks of the GOP minority on how well Republicans fared on standing committee assignments announced Monday by the new speaker.

Butler, who was put on Privileges and Elections which handles voting law legislation, claimed the assignments "rep-

resent a major breakthrough for the Republican Party, for the two-party system and for the people of Virginia."

But freshman Del. Ray L. Garland, Republican from Roanoke and Roanoke County, disagreed with Butler.

Garland called Butler's statement "too mild considering the treatment once again visited on Republicans."

Former Speaker E. Blackburn Moore, with one exception, kept Republicans off the committees that handle major legislation. Cooke had said he was going to put Republicans on working committees.

Still they got no representation on five major committees—Finance; Appropriations; Counties, Cities and Towns; Roads and Internal Navigation; and Rules.

Butler credited the new speaker with a "sincere endeavor" to apportion committees "more fairly" and said Republicans "appreciate" Cooke's efforts "in the face of substantial objection within his own (Democratic) party . . ."

But Garland said Cooke's failure to put Republicans on five major committees violated the spirit of a statement made in the last 10 days of the General Assembly campaigns.

"We can assume it was only designed to mute Republicans on this issue and who can say that for that statement there might be two more Republicans in the House of Delegates," Garland added.

There were disappointments on the Senate side last week too when committee assignments were made.

Robinson said the GOP should have another member on the Senate Finance Committee and said it was unfair for the all-Democrat Senate Steering Committee, which parcels out committee assignments, not to put a Republican on Privileges and Elections and Rules.

The GOP delegation will hold

Assembly At Glance

Jan 17, 1968



Democrats in House and Senate empower Gov. Mills E. Godwin Jr. to appoint commission to draft revisions in the State Constitution and deny Republicans' bid for guaranteed representation on the group. Page 1.

J. Hudson Huffard Sr., a former mayor of Bluefield and chairman of the Right-to-Vote Committee, cites support of proposed local option on liquor by the drink but Sen. Edward E. Willey of Richmond, a co-patron of the bill, says the bill may die in the Senate for lack of a majority. Page 16.

Bills covering wide range of topics are introduced in House and Senate. Page 16.

Senate's Privileges and Elections Committee gives an icy reception to bill which would prohibit General Assembly members from serving as attorneys of the State Highway Department. Page 16.

RICHMOND NEWS LEADER

and Cold Tonight, Low Around 15. Mostly Sunny and Continued Cold Wednesday, High Around 40. (Other Data on Page 19.)

RICHMOND, VA., 23213, TUESDAY, JANUARY 16, 1968

10 CENTS

By-Drink Option Defeat Indicated

Times-Dispatch

148,682

Largest Morning
Circulation
in Virginia

211, Tuesday, January 23, 1968

10 Cents

House Passage Seen For Liquor-Vote Bill

Statewide Referendum Is Rejected

By James Latimer

The cause of local-option liquor by the drink advanced to the brink of passage in the Virginia House of Delegates yesterday.

House members rejected amendments calling for a statewide referendum before giving the bill a vote of approval that apparently assures favorable action on the final vote today.

The vote count announced by Speaker John Warren Cooke on a show of hands was 54 to 43 to send the bill to its third reading.

A few minutes earlier the delegates had rejected the statewide referendum amendment, also on show of hands, by 56 to 38.

Unless some minds are changed overnight, or some members are absent, the bill should clear the House early this afternoon and head for the Senate.

Uncertain Fate

An uncertain fate awaits it in the upper house — but the local option forces think they have a good chance to complete a historic breakthrough there.

If Senate and House agree on a bill, it would mark the first time since prohibition gripped the state some 50 years ago that sale of liquor by the drink could be legalized in a local-option election.

To observers who have watched assembly after assembly wrangle over and reject similar bills for nearly 20 years, yesterday's House debate and action seemed surprisingly short and tame.

All hands in the seemingly eternal struggle over that old demon, rum, apparently had

Continued on Page 2, Col. 1

Related Stories



Staff Photo by Amir Pishdad

HANDS UP—These upraised hands belong (front to back) to Republican Dels. Garland, Geisler, J. N. Dalton, Hansen, Earman, Giesen, Funkhouser, R. L. Davis and J. W. Hagen. They voted against advancing the

local-option liquor bill yesterday, while their House GOP minority leader, Del. M. C. Butler (lower right) voted to advance the bill to its third reading for probable passage in the House today.



Staff Photo

REPUBLICANS CALL ON GOVERNOR TO DISCUSS CONSTITUTIONAL STUDY

From Left, Senators Robinson and Burruss, Delegate Butler

Study Group Plan Due Quick Action

The General Assembly was expected to move quickly today on passage of a resolution to establish an 11-member constitutional study commission.

Its job would be to make recommendations on revamping of the 66-year-old Virginia Constitution, which sets forth the basic laws of the Commonwealth.

The resolution drew approval Thursday from the Senate Rules Committee and from the House Rules Committee on Monday.

Once the resolution is passed, Gov. Godwin would be free to name the commission's members. It was hinted he would do this swiftly.

Republicans raised a question yesterday. They said they wished assurance from Godwin there would be GOP representation on the commission.

NO PROMISES

Godwin, reportedly, made no promises. He also indicated he would reject a Republican proposal that the commission be free to recommend a constitutional convention, if it wished.

State Sen. J. Kenneth Robinson of Winchester, chairman of the assembly's GOP caucus; State Sen. Robert S. Burruss Jr. of Lynchburg, and Del. M.

Caldwell Butler of Roanoke, all Republicans, met in private conference with Godwin yesterday.

The Republicans request for a delay — so they could speak with Godwin — SLOWED THE RESOLUTION'S PASSAGE.

GENERAL REVISION

Senate leaders were prepared yesterday to approve the resolution. The House committee didn't approve it until yesterday afternoon, after permitting Butler the chance to speak on it.

The resolution notes a general revision of the Constitution "is a matter of such magnitude" it should not be undertaken without "extensive advance study of such amendments as may be desirable."

Its 11 members would be appointed by Godwin. He also would designate its chairman.

The commission would be directed to report to Godwin and the General Assembly no later than Jan. 1, 1969.

Transplant Law

BALTIMORE (AP)—Atty. Gen. Francis B. Burch says he and medical and legal authorities will try to determine in the near future whether the state should have a law governing transplant of human organs.

ANOKE TIMES

Roanoke, Virginia, Wednesday, January 17, 1968.

The Weather

ROANOKE: Fair and warmer today with a high in the mid 40s.

Full Weather Report on Page 4

74 CENTS 94 CENTS

Commission A To Revise Co

Republicans Denied Guaranteed Role

By MELVILLE CARICO
Times Political Writer

RICHMOND—Democrats on a straight party line vote smothered Republican opposition Tuesday and empowered Gov. Mills E. Godwin Jr. to appoint an 11-member "blue ribbon" commission to draft revisions in the State Constitution.

The vote was 34-5 in the Senate; 81-14 in the House.

Godwin plans to appoint the commission within the next two weeks.

The Republican minority, knowing they were fighting a lost cause, tried to get the resolutions amended to guarantee Republican representation on the commission, require it to hold open meetings, and be free to propose a constitutional convention.

"We think it is sufficiently important for both parties to be involved," House Minority Leader M. Caldwell Butler of Roanoke said during the debate on the House floor.

Del. Willis M. Anderson of Roanoke, a Democrat, spoke against the amendment which would have required the governor to appoint at least one known Republican.

Such a requirement, Anderson argued, would "establish an unfortunate precedent."

He contended that in the future there would be demands that appointments on commissions be based on "sex, place of residence and party affiliation."

The Republicans agreed on their strategy at a Tuesday morning caucus.

Del. James M. Thomson of Alexandria, the Democrats' floor leader, called it "an unfair attempt at publicity."

The Republican amendments

THE ROANOKE TIMES

WEDNESDAY, January 17, 1968

Page Six

Opinion Page

The Committee Assignments

"Mr. Butler votes 'No,' Mr. Chairman."

"The bill is approved, Mr. Butler, the vote being 12 to 1 in favor."

In other words, everything in the House Privileges and Elections Committee is changed—yet nothing is changed.

Roanoke's Republican Del. M. Caldwell Butler, thrice denied appointment to major House committees by the autocratic former House speaker, E. Blackburn Moore, finally has won a long-sought seat on the prestigious committee. But the presence of one Republican dissenter in the midst of a pack of Democratic Party loyalists (and one latter-day separatist, Mr. Putney of Bedford, whose heart apparently belongs to George Wallace) is not likely to upset the regular "P&E" functionaries, at least not so as the public could tell.

The committee is certain to remain as the last bastion of the restrictive election law strategists, always at the ready to prevent election law reforms from reaching the House floor—especially when those reforms reflect the heretical ideas of Mr. Butler and his small band of fellow Republicans. Still, Mr. Butler's presence on the committee occasionally ought to help spur the P&E majority to explain its actions—or inaction—after the group's closed-door decision-making process runs its usual course.

In appointing his GOP counterpart to the P&E committee, the new House speaker, genial and soft-spoken John Warren Cooke, seemingly kept his pre-election promise to give the Republican bloc a deserved role in the committee room, "nuts and bolts" workings of the House of Delegates. Several other Republicans also were appointed to key House

committees, although Mr. Cooke inexplicably refused to assign a Republican to the Appropriations and Finance committees which play a crucial lawmaking role in initiating all budget and tax legislation, respectively.

In the Senate, where Republicans traditionally have gotten a better deal in committee assignments, Roanoke County's freshman GOP Sen. H. Clyde Pearson was appointed to the Counties, Cities and Towns Committee and the Courts of Justice Committee, both choice appointments. But only one Republican is permitted to sit on the 19-member Senate Finance Committee—a gross example of under-representation, we think, inasmuch as the GOP's proportionate share of the Senate's seats would seem to indicate at least two and perhaps three assignments on so large a committee.

For the first time in many years, the Roanoke Valley's seniority-short delegation (highly capable, for the most part) is beginning to rise to positions of leadership in both the House and Senate. In the upper chamber, Sen. William B. Hopkins has climbed to the chairmanship of the Committee on Counties, Cities and Towns, where he will play a leading role in formulating urban government reforms. Also, he has been given a seat on the Finance Committee, where he will be in a position to press his case for a state office building in Roanoke and an accelerated decentralization of the state agencies, many of which still operate exclusively out of Richmond.

In his role as Finance Committee member, Mr. Hopkins also may want to call attention to the fact that not a single capital outlay item is included for the Roanoke metropolitan area in Gov. Godwin's \$70.8 million college-mental hospital bond issue.

GOP Amendments Defeated In House

Times Jan. 16

World-News Capitol Bureau

RICHMOND — Three Republican amendments to Gov. Mills E. Godwin's proposal to revise the Virginia Constitution were defeated overwhelmingly this afternoon in the House of Delegates.

The amendments were pre-

sented by Del. M. Caldwell Butler of Roanoke.

One called for the option of holding a constitutional convention. Another asked for naming at least one Republican to the governor's proposed constitutional revision commission. The third asked that the commission hold open meetings.

The governor plans, if the legislature approves, to name a commission to make recommendations on modernizing the Constitution. Its recommendations, to become effective, would have to gain approval of two sessions of the legislature and the voters of Virginia.

Butler said, among other things, that the 11-man commission proposed by the governor would be too small and that it should be named by the legislature, not the governor.

Butler's long speech was answered by Del. Willis M. Anderson of Roanoke who said he would be glad to see Republicans named to the committee, but believed that ability, not party affiliation, should be the main factor to be considered.

Tax Credit Bill On Cars Offered

World-News Capitol Bureau

RICHMOND — Del. Russell Davis of Rocky Mount today introduced a bill that would allow tax credit for vehicles that are traded in.

Virginians pay a 2 per cent titling tax with no credit allowed for trade-in. For example, if a person buys a \$1,000 car and trades in one worth \$500, he must pay the tax on the full \$1,000.

with lay health organizations. And she has kept up to date on city affairs "through the newspapers and the grapevine."

She laughed when she said her husband, Dr. R. Earle Glendy, told her she was not to take the job under any circumstances. Her husband recently gave up his medical practice to join the staff of Roanoke Memorial Hospital.

Dr. Margaret Glendy studied medicine at the University of Virginia and practiced pediatrics in Boston before moving to Roanoke in 1945.

Council accepted Hirst's report yesterday that the former commissioner, Dr. William Keeler, had resigned as of that date to accept a post with the Illinois Health Department.

Council ordered preparation of a resolution of appreciation for Dr. Keeler's services to the city.

Council and Hirst discussed the interim appointment in an executive session prior to the confirmation.

THE ROANOKE TIMES

SUNDAY, January 14, 1968

Page A-6

Opinion Page

Liquor by the Drink

The proponents of local option, liquor-by-the-drink, in effect an urban coalition, have moved quickly and efficiently to bring this perennial issue before the Virginia legislature.

Within 24 hours of the opening of the General Assembly. Identical bills had been introduced in the House and Senate and hearings were scheduled. There are strong indications that there is enough support in the committees to bring the issue to the floor.

The bills provide for tight control by the existing Alcoholic Beverage Control system and restrict the public sale of drinks to those facilities that are established providers of food. The bill makes no provision for a statewide referendum on the question, leaving it to localities to vote for or against change.

The dries, of which the western part of the state provides a disproportionate number, will push hard for the statewide referendum, convinced that the rural vote would offset the strong support in the cities. The opponents of liquor-by-the-drink have arrived at this strategy only after realizing the extent to which some liberalization of the state liquor laws is being supported in the major urban areas. The referendum push is a cunning move. It allows politicians the luxury of being both for and against liquor-by-the-drink.

We have stated our opinion on the issue many times before. Our thoughts, like those buttressing the other side of the argument, are based on a mixture of fact and the will to believe. Both sides can amass a stunning array of supporting evidence. We will not indulge in that sterile game at this time. The facts, pro and con, have been piled high and have produced few defectors from either camp.

We can say only that, after having seen as much of the evidence as sanity permits, we remain unconvinced that closely-controlled liquor-by-the-drink will either increase the consumption of alcohol appreciably, worsen the social evils attendant to its overconsumption or affect the highway mortality figures.

What it could do is to bury, once and for all, the wretched hypocrisy that surrounds the consumption of alcohol in the state, increase respect for the alcoholic control laws and help to make the limited consumption of alcohol more a civilized amenity and less a gulping, back-alley reflex.

We remain even more firmly unconvinced that the statewide referendum proposed by the opponents of liquor-by-the-drink has much to do with the right of the people to vote. The issue seems to us to be intrinsically a local issue, just as the sale of wine, beer or whisky has been and still is a local option matter in the vast majority of states.

We do not see a new day dawning with the liberalization of Virginia's liquor laws. There will always be the problems that flow from human passion, gluttony and self-centeredness. But no amount of legislation, no form of prohibition, is going to rid our society of those.

If the assemblymen can come up with amended liquor laws that more accurately reflect both the desires of the state's burgeoning population centers and the right of the individual to buy a drink openly and sanely (a right afforded him in portions of all but nine states), then they will have made the wise choice. Good legislation reflects an understanding of human nature rather than an all-consuming desire to change it.

Assembly At Glance

Jan. 19, 68



General Laws Committee of House approves by a 10-5 vote bill permitting local option on liquor by the drink. Page 1.

Crowd estimated by Capitol police at 500 jams House of Delegates chamber Thursday to witness debate on liquor by the drink. Page 1.

Gov. Mills E. Godwin Jr. tells House Appropriations Committee that reaction to his \$3-billion budget "has been generally favorable" and that a bill is being drafted setting Nov. 5 as date for voting on \$70.8-million bond issue. Page 8.

The Senate Public Institutions and Education Committee has scheduled a meeting Jan. 29 to consider a bill on compulsory school attendance and the backer of a similar bill in the House says chances for its passage are "very good." Page 8.

Wets, Drys Jam House For Debate on Whisky

1/19/68

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — An estimated 500 persons packed the House of Delegates Chamber Thursday to witness the 1968 re-enactment of the great whisky battle, or, as one side prefers, the battle over the right to vote.

Little was said that hasn't been said at many similar public hearings on bills which would permit localities to hold

referendums on liquor by the drink.

It is safe to say that two House and Senate committees which heard 2½ hours of testimony heard little that was enlightening.

The cast of characters was much the same as in previous years, also. Proponents generally came from the Norfolk, Richmond, and Northern Virginia metropolitan areas and

opponents generally came from other sections of the state.

Baptist and Methodist clergymen and laymen were prominently represented among the opponents, and business and tourism interests were strong on the side of the advocates.

Women with large hats were numerous on both sides.

Each side had one of the state Senate's oldest and most respected members as one of its spokesmen.

The proponents featured Sen. Edward L. Breeden Jr., 63, as the chief patron of the Senate bill. Breeden has been in the assembly since 1936 and is its senior member. The opponents got Sen. Charles R. Fenwick, 68, an assembly member since 1940, to argue for a statewide referendum instead of local voting only.

Most observers think a statewide vote would kill the liquor-by-the-drink question and the "drys" encouraged the concept of "letting all the people vote."

"The people who talk the loudest about the right to vote don't want the people of Virginia to have it," said Dr. Theodore F. Adams, pastor of Richmond's First Baptist Church and a "dry" leader.

Each side was given an hour

(Continued on Page 2, Col. 6)

Repub Study R

(Continued from Page One)

were introduced in the Senate by Sen. H. Clyde Pearson of Roanoke County who said bipartisan representation would get the commission "off on the right foot."

Sen. William B. Hopkins of Roanoke, a Democrat, said the GOP's amendment would restrict Godwin to naming Democrats and Republicans and no independent could be appointed. This, Hopkins said, "would exclude the majority in my area and I wouldn't be surprised if it would not exclude the majority of Virginians."

Pearson replied that Republicans are not opposed to a change, saying independents should be on the commission, too.

The fight on the Senate side was led by Sen. J. Kenneth Robinson of Winchester, chairman of the Republican delegation in the General Assembly.

He told the Senate there is a policy within the Democratic administrations of not putting Republicans on important state commissions and, as a result, there is "a growing resentment that is not doing anybody any good."

Sen. Charles R. Fenwick of Arlington, a Democrat, claimed Robinson's statement was "highly political" and the governor's freedom to appoint a "blue ribbon" commission "is more important than a political issue."

Much of the debate in both the House and Senate centered on whether the governor's plan is preferable to a constitutional convention.

The governor's timetable is for the commission to make its report by Jan. 1, 1969, and then he will call a special session during the year for the General Assembly. Then the recommendations can be submitted to voters in a referendum. Amendments must pass two General Assemblies.

Butler argued in the House that this method is too slow in the face of financial problems now confronting the legislature, including "the myth of pay as you go." He argued too that a convention of delegates elected by the voters would be more democratic.

"We recognize that it is long overdue," Butler said in declaring Republicans agree with Godwin that the Constitution must be modernized.

Wets, Drys Jam House For Debate on Whisky

(Continued from Page 1)

and a quarter by the House General Laws Committee and the Senate Welfare Committee, who held the joint hearing.

The local option advocates paraded 16 speakers before the committees and the opposition had 13. Both sides had more people ready to testify when time ran out.

Opponents included William P. Swartz of Roanoke who said the "protection of the buying public" was being ignored in the bills.

"Short shot glasses of watered down liquor have carried more gold than mules have ever packed," Swartz said.

A perennial leader of the dry forces, Mrs. T. Roy Jarratt of Richmond, world president of the Women's Christian Temperance Union, criticized the provisions of the bills which would permit by-the-drink sales only in certain types of establishments.

"Who is to decide which are the nice and high-class establishments?" she asked.

B. B. Lane of Altavista, vice president of the Lane Co., gave a satirical account of how to increase a product's sales. "Increase the number of outlets," he said, criticizing the "wets" contention that their bills would not increase consumption.

mond; Mayor Morrill M. Crowe of Richmond; and Robert Porterfield, founder of the Barter Theater of Abingdon and president of the Virginia Travel Council.

Porterfield urged Virginia to "grow up and be civilized" by permitting persons to have a drink in a restaurant at dinner, rather than "buying a bottle and sitting on the edge of a bed in a hotel room."

The Rev. Richard R. Baker of St. James Episcopal Church of Richmond, speaking for the

bills, said "There's more to be said for liquor by the drink in a restaurant for a couple than liquor by the bottle in an apartment or car."

State Capitol police estimated the over-all crowd — in the chamber, the corridors, rotunda, galleries, mezzanine, nooks and crannies—at 1,500 to 2,000.

It would have been difficult to jam one more person into the House chamber, where there were people sitting on the floor, tables, railing and anything else available, and many standing.

Aaron J. Conner, moderator of the Roanoke Valley Baptist Association, said "You've got the women stirred up and when you've got the women stirred up you've got trouble." No one would doubt his observation, judging from the number of fervent women in the audience. John Alderson, a Botetourt County farmer, spoke against the proposal as an individual.

Proponents of the local option measures included J. Hudson Huffard Sr. of Bluefield, chairman of the Virginia Right-to-Vote Committee; Democratic National Committeeman Sidney Kellam of Virginia Beach; former assistant secretary of state Walter Robertson of Rich-

Value Days—Today and Saturday

THE TIMES

Friday, January 19, 1968.

Second Class Postage
Paid at Roanoke, Va. 24010

The Weather

ROANOKE: Fair through Saturday; high in the low 50's. Low tonight in low 30's.

Full Weather Report on Page 4

10 CENTS
DAILY

20 CENTS
SUNDAY

House Unit Backs Local Vote on Liquor

Move Seeking State Ballot Is Defeated

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A bill to permit local option of liquor by the drink was approved Thursday by the General Laws Committee of the House of Delegates by a vote of 10-5, with two members not voting.

The action followed a move to amend the bill to set up a statewide referendum on the question, which failed on an 8-8 tie vote. Del. Donald A. McGlothlin of Grundy abstained on the amendment, then voted with the majority to send the bill to the floor.

The unsuccessful amendment was introduced by Del. Walther B. Fidler of Sharps on the Northern Neck.

Before taking action, the House Committee held a 2½ hour public hearing, in conjunction with the Senate Welfare Committee.

The Senate group is not expected to act on the Senate version of the same bill before Monday.

The bill would permit any locality to hold a referendum on whether to permit strictly regulated sales of mixed drinks. A petition signed by 15 per cent of the voters who participated in the last presidential election would be required to institute the referendum.

Voting to report the bill to the House floor were: Dels. James B. Fugate of Gate City, George N. McMath of Onancock, Guy O. Farley Jr. of Fairfax, Marion G. Galland of Alexandria, E. B. Pendleton Jr. of Richmond, Thomas W. Moss Jr. of Norfolk, Clive L. Duval II of McLean, Alan A. Diamonstein of Newport News, W. Ferguson Reid of Richmond, and McGlothlin.

Voting "no" were: Dels. Arthur R. "Pete" Giesen of Staunton and Jerry H. Geisler of Hillsville — the two Republicans on the committee — and Lyman C. Harrell Jr. of Emporia, Randall O. Reynolds of Pittsylvania and Fidler.

Chairman Arthur S. Richardson of Dinwiddie and Lucas D. Phillips of Leesburg abstained on the vote to send the bill to the floor.

The committee approved an

(Continued on Page 2, Col. 1)



Dr. Theodore F. Adams of Richmond's First Baptist Church
Testifies Against Option on Liquor by Drink Thursday

AP Photo

House Passes Liquor Bill

(Continued from Page 1)

the bill, apparently confident that the coalition which got it through the crucial amendable stage Monday would hold together.

In addition to Anderson and Butler, Donald A. McGlothlin of Grundy and Edgar Bacon of Jonesville voted for the bill.

Those opposed included Hagen, Garland, Dalton, Archibald A. Campbell, Wytheville, Orby L. Cantrell, Pound, Grady W. Dalton, Richlands, Russell L. Davis, Rocky Mount, Garry G. Debruhl, Patrick County, Don E. Earman, Harrisonburg, James B. Fugate, Gate City, Donald K. Funkhouser, Mount Jackson, Jerry H. Geisler, Hillsville, Arthur R. Giesen Jr., Staunton, Charles W. Gunn Jr., Lexington, Joseph P. Johnson Jr., Abingdon, George J. Kostel, Clifton Forge, Willard L. Lemon, Marion, Garnett S. Moore, Pulaski, D. G. Pendleton, Amherst, A. L. Philpott, Bassett, Lacey E. Putney, Bedford County, O. Beverley Roller, Augusta County and Lawrence R. Thompson, Rustburg.

All Republicans, except Butler, McCoy and two Northern Virginia freshmen, voted on the negative side.

Jan 19/68

Del. Mann Enjoys Dig At Butler



Osborne

Years Don't Seem To Bring Mellowing Of Arlingtonian

By Ozzie Osborne
World-News Political Writer

RICHMOND—If people are worrying that time may have mellowed Del. C. Harrison (Hank) Mann Jr. of Arlington, they needn't.

For years he has enjoyed taking swipes at both Democrats and Republicans in an entirely nonpartisan way.

This week he got in his first dig of the session, lowering the boom on Del. M. Caldwell Butler, the Republican House leader from Roanoke.

It came after Butler had jousting with Del. James M. Thomson, new Democratic floor leader and chairman of the House Privileges and Elections Committee on which Butler has been named to serve.

After his exchange with Thomson, Butler launched into what some House members thought was entirely too long a speech, being interrupted at least once by the speaker, who wondered if Butler wasn't getting a bit off the subject.

When Butler finally finished, Mann arose and addressed himself to the House, saying:

"I arise to extend my condolences to Mr. Thompson and other members of the (P&E) committee."



Assembly At Glance

Jan. 20, 1968

An exchange over the purpose of the General Assembly's trip today to Norfolk took place between Del. John Hagen of Roanoke County and Del. Bernard Levin of Norfolk. **Page 12.**

A Norfolk bill to provide local option referendums on selling liquor by the drink seems to have excellent chances in the House. **Page 12.**

A Virginia version of the

"truth-in-lending" law of the United States was proposed by Del. A. L. Philpott of Martinsville. **Page 12.**

Bland Sen. Woodrow Bird's bill to permit studded snow tires to be used in Virginia was approved by a Senate committee. **Page 12.**

Thirty-two members of the 40-member Senate signed a resolution Friday calling for the appointment of a commission to study all categories of the state's economy. **Page 12.**

THE ROANOKE TIMES

MONDAY, January 22, 1968

Page Six

Opinion Page

It May Be Up to Hopkins, Pearson

With liquor-by-the-drink legislation out of the House General Laws Committee for the second time in as many years, chances of getting a quick legislative decision on the emotional issue obviously have been greatly enhanced.

The unanswered question, though, is what will happen on the Senate side of the Capitol. Although the House of Delegates killed the committee-approved legislation two years ago, passage in the House is given a better-than-even-chance this time around. In the Senate, however, the issue is still rated a toss-up at best.

The legislature's Republicans, one would think, would follow their party's traditions and endorse the local option concept as a necessary protection of individual freedom and local self-rule. Instead, generally speaking, they have cast their lot with an anti-city viewpoint that likely would keep all of Virginia in the straitjacket of liquor laws that were written for the mood of the Thirties, not the Sixties.

A majority of the Democrats recognize the need for change, fortunately. And whether they are sufficient in number to force a rational updating of the law is likely to be known before the week is out. If irrelevant appeals to emotionalism can be put to one side, we are confident that the necessary votes will be registered.

Both in the Senate Welfare Committee and on the Senate floor, the deciding votes will be cast by five uncommitted members. Among the five are Roanoke County's Sen. H. Clyde Pearson and Roanoke's Sen. William B. Hopkins, who find themselves caught by the same political pressures that unexpectedly compelled Roanoke City Council to line up with the opponents of whisky-by-the-ounce legislation a few months ago.

Unlike the enlightened governing bodies in several other major

Virginia cities, the local councilmen refused to support the overriding principle that each community should be permitted to decide the question according to its own desires. Instead, the council endorsed the illogical proposal for a statewide referendum (a second-line defense devised by later-day prohibitionists intent on blocking the sale of mixed drinks).

If Hopkins take a similar position, local option may be dead for four years. On the other hand, if the two Roanoke Valley Senators support the proposal for locality-by-locality determination of the mixed-drink issue, citizens living in the cosmopolitan sections of the state perhaps can then be afforded a chance to consume alcoholic beverages in a moderate, civilized manner —just as most Americans already are permitted to do.

The fundamental question of liquor control was decided in Virginia over three decades ago. All that is at issue today, it seems to us, is whether communities are to be given the right to determine their own policy on mixed-drink sales in exactly the same manner as they presently decide whether or not to permit placement of state liquor stores within their boundaries and whether or not to permit local sale of beer or wine.

A voter in Rappahannock County does not decide whether Roanoke supermarkets are to be allowed to sell a brewery company's six-pack of beer. Neither should he decide whether Roanoke is to be permitted to enjoy first-rate supper clubs, an end to surreptitious, illegal brown-bagging at its restaurants and dinner theaters and a new, unhyphenated way of living that befits a progressive city in the last third of the 20th Century. That is a question for Roanoke, not Rappahannock, properly to decide.

Liquor Bill's Chances Good In House

RICHMOND—Friends and foes of the local option bill on liquor by the drink agreed Friday that its chances of getting through the House of Delegates appear excellent.

At least 49 members apparently are ready to vote for the measure—enough to assure passage if three or more members don't vote. It seemed certain that several members would "take a walk" when the bill reaches its crucial second reading stage on Monday.

By
Wayne
Farrar

Times
Staff
Writer



\$1,000 fee for a license to sell mixed drinks. He would also place a five-cent-per-drink tax on such sales.

Meanwhile, the Senate Welfare Committee, which is considering an identical bill in the Senate, has canceled its meeting scheduled for Monday. The move apparently gives senators a chance to see how the House bill fares before having to commit themselves.

Proponents and opponents were conducting head counts Friday and the figure of 49 "aye" votes was the consensus drawn from the two surveys.

Republican Del. Don Earman of Harrisonburg—who opposes the bill—said he had information that 49 members were committed to vote for local option.

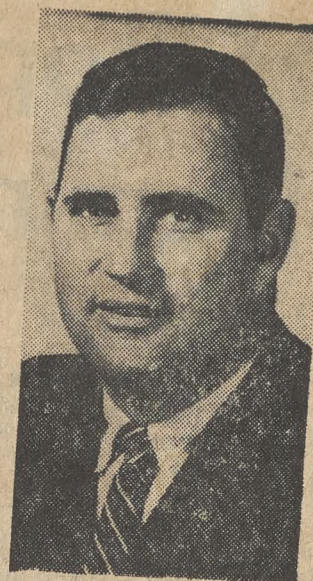
Del. Bernard Levin of Norfolk—the bill's chief patron—wouldn't mention any number, but said he had "at least that many" ready to vote for his bill.

Earman said he planned to offer a number of amendments in an effort to weaken the bill, in addition to supporting an amendment which would submit the matter to a statewide referendum.

Earman would provide



DEL. BERNARD LEVIN
Trip Is For Pleasure Only



DEL. JOHN W. HAGEN
Fears Harangue on Liquor

Hagen Shuns Trip, Claims Liquor Tie

By MELVILLE CARICO
Times Political Writer

RICHMOND—Del. John W. Hagen of Roanoke County Friday accused Norfolk and the Navy of inviting the General Assembly to Norfolk this weekend to "coerce" members into voting for liquor by the drink. For that reason, Hagen said, he has changed his mind and is not going.

"I told him to make the trip and then form your own opinion," replied Del. Bernard Levin of Norfolk, chief patron of the controversial liquor-by-the-drink bill on which the House likely will be voting Monday.

"I do not feel it is the legislators' privilege to go and be harangued on liquor by the drink to support it," Hagen, a Republican, said in a radio-TV interview at the Capitol.

He said he is going home instead.

Hagen, in reply to a question, said he is not suggesting that other Republicans in the General Assembly not go either.

"The Republicans, I know, are strong willed enough not to be abused on liquor by the drink," Hagen added.

And, Hagen said, he is not advocating that the legislature refuse all invitations because some of the trips it takes serve a worthwhile purpose.

"Any such trip as this," Levin declared, "is to promote the

area but I'm certain no one will do anything but make a pleasant trip for him."

Gov. Mills E. Godwin Jr., top state officials, and most members of the General Assembly along with their wives, will depart Richmond on a special train Saturday and return to Richmond Sunday afternoon.

The governor will make two speeches in Norfolk Saturday, one dedicating a new bank building and the other new port facilities. There will be a tour of Hampton Roads port facilities and lunch aboard an aircraft carrier.

The House and Senate adjourned for the weekend Friday after short sessions which included tributes to Gen. Robert E. Lee. The House met at 11 a.m. instead of noon so some legislators could go home to pick up their wives for the Norfolk trip.

Bills Offered To Eliminate 2 Features of Resistance

Times Legislative Bureau
Press Room, State Capitol
RICHMOND—Bills to eliminate two features of the "freedom-of-choice" policy enacted during Virginia's days of massive resistance to school desegregation were introduced Friday.

A statewide compulsory school attendance law was co-sponsored by Del. Mary Marshall of Arlington and 30 others.

A measure to repeal the tuition grant program was sponsored by Del. John W. Hagen of Roanoke County and his fellow Republicans.

Hagen's proposal came four days after the U.S. Supreme Court ruled Louisiana's six-year old tuition grant law unconstitutional because its purpose was to continue school segregation.

Gov. Godwin's budget would appropriate "a sum sufficient" to finance state contributions to the program estimated at \$1.7 million for the first year of the 1968-70 biennium. State and local

tuition grants are now received by an estimated 12,000 pupils attending about 73 private schools.

Other bills and resolutions introduced Friday include:

One by Del. George C. Rawlings Jr. of Fredericksburg to permit persons opposed to capital punishment to sit on juries in certain cases from which they are now exempted.

A package by Del. Garnett S. Moore of Pulaski creating a system of regional juvenile and domestic relations courts, to be established voluntarily by localities.

A bill signed by Del. Archibald A. Campbell of Wytheville requiring helmets, goggles and footrests for motorcycle riders.

A bill to provide a \$25 fee for persons requesting a special number on their state automobile license plates, introduced by Del. Guy O. Farley Jr. of Fairfax.

Del. Hagen Is Criticized On Tour Stand

NORFOLK — A Roanoke legislator who declined to join a General Assembly tour of the Norfolk area was singled out for criticism Sunday as members of the tour generally praised the attractions and the hospitality.

Del. Lewis J. Rawls of Suffolk said there had been no attempt to pressure the representatives for their vote on any bill.

Del. John W. Hagen of Roanoke had declined to accept the invitation to visit the city and naval facilities, claiming it was an attempt to coerce representatives for a favorable vote on the local option liquor bill.

Rawls said the tour was the "finest anywhere" and criticized Hagen for his comment.

"I think he showed atrocious manners. When you receive a kind invitation, you certainly don't insult your host," Rawls declared.

Assembly Group Tours Norfolk

Times Legislative Bureau
Press Room, State Capitol
RICHMOND — Members of the General Assembly arrived back in Richmond at 5 p.m. Sunday after a weekend at Norfolk where they saw what city officials have been able to do with urban renewal.

One of the last stops was the \$15 million city hall plaza which stands on a site remembered by sailors for generations as a street of honky-tonks and burlesque shows.

They spent Saturday night at the Golden Triangle, whose city taxes now amount to more than taxes from the entire area before it was redeveloped.

At an informal ceremony in the \$1 million Norfolk Museum of Arts and Sciences, Mayor Roy Martin expressed Norfolk's

thanks to the legislature for coming to Norfolk.

Lt. Gov. Fred Pollard in a response praised what he called the new spirit in Norfolk and predicted it will "permeate the legislature and we will be better off for it."

During their stay, the legislators visited the giant Norfolk naval base complex, home of the Atlantic Fleet whose payrolls and purchases pump nearly \$1.5 billion dollars a year in the Hampton Roads area.

They had lunch Saturday aboard the aircraft carrier Boxer of World War II fame and Saturday night heard a concert by the Navy Show Band which has just turned from a goodwill tour of Latin America.

State Sen. Charles R. Fenwick of Arlington praised Norfolk for its relationship with the Navy—a relationship which he said benefits all of Virginia because "it would have been easy for the Navy to go elsewhere."

Fenwick also said that the development of ports facilities at Hampton Roads helps all of Virginia.

Gov. Mills E. Godwin Jr. spoke at the dedication Saturday of the new container-cargo loading facilities to be operated by the Norfolk Ports Authority.

Monday, the general assembly opens the second full week of its 60-day session with public hearings scheduled Monday, Wednesday and Friday afternoon on the \$3-million budget the Gov. sent the legislature.

And the remnants of "massive resistance" to school integration faces another barrage Monday morning at a public hearing on legislation to impose a statewide compulsory school attendance law.

State Group Urges Support Of Bonds Issue

RICHMOND (AP) — The commission of the State Department of Mental Hygiene and Hospitals urged the support Saturday of Gov. Mills E. Godwin's Jr.'s bond issue proposals for financing new mental health and higher education facilities in the state.

Dr. Hiram W. Davis told 125 members of the Virginia Congress of Parents and Teachers he realized the proposed bond financing worries some Virginians who prefer to stay with the state's pay-as-you-go fiscal policies.

However, Davis, added, it is imperative the proposal—now awaiting General Assembly action—receive public support.

"This is putting it on the line to Virginia people...whether we will move ahead in the mental health field or just stand still," he said.

Gov. Godwin has proposed a \$70 million bond issue for capital outlay programs in the fields of mental health and higher education. The measure, if approved by the legislature, would go to voters in a November referendum.

Jan 24, '68
Bad Manners

Del. John W. Hagen of Roanoke County should be nominated for the "George Romney Brainwash Award" after his inept remarks on the General Assembly tour in Norfolk last weekend.

Del. Hagen, who had prior commitments in Roanoke for the weekend, said that he turned down Norfolk's invitation because he understood there was to be some arm twisting on the liquor-by-the-drink issue.

"I will not be coerced or intimidated," said the delegate. We admire Mr. Hagen's battle for pristine innocence, but we think he should have quietly and graciously turned down the invitation. General Assembly tours such as the one in Norfolk are routine and occasionally are actually profitable. Roanoke had one of its own several years ago and we can only wonder what Del. Hagen's view of that invitation might have been.

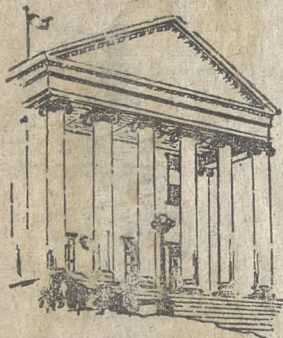
This is not to say that there is no salesmanship involved in such tours. Each area wants to put forth its image as persuasively as possible. But to imply intimidation and coercion is just what Del. Lewis Rawls of Suffolk called it, a simple case of bad manners.



Roanoke Dels. Ray Garland and Caldwell Butler (both foreground) Split on Liquor-by-the-Drink Bill

AP Photo

Assembly In Brief



The Virginia House gave its approval to liquor by the drink under local option to put the bill in line for passage Tuesday, Page 1.

Tax Commissioner C. H. Morrisett takes a bow before House committee. Page 16.

Hearing scheduled next Monday on bond issue referendum proposal. Page 16.

Opposition forms to re-election of SCC Judge Ralph T. Catell. Page 16.

54-43 Vote in House Advances Liquor Bill

By MELVILLE CARICO
Times Political Writer

RICHMOND — Whisky-by-the-drink forces won their first battle in the House Monday with a vote to spare.

The House beat down demands for a statewide referendum 56-38 and then moved the controversial "local option" legislation up for a final recorded vote Tuesday on a show of hands, 54-43.

Opponents of "local option" on mixed drinks in restaurants and hotel dining rooms now stand little chance of killing the legislation in the House.

Their hopes lie in the Senate where, even if the bill gets out of committee, all indications are the vote will be very, very close on the floor.

Heaviest concentration of votes for "local option" lay in delegations from the Hampton Roads area, Richmond and northern Virginia.

The Republican minority bloc split 11 to 3.

GOP minority leader M. E. Earman of Harrisonburg, a cheaper to operators of Caldwell Butler of Roanoke and Republican, to tax each mixed restaurants and dining rooms two freshman Republicans from Fairfax County voted against a referendum and for the bill. The 11 other Republicans, including Del. John Hagen who represents Roanoke County and Del. Ray L. Garland, who holds the Roanoke-Roanoke County floater House seat, voted for the referendum and against the bill.

Del. Willis M. Anderson of Roanoke, a Democrat, also voted against the statewide referendum and for the bill.

The House on a voice vote overwhelmingly rejected an amendment sought by Del. Don

Pointing to the financial difficulties most cities and counties face, Earman told the House "I have no idea how much it (the tax) will yield . . . but it will show the people we have their interest at heart."

The House approved two regulatory amendments introduced by Del. Lewis A. McMurren of Newport News. One gives the ABC Board control over a restaurant's advertising that it serves mixed drinks and the second prohibits ABC stores from selling whisky

who will be buying in large quantities than the price a man off the street pays for a single bottle.

But it rejected a third McMurren amendment which would allow the ABC board to sell "miniature" bottles of whisky.

The outcome of one hour and 15 minutes of debate and maneuvering on amendments represented a sweeping legislative victory for Del. Bernard Levin of Norfolk, chief

(Continued on Page 4, Col. 8)

House Passes Whisky Bill

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The House of Delegates passed Tuesday the local option liquor-by-the-drink bill and sent it on to the Senate, where a committee may consider it Friday.

The Senate Welfare Committee canceled its meeting scheduled for Wednesday but set a special meeting for 9 a.m. Friday. The committee is believed to be divided very closely.

If the bill survives the Welfare Committee, it would be ready for debate early next week on the Senate floor, where the margin is extremely close.

Tuesday's House vote was anticlimactic after an amendment to require a statewide referendum on the issues was defeated Monday.

The final vote was 55-44, with Del. Rufus V. McCoy Sr. of Dickenson not voting.

Roanoke Valley delegates voted as they did Monday—Democrat Willis M. Anderson and Republican M. Caldwell Butler of Roanoke voted for the bill, and Republicans John W. Hagan of Roanoke County and Ray L. Garland of the city-county floater district voted against it.

Del. Walther B. Fidler of Richmond County again spoke against the bill saying it would "alter drastically the general climate in Virginia."

Sale of mixed drinks, Fidler said, would place "the matter of profit in the hands of a few."

"Bribery and graft are going to be injected for the first time on a major scale," Fidler said.

Del. John N. Dalton of Radford said a poll he had taken showed 63 per cent of his constituents opposed to local option. Proponents did not speak for

(Continued on Page 5, Col. 1)



Assembly At Glance

House of Delegates, by a 55 to 44 vote, gives its approval to bill providing for local option on liquor by the drink. Page 1.

Democrats in General Assembly guarantee Gov. Mills E. Godwin Jr. that Virginia voters will have the opportunity to act on his bond issue proposal Nov. 5. Page 17.

Salem officials get help in having their charter and sales tax bills introduced in the Assembly. Page 17.

Legislative committees consider bills aimed at preventing conflict of interest. Page 17.



Del. Russell L. Davis

Davis Explains Charter Change

Times Legislative Bureau Press Room, State Capitol

RICHMOND — Sometimes the simplest bills have the most trouble.

Del. Russell L. Davis of Rocky Mount appeared Tuesday before the House Counties, Cities and Towns Committee to explain an amendment to the Rocky Mount town charter he is sponsoring.

The bill would permit town councilmen to sell goods or services to the town in amounts not to exceed \$100, provided sealed bids were submitted.

The present charter, Davis said, bars such transactions and forces the town to buy such items as truck tires and tools out of town.

Some committee members thought they remembered a statute which would cover the situation, however, and the bill was passed by so the committee's attorney could search the code.

Pay for Injured Clears Hurdle

Times Legislative Bureau Press Room, State Capitol

RICHMOND — The Senate gave its first approval Tuesday to a bill agreed to by AFL-CIO leaders raising maximum weekly compensation for workers injured on the job from \$45 to \$51.

THE ROANOKE TIMES, Wednesday, January 24, 1968.

17

Salem Charter, Tax Bills Offered

Times Legislative Bureau Press Room, State Capitol

RICHMOND — Salem officials have ended two days of work with the help of former State Sen. Hale Collins to get their charter bill introduced in the General Assembly and to get approval to impose a 1 per cent "local option" sales tax.

There had been some speculation the city's Republican delegation might balk on introducing the controversial charter bill. Next Monday is the deadline on charter bill legislation.

Del. John Hagen said Tuesday he agreed to put in the charter bill but will seek to have it changed in the House Committee on Counties, Cities and Towns "where the general law differs from their (Salem Council's) position when the charter was written around the law."

Whether just two members of council or all five will have to stand for re-election this year has developed into one of the major issues.

State Sen. H. Clyde Pearson, whose district includes Roanoke County, at the request of Salem officials, sponsored a special bill which will enable Salem to levy its own sales tax, an authority all other cities now have.

Salem, as a town, shared in Roanoke County's revenue from its 1 per cent but lost authority to impose a 1 per cent tax of its own when it became a city.

Collins, a Covington lawyer, was beaten by Pearson last November. He has been retained by Salem.

Collins told reporters he has been seeing friends in the Senate and House asking them to waive customary procedures and pass the bill quickly so Salem Council can enact the sales tax effective Feb. 1.

He accompanied Vice Mayor E. P. "Jeff" Hart and City Clerk William J. Paxton Jr. to Richmond to help them with the charter and the special sales tax bills.

Collins said Salem needs the

revenue from the 1 per cent sales tax it can impose.

The charter apparently presents Salem with a much more difficult problem in the General Assembly.

No public hearing on the charter has been scheduled by the House Committee on Counties, Cities and Towns because the charter bill has not been introduced.

But in all likelihood one will be held because of the opposition of the Republican legislators and a group of Salem residents headed by Dr. Byron Crow.

Hagen made it plain he is putting in the charter bill "by request" and said "there are a lot of things about it I object to."

Hagen said some of the issues are fundamental because a charter, as passed by the General Assembly for any city or town, takes precedence over the general law.

New Judgeships Are Proposed In 2 Circuits

Times Legislative Bureau Press Room, State Capitol

RICHMOND — A bill providing for an extra judge in each of two judicial circuits in Western Virginia was introduced in the House Tuesday.

Part of a package sponsored by a Fairfax delegate, Guy O. Farley Jr., the new judgeships would include:

21st Circuit — Pulaski, Wythe, Carroll, Grayson and the City of Galax, of which Alex M. Harman is judge.

27th Circuit — Buchanan, Dickenson and Russell counties, of which Glyn R. Phillips is judge.

The bill provides 19 other judgeships in other circuits.

Virginian-Pilot

Today, Editorials

- A Host of Hosts
- Twin Trailers
- Warning

Page 10

Virginia Beach, and Chesapeake, Virginia, Tuesday, January 23, 1968

28 Pages Price 10 Cents

Drink Bill Passes Test; Statewide Vote Killed



Republican Del. R. L. Garland (left foreground) of Roanoke County joins other House members in voting for the drink bill, while his neighbor, Republican Del. M. Caldwell Butler of Roanoke declines to vote. (AP)

Democratic Legislators Kill Move To Drop SCC Member

Jan 24

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A move to unseat veteran State Corporation Commission (SCC) member Ralph T. Catterall failed Tuesday night at a caucus of Democratic legislators.

Catterall was nominated for another six-year term on the SCC by a vote of 94 to 15. Opponents of Catterall placed in nomination the name of Laurence A. Short, 38, of Fairfax, a former member of the House of Delegates.

Former delegate Lawrence Hoover of Harrisonburg, who had been the candidate of the Catterall opponents, reportedly asked that his name not be considered.

The drive to deny Catterall, 70, another term suffered a severe setback when Sen. Adalard Brault of Fairfax — who said he deserved "the credit or the blame" for starting the movement — switched his support to Catterall.

Brault said he didn't feel he should vote for a man who had not been considered until 24 hours earlier.

Short's name was placed in nomination by Del. C. Harrison Mann Jr. of Arlington, who described him as "young and vigorous and possessed of all his faculties."

Twenty-eight other nominees for state judicial and quasi-judicial posts were nominated by the caucus without opposition.

Among the nominees was one prospective judge not previously announced here—Robert B. Davis, now Bristol Municipal Court judge, to become Bristol Corporation Court judge in place of retiring Judge Joseph L. Cantwell Jr.

Short "believes the consumer should be treated fairly and realizes the image of the SCC must be improved," Mann said.

"He knows it (SCC) is a political liability."

Short's nomination was seconded by Sen. Henry E. Howell Jr. of Norfolk, who said "one million Virginia motorists are going to take inventory tomorrow on what we do tonight."

Howell criticized SCC decisions which approved certain automobile insurance practices, including the designation of such persons as farm workers, retired persons, military personnel, and clergymen as "undesirable."

"We need a commissioner, who does not feel that way," Howell said.

Sen. William E. Fears of Accomack urged the caucus not to "rubber stamp" the selection of Catterall.

"Don't just vote 'yes' just because the powers that be told you to," Fears said.

Fears said that Catterall would not be eligible because of his age except for a "grandfather clause" which permits office holders who were in office at the time the mandatory retirement age was adopted to continue in office.

Sen. M. M. Long of Wise defended Catterall against "vicious attack."

Long, 83, said the only

criticism he had heard of Catterall was that he was too old. "Some might be too old at 70, but I know some who are not in control of their faculties at 50," Long said.

"No one has a keener mind than Judge Catterall," Long said.

Voting for Short were Dels. George A. Allen Jr. of Richmond, Edgar Bacon of Jonesville, Wallace Dickson of Arlington, William R. Durland of Fairfax, Clive L. DuVal II of McLean, Marion Galland of Alexandria, Joseph P. Johnson of Abingdon, William M. Lighsey of Arlington, Mary A. Marshall of Arlington, George C. Rawlings Jr. of Fredericksburg, Stanley Sacks of Norfolk, Glen G. Yates Jr. of Portsmouth, and Mann, and Sens. Fears and Howell.

The Roanoke Valley's only Democratic legislators, Sen. William B. Hopkins and Del. Pendleton of Amherst was present, but did not vote.

Topping the list of unopposed nominees at the caucus was former Gov. Albert S. Harrison Jr. for the unexpired term of Judge C. Vernon Spratley (retired) as an associate justice of the Virginia Supreme Court.

Others were: David Meade White of Chesterfield to succeed the late Judge William Old as judge of the 37th Circuit.

Judge Ernest P. Gates to continue as an additional judge in the 37th Circuit.

Judges Edmund W. Henning

General Assembly Faces Bill Logjam

RICHMOND — Administration leaders voiced concern Tuesday over the volume of legislation the General Assembly faces and the likelihood of a logjam in March.

Both Lt. Gov. Fred G. Pollard and House Speaker John Warren Cooke urged legislators to introduce their bills soon.

They said the administration is considering advocating moving up the deadline for introducing bills from the Feb. 19 deadline to Feb. 13.

So far the Division of Statutory Research and Drafting has prepared 900 bills for members, at their request, but as of Monday afternoon only 450 had been introduced.

The 1966 General Assembly considered over 1,400 bills and leaders expect this figure to be topped in this session.

Street Aid Proposal Clears Committee

RICHMOND (AP) — A proposal to increase the per mile payment made to Virginia cities for street maintenance from \$1,000 to \$1,100 cleared the Senate Roads Committee Tuesday.

The \$100 per mile increase would cost the state approximately \$550,000 Highway Commissioner Douglas B. Fugate told the committee.

Jr. and E. Ballard Baker in the 10th Circuit.

Judge A. Christian Compton, Richmond Law and Equity Court.

Thomas P. Harwood Jr. of Chesterfield for re-election to the State Industrial Commission.

G. M. Lapsley of Richmond for re-election as director of statutory research and drafting.

Judge Dixon L. Foster of Irvington, 12th Circuit.

Judges George F. Whitley Jr. and James C. Godwin of Suffolk, 2nd Circuit.

Judges William L. Winston, Paul D. Brown and Charles S. Russell, all of Arlington, 35th Circuit.

Judge Frank I. Rochardson Jr., Martinsville Corporation Court.

Judge Conway H. Shield Jr., Newport News Hustings Court.

Judge Stuart L. Craig, Danville Corporation Court.

Judges George W. Vakos and Paul W. Ackiss of Virginia Beach, 28th Circuit.

Judges William G. Plummer and James Keith of Fairfax, 16th Circuit.

Judge Glyn R. Phillips of Clintwood, 27th Circuit.

Judge William Moultrie Guerry of Norfolk Corporation Court.

Judge William W. Sweeney of Lynchburg, 6th Circuit.

Judge William S. Moffett Jr. of Staunton, 18th Circuit.

Judge Vincent L. Sexton of Bluefield, 22nd Circuit.

Judge Clyde H. Jacob of Norfolk, 32nd Circuit.

Garbage Trucks Carry Too Much In Henrico

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — One never knows when he may be aiding and abetting an illegal activity.

It was revealed Tuesday that residents of Henrico County have been doing just that every time they put their garbage cans out on the curb.

County garbage trucks, it seems, are heavier than the law allows when loaded to capacity.

Del. Junie L. Bradshaw of Henrico asked the House Roads Committee to approve a bill raising the legal limit for publicly owned garbage trucks.

But State Highway Commissioner Douglas B. Fugate appeared to oppose Bradshaw's bill, complaining that all sorts of exceptions have been made over the years for truck farmers, concrete mixers and the like. The state should stop granting exceptions to special interest groups, Fugate said, because the overweight trucks tear up the roads and weaken bridges.

Bradshaw contended that garbage disposal was not a special interest but a public interest. "Henrico people just have a lot of trash," he said.

Someone asked if the county couldn't leave its extra-big trucks partially filled, but Bradshaw said the county had bought 18 of the vehicles and should be able to get its money's worth from them.

The bill was referred to a special subcommittee on heavy garbage.

Nov. 5 Vote on Bonds Assured

Jan 24 '68

By MELVILLE CARICO
Times Political Writer
RICHMOND — Democrats
Tuesday guaranteed Gov. Mills
E. Godwin Jr. his bond issue

legislation will pass the General Assembly with their signatures on the administration bills. There were 30 signatures on the Senate bills; 58 on the House

bills which will leave it up to voters in a referendum next November whether Virginia should issue bonds for college buildings and mental hospital facilities.

A public hearing on what would have been controversial legislation as late as two years ago is scheduled for Monday but the display of backing Tuesday erased any doubt about the outcome within the Democrat-controlled legislature.

The six Republicans in the Senate and 14 in the House withheld their support hoping to find ways to cut the governor's \$3-billion budget for the next two years and channel the money into the building program.

Sen. J. Kenneth Robinson of Winchester, chairman of the Republican delegation, called the bond issue legislation premature. He said the budget should be reviewed first.

"While not opposing the concept of bonded indebtedness, Republicans feel they owe it to the public as the party of fiscal responsibility to withhold their support until a proper airing has been given," Robinson said on behalf of the Republican minority.

But the governor issued a statement saying that the House Appropriations Committee and the Senate Finance Committee needed to know a referendum will be held so they could write the anticipated revenue into the appropriations bill as conditional appropriations.

As introduced the one bill lists maximum expenditures for college construction at \$67.2 million; for mental hospitals at \$13.7 million.

As drawn, the two bills total \$81 million — the maximum the state could issue under the present limits in the State Constitution. The ceiling is 1 per cent of the total assessed value of all property in the state.

Godwin's budget bill involves \$70.8 million in bond issue revenue but already pressure is building to raise this figure and, in some instances, include other projects.

Godwin said that when the Assembly completes action on the budget fixing exact amounts for the proposed bond issues additional legislation will spell out the amount for each project in the building program.

Rejecting the GOP's contention he is getting the cart before the horse in budget and revenue considerations, Godwin declared.

"Without this expression by the Assembly (on bonds) the committees would be unable to proceed with an orderly consideration of the capital outlay program."

The bond issue referendum will be held in conjunction with

the Nov. 5 presidential and congressional elections. A timing that worries Godwin and administration leaders because spending in Washington will be an issue.

The legislation puts a 5 per cent ceiling on interest on the bonds and sets up a sinking fund to retire them over a 20-year period. The appropriation bill lists only a "sum sufficient" to amortize the bonds.

Meanwhile, the Senate Finance Committee put its approval on the five tax "windfall" bills which will yield an estimated \$65 million for the governor's 1968-70 budget. About \$26 million will go into maintenance and operation, meaning that the next legislature will face this deficit in addition to putting several million into the sinking fund to pay off the bonds if they are approved in November.

The "windfall" comes by requiring corporations to move up the dates they pay their taxes and businesses send to Richmond state income taxes deducted from their employees' checks.

Interstate Use Of Guard Asked

RICHMOND (AP)—Virginia's governor would be permitted to send the state's National Guardsmen to another state to help deal with emergencies under a bill offered in the House Tuesday by Richmond Del. Donald B. Bendleton Jr.

An identical bill was offered in the Senate by Sen. William F. Parkerson Jr. of Henrico.

The measure called for enactment of an interstate compact to be known as the National Guard Mutual Assistance Compact. It provides for payment of claims and classification of the status of National Guardsmen.

The position of consumer counsel who would recommend legislation to protect the people's interests would be created in the governor's office under a measure offered by Del. Clive L. DuVal II of Fairfax. The post would carry a salary of not more than \$15,000 a year.

Del. Richard M. Smith of Kenbridge offered a bill to create a commission of 11 members to study laws covering the manufacture, distribution and sale of drugs and poisons.

A bill aimed at forcing the uninsured motorist to purchase

automobile insurance was offered in the Senate by Sen. Peter K. Babalas of Norfolk. The measure would increase from \$50 to \$250 the registration fee on an uninsured motor vehicle.

Sen. James D. Hagood of Halifax proposed in a Senate joint resolution establishment of a Commission on Nursing.

The commission would consist of the present membership of the Governor's Committee on Nursing and any other persons appointed by the governor. It would be charged with completing the study launched by the committee on the state's needs for nurses, recruitment and education of nurses.

A joint resolution offered by Sen. Edward E. Willey would record the General Assembly's "appreciation for the generous nanner in which Webster S. Rhoads Jr. throughout his life" was a benefactor for the welfare of Virginia. Rhoads died last month in Gloucester County.

All other members of the Senate signed the resolution as co-patrons.

Bills Offered To Curb Conflict of Interest

Jan 24

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Bills aimed at preventing conflict of interest were considered Tuesday by legislative committees.

The House Roads Committee referred to a subcommittee a bill sponsored by Del. Carrington Williams of Falls Church which would require a State Highway Commission member to divulge any interest he might hold in land in which the Highway Department is interested.

The subcommittee is composed of Dels. Willis M. Anderson of Roanoke and Charles W. Gunn Jr. of Lexington.

Williams said his was "not a stringent bill" but would "post warnings to persons who might

through inadvertence" fail to divulge financial interests in highway rights-of-way.

Committee member Junie L. Bradshaw of Henrico said Williams' bill would not bar a commission member from placing his holdings in the name of a relative and suggested the subcommittee should "tighten up" the bill.

A call for a tighter bill also came from Del. C. Harrison Mann Jr. of Arlington.

The House Counties, Cities and Towns Committee sent to a subcommittee two bills sponsored by Dels. Clive L. Duval II of McLean and William R. Durland of Fairfax, which would require a member of a local governing body to disqualify himself from voting on a rezoning matter in which he held an interest.

Home Shortage Seen Possible

By MELVILLE CARICO
Times Political Writer

RICHMOND — A nationally known real estate consultant testified Wednesday Virginia



Assembly At Glance

Real estate consultant warns insurance and banking committees of House and Senate during joint hearing that unless 6 per cent limit on mortgage loans is raised the state will face an acute housing shortage. Page 1.

Dr. T. Marshall Hahn Jr., president of Virginia Tech, asks legislators to restore \$3.17 million cut from the school's budget by Gov. Mills E. Godwin Jr. Page 17.

The director of the Department of Welfare and Institutions predicted Wednesday Virginia will face a \$1-million-a-year increase in welfare costs because of the expansion of Social Security. Page 17.

The Senate has passed and the House is expected to give its approval today to a bill permitting the City of Salem to levy a 1 per cent local sales tax effective Feb. 1. Page 17.

General Assembly members of the Metropolitan Areas Study Commission give general approval to redrafted bills which eliminate controversial features. Page 17.

A move is afoot in the Senate to bring the liquor-by-the-drink bill to a vote Friday instead of next week as originally planned. Page 17.

faces an acute housing shortage in the years ahead unless it removes the 6 per cent limit on home mortgage loans.

Dr. Roy Wenzlick of St. Louis, Mo., said this shortage will hurt young people who not only will be unable to start acquiring equity in a home but they will have to pay higher rent.

He testified at a joint hearing of the Insurance and Banking committees of the House and Senate on the Marks Commission bill raising the ceiling to 12 per cent.

No action was taken by either committee, some of whose members are apprehensive over voter reaction although they acknowledge the ceiling has got to be raised.

"You all here have a horrible political problem," Dr. Richard Chewning, a young professor of economics and finance at the University of Richmond, acknowledged.

Dr. Chewning, who served as a consultant to the Marks Commission was not on the list of witnesses but lived up to the hearing which, for an hour and half, had been inundated by statistics.

"You can't control interest; you can appear to, but you can't," Dr. Chewning told the politically conscious legislators.

Dr. Chewning said in a few words what other supporters of the bill had been using hundreds of words and statistical charts to say—that out-of-state insurance companies are not investing in Virginia because they can get a better return in states which permit a higher rate.

The hearing room was packed and the crowd overflowed into the hallway of the Capitol. Nearly all represented banks, savings and loan associations, and various segments of the home building industry.

The lone opposition came from Brewster Snow of Richmond, secretary-treasurer of the AFL-CIO, who said higher interest rates will work a hardship on wage earners hoping to buy a home.

"We do not believe that the State of Virginia needs to surrender to this proposition yet,"

(Continued on Page 2, Col. 1)

State Must Act on Vote Scandals

The federal grand jury indictments of a dozen Lee County individuals on vote fraud charges growing out of the 1966 congressional elections surely offer clear-cut evidence of the need for prompt General Assembly action to end Southwest Virginia's sorry history of crooked elections.

In the past, local and state officials all too often have closed their eyes to the scandalous election-day "way of life" that is peculiar to the Southwest counties. Violators of the state's election laws have been permitted to escape prosecution, illegal voter registration practices by electoral boards and registrars have been overlooked and no serious effort has been made to tighten up an absentee voter law that is at the root of most of the trouble.

The time for inaction is clearly past, however, as evidenced by this week's federal indictments and the widespread instances of vote-buying that obviously occurred in the 1967 state elections. Surely, with the legislature presently in session, there can be no possible excuse for further foot-dragging. Irrespective of the outcome of the state police inquiry in Lee and Dickenson counties, the evidence of the region's fraudulent election practices is now so openly visible that Gov. Godwin, the State Board of Elections and the General Assembly must immediately summon the necessary political fortitude to crack down on a situation that ought to have been dealt with a generation ago.

The absentee voter law must be changed, subject to the needed federal approval, to insure that mail ballots are given only to those registered voters who have a legitimate reason for not voting in person in their designated precincts. The present law explicitly limits usage of mail ballots to persons unavoidably absent from their community or physically incapacitated on election day. Either the law must be fully enforced in this regard or it must be thrown out, with the mail ballot privilege thereafter extended only to servicemen or persons certified by a physician to be incapable of voting in person.

In last November's elections, nearly 4,000 absentee votes were cast in just two counties: Wise and Lee. In Russell, where a federal election scandal occurred only 15 years ago, 1,242 mail ballots were counted. In Dickenson, the total was over 1,000. In many instances,

these figures accounted for nearly 20 per cent of a county's total vote. This compares with less than 1 per cent of the Roanoke City vote cast by mail ballot.

In Lee County alone, mail ballots were given to persons allegedly living in 22 states; in one precinct, a deputy sheriff's address was said to have been given for no fewer than 35 absentee voter applications—most of them presumably issued in the names of persons either dead or relocated and voting elsewhere.

Because of the complexities involved in election frauds, a lasting cure must begin with an overhaul of state law, a clear determination to enforce the existing statutes that supposedly require periodic purging of registration books, a recognition by circuit judges of their own guilt in these scandals and a full public awareness of the political immorality that has been allowed to exist.

In the Lee County case that resulted in this week's indictments, the prosecution was carried out by a Democratic district attorney and a Department of Justice administered by a Democratic Administration. Inasmuch as all of the 12 persons indicted for either conspiring to steal an election or actually buying votes are said to be Democrats, it is self-evident that the prosecution was wholly above political suspicion. What is needed now is evidence of a similar resolve in Richmond.

Instead, we see only a state electoral official seeking to rationalize the presence of a deputy sheriff and a deputy treasurer on the Dickenson electoral board.

We see a state electoral board that does nothing to require localities to update their registration books.

We see a governor who, when confronted with allegations of political skulduggery, publicly insists that state investigators cannot be brought in except at the invitation of local officials, many of whom undoubtedly are either directly or indirectly responsible for the very practices that are at issue.

Neither political party can be held blameless for the long history of Southwest mail ballot scandals. But responsibility for ending the scandals necessarily must rest with one party, the Democratic Party, for the obvious reason that Democrats control all of the machinery of the state government. That responsibility must surely now be faced.



Jan. 26, 1968

Assembly At Glance

Railroads engage truck lines in fight over whether twin trailers should be allowed on Virginia highways. Page 1.

Sen. William B. Hopkins of Roanoke said Thursday he would vote for the local option liquor - by - the - drink bill as Senate action on the measure is not now expected until Monday. Page 1.

House of Delegates following the Senate's lead, rushed through a bill Thursday permitting the City of Salem to enact a 1 per cent sales tax effective Feb. 1. Page 2.

A measure sponsored by Sen. D. Woodrow Bird of Bland permitting the use of metal - studded snow tires on state roads has now been approved by both the Senate and House and has been sent to the governor for his signature. Page 32.

Senate committee gives quick approval to setting Nov. 5 as date for Virginians to vote on governor's proposed bond issue. Page 32.



AP Photo

John Battle Jr. Gestures as He Argues Against Legislation
To Allow Use of Twin-Trailer Trucks on Virginia Highways

Rails Battle Truckers Over Twin-Trailer Bill

RICHMOND — The railroads and truck lines renewed their old fight over size and weights, dormant for 10 years, at a public hearing Thursday on legislation to permit truckers to use double trailers now commonplace in the west.

"We are fighting for our survival," W. Thomas Rice, president of the Seaboard Coast Line Railroad, told a Senate Committee.

The truck line operators were backed by traffic managers for some of Virginia's largest industries who said the dual tractors are an economic necessity for manufacturers of textiles, cigarettes and electronic devices.

The railroads had the support of a number of legislators and

By
Melville
Carico

Times
Political
Writer



The 17-member Senate Roads Committee heard 3½ hours of testimony and then Sen. Charles R. Fenwick of Arlington, the chairman, appointed a subcommittee to study the truckers' bill.

Sen. Garland Gray of Waverly, the chief patron, was put on the committee along with Sen. Leslie Campbell of Hanover County and two members, Sen. William F. Stone of Martinsville and Sen. George M. Warren Jr. of Bristol, who were highly critical in their questioning of the truckers' witnesses.

The bill would permit truck lines to operate a tractor and two trailer units with an over-all length of 65 feet—10 feet longer than the maximum length Virginia allows for a tractor and single trailer.

"The question is shall the trailers in Virginia be on rails or on the highways," Shumate, president of the RF&P, suggested.

As originally drawn, railroad lawyers contended, the two-trailer units could go anywhere — not just on four-lane highways.

But, to overcome this objection, the truckers put in an amendment which, spokesmen said, will limit them to 10 miles from the four-lane roads in getting to and from terminals over routes which must be approved by both the State Highway Department and State Police.

Fenwick told reporters waiting outside the committee room that the main concern of the subcommittee will be the truckers' amendment.

The committee went into private session after the long hearing which drew a turnout rivaling only the whisky-by-the-drink hearing in size at this session of the legislature.

Legislators said mail is getting heavy on the truck bill and it is shaping up into one of the big controversies of this session of the General Assembly.

The legislation does not increase the height, width or gross weight now allowed semitrailers on Virginia highways.

Joseph Williams, Richmond

Hopkins To Vote For Liquor Bill

By WAYNE FARRAR
Times Staff Writer

RICHMOND — State Sen. William B. Hopkins of Roanoke — believed to hold a pivotal vote on local option liquor - by - the - drink legislation — said Thursday he would vote for the bill, both in committee and on the Senate floor.

Hopkins' decision apparently assures that the House - passed bill will be approved by the Senate Welfare Committee when it meets Friday morning.

But a plan to push the bill up for final action Friday afternoon was in some doubt.

A number of senators reportedly were preparing to move for dispensing with the constitutional readings — which normally would delay final action until Monday — out of courtesy to veteran Sen. Charles R. Fenwick of Arlington. Fenwick was scheduled for a doctor's appointment at noon Monday, in preparation for surgery to correct a cataract condition.

But Fenwick, desiring that his personal affairs not interfere with the business of the Senate, postponed the appointment so that he could be present for Monday's session.

Fenwick is opposed to local option and other opponents were ready to go along with the speed-up as long as they thought it was necessary to have Fenwick present for the climactic vote.

Furthermore, Sen. Edward L. Breeden Jr. of Norfolk — one of

(Continued on Page 2, Col. 6)

(Continued on Page 2, Col. 6)

Paper Says Dalton Will Help Redraft State Constitution

RICHMOND (AP)—Gov. Mills E. Godwin Jr.'s appointments to a constitutional study commission apparently will include two former governors, Judge Ted Dalton of Radford, twice the Republican candidate for governor, and a Negro, the Times-Dispatch said Thursday night.

It had been reliably reported earlier in the day that former Gov. Albertus S. Harrison Jr., now a justice of the State Supreme Court of Appeals, would be named to head the commission.

The Times-Dispatch said sources at the Capitol indicated Harrison would be joined on the 11-member commission by former Gov. Colgate Darden Jr.; U.S. District Judge Dalton; Richmond attorney Lewis F. Powell, former president of the American Bar Association; and one Negro.

Speculation on the identity of the Negro to be named to the commission, the newspaper said, centered about Richmond attorney Oliver Hill and U.S. District Judge Spottswood Robinson, whose court is in Washington, D.C., but who maintains a home in Richmond.

The commission will study pro-



Judge Ted Dalton

posed changes in the state constitution for consideration by a special General Assembly session next year. Amendments approved in 1969 could be cleared by the 1970 Assembly and submitted to the people for ratification or rejection in a statewide referendum that year.

Senate Unit Approves Nov. 5 for Bond Vote

RICHMOND (AP) — The Senate Privileges and Elections Committee gave quick approval Thursday to the Godwin administration bills setting a bond referendum for Nov. 5 to approve the borrowing of up to \$81 million.

The administration bond referendum bills, which mark a detour from pay-as-you-go financing, may get quick treatment in the Senate Friday in line with the governor's request

for prompt action. More than \$70 million of the proposed borrowing is earmarked for capital outlay in the second year of the 1968-70 biennium.

The House Committee on Privileges and Elections, which has identical bond bills of its own, has scheduled a hearing Monday on the proposal.

The Senate pushed ahead for passage Friday another part of Godwin's revenue plan to fund his record budget. This is the acceleration of corporate income and employer-withheld income taxes to provide a one-time windfall of \$61.5 million by getting the returns in an earlier fiscal period.

Merger Plan Of Colleges Hits Snag

RICHMOND (AP) — The proposal to create Virginia Commonwealth University through merger of the Medical College of Virginia and Richmond Professional Institute in Richmond ran into opposition Thursday in the Senate Education Committee.

Support for the proposal that grew out of studies of the Wayne Commission was voiced by three senators — E. E. Willey and J. Sargeant Reynolds of Richmond and Lloyd C. Bird of Chesterfield, committee chairman. All sponsored the proposal.

A number of other senators appeared unconvinced. They were mainly critical it appeared because the bills indicate the state would have to put up the money for additional land.

The committee took no immediate action on the bill.

Giesen Bill Would Abolish Salary Agency

Times Legislative Bureau Press Room, State Capitol

RICHMOND — A bill to abolish the State Compensation Board was introduced by Republican Del. Arthur R. Giesen Jr. of Staunton.

The board sets the salaries of various constitutional officers and has been credited with helping to maintain Democratic party control over courthouse personnel in the localities.

Giesen's bill would allow governing bodies of the localities to have discretion in what their constitutional officers are paid.

Another Giesen bill would abolish the commission on constitutional government, which has been controversial because of the conservative literature it has distributed at state expense.

Measure Offered On Jurisdiction

Times Legislative Bureau Press Room, State Capitol

RICHMOND — Roanoke County Court and Circuit Court would have concurrent jurisdiction over offenses committed on county property located within the City of Salem, under terms of a bill given preliminary approval Thursday by the House of Delegates.

The bill also applies to property owned by several other counties whose county seats are located in independent cities.

Among them are Henry County, whose courthouse is located in Martinsville, and Augusta County, which has its county seat in Staunton.

Committee Backs Port Expansion

RICHMOND (AP)—The House Appropriations Committee gave quick approval Thursday to the Senate bill permitting Gov. Mills E. Goodwin Jr. to release \$780,000 for port development at Norfolk. The House may take up the emergency measure for prompt passage Friday.

The money is part of the \$1.5 million the governor announced earlier he would release for containerized cargo handling facilities at Norfolk, Portsmouth and Newport News.

Harrison Heads Group To Revise Constitution

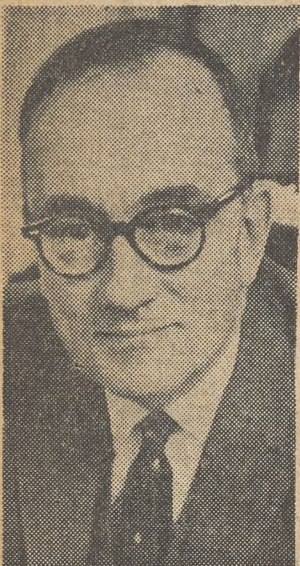
Jan 27 '68



A. S. HARRISON JR.
Chairman and Ex-Governor



TED DALTON
Federal Judge of Radford



GEORGE M. COCHRAN
Former Senator of Staunton



ALEX M. HARMAN JR.
Circuit Judge of Pulaski

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. appointed a 11-man Commission on Constitutional Revision Friday, including a Republican—Federal Judge Ted Dalton of Radford.

He named State Supreme Court Justice Albert S. Harrison Jr. chairman.

Other members will be:

—Circuit Court Judge Albert V. Bryan Jr. of Alexandria, a member of the 1956 State Constitutional Convention.

—Former State Sen. George M. Cochran, a Staunton lawyer and former president of the Virginia State Bar Association.

—Former Gov. Colgate W. Darden Jr. of Norfolk, who was also president of the University of Virginia and is now a member of the State Board of Education.

—Dean Hardy C. Dillard of the University of Virginia Law School, a past president of the American Society of International Law and a member of the editorial board of the American Journal of International Law.

—Circuit Court Judge Alexander M. Harman Jr. of Pulaski, who for seven years was chairman of the State Electoral Board.

—Oliver W. Hill, a Negro lawyer practicing in Richmond who is a former city councilman in Richmond and a former assistant to the Federal Housing Administrator.

—Winchester lawyer J. Sloan Kuykendall, a past president of the Virginia State Bar Association, a former member of the State Board of Welfare and Institutions, and a member of the Virginia Board of Bar Examiners.

—Dr. Davis Y. Paschall, former state superintendent of schools, and now president of the College of William and Mary.

—Lewis F. Powell Jr., a Richmond lawyer, past president of the American Bar Association, now a member of the State Board of Education.

made by Sen. Charles R. Fenwick of Arlington, who called alcoholic beverages "our greatest problem next to narcotics."

Fenwick said the sale of drinks in restaurants would be a "complete change" in policy and should be submitted to the voters of the entire state.

But Fenwick's Northern Virginia colleague, Sen. Leroy S. Bendheim of Alexandria, said local option was the "most democratic way" to deal with the problem. Each legislator should represent his own constituents, he said, and not permit residents of other areas to determine what is best for them.

The committee approved an

Judge Dalton, a former member of the State Senate who twice was Republican candidate for governor, is the first top-name Republican appointed to a commission of such political importance in decades, if ever, in Virginia.

The Republican delegation in the Democrat-controlled General Assembly went along with the resolution creating the commission after trying but failing to get it amended to guarantee GOP representation.

Godwin, in announcing the appointments, said the 11 members "provide Virginia a representative and eminently qualified commission." The governor added he is "deeply grateful" they agreed to serve

Harrison Heads Group To Revise Constitution

(Continued from Page 1)

"in such a demanding capacity."

The governor wants the commission to take a year-long look at the constitution proclaimed by a 1901-02 convention and propose changes by next Jan. 1 so he can call a special session of the General Assembly in 1969.

Godwin said he will confer with Justice Harrison, the

chairman, and arrange the first meeting of the commission as soon as possible. In addition this General Assembly will be asked to appropriate enough money to provide the commission with a staff.

Whatever recommendations the commission makes will be submitted to voters in a referendum in 1970 if they are approved by both the special

session of the General Assembly in 1969 and the next regular session beginning in January, 1970.

Undoubtedly, the recommendations could provide issues in the 1969 elections in which Virginia will elect a new governor and 100 members of the House of Delegates.

Pressure will be on the commission to propose annual sessions of the Assembly and raising the present 1 per cent ceiling on bonded indebtedness.

The governor in his message to the Assembly proposing that it create the commission envisioned other areas of change, including voting laws and city-county relationship in metropolitan governments of the future.

The commission, the governor said, will be free to approach "sensitive areas" that range from financing to election law changes and metropolitan government.

Sections of the constitution, including some aimed at blocking school integration in the "massive resistance" decade of the 1950s, and voting have been nullified by U.S. Supreme Court decisions.

Option on Liquor Step Nearer Law

(Continued from Page 1)

amendment suggested by such a corporation was defeated.

Voting to report the bill to the Senate floor and against the Fenwick amendment were: Hoplins, Chairman Omer L. Hirst of Fairfax, Bendheim, Henry E. Howell of Norfolk, Adelard Brault of Fairfax and Edward T. Caton III of Virginia Beach.

An amendment offered by Pearson to rule out a public official holding any interest in

such a corporation was defeated. Voting to report the bill to the Senate floor and against the Fenwick amendment were: Hoplins, Chairman Omer L. Hirst of Fairfax, Bendheim, Henry E. Howell of Norfolk, Adelard Brault of Fairfax and Edward T. Caton III of Virginia Beach.

2-Term Plan For Governor Offered in House

RICHMOND — Del. John Hagen of Roanoke County introduced a resolution in the House Friday which, if passed, would start the machinery for an eventual change in the State Constitution so a governor of Virginia could serve two terms.

The Republican legislator is a frequent critic of Democratic administrations.

"I think the governor should have to stand on his record and not take the four years to promote the next man who can say it might have been bad but it will be better under me," he said.

Several Republicans signed as co-patrons including House minority leader M. Caldwell Butler of Roanoke.

No legislative action on any resolutions advocating annual sessions, bonded indebtedness, or other changes in the constitution is anticipated since the governor has named an 11-man commission to redraft the constitution prior to a special session of the General Assembly next year.

Voting against reporting the bill and for the amendment were: Sens. Pearson, Fenwick, George S. Aldhizer II of Rockingham, W. Carrington Thompson of Pittsylvania and J. Kenneth Robinson of Winchester.

Pearson and Robinson are Republicans, the others Democrats.

ABC Board Chairman John W. Hardy told the committee the board would be able to enforce the terms of the bill, with the addition of some technical amendments.

The major enforcement problem, he said, would be to insure that licensees were not selling more alcoholic beverages than food. That's the board's biggest headache with present beer and wine licensees, he said.

"I don't look for a great number of localities to go to this," Hardy said.

He also indicated he did not expect a great immediate increase in the number of establishments licensed by the board. Most applicants for liquor licenses, he said, would be present holders of beer and wine licenses.

Option on Liquor Step Nearer Law

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Local option on liquor by the drink moved a step closer to reality Friday, as the State Senate's Welfare Committee approved the bill 6-5.

An attempt to attach an amendment calling for a statewide referendum on the issue failed by the same vote.

Roanoke Sen. William B. Hopkins—whose position was in doubt until Thursday—cast the deciding vote. Sen. H. Clyde Pearson of Roanoke County was opposed.

No attempt was made to bypass normal legislative procedure and bring the House-passed bill to final floor action Friday, though such a plan was in the works earlier in the week.

The call for a statewide vote on the emotional question was

(Continued on Page 7, Col. 1)

(Continued on Page 7, Col. 1)



1/27/68

Assembly At Glance

Virginia's school teachers ask Assembly to find \$66 million during next two years to bring their pay up to the national average. Page 2.

Gov. Mills E. Godwin Jr. signs legislation making metal-studded snow tires legal immediately on Virginia roads. Page 2.

Local option on liquor by the drink moves step closer to reality Friday as Senate Welfare Committee approves bill by 6 to 5 vote. Page 1.

Governor appoints 11-man commission, including Federal Judge Ted Dalton of Radford, former State Sen. George M. Cochran Jr. of Staunton, and Circuit Court Judge Alexander M. Harman Jr. of Pulaski, to study revising the state's constitution. Page 1.

State Ports Authority asks Assembly to restore \$10 million to its capital outlay budget. Page 2.

Impending Urbanity, Not Doom

Sen. Hopkins' gratifying decision to support local option liquor-by-the-drink legislation apparently clears the way for final passage of the House-approved measure.

In eventually concluding that the envisioned system of tightly controlled mixed-drink establishments would in no way return us to a bacchanalian 19th Century era of bars and saloons, Mr. Hopkins came around to the realistic position that local-option advocates long have espoused.

Virginia's attention needlessly has been diverted from much more substantive matters during the long and oft-times emotional debate over liberalization of its liquor laws. Inevitably, we suppose, the tiresome perorations about such irrelevancies as bartender control, right-to-vote and the "rights" of non-drinkers will remain with us, at least during the time the urban communities are deciding whether or not a majority

of their citizens actually want liquor by the drink.

Thankfully, however, the issue will never again haunt the General Assembly if the sensible principle of local option wins the expected Senate approval next week. For assemblymen who have been subjected to the d r y s' unrelenting letter-writing campaigns ever since the issue first was raised nearly two decades ago, the prospect of a liquor-free agenda must surely be a joyous one.

Initially—and inexplicably—the Alcoholic Beverage Control Board was notably cool to liquor-by-the-ounce sales by restaurants, hotels and motels. In time, however, the ABC board apparently recognized that the proponents' highly conservative plan for limiting cocktail sales to large, easy-to-police lodging and eating establishments constituted a logical follow-up to the state's extremely liberal licensing policy for "private" bottle clubs.

Since the new licenses will be given only to restaurants with facilities for at least 50 diners and will be immediately withdrawn whenever food sales do not constitute a substantial portion of the establishments' total revenues, both Sen. Hopkins and the ABC board are amply justified, we think, in deciding that fears of "bartender control" and proliferating saloons are without foundation.

In the face of determined opposition by the foes of local option, most of whom are still unwavering prohibitionists, the impending authorization of the state's first mixed-drink sales in over a half century must be rated a remarkable political event, albeit one of only passing moment.

The closely-divided House General Laws Committee, a 54-member majority of the House and, as a result of yesterday's favorable vote, Mr. Hopkins' Senate Welfare Committee all have endorsed the right of the people in each of the state's diverse regions to make their own choice on liquor by the drink.

We trust that the full Senate will ratify the choice—and give urban Virginians a chance at urbanity (and not, as some of our letter writers would have us believe, Satanic doom).

THE ROANOKE TIMES

Opinion Page

State Aid Needed to Consolidate Cities' Mental Health Services

When Gov. Godwin submitted his \$70.8 million bond issue package to the 1968 General Assembly, he deliberately remained silent on whether the General Assembly should make use of the additional \$10 million in borrowing authority contained in the present Constitution.

While the Governor had concluded that the envisioned \$58.1 million share for colleges and \$13.7 million for mental health facilities would be sufficient to meet major needs in these two vital categories, he was not unaware that the legislature might wish to authorize additional capital spending.

In effect, he provided the assemblymen a \$10 million cushion in order that the House Appropriations and Senate Finance committees would have some elbow room to meet other building needs in the next biennium. His only stated condition, which he reiterated at a news conference recently, was that use of borrowed money must be restricted solely to higher education and mental health.

In insisting that all general obligation bonds shall benefit two-year and four-year colleges, mental hospitals and mental health clinics, Mr. Godwin recognized that only these programs of broad public appeal would be likely to win voter approval for the needed break from Virginia's pay-as-you-go traditions.

Under terms of the bond issue legislation for which a majority of assemblymen already have indicated tentative approval, the full \$81 million in borrowing powers would be utilized, with \$67.2 million earmarked for college construction, \$13.7 million for mental hospitals. Seemingly, therefore, the decision already has been made by legislative and administration lead-

ers to use the \$10 million balance solely for higher education.

In our view, this decision is premature.

Until the colleges have presented their arguments for a bigger building program than Mr. Godwin has recommended, no ironclad judgment ought to be made on whether the extra \$10 million should go to these institutions. Certainly, if past experience is any guide, the colleges have little difficulty in demonstrating that Mr. Godwin's recommendations are insufficient. Indeed, inasmuch as existing community colleges are being denied any new building funds, the gap in the Godwin budget already is apparent. Still, higher education needs ought to be weighed against those of the mental hospitals before any firm policy is laid down.

At the start of the Assembly's budget hearings this week, the Virginia Association for Mental Health and the Department of Mental Hygiene and Hospitals joined in urging that \$1 million in additional capital spending be authorized to inaugurate a permanent program of state matching funds for construction of comprehensive community mental health centers. For the department, the unprecedented proposal marked a laudable shift in emphasis away from continuous enlargement of its mammoth custodial institutions and toward an enlightened program to decentralize mental health services in the state.

Because of an unconscionable lag in planning this decentralization, the department did not have an earlier opportunity to ask Gov. Godwin to include in his budget either the capital funds or the necessary \$750,000 to help staff the first of the centers. However, the Assembly's 1966 approval of \$325,000 for construction of such a center in Norfolk clearly provides the precedent for beginning the program.

Other cities, including Roanoke, have been extremely reluctant to seek the available 50 per cent federal matching funds for establishing the community health centers. The problem, of course, is that the localities must put up all of the remaining 50 per cent for construction and operation. The foot-dragging is likely to end, though, once the state agrees to cover one-fourth of the costs (the share envisioned in the supplemental budget request).

As the Assembly committees were told a week ago, it is illogical to require cities to put up 50 per cent local money for mental facilities when the state pays 100 per cent once the patients leave their homes and go to a remote state hospital. Such a policy makes no sense from a budgetary standpoint; it makes no sense from the standpoint of modern psychiatric knowledge, either.

Assembly At a Glance



Senate vote of 24-16 assures localities a chance to vote this fall on liquor by the drink. Page 1.

Republicans seek to hold up action on bond issue legislation sought by Gov. Godwin. Page 15.

Changes in age for licenses to hunt and fish proposed in House bills. Page 15.

Hagen will seek amendments to Salem's newly introduced city charter bill. Page 15.

Senate Assures Liquor by Drink Under Local Vote

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Virginians in some localities will be able before long to buy liquor in less than bottle quantities in public places for the first time since 1914.

A bill to permit local option referendums on the sale of liquor by the drink passed its last legislative milestone Monday when the Senate approved the measure, 24-16.

Most Southwest and Western Virginia senators were among the opponents. Roanoke Sen. William B. Hopkins voted for the bill.

An amendment which would have required a statewide vote on whether localities could have local option was offered by Sen. Charles R. Fenwick of Arlington and was defeated, 24-16.

Fenwick, who entered the hospital for an eye operation immediately after the final vote, said the issue was whether "we are going to make a fundamental change" in the method of dispensing alcoholic beverages.

The bill was advanced to its final passage state — which normally would have occurred Tuesday — to accommodate Fenwick.

Fenwick noted that the bill would permit a town with as few as 2,500 residents to hold a referendum. "Just 1,251 people could vote it in and impose their will on the rest of the area," Fenwick said.

Fenwick said he was not necessarily opposed to liquor by the drink, but added "there's a right way and a wrong way to do it." The right way, he said, was to submit the issue to the entire state.

Speaking against the amendment, Sen. Edward L. Breeden Jr. of Norfolk urged fellow senators not to mix the emotional liquor matter with the proposed bond issue referendum by requiring a statewide vote on by-the-drink sales.

The bond referendum is tentatively set for Nov. 5; presumably a statewide liquor vote would have been set for the same date.

Sen. William F. Stone of Martinsville called the vote a "historic occasion" and said he couldn't remember anything so important since the 1959 fight over massive resistance.

Stone admitted he could not sway any votes, saying "the die has been cast." He strongly supported the Fenwick amendment, calling the Arlington senator "a statesman in his lifetime, a legend in his lifetime."

Stone urged the senators to "search your inner consciences" on what he called "one of the most drastic bills" since he entered the Senate.

Sen. D. Woodrow Bird of Bland said his constituents were 80 per cent opposed to local option, but that they would abide by the majority's decision if the issue were submitted to a statewide election.

Bird noted that other important matters, such as the



SEN. WILLIAM F. STONE
'The Die Has Been Cast'



SEN. M. M. LONG SR.
'A Dangerous Problem'

It Could Flow By Drink Oct. 1

Times Legislative Bureau
Press Room, State Capitol
RICHMOND — There was a stir in the gallery and a scramble among the press corps when the final vote on the local option liquor-by-the-drink bill was announced.

The State Senate approved the measure, 24-16, allowing localities to vote on whether strictly regulated sales of liquor in less than bottle quantities will be permitted in certain eating places.

A few senators who had been most emotional in their pleas for rejection of the bill looked momentarily crestfallen, but generally there was no reaction from legislators. The outcome had been expected for at least several days.

Del. Bernard Levin of Norfolk, probably the legislator most associated with local option bills over the years hid any jubilation he may have felt. Asked for

comment on how he felt, he replied simply, "fine."

The bill does not permit immediate sale of liquor in restaurants. First, the bill does not take effect until 90 days after it is signed into law. Then, proponents of by-the-drink sales must distribute petitions calling for a local referendum and get 15 per cent of those who voted in the last presidential election to sign it.

Then, a majority of those voting in the referendum must approve the question.

If the vote is successful, then individual restaurant and hotel owners must apply to the Alcoholic Beverage Control Board for licenses and must meet a number of strict regulations before being granted such licenses.

Allowing 30 days for the Alcoholic Beverage Control Board

(Continued on Page 4, Col. 3)

Localities Get Vote On Liquor by Drink

(Continued from Page 1)

ond issue and the proposed revisions in the state constitution, would be put to a referendum.

"We're just breaking the ice," Bird said, predicting that there could be future attempts to liberalize the liquor laws. "Every little restaurant and hot dog stand will be asking for a license," he said.

Sen. M. M. Long Sr. of Wise said the Senate was "dealing with a dangerous problem." He criticized the argument that local option would attract tourists, saying "if you have to pull them in with whisky, they won't do much for us."

Republican Sens. George F. Barnes of Tazewell and J. Kenneth Robinson of Winchester also spoke for the amendment.

Sen. Robert C. Fitzgerald of Falls Church, speaking against the amendment, said "every citizen of Virginia is a stockholder in one of the largest liquor businesses in the world and we are forcing people to drink too much by buying whiskey by the bottle."

Sen. Henry E. Howell of Norfolk, Leroy S. Bendheim of Alexandria and William E. Fears of Accomack also spoke against the Fenwick amendment.

The bill must go back to the House, where it passed last week on a 55-44 vote, for concurrence on some technical amendments added in the Senate. None are substantive, however, and no problems are expected. The House may consider only the Senate amendments, not the entire bill.

The State rejected an amendment added by its Welfare Committee, which would have prevented the issuance of a liquor license to a corporation in which a public official was an officer or held more than 10 per cent of the stock.

Sen. Edward T. Caton III of Virginia Beach, who had offered the amendment in the committee, asked that it be deleted. Caton said he had conferred with Alcoholic Beverage Control Board members and was

assured they could "issue licenses free from any undue influence or graft."

The bill still precludes the issuance of a license directly to any public official. But Sen. H. Clyde Pearson of Roanoke County, speaking for the amendment, said such an official desiring liquor license could incorporate his establishment and circumvent the bill's intent. "It is an open invitation to those who would take advantage of the bill," he said.

Breeden said he saw "nothing nefarious" in a public official holding an interest in a hotel or restaurant which might hold a ABC license. Breeden said the amendment would bar many prominent citizens from serving on state boards and local governing bodies.

Another committee amendment rejected by the Senate was one which deleted reference to "B-girls" from the bill.

Sen. W. Carrington Thompson of Chatham said he offered the amendment in the committee because there was no definition of what a B-girl was.

But Thompson said he had been "given a liberal education over the weekend and asked that B-girls be restored to the list of things not permitted at establishments with liquor licenses.

Voting against the bill and for the Fenwick amendment were Sens. George S. Aldhizer II of Rockingham, D. W. Bird, James W. Davis of Amherst, James D. Hagood of Halifax, Long, Paul W. Manns of Bowling Green, George M. Warren Jr. of Bristol, Stone, Thompson, and Fenwick, all Democrats; and Pearson, James C. Turk of Radford, H. D. Dawbarn of Waynesboro, Robert S. Burruss of Lynchburg, Barnes and Robinson, all Republicans.

The remaining 24 members, all Democrats, voted for the bill and against the Fenwick amendment.

The vote rejecting the conflict-of-interest amendment was along party lines, with all Republicans except Dawbarn voting to retain it and Democrats voting to kill it.

Oct. 1 Drinks A Possibility

(Continued from Page 1)

to set up to issue permits and arrange for policing the local licensees, the liquor could flow by the drink around Oct. 1.

Only large restaurants and hotels can qualify and none which feature B-girls, topless entertainers and the like, or are owned by state, federal or local officials, or sell more alcohol than food.

Generally the same regulation which now applies to beer and wine licensees would apply, only more so.

Virtually all the legislators enjoy liquor - by - the - drink at the endless round of nightly private parties and receptions which occur during assembly sessions. Now the public - in some places - will be able to enjoy the same privilege.

No Definite Plans Made For Liquor Vote Petitions

With local option on liquor by the drink a virtual certainty, supporters of the measure have begun thinking about petitioning for a Roanoke referendum.

No definite plans have materialized, however.

W. Jackson Shepherd, chairman of a Roanoke committee pushing for local option, said he was "most pleased" and "very appreciative" that the State Senate voted 24-16 Monday for local option.

Shepherd, head of the Roanoke Right-To-Vote Committee, said he was "delighted" the General Assembly approved

letting "local communities make their own decisions" on liquor by the drink.

The bill still requires the governor's signature and House of Delegates approval of some minor Senate amendments.

"No plans as yet" have been made for petitions in the Roanoke area, Shepherd said, "but I hope the vote comes at an early date."

He said plans would soon be made to circulate petitions seeking a Roanoke referendum. Fifteen per cent of the voters must sign the petition for a referendum to be held.

Jack C. Smith, executive vice president of the Roanoke Valley Chamber of Commerce, also said he knew of no immediate plans for petitions.

The Roanoke Valley and Salem-Roanoke County chamber of commerce have endorsed local option.

Smith said the chamber is taking "things as they come" but he added that petitions would be the next step toward local option.

Petitions for local option could not be presented until 90 days after the bill is signed into law.

1/30/68

Republicans Seek To Delay Bond Referendum Legislation

By MELVILLE CARICO
Times Political Writer

RICHMOND — Republicans started a campaign Monday to hold up action on the bond issue referendum legislation sought by Gov. Mills E. Godwin Jr. Spokesmen argued that shifts in the \$3-billion budget bill and tax adjustments might enable this General Assembly to avoid bonds, at least for two more years.

The GOP lost an opening round skirmish in the House Privileges and Elections Committee but hoped for some success in the Senate at its session Tuesday.

Democrats in the House P&E Committee voted out the referendum bill 10-2 Monday afternoon. Voting against sending the legislation to the floor now were House Minority Leader M. Caldwell Butler of Roanoke, and Del. Lacy E. Putney of Bedford, an independent.

"We are just saying . . . there is more money available," Butler charged in arguing the appropriations act and possible new sources of revenue should be examined before the legislature calls the referendum.

Sen. James C. Turk of Radford, the minority leader in the Senate, said Monday he will try to get the Senate to re-refer the Senate's referendum bill to the Senate Finance Committee. It was reported out of the Senate P&E Committee last week without a public hearing.

Meanwhile, the requests for more money for 1968-70 continued to mount Monday as the Senate Finance Committee and the House Appropriations Committee continued public hearings on the appropriations bill Godwin send the General Assembly.

Opposition to calling a referendum, at least now, was voiced at the hearing by three House members—Del. A. L. Philpott of Bassett and Del. Julian J. Mason of Bowling Green, Democrats, and Del. Don E. Earman of Harrisonburg, Republican.



Sen. Turk Will Try Maneuver in Senate

Times Photo by Jack Gaking

"If it is going to require additional taxes, say so," Philpott told the committee.

He said the next General Assembly will have to make up at least \$24 million the way the 1968-70 budget is now projected and a sinking fund to retire the bonds will require several million more.

Philpott said voters in the referendum next November will want to know where the money to retire the bonds is coming from and, as of now, they have not been told. Bond repayment funds, he said, will have first priority and no agency or department wants to see its own funds cut.

It is no secret that the GOP minority has a task force studying the budget aimed at finding \$70.1 million to finance the governor's building program and claim that a bond issue is not necessary before 1970.

Earman, a Harrisonburg lawyer, claimed Godwin diverted money that would normally have gone to buildings into general fund appropriations and predicted voters will not be fooled next year when he asks them to approve the bonds.

"It is going to be rather dif-

Both Butler and Putney projected a gloomy picture for the 1970 General Assembly.

"We are facing a tremendous tax increase in two years; we are just kidding ourselves," Butler, a new member of the P&E committee, contended.

"We are going to be faced with a dismal picture in 1970," Putney remarked.

Butler said if this legislature finds the building program cannot be financed by shifts in the budget then it ought to have the courage to tell the public it will take an increase in taxes to pay off the bonds.

Del. Lyman C. Harrell Jr. of Emporia, chief patron of the governor's bill, wanted to know where Butler thinks \$70 million or more could be found.

Butler suggested that the General Assembly might impose the sales tax on whisky and wine sold in ABC stores. They are now exempt.

He added \$15 to \$20 million more might be found by conforming state income tax exemptions to federal income tax exemptions and using Highway Department funds to finance the state police.

"There are a number of ways if you step on toes and have the guts to do it," Butler declared.

Butler added that Democrat-controlled assembly faces built-in increases in expenditures in the years ahead.

"We have created appetites which can't be satisfied, we have created expectations, particularly in education, we have got to satisfy," the House minority leader declared.

The Democrats on the P&E Committee got one piece of welcome news — the backing of the bond issue by the Virginia Council of PTA.

"It is the only way we can get the programs we have advocated," Mrs. Hamilton Crockford, first vice president, told the committee. She said PTAs across the state will promote the referendum with an educational campaign. Mrs. Crockford is a member of the school board in Richmond.

THE ROANOKE TIMES,
Tuesday, January 30, 1968. 15

Hagen To Seek Full Council Vote In Salem Charter

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Salem's city charter bill was introduced in the House Monday by Dels. John W. Hagen and Ray L. Garland.

The bill contains a provision which Hagen says he will attempt to change in committee.

The proposed charter calls for a councilmanic election in June for two members and in 1970 for the other three members of the City Council.

Hagen says all members should stand for election this year. Salem switched from town to city status at the beginning of the year.



Jan 31, '68 Assembly At Glance

Despite vigorous opposition by Republicans the Senate gives its approval to bond issue referendum bill. Page 1.

Proposals to require periodic re-examination of drivers and the use of reflectorized license plates are criticized during public hearing on traffic safety legislation. Page 1.

House gives final approval to liquor-by-the-drink bill, clearing way for cocktail sales before end of the year. Page 17.

Washington, D.C.'s proposed payroll tax which would affect residents of Virginia working in the nation's capital is criticized in the General Assembly. Page 17.

Bankers and merchants disagree at hearing on whether Virginia should enact a truth-in-lending bill now or wait for Congress to act. Page 17.



Republican Sens. Turk (left) and Burruss Register Dismay at Bond Vote

AP Photo

GOP Fails To Block Bond Bill

By MELVILLE CARICO
Times Political Writer

RICHMOND — Democrats in the Senate, many of them long-time adherents of pay-as-you-go financing, stood by

Gov. Mills E. Godwin Jr. Tuesday and passed his bond issue referendum bill 30-7.

The House, where 58 Democrats signed a similar bill, will vote Wednesday.

Senate Minority Leader James C. Turk of Radford and four other Republicans tried to get the referendum bill, reported out of the Senate Privileges and Elections Committee without a public hearing, re-referred to the Senate Finance Committee.

They argued it is premature to set up a referendum until action has been taken on the 1968-70 appropriations bill and the General Assembly is sure the bond issue money is needed.

"If the present trend continues it is not going to be very long before the wide eyed spenders in Washington will start looking to see how you get along," Turk told the Senate.

Sen. William B. Hopkins of Roanoke, a Democrat, said no Republican proposed cutting "a single dime" from the governor's budget during committee hearings.

Hopkins said Virginia is going to need the money from the bond issue for the budget. Sen. H. Clyde Pearson of Roanoke County, one of the six Republicans in the Senate, said Godwin is proposing and Democrats are suggesting that the General Assembly accept the General Assembly will have to call another bond issue referendum. (Continued on Page 7, Col. 3)

Drinks on the House---and Senate!

It's been a long time between mixed drinks, Virginians: fifty-five years as the old crow flies, as a matter of fact.

Believe us, post-1914 abstinence didn't make these parts grow fonder, either. Not in the eyes of tourists, certainly; not in the eyes of most new Virginians, probably; not in the eyes of urban-area Virginians-by-birth, for that matter.

If we were sure it would be winked at (the way brown-bagging and nip-joints have been winked at all these years), we'd propose a friendly bourbon-and-branch-water toast to those 78 good souls in the General Assembly who finally summoned the needed political courage and passed a local option liquor-by-the-drink law. But until a local referendum legalizes taking a short drink in public, we'll have to save the formal toasts and simply say: Praises be—and thank goodness the whole thing is finally over and done with!

After years of acrimonious debate and this month's two cliff-hanger committee votes, the Senate's passage of the liquor-by-the-drink bill came almost as an anticlimax. Still, without all the sound and the fury that accompanied the 20-year fight, Monday's 24-16 Senate vote would have been inconceivable; if it was an anticlimax, then, it was only because both sides were simply too exhausted to keep the issue going.

Inevitably, we suppose, the state now faces a noisy autumn of hotly-contested special elections to decide which localities are to have mixed drink sales and which are to leave things as they are. To the mixed-drink forces in the Arlington-to-Norfolk corridor (where the referendums are almost certain to pass), we can only say, empty-handedly, "Skoal."

It may take us a while, of course—but we'll be along one of these days. Just see if we're not!

Butler Measure On Poolrooms Passes House

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House of Delegates passed Tuesday Roanoke Del. M. Caldwell Butler's bill to permit the City of Roanoke to set the minimum age at which teen-agers may enter poolrooms.

Other bills passed by the House include one sponsored by Del. William R. Durland of Fairfax which requires members of local governing bodies who have interests in pending zoning matters to disqualify themselves from voting on the proposals.

Republican Senators Fail To Block Bond Bill

(Continued from Page One)

the governor's budget without asking questions and trying to find ways to avoid a bond issue. "If the budget is going to be written by the executive branch we might as well pack up our books and go home," Pearson declared.

The Republican bloc is trying to find \$70.8 million or more through budget shifts and new sources of revenue so they can argue later a bond issue is not needed to finance the building program in the governor's budget.

One Republican and 29 Democrats voted for the referendum.

Sen. H. C. "Buz" Dawbarn, Republican, of Waynesboro

voted for the bill along with 29 Democrats.

Sen. James D. Hagood of Clover, chairman of the Senate Finance Committee, and Sen. Leslie D. Campbell of Hanover County voted against the bill along with five Republicans.

Democrats voting for the bill included Sen. William F. Stone of Martinsville and Sen. W. Carrington Thompson of Pittsylvania County. Both said they personally favor continuing pay - as - you - go but voted for the legislation because they feel the people have a right to make the decision on bonds.

"I am willing to trust the people to vote on pay - as - you - go," Stone said in a speech on the floor.

The bond issue referendum will be held in conjunction with the Nov. 5 presidential and congressional elections. Specific amounts for colleges and mental hospitals will be spelled out in supplemental legislation later. But the referendum bill puts a \$67.2-million ceiling on bond money for colleges and a \$13.7-million ceiling on bond money for mental hospital facilities.

Hopkins carried the ball for the Democratic majority in the floor debate with Turk.

Hopkins took exception to the Republicans' suggestion that Virginia is beginning to follow Washington in deficit financing.

"It is absolutely ridiculous," Hopkins said. Virginia will use the money for buildings, not operating expenses, and the bonds have to be approved by the people, Hopkins emphasized.

Turk criticized the administration for sending the General Assembly a budget which appropriates \$24 million of the \$61 million from a one-time "windfall," by accelerating tax payments, for maintenance and operation.

This \$24 million, Turk said, will have to be made up in the next General Assembly.

Turk recalled he and other Republicans two years ago opposed raising the state sales tax a penny, effective next July, without waiting for this session of the legislature.

"I thought it was wrong then; now I know it was wrong. It has whetted the appetites of state agencies," Turk declared.

Sen. George Barnes, Republican, of Tazewell said when he went home last weekend people wanted to know why the state needed the bond money.

"Many were shocked to hear the governor say the state need-

ed money from bonds," Barnes declared.

He said the bond issue next November will be "just a foot in the door approach" that will lead to more pressure for spending.

"A vote for this bill is a vote to abandon pay-as-you-go," Sen. Robert S. Burruss Jr., Republican of Lynchburg, claimed.

He said, if necessary, the state ought to raise the necessary money and suggested \$11 million can be raised by putting the sales tax on whisky and wine sold in ABC stores.

Delegate Opposes Driver Retest Plan

(Continued from Page One)

noted that new federal highway safety standards require states to re-examine drivers periodically or risk losing 10 percent of their federal highway money.

But Rawlings contended the bill would "put in the hands of a bureaucrat" whether a person could keep his license. He said some people would not be able to pass the test because they could not read and write and others would be too nervous to pass it.

Sen. William E. Fears of Accomack also spoke against the proposal, saying if he had to take many more tests, he wouldn't have time to practice law.

J. T. Timmons, manager of the Norfolk AAA Club, spoke against the bill calling for semi-permanent reflectorized license plates. Timmons said it had not been proved that such plates reduced the accident rate.

Roy Scheroid of Richmond protested a bill which would require motorcyclists to wear helmets. He claimed it was unfair to require a person to take such a precaution when only he could be injured as a result of not wearing a helmet. He suggested the provision was an unconstitutional restriction.

Raymond Wimbish, supervisor of transportation for the State Department of Education, opposed two measures relating to school buses.

One would permit private school buses to carry a sign identifying itself as such without being painted yellow.

The other would remove the requirement that motorists stop when a school bus is stopped in the opposite lane of a divided highway.

Wimbish said all buses should be yellow and that motorists should have to stop on all highways, or else the school bus should be required to deliver children on the side of a divided highway on which they live.

Delegate Opposes Driver Retest Plan

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Periodic re-examination of drivers and reflectorized license plates were the most controversial items at a public hearing Tuesday on the Virginia Traffic Safety Study Commission's proposed legislation.

Del. George C. Rawlings Jr. of Fredericksburg spoke against the bill which would require drivers to pass written and eye tests in order to renew their operators' licenses. Rawlings

said the matter was the biggest issue in his campaigning for re-election. He conceded that the bill did not require additional road tests, but said the written test would be "more obnoxious and objectionable" than a road test.

"When people understand what you are putting on them you are going to wish you never put it on them," Rawlings said.

Proponents of the legislation

(Continued on Page 7, Col. 3)

Cocktail Sales Possible in Fall

RICHMOND (AP) — Local option liquor by the drink, which has haunted the Virginia General Assembly for more than a decade, flowed smoothly to final passage Tuesday with the prospect of highballs by Halloween in selected restaurants and hotels.

With virtually no debate the House adopted five minor technical amendments the Senate tacked onto the bill. The vote on the amendments — which meant final passage — was 73 to 7 in the House with five Republicans, one Democrat and an Independent registering their opposition to the last.

Time requirements built into the local option liquor bill indicate it will be October at the earliest before licensees may of-

fer their patrons cocktails, highballs or liquor neat or on the rocks.

The bill becomes effective toward the end of June — 90 days after the constructive bill-signing session of the Assembly. Then any county, city or town of 2,500 or more could move toward liquor by the drink if 15 per cent of the number of voters who participated in the last presidential election petitioned for a local referendum.

Such a referendum called by the court would be held at least 60 days after the entry of the judge's election order. After the election the results would be canvassed and certified to the court and the ABC Board. An additional 30 days would be allowed before drinks could be dispensed to give the board time to set up licensing and policing procedures.

Mr. Hagen Complains

I WOULD LIKE to call your attention to an editorial which appeared in The Roanoke Times on "Bad Manners" that concerns me, not to the extent that you condemn me for making the remarks that I did, but that you did not tell the truth. The implication was that I had prior commitments for the weekend. This was not true and, as usual, you have inserted statements or left out what you wanted to create an illusion that you want the people to believe.

I make no defense of my statement, but feel that you must print the facts—not what you choose to.

Member, House of Delegates

JOHN W. HAGEN

Editor's note—Mr. Hagen's conspiratorial views notwithstanding, The Times stands by its statement that he had prior commitments that prevented him from attending the legislature's recent Norfolk junket. Inasmuch as Mr. Hagen has evidenced some considerable interest in the drafting of the new Salem city charter, we consider it unlikely that his attendance that weekend at the Salem City Council's charter hearing was mere afterthought.

ABC Board Chairman John W. Hardy made the estimate of late October and at that, he said, the time provisions would have to operate with minimum delay. He said legal sales might be delayed beyond then, perhaps as late as Christmas or the first of next year.

Indications are the first local option elections will be called in Norfolk, Virginia Beach, Richmond, Roanoke, Arlington, Fairfax and Alexandria. Some legislators said they doubted if local option would be voted in for the foreseeable future in any area west of Roanoke.

Final action on the bill was almost peremptory in the House. Del. Bernard Levin, the chief sponsor of the legislation, explained that the Senate amendments were technical and clarifying and asked their adoption. The house obliged to pass the bill.

Voting against passage were Del. Russell L. Davis of Rocky Mount, D. E. Earman of Harrisonburg, A. H. Giesen Jr. of Staunton, John W. Hagen of Roanoke County, O. B. Roller of Weyers Cave, all Republicans; Democrat R. M. Smith of Enbridge; and Lacey Putney of Bedford, an Independent.

Liquor by the Drink Faces Rough Road in Roanoke Valley—Page 13

Drink Vote Faces Hard Road in Valley

By BEN BEAGLE
Times Staff Writer

Some of the experts on both sides of the liquor question in Virginia concluded Tuesday that of the state's four major urban areas, liquor by the drink faces its hardest time in the Roanoke Valley.

They emphasized that their observations were preliminary — the local option bill getting final legislative clearance Tuesday — but they said that one prediction was certain:

Things are going to get a lot more complicated by the time the question is put to the voters.

In Roanoke — whose past history has included some colorful drinking activities in the old Salem Avenue saloons — backers of liquor by the drink already were thinking about

how to get started on an election by next fall.

They said it would be close in Roanoke, possibly not as close in Roanoke County and they gave the new city of Salem almost no chance of allowing cocktails.

It was understood that one thing the backers were worrying about was a sales job in which would be a warm campaign of dries versus wets. Some of these people have helped put over bond issues but putting over liquor by the drink to the voters is something else again.

The best approach seemed to be an appeal to the pocketbooks of the voters — a vivid portrayal of how much money the happy, and free-to-drink, tourist and conventioner brings into the community.

There was some thinking that this was perhaps not the ideal

selling point, but it was the best one available. Over years of debate in the General Assembly, said one liquor-by-the-drink supporter, "the moral issues have been pretty well wrung out."

Obviously, there also was a question of who would lead in the campaign to get cocktails in Roanoke. Backers expect strong support from businessmen but, at the same time, they expect this support to be something short of noisy and public.

A prominent citizen, who might be anxious to be identified with a bond issue vote, for example, is not likely to feel the same way about leading a campaign for the shot glass.

"It won't be easy sailing," said one oldtime politician who generally knows what to expect from the city's precincts. "It

may have to go back (to the voters) a second time."

It would be a long wait for the "second time." Under the local option law, it would be almost four years between an unsuccessful vote and a new one.

It would not be surprising if the liquor-by-the-drink supporters get started on their petitions for the election as soon as it is legal. Under the law, 15 per cent of the voters in the 1964 presidential election would have to petition for the vote.

In Roanoke's case, this would mean 4,274 names and it would take 2,900 in Roanoke County. Some backers say they want to start the name gathering as soon as possible, getting the jump on the Tidewater, Northern Virginia and Richmond areas.

There seems to be little fear

that the right number of names can be gathered.

In Richmond, Dr. Wayne Womer, who leads Alcohol Education Council, Inc., of Virginia Churches, said his organization is preparing to give a lot of advice to antiliqor groups in a yet unknown number of localities when the time comes for the referendums. These elections probably will break out in numbers next fall.

"As communities begin to have local option (elections) we expect to be asked to act in an advisory capacity," Dr. Womer said. The council isn't without experience in this. For years, it has advised local groups fighting beer and wine licenses and the ABC stores.

In the case of the ABC stores, elections and petitions are a familiar part of Virginia's liquor laws before local option was passed.

Dr. Womer and other antilocal-option people believe that the Tidewater, Northern Virginia and Richmond areas are already lost to the cause. There is one theory, perhaps optimistic, about Virginia Beach which says that out-of-town voters added to the city when it took in Princess Anne County are likely to make it rough for local option.

Although "they kind of stuck up their noses at Southwest Virginia" during the arguments just passed in the General Assembly, Dr. Womer and others believe this part of the state will mostly stay away from the cocktail method of drinking.

Few can imagine, for example, local option success in Radford, where voters never have failed to put down petitions for an ABC store in town.

Certainly one place to watch in the southwest, say some observers, is Blacksburg. Blacksburg is a growing college town with large numbers of young college personnel in its voting population who might be inclined to vote for liquor by the drink. The town, because of Virginia Tech, also has a number of motels and restaurants.

People who say that Roanoke County might pass cocktails easier than the city of Roanoke cite something of the same reasoning: a large number of young, college-educated voters in the suburbs.

Backers of liquor by the drink in Roanoke are almost certain to stress in their campaign that leaving Roanoke dry with the other major urban areas wet would maim the city's convention and tourist business. This, they will say, will lose the city millions of dollars in outside money.

They are expected to say that the city's new civic center may suffer from a lack of expected convention goers. One backer said the city has a "list of conventions as long as your arm" that it could get if it had the civic center completed now.

If Norfolk, Richmond and Northern Virginia have cocktails and the Roanoke area doesn't, this list of possibilities will shrink considerably, they will say. A perfectly terrible situation would develop if Roanoke had cocktails and the county didn't or if that situation were reversed.

Roanoke's past voting record on liquor questions may be encouraging to the liquor-by-the-drink backers. In 1908, an election on the saloons was held and the dries won, but the court ordered a new election and the wets won. However, in 1916, the saloons closed forever following a statewide referendum which put the state dry.

Cocktail Sales Possible in Fall
—Page 17

So What Else Is New?

The Republicans are at it again. Political expediency, it is called.

In every state election, they excoriate the Democrats for Virginia's lagging college enrollments, lagging teachers salaries, lagging road construction, lagging park development, lagging mental health programs, lagging this, lagging that.

And in every General Assembly session, they still fight against the very fund-raising measures that would fatten the state treasury, untie the state administration's hands and provide the new and better services that the public and election-year Republicans keep demanding.

The 1968 legislative session is merely to be a replay of the Grand Old Party's usual ambivalence toward statehouse problems, judging by the minority delegation's early politicking. Gov. Godwin's bond issue program is the current example. Undoubtedly there will be others before the mid-March adjournment.

Fifteen years ago the state's Mr. Republican, Ted Dalton (now a federal judge), combined political courage and fiscal hardheadedness in proposing highway department abandonment of Virginia's costly

pay-as-you-go policy. Because of this stand, Dalton angered the long-time apostle of debt-free state government, the late Sen. Harry F. Byrd Sr., and lost enough votes to narrowly miss winning the governorship.

Now, the Republicans have flip-flopped in predictable fashion. Immediately upon hearing that the Democrats finally had faced up to the fact that current revenues alone can provide nothing more than an inflation-plagued, snail-paced capital spending program, the legislature's Republicans retreated to a traditional obstructionist role.

To hear the GOP tell it, Gov. Godwin's proposed budget can be cut \$70 or \$80 million without a second thought, thus freeing available revenues for building outlays that even the Republicans acknowledge to be needed. In time, we suppose, the party will specify its proposed cuts. Past experience would indicate, though, that all of the suggestions will be ignored by a majority of the assemblymen.

In all likelihood, some of the suggested budget reductions will be good ones, the Democrats' views notwithstanding. But for every \$1 million cut that the Republicans suggest, there will be \$10 million in proposed budget increases, many of them justifiable. The Republicans might better spend their time constructively, therefore, by spotlighting the shortcomings in state services and proposing the needed revenue measures and priority changes.

Pay as you go is a myth, to which the state's \$400 million in self-liquidating bonds attests. It is an anachronism that ultimately requires the state to pay too much for its capital outlays—even as its cities and counties are being forced to mortgage themselves at an ever accelerating rate.

Limited borrowing for road construction in the fifties, as Judge Dalton suggested, doubtless would have saved Virginia taxpayers many millions of dollars—and provided good roads besides. The same can be said for college and mental hospital bond issues in 1968 — and the present-day Republican assemblymen know it as well as anybody.

Foes Win Round On Tobacco Tax

By MELVILLE CARICO
Times Political Writer

RICHMOND — A bill repealing Virginia's 2½ cents a pack tax on cigarettes was reported by the House Finance Committee Wednesday afternoon 8-6 with three members out of the room.

The first vote was 8 to 4, following a public hearing that drew dozens of tobacco farmers, with five committee members absent.

But Chairman C. W. Cleaton of South Hill agreed to another vote after two members returned to the room and there was a lot of confusion over what happened.

The tax yields \$16 million a year and, because of this, the bill faces rough sledding on the House floor when it comes up for a vote, possibly Friday.

Gov. Mills E. Godwin Jr. at a morning press conference said repeal of the tax would be a "major blow" to the 1968-70 appropriations bill unless substitute revenue can be found.

Sponsored by Del. W. C. "Dan" Daniel of Danville, the legislation reduces the tax to two cents for the 1968-70 biennium and then eliminates it entirely July 1, 1970.

It grew out of a two-year study by the Virginia Tobacco Tax Study Commission, headed by Daniel, which was created by

the last session of the General Assembly.

Spokesmen for the legislation testified the tax is discouraging the expansion of cigarette manufacturing plants in Richmond and depressing the market for Virginia's tobacco farmers.

William A. O'Flaherty of Richmond, executive director of the Virginia Tobacco Tax Council, predicted removal of the tax will increase cigarette sales in Virginia 75 per cent.

The Daniel bill was backed by spokesmen for the Virginia State Chamber of Commerce, the Virginia Manufacturers Association, the Virginia Farm Bureau Federation and the Virginia Farmers Union.

State Sen. William F. Stone of Martinsville appeared before the committee to speak for the bill. He told the committee that State Sen. James D. Hagood, chairman of the Senate Finance Committee from Halifax County, and Sen. W. Carrington Thompson of Pittsylvania County asked him to notify the committee that they too are in favor of repealing the tax.

The bill will reduce revenue for the 1968-70 biennium about \$5.7 million.

Action of the commission foreclosed consideration of other legislation on its docket aimed at raising the tax on cigarettes.

One bill, sponsored by Del.

(Continued on Page 4, Col. 3)

Assembly At Glance



Foes of Virginia's tax on tobacco win opening round as House Finance Committee votes 8 to 6 for measure repealing levy. Page 1.

General Assembly committees give icy reception to plea by state community college system for a \$5.6-million budget increase. Page 14.

Democrats in House clear way for final approval of bond issue referendum bill today. Page 14.

Sept. 1, 1968

House Backs Windfall Tax

RICHMOND (AP)—The House of Delegates swiftly approved Wednesday a package of five Senate-passed bills providing a \$61.5 million tax windfall requested by Gov. Mills E. Godwin.

The House action, taken without a dissenting vote, advances the dates and regulates the schedule on which large corporations pay their taxes and those withheld from their employees.

The legislation also requires the Virginia Alcoholic Beverage Control Board to make its tax yield estimate for the last quarter of the fiscal year in June rather than in July.

Quarterly rather than annual tax payments will be required of public service corporations, other large corporations and insurance companies.

Employers returns and payment of withheld income taxes will be required monthly rather than quarterly.

House Clears Bond Issue Bill for

By MELVILLE CARICO
Times Political Writer

RICHMOND — Democrats in the House gave overwhelmingly support to the governor's bond issue referendum Wednesday with Republicans claiming Virginia can avoid turning to bonds for at least two years.

A final vote will be taken Thursday, but there is no doubt about the outcome with 58 Democrats in the 100-member House patrons of the bond issue legislation asked for by Gov. Mills E. Godwin Jr.

House Minority Leader M. Caldwell Butler of Roanoke

hurled what he called a "challenge" to the Democratic majority.

He asked the House to refer the bill to the House Finance Committee and give the GOP bloc 10 days to come up with a "package" which will finance the governor's building program at colleges and mental hospitals without a bond issue.

Democrats voted down the Republican move with a loud voice and, equally loud, moved the bill up to a final reading and recorded vote Thursday. The Senate already has approved the

bond issue referendum for next Nov. 5.

At a morning press conference, Godwin, in answer to a question, doubted the Republicans can show him any "fat" in the \$3-billion appropriations bill. "I will be glad to help them take it out," he said.

Del. John N. Dalton of Radford in a floor speech questioned whether voters will approve the bond issue. He recalled what happened to his father, Federal Judge Ted Dalton, when as the Republican candidate for governor in 1953 he advocated a \$100-million bond issue for

highways. It was heartbreaking, young Dalton recalled.

Dalton argued that the General Assembly cannot afford to take a chance with the needed building programs being tied to bonds when, he predicted, voters will be asking why the \$70-million or more could not be found in the \$3-million appropriations bill on which hearings are now being held.

Del. W. Roy Smith of Petersburg, ranking member of the House Appropriations Committee, in a reply to the Republicans said Democrats

would be happy to avoid a bond issue too.

But, he emphasized, the bill merely sets up the machinery for the referendum and supplemental legislation will detail the specific projects and amounts for colleges and mental hospitals.

"Passage of this bill will not prevent changes in the budget," Smith said.

A go slow position was taken by Del. Eugene B. Pendleton Jr. of Richmond who was state treasurer during the administration of former Gov. J. Lindsey Almond Jr.

Passage Today

He said a bond issue referendum next November is an "unnecessary risk" and ought to be put off until the constitutional commission completes its work and the whole question of pay-as-you go is submitted to voters. He said the bond issue could jeopardize the referendum on the Constitution.

"I would not like to see us bound to pay as you go," Pendleton declared.

Dalton was asked where he thinks the budget could be cut.

He pointed first to \$500,000 earmarked to buy an airplane for the governor's office.

Dalton said voters will be asking why the General Assembly could appropriate half a million for an airplane for the governor and not find the money for a community college building.

He next turned to the \$3.5 million appropriation for tuition grants.

Godwin at his press conference said he will oppose any legislation to abolish the tuition grant program.

"That would be an entirely inconsistent position," Godwin remarked. He requested the tuition grant appropriation in drafting the appropriations bill.

During the debate the Democrats' floor leader, James M. Thomson of Alexandria, accused the Republicans of talking about more colleges and mental hospital facilities during their campaigns and then refusing to support the revenue measures.

"I want to eat my political cake and have it too," is the way Thomson characterized the



Times Photo

Del. John Dalton ... Doubts Voter Approval

Republican move.

Dalton in his floor speech said the governor has shifted money that normally would be used for

capital outlays into operating expenses and is now asking voters to approve bonds for the needed buildings.



DEL. RAY L. GARLAND
Criticizes Administration



DEL. JOSEPH P. JOHNSON
Fears Money Drain



DEL. GARNETT S. MOORE
Speaks for Bond Bill

Times Photos by Jack Gaking

Bond Vote Approved; Related Tax Proposed

By MELVILLE CARICO
Times Political Writer

RICHMOND — Democrats in the House gave Gov. Mills E. Godwin Jr. overwhelming backing Thursday in approving a bond issue referendum in November for colleges and mental hospitals. The vote was 74-20.

Within minutes the Senate approved the House bill 28-7, the same vote by which it had passed an identical Senate bill, to wrap up work on what many had expected to be an explosive piece of legislation.

At the same time it was

disclosed that a group of House members is drafting a tax bill without the governor's backing to raise as much as \$6 million a year to pay off the \$70 million or more in bonds if they are approved by voters in the November referendum.

The move was disclosed by Del. A. L. Philpott of Bassett in a speech explaining his vote for the referendum.

"Up until 15 minutes ago, I had no intention of voting for the bill," Philpott said.

Philpott said after the House adjourned he is "honor bound"

not to reveal the type tax or House members involved.

Members of the governor's staff said they have no knowledge of the tax bill. Godwin has said several times that he is opposed to any increase in taxes by this session of the General Assembly—that the sales tax is enough.

Del. William M. Dudley of Lynchburg in a floor speech supporting the referendum bill called on the legislature to raise the money necessary for the sinking fund to pay off the bonds.

Dudley later told reporters he is exploring the possibility of a tax on mixed drinks sold in cities and counties which authorize restaurants and hotel dining rooms to serve them.

He said he has no knowledge of the tax bill Philpott referred to in his speech.

On the final recorded vote 71 Democrats and 3 Republicans voted for the referendum; 11 Republicans, 8 Democrats and 1 independent against.

Two Democrats from Southwest Virginia split.

Del. Garnett S. Moore of

(Continued on Page 8, Col. 1)

Bond Vote Approved; Related Tax Proposed

(Continued from Page 1)

Pulaski, speaking for the bill, said the referendum does not prevent the legislature from reducing the governor's budget—it merely sets up the machinery for a referendum.

"It lets the people determine what programs they want," Moore declared. He said he does not visualize the bill as a departure from pay-as-you-go.

Moore said the outcome of the referendum also will be a guide to the commission on constitutional revision on the attitude of the people toward raising the present 1 per cent limit on bonds under which the November referendum will be held.

Del. Joseph P. Johnson Jr., of Abingdon took a different view.

He predicted the referendum will "open up the money barrel" and voiced a fear that in two years the General Assembly will be asked to approve bonds to pay the interest on the November bond issue.

"We were not elected to come up here and engage in a popularity contest," Johnson declared, adding:

"At some point we must learn to live within our means and not cater to all the demands . . ."

Del. Ray L. Garland, freshman Republican from Roanoke and Roanoke County, criticized the administration for what he said is jeopardizing the college and hospital construction.

"This Assembly is prepared to bet the people will approve the bonds," Garland said. He argued the legislature should try to find the \$70 million or more for the building program.

Garland said if voters turn down the bonds it will create a "crisis" at the colleges and mental hospitals "and the majority party (Democrats) will have egg on its collective face an inch thick."

The GOP minority bloc tried Wednesday to get a 10-day delay on the referendum vote as a "challenge" to the Democrats to give Republicans time to come up with a budget revision-tax package so bond money will not be needed for the \$70 million or more building program.

Three Republicans voted with the Democrats for the referendum—Del. Vincent Callahan, who was the GOP's candidate for lieutenant governor three years ago; Del. Robert A. Maloney, who like Callahan is from Fairfax County, and Del.

Russell Davis of Franklin County.

Del. Lacey E. Putney of Bedford County, an independent, voted with 11 Republicans and eight Democrats against the referendum. Johnson was the only Democrat from Southwest Virginia to vote no.

Six Democrats did not vote, including Del. Grady W. Dalton of Tazewell County.

While there were behind-the-scenes moves for a tax keyed to the bond issue sinking fund, a big bloc of House members looking for revenue had their eye on a bill to eliminate the 2½ cents a pack tax on cigarettes which was reported out of the House Finance Committee Wednesday, 8-6.

It is on the House calendar for Friday.

Strategy of the bloc opposing the repeal of the tobacco tax, which yields \$16 million a year, will be to try to amend it on the floor to raise the tax to 3 or 4 cents a pack.

Because of these developments some legislators do not expect Del. W. C. "Dan" Daniel of Danville, chief patron of the repeal bill, to call up the bill for several days until the situation has crystallized.

Assembly At Glance



House approves bond issue referendum amid disclosure that a group of members is drafting a bill proposing a tax to pay off the bonds. Page 1.

House committee divides over decision to raise interest ceiling on mortgage loans. Page 31.

By votes of 10 to 6 House General Laws Committee rejects bills abolishing the controversial State Commission on Constitutional Government. Page 22.

House Unit Votes To Keep Controversial Commission

RICHMOND — The House General Laws Committee voted Thursday not to abolish the controversial State Commission on Constitutional Government, after harsh words were leveled at some prominent national figures by the commission's chairman.

By votes of 10-6, the committee defeated identical Democratic and Republican bills which, as originally drawn, would have put an end to the 10-year-old commission, but which had been amended to merely cut off its state funds and allow the commission to continue as a state agency supported by private contributions.

Commission critics based their opposition on the argument that the \$172,800 recommended for the agency in the governor's budget could be better spent at a time when state finances are so tight a bond sale is being readied for the first time in modern Virginia history.

The commission has been controversial because of the strongly conservative political literature which has been distributed at state expense.

David J. Mays, chairman of the commission, spoke in support of the group's activities. At one point he recalled how its work had been so well received in other parts of the country that similar commissions were being considered in other states.

Pennsylvania nearly created such a commission, Mays said, "but (former Pennsylvania governor) Bill Scranton was a President Dwight D. Eisenhower, who once supported pink and was against it."

Del. Clive L. Duval II of McLean, a Democrat, asked Mays if he believed former President Dwight D. Eisenhower, who once supported Scranton for president, was also a pink.

"Sometimes I can't tell for sure," replied Mays.

Democratic Del. W. Ferguson Reid of Richmond asked Mays how he would define "pink."

"Over on the left side," he replied.

By
Melville
Carico

Times
Political
Writer



Dr. Reid noted that some people would define "pink" as meaning "Communist."

Mays said he didn't mean to go that far, that he merely meant "over on that side."

The Democrats' version of the bill bore more than 30 signatures and listed Dels. Stanley E. Sacks of Norfolk, William R. Durland of Fairfax and Richard M. Bagley of Hampton as chief patrons.

The Republican version was offered by Assistant House Minority Leader Arthur R. Giesen Jr. of Staunton. Giesen said he agreed with much of the philosophy expressed in the

commission's publications, but didn't think such activities were a proper state expense.

Amendments were offered to both bills by Democratic Del. Guy O. Farley Jr. of Fairfax which would cut off the state appropriation and authorize the agency to collect private contributions.

The committee agreed to amend the Sacks-Durland-Bagley bill by a vote of 8-7 and the Giesen bill by 10-6.

Then, each bill was defeated in turn.

It was clear some members voted against the amended bills because they went too far and others opposed them because they didn't go far enough.

Sacks told the committee the \$172,800 allocated for the commission could build a new classroom building at a college, provide 70 new master's degree teachers, operate the State Department of Education for a year, or pay the state's share of educational television for a year.

Everard Munsey, Arlington Democratic chairman, said it is "essentially undemocratic" for a state agency to engage in political propaganda at public expense. Munsey said that while he disagreed with most of the commission's views, "it would be objectionable whatever its views were."

Speaking in support of the commission were its vice chairman, Del. W. Roy Smith of Petersburg, and Dr. Woodrow W. Wilkerson, superintendent of state instruction.

Wilkerson said the commission had been "exceedingly helpful" in reviewing material selected by the State Board of Education for use in the public schools.

Smoke Gets in Their Eyes

Repeal the cigarette tax? Now really, gentlemen!

We're fully aware of the importance of the tobacco-growing and cigarette-manufacturing industries to Virginia's economy; we're fully aware that the 2½ cents-a-pack tax strikes these industries as an unfriendly nibble at the hand that helps fuel the state's economy; we're fully aware that an extension of the "temporary" tax by each General Assembly always brings dire forecasts of ruin from both the farmer and the tobacco company.

We're also aware, however, that 48 other states have tobacco taxes, nearly all of which are higher than Virginia's. We're aware that approximately half of the states have increased these taxes in the last two years, even as Virginia was cutting back its tax by a half penny. We're aware that Maryland and West Virginia levy a 6-cents-a-pack tax, that Tennessee collects 7 cents, and that despite soaring tobacco taxes, the nation's cigarette sales have not fallen off—that for every 100,000 smokers who kick the habit each year, another 100,000 can be expected to start smoking.

When Virginia's cigarette tax was cut two years ago to coincide with the imposition of the sales tax, nobody much complained. But the industry's clumsy move to reduce the tax another half-cent this year and to abolish it completely two years hence is wrong . . . wrong . . . wrong.

The cigarette tax, even at its modest present level, pours \$16

million a year into the state treasury. And if the tax is repealed in 1970, the state will have no choice but to impose new taxes to offset the severe financial loss. Gov. Godwin already has warned that state taxes will have to be raised in 1970—even if no existing taxes are repealed or reduced—simply to meet the costs of an operating budget that presently is being balanced only by resorting to "the last lone rabbit" of accelerated tax collections. Thus, if the tobacco tax repealer gains acceptance, Virginians in 1970 will face the certainty of a massive tax increase and the likelihood of a second bond issue, even as cigarette smokers and manufacturers are inexplicably given tax relief.

Gov. Godwin has urged the General Assembly to leave the cigarette tax alone. The House Finance Committee, momentarily taking leave of its senses, has ignored that advice. Surely, though, sense will yet prevail on the floor of the House or in the Senate.

Inasmuch as sales taxes must necessarily be imposed on both food and nonprescription drugs in order to meet Virginia's essential budget needs, it is inconceivable that the assemblymen would consider repealing the state's small surtaxes on such nonessentials as cigarettes. Indeed, judging by the numerous deep cuts that Gov. Godwin apparently was forced to make in the 1968-70 education budget, the Assembly might better be advised to raise the tobacco tax instead of killing it.

Feb. 3 1968

Income Tax Increases Drafted for Assembly

RICHMOND — At least two bills raising state income taxes were being drafted Friday in the wake of General Assembly action setting up a November referendum on a \$70-million or more bond issue for colleges and mental hospitals.

One, it was learned, would produce \$70 million in new revenue the next two years and be offered as an alternative to the bond issue.

Another would raise only \$6 million a year, or less. The money, in theory at least, would be earmarked for a sinking fund necessary to retire the bonds.

Both are being drafted by Democrats, and considerable interest is being shown by other House members, it was learned.

Before heading for a General Assembly weekend in Williamsburg, the House sent back to committee a bill repealing, in two stages, the 2½-cents-a-pack tax on cigarettes which yields about \$16 million a year.

It was a strategic move with a big bloc of delegates ready to try to amend the tax reduction bill to raise the tax to 3 or perhaps 4 cents a pack as part of a hunt for more money for the next two years.

Chairman C. W. Cleaton of the

By
**Melville
Carico**

Times
Political
Writer



House Finance Committee asked the House to re-refer the tobacco bill to his committee "because of information now available that did not come before his committee."

Cleaton, a strong opponent of the tobacco tax, joined in the laughter across the House when he made the motion.

Del C. W. "Dan" Daniel of Danville, the chief patron, did not object to Cleaton's motion. He insisted afterwards that he is not giving up his fight to get the tax removed—a half cent now and the remaining 2 cents in July 1970.

Informed sources said Gov. Mills E. Godwin Jr. was perturbed that the bill even got out of committee and there was

strong pressure within the administration to get it killed because of the \$5.5-million tax loss for the strained budget.

But a major consideration was a fear by the bill's advocates there might be enough votes on the House floor to raise the tax—not just kill the bill.

Cleaton refused to say the bill is dead.

The income tax bills could become an explosive issue later, because some House members who voted for the referendum did so because, they feel, it merely sets up the machinery for the referendum and it does not have to be set in motion if other sources of revenue can be found for the governor's building program.

The rate on existing tax brackets would be moved upward. How much depends on the amount needed.

One group, it was learned, wanted to earmark the revenue for the bond issue sinking fund and have it fluctuate according to the amount needed, based on the size of the eventual bond issue and the interest rate. And it would not go into effect unless the bond issue is ratified by voters.

But, it was learned, backers are experiencing considerable legal problems involving earmarking revenue from a general tax for a specific purpose.

Del. William M. Dudley of Lynchburg, a Democrat, also is trying to find special sinking fund revenue through some kind of tax on mixed drinks in hotel dining rooms and restaurants in cities and counties which approve "local option."

And the Republican minority bloc is trying to put together a budget revision-tax adjustment package to pull together \$70 million or more for buildings in the governor's program to be built with bond money.

Assembly At Glance

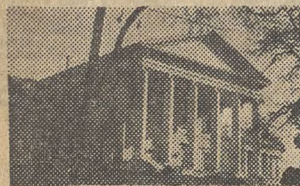
Feb. 3

Proposals to increase income taxes either to supplant bond issue or help pay for it being drafted. Page 1.

Bills are introduced in both houses by Republicans to safeguard against "mail ballot abuses." Page 12.

Twenty-five Democrats propose to end good deal of secrecy in government. Page 12.

House and Senate speed through Friday calendar to clear way for Williamsburg trip today. Page 2



House Gets Bill Requiring Open Meetings

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A "freedom-of-information" bill aimed at stamping out the widespread practice of secrecy in government was introduced in the House of Delegates Friday.

The bill would bar any state or local council, board, commission or authority from excluding the public from their meetings.

It would also make the records of all public bodies and agencies available to the public.

Exceptions would be permitted in three clearly defined cases: Discussions involving persons being considered for employment or discharge, those concerning the acquisition or sale of real estate, and those involving the private reputation of a person not connected with public business.

Nobody could go into a closed session (usually called "executive" or "informal" meetings) unless a formal affirmative vote to that effect is recorded. No action taken at such closed meetings could be official unless it was subsequently acted upon in open session.

The bill was introduced by Del. W. Roy Sith of Petersburg and bears the signatures of 24 other Democrats. It is supported by Sigma Delta Chi, the professional journalism society.

Similar bills were introduced previously by Democratic Del. Donald G. Pendleton of Amherst and Republican Del. Ray L. Garland of Roanoke. All are before the House General Laws Committee.

A recent survey by Sigma Delta Chi showed that many city councils, boards of supervisors, school boards and other public bodies frequently conduct public business behind closed doors.

The Smith bill exempts legislative study commissions, and standing committees of the General Assembly, although many backers of such legislation would prefer not to exempt such bodies.

Who's a Pink?

Pearson Asks Mays To Resign

Times Legislative Bureau
Press Room State Capitol
RICHMOND — Republican State Sen. H. Clyde Pearson of Roanoke County Friday called on David J. Mays, chairman of the State Commission on Constitutional Government, to apologize for calling former Pennsylvania Gov. William Scranton a "pink" and to resign from the commission.

Pearson said Mays showed a "lack of objectivity regarding the functions of this commission."

Mays' comment came at a meeting of the House General

Laws Committee Thursday during a hearing on a bill that would have abolished the commission, controversial because of the political literature it has prepared at state expense. Its proposed appropriation for 1968-70 is \$172,800.

Mays said a similar commission was not created in Pennsylvania because "Bill Scranton was a pink."

Asked if he thought former President Eisenhower was also a pink, Mays said "Sometimes I can't tell for sure."

Pearson sent a telegram to Mays Friday saying he believes the use of tax money for distribution of a particular political viewpoint is improper.

"It appears that you categorize those who might hold a different point of view (from yours) as a pink," Pearson said.

Assembly Meets This Afternoon In Williamsburg

WILLIAMSBURG (AP) — The General Assembly, two governors and a noted television correspondent meet Saturday in this restored colonial capitol for the legislature's 14th commemorative session here.

The legislature will hear speeches by Gov. Mills E. Godwin Jr. and Arkansas Gov. Winthrop Rockefeller, board chairman of Colonial Williamsburg.

Special guest speaker at the one-day program is CBS newsmen Walter Cronkite.

The legislators will arrive here from Richmond on a special train for the program, which starts at 4 p.m. They will remain overnight and return to Richmond Sunday morning.

The commemorative session, now held every four years, stems from a custom that began here Feb. 24, 1934. At that time the Assembly hadn't met officially outside Richmond since 1781, the year after the state Capitol was transferred from Williamsburg.

Saturday's meeting will mark the 14th commemorative session. The meetings were held every two years through 1960 and every four years since then. No sessions were held in 1944 and 1946.

Teachers Utilize ETV To Outline Pay Proposals

RICHMOND (AP) — The Richmond Education Association used an educational television station Friday to outline for the city's teachers an REA proposal for higher teacher salaries in the 1968-69 school year.

While the association's 2,000 member teachers watched their ETV screens, the REA proposed a salary scale of \$6,000 to \$9,550 a year, with progression up the scale to be in 14 experience steps.

In addition, the proposal called for a \$600 increment for teachers holding master's degrees and an additional \$600 for those holding doctorates.

The current scale in Richmond is \$5,400 to \$8,500 in 16 steps. A \$500 increment is provided for master's degree holders.

Teachers gathered at 3:30 p.m. in their schools to hear the 35-minute presentation of the REA program on WCVE-TV, Channel 23. They were invited to write their reactions to REA.

Court Ruling Sparks School Fund Crisis

By MELVILLE CARICO
Times Political Writer

RICHMOND — Virginia's policy of withholding part of state school funds from cities and counties receiving "impacted area" funds from Washington was declared unconstitutional Tuesday by a three-judge federal court.

The far-reaching decision created a multimillion-dollar financial crisis for Gov. Mills E. Godwin Jr. and this session of

the General Assembly with money tight.

It will take about \$12.5 million more a year from general funds for the 1968-70 biennium and, probably, several million for the remainder of the 1967-68 school year. The order is effective immediately.

Godwin had no immediate comment on the court decision but members of the General Assembly from areas with big military installations,

particularly Hampton Roads and Northern Virginia, were overjoyed.

Under the formula for distribution of state school aid funds, the state deducts from the locality's allotment one-half of the amount it gets from Washington in impacted area funds.

"Our conclusion is that the state formula wrenches from the impacted localities the very benefits the act was intended to bestow," the three-judge court, headed by U.S. Circuit Court Judge Albert V. Bryan Sr., declared.

Impacted funds go to cities and counties to offset their loss of taxes from government-owned property, particularly to pay for the education of children of servicemen and government employees.

The suit was brought by State Sen. Henry E. Howell of Norfolk, a potential candidate for governor, on behalf of William L. Shephard Sr., an aircraft service equipment manufacturer.

It will mean about \$1.6 million more a year to Norfolk; about

Montgomery and Pulaski counties each receive \$121,000 to \$150,000 a year in federal impact funds, mainly because of federal employment at the Radford Army Ammunition Plant.

Other Roanoke area school divisions receiving impact funds, and the approximate amount of the funds each year, are: Roanoke County, \$28,000;

(Continued on Page 2, Col. 7)

Assembly At Glance

State must find \$12.5 million more for schools as result of federal court ruling regarding distribution of funds to areas educating children of federal employees or servicemen. Page 1.

Election law legislation pours into Assembly as Republicans plan to make a showcase of alleged mail ballot frauds in Far Southwest Virginia. Page 15.

House committee reaches compromise and approves bill limiting mortgage interest to 8 per cent. Page 15.

In Western Virginia,

Primaries, Mail Ballots Face Fight in Assembly

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Election law legislation blossomed all over the General Assembly Tuesday as the Republican bloc in the House planned to make a showcase of alleged mail ballot frauds in far Southwest Virginia.

On the surface the most controversial development was the introduction of a bill by State Sen. Henry E. Howell of Norfolk removing the mandatory runoff in Democratic primaries for governor, lieutenant governor and attorney general.

Howell is an all but announced candidate for governor himself.

But the controversy centers on which of the prospective tickets it would hurt most — one headed by Lt. Gov. Fred G. Pollard, or some other organization candidate, or a ticket certain to be headed by Charlottesville lawyer William C. Battle, political ally of U.S. Sen. William B. Spong Jr.

Now, should any candidate in

a three-way contest get less than a majority of the votes, the two highest would have to face each other in a runoff for the nomination.

Meanwhile, the Republicans in the House are planning to have witnesses from Southwest Virginia at a meeting of the House Privileges and Elections (P&E) Committee Thursday morning on behalf of bills restricting the use of mail ballots.

One bill would limit mail ballots to members of the armed forces, their wives, and voters with a doctor's certificate saying they are physically unable to get to the polls on election day.

There were two developments during the day looking to Democrat-sponsored studies of Virginia election laws.

The Senate moved up for final passage Wednesday a bill sponsored by Sen. George M. Warren Jr. of Bristol creating a 11-man commission to study Virginia's election laws with exception of those not tied to the state constitution.

There was no objection in the Senate which, in the proceedings, tacked on an amendment limiting the commission study to statutory law. It left constitutional questions to another commission created by this General Assembly and appointed by Gov. Mills E. Godwin Jr. which will propose changes in the constitution to a special session of the General Assembly next year.

On the House side, Del. James T. Thomson of Alexandria sponsored a bill, with 11 Democrats as co-patrons, providing for an election law study by the Privileges and Elections Committees of the House and Senate. Thomson, the House Majority leader, is chairman of P&E on the House side.

House Minority Leader M. Caldwell Butler of Roanoke, a member of the P&E committee, said he understands there will be a number of witnesses from Southwest Virginia at the hearing Thursday.

Howell in a statement said his bill abolishing the mandatory

There is no lapse of time between the death of a British sovereign and the accession of his or her successor. Hence the expression, "The king is dead, long live the king."

runoff will save hundreds of thousands of dollars for the Democratic candidate and keep him from being exhausted by a series of statewide campaigns.

"For all practical purposes the runoff primary eliminates the opportunity for a 'peoples candidate's having a fair chance of being elected,'" Howell claimed.

Hagen Seeks Ban on Using Wrecked Cars

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House Insurance and Banking Committee Tuesday showed interest in a bill sponsored by Del. John Hagen of Roanoke County to keep automobiles heavily damaged in wrecks off the highways.

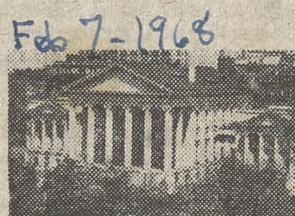
Hagen's bill would keep the Division of Motor Vehicles from registering any car judged a "total loss" by an insurance company in settling claims growing out of a wreck.

Hagen told the committee he has found that often these cars are taken off junkyards and rebuilt by a garage and sold to an unsuspecting buyer.

Committee members voiced interest in the intent of the bill but saw certain complications, such as what happens to an older car with minor body damage which an insurance company would rather write off as a "total loss" because the repair bill would be greater than the market value of the car.

Members held the bill for further study.

The peace Corps has about 12,000 volunteers overseas. Some 7,200 are men. The average of all volunteers is just over 23.



Feb 7-1968

Godwin Pledges Aid To Constitution Study

RICHMOND — The Commission on Constitutional Revision held its first meeting Wednesday with Gov. Mills E. Godwin Jr. who told the judges, lawyers and educators their task "is unmatched in importance of anything undertaken in a decade."

He emphasized again the commission created by this session of the General Assembly is unlimited in the scope of its study and the recommendations it will make for changing the Constitution.

The commission, headed by Justice Albert S. Harrison Jr. of the Virginia Supreme Court of Appeals, held a brief session after its meeting with the governor and adjourned until March 4.

Godwin told the commission the full resources of the state government are at its disposal and it was given a top floor conference room and offices in the Madison Building opposite Capitol Square.

Harrison said after the organization meeting procedures were discussed, including the possibility of public hearings, but no decisions were reached. Staff help also was discussed.

Godwin plans to call a special session of the General Assembly next year after the commission makes its report and recommendations.

Changes approved by the special session and the regular 1970 session of the General Assembly will be submitted to voters for ratification in a referendum sometime in 1970.

Inescapable issues before the commission will be annual sessions, the present limit on bonded indebtedness, and election law reforms.

Godwin expressed the hope that all resolutions introduced for changing the Constitution in this session of the General Assembly will be referred to this commission for study and that

By
Melville
Carico
Times
Political
Writer



who preceded him as governor.

"He comes as fully prepared (to be commission chairman) as any man possibly could come," Godwin declared.

The governor added that he wishes all his acts as governor had received "the widespread approval" as his selection of the 11 members of the commission.

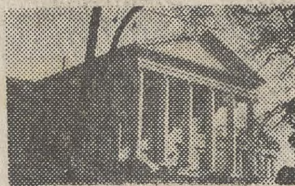
Harrison in a response called the work of the commission a "tremendous job" and "a challenge," adding that the people of Virginia are looking to the commission to provide the state as a "blueprint" for the future.

Harrison recalled that since 1776 there have been five conventions or commissions to revise the constitution and he

(Continued on Page 2, Col. 5)

Feb. 9, 1968

Assembly At a Glance



The Commission on Constitutional Revision holds its first meeting Wednesday and hears Gov. Mills E. Godwin Jr. say its task "is unmatched in importance of anything undertaken in a decade." Page 1.

Proposal to dredge James River from Norfolk to Richmond hits a snag. Page 15.

A bill aimed at removing habitual traffic offenders from Virginia highways passes first test in the House. Page 13.

Goldberg Slates Legislature Talk

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Arthur Goldberg, U.S. ambassador to the United Nations, will address a joint session of the Virginia General Assembly Thursday.

The Assembly had invited Goldberg to speak Jan. 30, but a delay was necessitated by emergency sessions on the U.N. Security Council on the seizure of the USS Pueblo by North Korean forces.

The Goldberg appearance was arranged by Del. Tom Frost of Warrenton, who counts the former U.S. Supreme Court justice and secretary of labor among his constituents.

Goldberg owns a farm in Fauquier County.

He is expected to speak about 20 minutes and then have lunch at the governor's mansion.



Justice Harrison Listens as Gov. Godwin Whispers Into His Ear As the Constitutional Revision Commission Convenes

AP Photo

Increase Sought In Tax Exemptions

RICHMOND (AP) — Among new proposals offered in the House Wednesday was one to increase individual income tax dependent exemptions from \$200 to \$600 and allow a \$1,200 exemption for a dependent child in college.

Senate Approves Study of Elections

RICHMOND (AP) — The Senate Wednesday passed and headed toward the House the bill by Sen. George Warren Jr. of Bristol to create an 11-member election study commission to look into such matters as absentee voting and selection of election judges.

Brass Has Way On Guard Aid Bill

RICHMOND (AP) — Command forces overrode the objections of a state senator siding with the enlisted men Wednesday and moved along toward final passage the National Guard Mutual Assistance Compact bill.

Accomack Sen. William E. Fears called on his colleagues to take a careful look at the bill and said he has been receiving considerable mail from "sergeants and privates" who don't want to be sent into other states for duty.

It was pointed out National Guard commanders favored the House - passed measure, and Fears said if it is favored by the command, you cannot expect enlisted men to take a public stand against the proposal. The bill will be before the Senate Thursday for final passage.

Under the administration-supported legislation, the governor could send Virginia units to or request help from other states in the compact in time of emergency.

In response to questions from other senators, Sen. George S.

Hope Indicated For House Bill To Aid Miners

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Three coalfield area House members Wednesday introduced the perennial "miners asthma" bill which, in the past, has been opposed by some coal companies.

"Some of the strong opponents who have heretofore appeared against the bill have assured me they will not appear this time," Del. Edgar Bacon of Lee County, the chief patron, told reporters.

Co-patrons are Del. Orby L. Cantrell of Wise County and Del. Rufus McCoy Sr. of Dickenson County.

The legislation adds pneumoconiosis to the list of diseases covered by workmen's compensation.

During the years the legislation has been in the General Assembly there has been conflicting testimony from doctors over whether pneumoconiosis is a specific lung disease.

At most of the sessions the legislation was killed in the House General Laws Committee.

New speaker John Warren Cooke referred the Bacon-Cantrell-McCoy bill to the House Mining and Mineral Resources Committee and McCoy are committee members.

Republicans Offer Bills To Restrict Mail Ballots

Times Legislative Bureau Press Room, State Capitol
 RICHMOND—The Republican delegation introduced a package of bills in both the House and Senate Friday aimed at ending what members called mail ballot "abuses" in Southwest Virginia.

Chief patrons are Senate minority leader James C. Turk of Radford and Del. Jerry H. Geisler of Hillsville.

One proposed change in the absentee voting laws would restrict mail ballots to members of the armed services, their wives, and voters with a certificate from a doctor saying they are physically unable to go to the polls.

"This may seem to many to be a drastic measure and it will penalize sections of the state which have not abused the statute," Turk said.

But, Turk added, Republicans "know of no other way to curtail fraudulent voting by mail."

The GOP packages were assigned to the Privileges and Elections Committees of the House and Senate which, for years, have killed Republican legislation to tighten up on the use of mail ballots.

"The other party (Democrats) has made many surveys and studies of the situation—now is the time to take some action," Turk declared.

Other bills sponsored by the



Times Photo by Jack Gaking

Del. Jerry H. Geisler Offered Bills in House

GOP bloc would provide for a second judge and a clerk for the party receiving the most votes in a past election; submission of two rather than five names of judges in each precinct to the electoral board; and making it a

misdemeanor for an election judge who does not comply with mail ballot voting laws.

Del. Rufus McCoy Sr. of Dickenson County introduced a bill on his own, with son Rufus as co-patrons, requiring voters applying for an absentee ballot to attach a certificate showing that he has paid his state income tax or his income is so low it is not taxable. Certificates would be obtainable in the local commissioner of revenue's office. Co-patrons included House minority leader M. Caldwell Butler of Roanoke.

THE ROANOKE TIMES

SUNDAY, February 4, 1968

Page A-Six

Opinion Page

Demise of State's Pay as You Go: Even the Old Guard Falls in Line!

Virginia's generation-long obsession with pay as you go died a remarkably quick and quiet death in the "new look" General Assembly this past week.

Even the old guard of the Organization, which had clung for four decades to a Puritan ethic that somehow equated debt with original sin, finally came around to the view that pay as you go had outlived its usefulness.

Predictably, there were some emotional, last-gasp expressions of unwavering obeisance to the philosophy of debt-free government, the state's present self-liquidating debt (400 million) notwithstanding. A handful of political troglodytes, for example, sputtered such irrelevancies as "gambler's risk . . . reckless shooting craps," a bottomless "money barrel," "fiscal fiasco," etc.

For the most part, however, the assemblymen faced up to their responsibilities and registered the necessary approval for use of general obligation bonds to finance part of the state's 1968-70 capital spending. More important, the lopsided vote also signified the legislature's probable intention to support a reasonable modification of the Constitution's borrowing limitations in order to permit additional bond issue financing in the Seventies.

Republican Objections

Republicans objected to the proposed November bond issue for varying reasons, not all of which were motivated by political considerations. Although some of the minority party got in their political licks at an imagined advent of "Great Society" philosophy in the state government, Del. M. Caldwell Butler and Sen. James C. Turk largely limited their objections to the administration's procedures in rushing the legislation to passage.

To their credit, both Turk and Butler pledged their willingness to support any tax increases that might be necessary to balance the 1968-70 budget. Moreover, both men hinted that ultimately they might support use of general obligation bonds for capital spending, following completion of normal budget-making procedures.

The Republican leadership takes strong exception to the Godwin Administration's apparent refusal to permit public hearings on the bond issue legislation, its timetable for seeking General Assembly ratification and its inability to balance even its operating budget out of recurring revenues. In some measure, all of the GOP complaints perhaps are valid. On balance, however, the administration enjoys the better of the argument.

Since the Godwin bond issue will be submitted to the people in a statewide referendum Nov. 5, the lack of legislative hearings on the question seems largely unimportant. Furthermore, the need for quick legislative action appeared to be of overriding importance.

Because of the past history of pay as you go, the Godwin administration prudently decided that the

drafting of the budget by the Appropriations Committee realistically could not be undertaken without some advance indication of the assemblymen's willingness to authorize a bond issue. The early timing of the bond issue decision was crucial, therefore, to insuring an orderly budget-making process.

Finally, although the Republicans are on solid ground in asserting that there is fat in the Godwin budget, they unwittingly underscore the impracticality of finding alternatives to bond issue financing. They do this whenever they voice dissatisfaction over the Governor's use of a one-time speedup of tax collections to cover a \$24 million operating deficit.

Certainly, as Mr. Godwin has all but acknowledged, resorting to a windfall to meet 1968-70 operating needs makes it inevitable that a tax increase will be required to meet those same needs in 1970-72. It is for this reason, indeed, that the administration is wisely undertaking a long-range study of the state's budgetary requirements and revenue resources.

Changes, Yes; Cuts, No!

The Godwin budget is not sacrosanct, certainly. One dubious example of the administration's budget sleight-of-hand already is evident in the disclosure that Mr. Godwin's "discretionary fund" is to be increased twenty-fold in the coming biennium. This \$20 million appropriation, if approved, would enable the Governor to authorize large-scale expenditures without prior legislative review. Since election-eve pay increases for employees of a Democratic administration presumably would be one of the uses to which such funds would be put, the Republicans are understandably upset. Certainly, if cost-of-living salary increases are to be granted—and undoubtedly they're needed—the necessary funds should be appropriated explicitly for that purpose, past practice notwithstanding.

But even this Republican complaint would not have the effect of cutting the Godwin budget; rather, it would simply transfer funds from one item to another. Moreover, even if the Republicans or the all-Democratic House Appropriations Committee find waste in the budget, it is a certainty that the released funds will be needed for new spending items, especially in education.

It is nonsensical, therefore, for the Republicans to claim that bonds will not be required for some of the capital spending or to criticize the Governor for postponing a tax increase two years.

If bonds and windfall funds were not used, respectively, for these purposes, the legislature would be faced with an immediate \$100 million gap that could not be filled except by a major new tax which neither Republicans nor Democrats could support. Such a tax hike will be unavoidable two years hence, according to all the present signs. For most of Virginia's taxpayers, that surely will be soon enough.



Behind . . .

Capitol Columns

By
Melville Carico

RICHMOND — Gov. Mills E. Godwin Jr. was a 14-year-old schoolboy in rural Nansemond County when the late U.S. Sen. Harry F. Byrd Jr. was governor of Virginia. Most members of this General Assembly were even younger.

Because of this 40-year gap there has been a lot of conjecture over just what the patriarch of Virginia's philosophy of pay-as-you-go was thinking, what kind of fiscal situation he envisioned, in advocating the 1 per cent limit on bonded indebtedness.

He had been elected on a campaign which kept Virginia from following North Carolina into a multi-million dollar road building program with bond money. Certainly he wanted to make sure Virginia was not tempted in the years ahead.

But, certainly, he recognized Virginia might be forced to issue bonds sometime so, under his guidance, the pay-as-you-go amendment he sponsored in 1928 contained the "safety valve" Godwin is now using—voter approval of bonds up to 1 per cent of the assessed value of all property in the state.

Nobody can say, of course, what the late Sen. Byrd would have to say about Godwin's proposed bond issue but the few remaining old-timers, none of whom came to the legislature before the 1940s, are sure he would be heartbroken.

But some research indicates Byrd envisioned more leeway with bonds than Godwin has or, for that matter, the people of Virginia have today.

Now, under the 1 per cent amendment, Virginia is limited to \$82 million, an almost infinitesimal part of the \$3 billion plus this General Assembly will appropriate for the next two years.

Had the 1926 General Assembly, the first with Byrd as governor, resorted to the 1 per cent limit it could have called for a referendum on bonds totaling \$11.4 million.

But the \$11.4 million would have been more than a fourth of the budget for 1926-28 which totaled, in those days, a whopping \$43.6 million.

Such is the difference 40 years makes.

Headlines and a Hot Potato

For years the House and Senate committees on nominations and confirmations have been obscure committees that rubber stamped appointments sent by the governor's office to the General Assembly for approval. If there was any controversy within the ranks of the powers-that-be in the Democratic Party it was ironed out in advance. A Capitol reporter could not have told you who was on the committees without looking at the General Assembly manual.

Suddenly the Democrats who are on the committees have a headline-making "hot potato" on their hands.

Republicans, with the state code in their hands, are demanding a voice in the governor's selection of the Republican member on the three-man State Board of Elections.

They are going to fight the nomination of 71-year-old Harry H. Vaughan of Hopewell for a second term, as the Republican minority representative, on the board.

State Sen. J. Kenneth Robinson of Winchester, chairman of the Republican delegation in the legislature, and other GOP leaders have been meeting and writing the governor about Vaughan for two years.

They went to see him soon after the legislature convened in January, hoping that he would withdraw Vaughan's nomination and let them send him a list of acceptable Republicans from which to make a selection.

Then last Thursday Godwin wrote Robinson a letter in which he said:

"Members of the State Board of Elections are limited to two terms and recognizing that Mr. Vaughan's original appointment (by former Gov. Albertis S. Harrison Jr.) was as the Republican representative, I felt it appropriate to offer him an opportunity to serve a second term."

That did it!

Democrats in Southside Virginia like a Vaughan-type Republican. They are only interested in electing a Republican President, resist all efforts to run a candidate for Congress against State Democratic Party Chairman Watkins M. Abbitt, never interfere in county politics.

There was so much foot dragging by Vaughan and his district committee that several years ago Vaughan was fired as district chairman by then State GOP Chairman "Hunkie" Henderson and the party's state committee later upheld Henderson when Vaughan appealed.

Now the Democrats on the two Senate committees have to decide on standing by Godwin or agreeing with Republicans in the legislature that they know who is a Republican better than

(Continued on Page B-5)

Capitol Columns

(Continued from Page B-1)

the Democrat in the Governor's office who is getting aggravated with Republicans leaning on him all the time.

A Matter of Time and Timing

Johnny Dalton cut his eye teeth on politics.

He was taking pre-law at William and Mary in 1953 when his father, Ted, was making his first Republican campaign for governor and giving the Democratic ticket headed by Thomas B. Stanley a fit.

Then he came out for a \$100-million bond issue for road construction and the campaign was over.

"I am not here to cry about that defeat today," Dalton, now a member of the House of Delegates, said in taking the floor to wonder out loud whether voters have changed their attitude toward bonded indebtedness in 15 years.

He called his father's defeat a "heartbreak" but one time has healed.

Now he is asking whether Virginia should jeopardize a \$150-million building program at colleges and mental hospitals by gambling voters will approve \$70 million, or more, in bonds to pay part of the cost.

A lot of Democrats are asking themselves the same thing.

Despite the outcome, one thing is sure: Dalton, now just 36, will certainly be a candidate for governor someday. He won't get too far ahead of public thinking—not 15 years ahead, anyway, as his father did.

Feb. 4, 1968

GOP Opposes Vaughan For Vote Board Seat

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Republican members of the General Assembly served notice Saturday they will fight the confirmation of 71-year-old Harry H. Vaughn of Hopewell as the Republican representative on the State Board of Elections.

The announcement was made at a press conference held by State Sen. J. Kenneth Robinson of Winchester, and the Senate and House minority leaders—Sen. James C. Turk of Radford and Del. M. Caldwell Butler of Roanoke.

They said Vaughan is not acceptable to the delegation as the Republican representative; that Gov. Mills E. Godwin Sr. as far back as two years ago was asked not to reappoint Vaughan and give Republicans an opportunity to supply him with a list of names from which to make a selection.

Because of his age and ill health, the GOP spokesmen said, Vaughan is not physically capable of representing Republicans on the board. He has not attended a meeting since October.

The GOP bloc will voice its

protest at a joint meeting of the Senate and House Committees on Nominations and Confirmations Monday afternoon.

If Vaughan's nomination is approved by the two committees, Sen. Robinson said, Republicans will take their opposition to the floor of the Senate and House when he is up for confirmation.

Appointments are made by the governor with approval of the General Assembly. State law requires the minority party to have one representative on the three-man board.

Vaughan was removed as 4th Congressional District Chairman several years ago by Horace E. Henderson, then state GOP chairman, because of his alleged refusal to work with the state organization and blocking efforts to run Republicans for office in Southside Virginia. Vaughan appealed, but Henderson's action was upheld by the State GOP Central Committee.

Vaughan was first appointed by former Gov. Albertis S. Harrison Jr. and then reappointed by Gov. Godwin.

The GOP delegation exhibited a letter from Godwin dated Jan. 20, 1966, saying he "will be delighted to meet with the Republican delegation of the General Assembly prior to the appointment of the Republican member of the State Board of Elections."

Robinson and other Republicans said they met with the governor soon after this session of the legislature began in January to protest Vaughan's reappointment. They had hoped it would be withdrawn and GOP leaders asked to supply him with the names of Republicans who would be acceptable.

The GOP leaders showed reporters another letter which Robinson received Thursday from Godwin in which the governor wrote:

"Members of the State Board of Elections are limited to two terms and recognizing that Mr. Vaughan's original appointment was as the Republican representative I felt it appropriate to offer him the opportunity to serve a second term."

"The letter, intent and purpose of the law has been circumvented," Butler charged.

Disapproval Hinted But Liquor Bill Signed

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Gov. Mills E. Godwin Jr., hinting at some serious misgivings, Wednesday signed into law the local option liquor-by-the-drink bill.

"Whatever a governor's personal judgment might be, I do not believe that an individual opinion should be substituted for the expressed will of the legislature where there is no conflict with principle or basic state policy," Godwin said.

The bill won final legislative approval last week when the State Senate passed it 24-16. Earlier, it had passed the House of Delegates 55-44.

Efforts to refer to a state-wide referendum the question of whether localities should be permitted to decide whether to permit liquor to be sold in certain restaurants and hotels were beaten back in both bodies, both in committee and on the floor.

Committee votes on the amendments—possibly the key votes in the bill's legislative journey—were extremely close. In the House General Laws Committee, an amendment failed on an 8-8 tie vote. In the Senate Welfare Committee, it lost 6-5.

Though nothing can block the implementation of the bill now (short of some unforeseen court action), it still has not completed its trek through the Capitol.

All adopted bills must be submitted to the so-called constructive session in mid-March, a mere formality attended only by a handful of legislators. They become effective 90 days after that, unless a specific date is mentioned. Tax and appropriation measures always take effect on July 1, however.

For the purposes of simplicity, it is usually sufficient to say that all new laws become effective around July 1. But the question of exactly what day the liquor bill becomes law seems to be one of consuming interest among visitors to the Capitol.

Local referendums must still be held and applications applied for before any booze can start flowing, however, and Oct. 1 seems to be the earliest date any one can take advantage of the bill's provisions.

In signing the bill, Godwin said, "While it embraces a departure from past policy in Virginia with respect to the control

of the sale of alcoholic beverages, its enactment was after widespread discussion in and outside the legislative halls, and with full opportunity for interested parties to make their views known to the General Assembly."

House Debates Bill To Curb Habitual Traffic Offenders

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — An "habitual offenders" bill aimed at drivers with a string of convictions withstood its first test Wednesday in the House of Delegates.

"It is a move in the right direction to get off the highways people who 'thumb their nose' at the law," Del. Russell M. Carneal of Williamsburg, the chief patron, told the House.

It will be up for a final vote in the House Thursday.

Drivers, after 10 convictions, would lose their license for 10 years and, if they are caught driving after their permit is revoked, conviction would mean mandatory imprisonment from one to five years.

Although over half of the House members signed the bill, which includes some of the thinking of the Mann Highway Study Commission, it touched off nearly two hours of debate on amendments.

The House voted down amendments which would allow trial judges to suspend the sentence of drivers convicted of driving after losing their permit as an "habitual offender" and another which would not count prior convictions under the 10-conviction standard in the bill.

Del. Willis M. Anderson of Roanoke and Del. Edgar Bacon of Lee County took opposite sides in the debate over whether convictions now on records at the Division of Motor Vehicles (DMV) headquarters should count.

Anderson agreed with critics who claimed that drivers with convictions on their record now are in "greater jeopardy" under

the bill, if it becomes law, than those without any convictions. But, Anderson argued, "they are in greater jeopardy because of their past record."

Bacon argued the legislation is unsound because, as an example, a man with nine convictions could lose his permit for 10 years with one more conviction of speeding. He contended too that a man with 10 convictions could lose his license once the bill becomes law.

"I do not appear here as a bleeding heart; neither do I appear as Jack the Ripper," Bacon said in arguing that all drivers should start even.

"It would rip the bill apart," Del. D. French Slaughter of Culpeper contended in asking the House to reject the amendment sponsored by Del. John D. Gray of Hampton.

The House killed 58-32 an amendment sought by Del. Stanley E. Sacks of Norfolk allowing a trial judge to suspend the 1- to 5-year prison sentence of any driver charged with driving after losing his license as an "habitual offender."

Sacks and other argued judges should be allowed to suspend the sentence.

"We allow judges discretion in offenses where the defendant could get the electric chair," Del. Junie L. Bradshaw of Richmond argued.

Del. Lester E. Schlitz of Portsmouth contended the mandatory imprisonment under the bill "is a direct affront to our judges" and "they should not be handicapped."

The House, with a 59-26 vote,

agreed to an amendment by freshman Del. Theodore V. Morrison Jr. of Newport News which will permit the judge to suspend the sentence if the driver, who had lost his permit, drove "in an extrem emergency to save life or limb." Morrison used the example of a father taking his sick child to a hospital.

Work on the bill was started during the administration of former Gov. Albertis S. Harrison Jr. with help from the Virginia Association of Insurance Agents.



AP Photo

A Step to Cocktail Sales

Gov. Mills E. Godwin Jr. signs bill Wednesday to establish liquor-by-the-drink sales for Virginia on a local option basis as Del. Bernard L. Levin of Norfolk (in glasses) and Sen. Edward L. Breeden Jr. of Norfolk, who guided the bill through their respective houses, look on with approval.

GOP Claims State To Gain \$40 Million

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A Republican legislator claimed Wednesday that the Godwin administration is underestimating revenue for the next two years by \$40 million.

Del. Arthur R. Giesen Jr. of Staunton, assistant House Minority Leader, told the House Appropriations Committee the money would more than cover the \$24-million gap Gov. Mills E. Godwin Jr. foresees between revenue and recommended expenditures, thus freeing all of the already-adopted \$61.5-million tax escalation "windfall" for capital outlay.

Godwin had proposed using \$24 million of the windfall to cover the gap and applying the remainder, along with funds from a \$70-80-million bond issue, to new college and mental hospital buildings.

Giesen, speaking for the 20-member GOP delegation in the General Assembly, said the state's sales tax (which increases to 3 per cent July 1) will bring in about \$384 million during the 1968-70 budget period rather than the \$345 million estimated by the administration.

Giesen said the Governor and his budget advisors were failing to take into account a 7 per cent per year growth rate Virginia has experienced in recent years.

"Forecasted economic conditions and population growth estimates clearly indicate increases of this magnitude can be expected to continue," he said.

Based on the 1967-68 revenue from the state sales tax of \$58 million for each 1 per cent of the tax, Giesen said, the revenue could be estimated at \$62 million for each 1 per cent in 1968-69 and \$66 million in 1969-70.

Administration estimates are of the biennium and \$59 million for \$56 million in the first year the second year.

Giesen said his plan was "one step in the Republican position of analyzing the budget as stated in the debate on the bond bills."

Mose Republicans opposed enactment of bills setting up referendums on twin general obligation bond issues, contending more effort should first be made to trim "fat" from the Godwin budget.

Godwin Gets (?) Cheery News . . .

(Editorial Correspondence)

With their fiscal headaches proliferating at a dizzying pace, Gov. Godwin and the General Assembly finally have been handed the cheering evidence that the state's 1968-70 sales tax revenues have been grossly underestimated.

Although Republicans scored political points Wednesday by clearly documenting the availability of the additional funds, several key Democrats and at least one first-term delegate also had begun to recognize that the Godwin Administration estimates were unrealistic.

As late as Wednesday afternoon, Gov. Godwin would still not concede that the new budget analysis was sound. But an influential member of the House Appropriations Committee, Del. R. Smith of Petersburg, acknowledged almost at the same hour that the Republicans' findings seemed in the "right" direction.

Predictably, the trouble stems at least in part from the near-impossible assignment that is given to the governor's fiscal advisers. In attempting to anticipate revenues from the state's many tax sources, these advisers invariably must work with out-of-date fiscal data. In some cases, revenues must be estimated almost 36 months in advance of actual collection due to the lead time required for preparation of a two-year state budget. This absurd situation cannot be remedied, however, until the constitution is changed to permit the assembly to meet every year, thereby enabling the state to switch to 12-month budgeting.

In the present instance, however, the misjudgment is also explained by the state's inexperience in the sales taxation field. Although at present the state can be reasonably certain that retail sales will climb slightly in excess of 7 per cent in any non-recession year, only in recent days has it been possible for state officials to make an accurate assessment of how much tax revenue could be anticipated from such an increase.

As a consequence, Mr. Godwin and his fiscal advisers necessarily were hampered in trying to determine a true sales tax base from which they could project 1968-70 revenues. It was not until after the General Assembly convened last month, in fact, that sufficient experience had been gained to

permit a realistic estimate of a full 12 months' yield.

On Jan. 18, State Comptroller Sidney Day disclosed a new 1967-68 sales tax estimate of \$58 million for each one per cent of tax. When that forecast was given, Mr. Godwin's 1968-70 budget estimates immediately became outdated. Irrefutable evidence of this came from the Republicans on Wednesday, and, earlier, from Norfolk's freshman Del. T. R. McNamara, who wants to use the new money to sweeten the sales tax rebate formula for hard-pressed central cities.

While the Republicans perhaps are too high in their revenue estimates for 1968-70, they are essentially correct in forecasting that many millions of dollars in additional sales tax revenues can safely be appropriated by the current General Assembly.

To be on the safe side, the state probably should follow the reported view of State Tax Commissioner C. H. Morrisett and assume only a 5 or 6 per cent annual increase in retail sales and the tax yield therefrom. But even this formula would enable the Assembly to increase revenue estimates for the state's exclusive use either \$19 or \$22.8 million, thereby easing the severe budget squeeze which has developed as a result of this week's federal court decision in the impacted funds case.

Inexplicably, Gov. Godwin apparently has not yet been apprised of the essential correctness of Mr. McNamara's and the minority party's criticism of his sales tax estimates. However, in view of a budgeted 1 per cent sales tax yield of only \$55.8 million in the 1968-69 fiscal year, the criticism seemingly cannot be refuted.

The discovery of additional sales tax money still does not eliminate the unfortunate necessity of having to balance the operating budget by using a big portion of the windfall that is to be realized from an acceleration of tax collection deadlines. In thinking that it does, the Republicans are still out of touch with fiscal and political realities that exist here. Nonetheless, it does mean an easy solution has been found to offset the increased education budget costs that inevitably will result from the new ruling on impacted aid funds. And it's time that somebody told Gov. Godwin that this is true.

F.M.L.

... Let's Pass It on to the Schools

Virginia has been caught short in her game of circumventing the intent of the federal "impacted area" legislation. In ruling out the state's policy of withholding part of its schools funds from areas receiving federal funds because of concentrations of federal employees, the U.S. Circuit Court has put the pressure on the state to

come up with more than \$20 million in additional school money in the 1968-70 biennium.

The state has seen the handwriting on the wall for some time. Since the mid-Fifties, when Virginia first decided to divert the "impacted area" funds, in effect, withholding a like amount in state school funds, she has gradually given in to pressure from increasingly powerful urban areas. The state, in stages, has cut down its diversion to 50 per cent of the "impact" funds, and probably would have cut it down to 25 per cent during the current legislature. But the court decision has speeded up the process.

Unfortunately, one effect of the ruling will be to make some legislators say that the school budget must automatically suffer. But that would wipe out the modest progress made in the formula this year. The state should also resist the temptation to kill the state kindergarten program and divert the \$20 million allocated for that program.

Actually, as the editorial above points out, the solution is at hand and the choice clear.

Any other course would be punishing the schools for the state's misguided policy. The court was right in its decision. Of course, it can be argued that the "impacted area" fund concept is wrong, that the presence of non-taxable federal facilities and installations provides other benefits that offset the loss in tax revenue. But as long as the legislation is on the books, the state was wrong in its diversion policy.



Assembly At Glance

Roanoke Mayor Benton O. Dillard tells hearing on Hahn Commission legislation that bills could result in cities "having nothing left but voting appropriations." Page 1.

Pressure is building up for quick decision on controversial twin-trailer bill. Page 21.

Southwest Virginia Republican leaders bring charges of mail ballot frauds to Capitol Thursday. Page 1.

Ambassador Arthur J. Goldberg tells joint session of General Assembly that Pueblo was seized on the high seas. Page 32.

Bill raising interest rate ceiling on mortgage loans from 6 to 8 per cent passes acid test in House. Page 32.

State Welfare Department tells House committee it needs \$6.1 million more than allocated in budget. Page 32.

THE ROANOKE TIMES

FRIDAY, February 9, 1968

Page 6

Opinion Page



AP Photo

Ambassador Speaks at Joint Session

Ambassador Arthur J. Goldberg speaks Thursday to a joint session of the Virginia House and Senate. Listeners include Gov. Mills E. Godwin Jr. (back row, left), House

Speaker John Warren Cooke, Lt. Gov. Fred Pollard, and in front row, Senate Clerk Ben Lacy (left) and House Clerk George Rich.

Ship Captured on High Seas, Goldberg Tells Assembly

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Arthur J. Goldberg, U.S. Ambassador to the United Nations, reiterated before the Virginia General Assembly Thursday that the U.S. intelligence vessel Pueblo was not in North Korean waters when first approached or seized. He added that it did not flee from the communist nation's territory in hot pursuit.

He carefully avoided saying, however, that the ship had never been within the 12-mile territorial limit as he did before the U.N. security council.

Goldberg drew applause from the Virginia legislators when he said the government "will not rest" until the Pueblo and its crew "are safely home."

The seizure and detention of the ship and men "constitute a knowing and willful aggressive act in contravention of international law," he said.

does not seek to impose a military solution on North Vietnam, but North Vietnam must not be permitted to impose such a solution on South Vietnam, he said.

Goldberg also commented on the role of the state in an era when some critics, he said, think the federal government is overshadowing the states.

Goldberg said he did not think this fear is borne out by an objective examination of the facts.

"The expenditures of state and local government today bear about the same proportion

to those of the federal government as they did a generation ago," he said.

"And with the rising challenges of urban life that now face our entire nation, our state and local governments have as vital a role to play in our national life as at any time in our history."

"A proper and contemporary concept of federalism requires that all levels of government, each in its proper sphere, be vigorously responsive to the needs of the people and scrupulously respectful of their rights," Goldberg said.

Goldberg spoke to a joint session of the legislature, arranged by Del. Tom Frost, who represents Fauquier County where the ambassador owns a farm.

On Vietnam, Goldberg said the failure of the United States to achieve U.N. action has been his greatest personal source of frustration.

"Of course, we have not abandoned our efforts," he said, "but in candor I must report that we have no present basis for expecting positive results through the security council in the near future."

"But let no one suppose that our failure to enlist the security council in the quest for peace in Vietnam means that we have not vigorously continued to explore other diplomatic avenues to that goal," he added.

"Our purpose is, and always has been, peace. As far as the United States is concerned the door to a peace settlement remains open. But passage through it cannot be forced; it can be passed only through reasonable negotiations."

Goldberg repeated that a military solution is not the answer in Vietnam. The U.S.

Butler Wants GOP On Advisory Council

RICHMOND (AP) — House Minority Leader M. Caldwell Butler of Roanoke and the other members of the Republican delegation proposed in the House Thursday that at least one GOP senator and delegate be included in the makeup of the Virginia Advisory Legislative Council.

The council makes interim studies which are the basis for future legislation.



AP Photo

Seeking Absentee Ballot Reform

Republicans backing absentee voter reforms got together Thursday at a House Privileges and Elections Committee hearing at the Capitol. They are (from left) Del. Jerry

Geisler of Hillsville, Del. Rufus McCoy of Dickenson and State Sen. James C. Turk of Radford.

Committee Hears Vote Fraud Claims

By MELVILLE CARICO
Times Political Writer

RICHMOND — A delegation of Republican leaders from Southwest Virginia brought their charges of mail ballot frauds to the Capitol Thursday, claiming hundreds were cast for residents of other states without their knowledge.

"I'm shocked by what I've heard," remarked Del. W. C. "Dan" Daniel of Danville.

He and other members of the House Privileges and Elections (P&E) Committee listened to nearly two hours of testimony by the GOP leaders from Lee, Wise and Dickenson counties — the heart of what has become known in Richmond as "black satchel" country.

But the inner circle Democrats on the P&E Committee showed no enthusiasm for a Republican-sponsored bill restricting mail ballots to servicemen, their wives, and voters with a doctor's certificate saying they cannot go to the polls on election day.

"I'd hate to see us throw the baby out with the wash water," Daniel added.

There were 22,321 mail ballots cast in Virginia in last November's elections — 9,356 of them in five Southwest counties: Lee, Wise, Russell, Dickenson, and Giles, plus Page County in the Shenandoah Valley.

P&E Committee Chairman James M. Thomson of Alexandria said any violations of election laws should be prosecuted but he and other Democrats on the committee voiced reluctance to any changes in the law which would keep businessmen out of town on election day and college students away from home from voting by mail.

Dickenson County GOP Chairman Rufus V. McCoy Jr. showed the committee a big stack of letters which a committee for good government sent persons in Detroit and other cities asking if they had voted by mail.

They were returned by the Post Office Department because there was no such address or no such street in the city.

McCoy said the names and addresses were copied off the list of absentee voters.

The GOP delegation charged that the Democrats vote people without their knowledge and party workers who are notary publics take the mail ballots and go out and solicit votes.

Del. Rufus V. McCoy Sr., father of the GOP chairman in Dickenson County, testified records in Clintwood show that three of his neighbors witnessed mail ballot applications in Richmond, Morganton, N.C., and Clovis, N.M., on the same day.

"I know this is the jet age but I don't see how they could travel that fast," the elderly House member remarked.

Del. Edgar Bacon, a Democratic party leader in Lee County, came in near the end of the hearing and challenged the GOP leaders to bring an election contest suit or ask for a grand jury investigation.

"I've heard this since I was 2 years old," Bacon told the P&E committee, adding:

"I resent statements that everything is rigged to promote frauds."

The hearing came with 12 Democratic party workers in Lee County facing trial in

federal court at Abingdon on vote fraud conspiracy charges and a state police investigation, ordered by Gov. Mills E. Godwin Jr., under way in Lee and Dickenson counties.

Circuit Court Judge Glyn R. Phillips of Dickenson County came in for criticism for his January memorandum which GOP spokesmen claimed kept state police from getting to voting records needed in their investigation.

Jonesville lawyer Glenn Williams, a former state senator, told the P&E committee that because of Judge Phillips' order the investigators "can't get to the evidence." He said they are "sealed off."

"I wonder about a judge sitting down and writing a memorandum when there is nothing before him," Senate minority leader James C. Turk of Radford remarked in arguing for the GOP bill.

Williams told the committee that, it appears, state police dropped their investigation in Dickenson County after Judge Phillips issued his memorandum.



Gov. Godwin Signs Bond Vote Bills as Two Sponsors
Of Legislation, Sen. Gray (left), Del. Harrell, Watch

Bills on 'Windfall' Tax And Bond Vote Signed

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. signed seven bills Friday which will collect \$61.5 million in "windfall" taxes the next two years and set up a bond issue referendum for more than \$70 million in November.

"These measures, plus the budget we have proposed, are the heart of our program for advancing Virginia these next two crucial years," the governor said in a prepared statement.

He invited reporters and photographers to his suite on the third floor of the Capitol to witness the signing of the bills and appeared in high spirits.

Godwin noted that the entire package was passed by the General Assembly during the first half of the 60-day session.

He was flanked by State Sen. Garland Gray of Waverly, chairman of the Senate Privileges and Elections Committee, and Del. Lyman C. Harrell of Emporia, a ranking member of the Privileges and Elections Committee in the House.

Both veteran legislators have long been adherents of Virginia's tradition of pay as you go for building programs and highway construction. They were the chief patrons of the legislation.

Godwin said that with the referendum bills he and the Assembly are "asking our citizens to support limited bond

issues in accordance with provisions in our Constitution."

One bond issue will be for construction of college facilities; the other for mental hospital facilities. The specific projects and amounts for each will be spelled out in supplement legislation as soon as action is completed on the 1968-70 appropriations act.

Amounts proposed in the bond issue will be within the limit of 1 per cent of assessed valuations provided in the constitution.

The governor voiced pleasure also at the quick approval the legislature gave the creation of the 11-member Commission on Constitutional Revision which held its first meeting Wednesday. He said the commission has begun its "massive assignment."

One of the central issues within the commission will be raising the present ceiling on bonds—now about \$81 million because the state is limited to 1

(Continued on Page 7, Col. 7)

Revenue Outlook Being Reviewed

RICHMOND (AP) — Gov. Mills E. Godwin said Friday night a review of revenue projections is being made in the light of additional requests from state agencies for more funds and the recent federal court decision on school impact fund.

This is being done, Godwin said, so that accurate up-to-date information can be made available to the Appropriations Committee and the General Assembly at the earliest possible time.

"I am hopeful this can be done reasonably in the week of Feb. 12 so that I can appear personally before the committee at that time."

The Republican delegation has asserted that the governor's budget advisers were too conservative in estimating returns from the state retail sales and use tax for the 1968-70 budget period. The GOP said projecting Virginia's growth rate in retail sales that has been about constant over the past four years

will bring in an additional \$40 million.

Some Democrats indicated agreement that perhaps more revenue is in sight than anticipated by the state's fiscal officials.

Last Tuesday a three-judge federal court opened a \$21 million gap in the two-year school budget by ruling out the state practice of using 50 per cent of the federal impact aid for general public educational purposes in the state. In other words, Norfolk, for instance, was getting only half the federal money provided because of the impact of the naval establishments on the public school system of the city. The same thing applied to Fairfax County and a number of other areas of the state.

The court said it was the intent of Congress that this aid was to be "supplemental" to state education money rather than a "substitute" for such funds.



Assembly At a Glance

House votes 78-14 to raise maximum interest rate on mortgage loans to 8 per cent after an effort by Del. Archie A. Campbell of Wytheville to amend the bill was rejected. Page 12.

Action may come next week on legislation giving the state parole board more control over how long a convict stays in prison. Page 12.

Del. Ray L. Garland of Roanoke offers bill to bar use of private attorneys by the State Highway Department for right-of-way acquisition. Page 12.

Senate sends back to committee the bill to abolish grounds for suit by disgruntled spouses and lovers. Page 12.

Republicans Oppose Judge Aiken Election

RICHMOND — Both houses of the General Assembly interrupted their calendars Friday to elect certain judges and officials nominated at Thursday's joint Democratic caucus.

Seven Republicans in the House voted against the re-election of Judge A. M. Aiken of the Danville Corporation Court. Otherwise, the elections were routine.

When Aiken's name was read in the House, GOP Minority Leader M. Caldwell Butler of Roanoke said he knew nothing of Aiken's qualifications but questioned the re-election of an 80-old judge to an eight-year term.

Ban Proposed On State Use Of Lawyers

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Del. Ray L. Garland of Roanoke offered a bill Friday to bar the use of private attorneys by the State Highway Department for right-of-way acquisition.

The practice has been widely criticized by Republicans because the 98 attorneys on the Highway Department's list are all leading Democrats or in some way connected with the Democratic organization.

Garland said, "the present system is open to serious question on grounds of ethics and economy and should be abandoned."

"The use of staff attorneys and attorneys for the commonwealth would likely be more efficient and more economical," he added.

"More importantly, the enactment of this bill would indicate a strong desire to end conflict of interest and the political spoils system in highway work."

Garland said during the last fiscal year the Highway Department paid \$871,000 to the 98 local attorneys. The department "has never provided a breakdown of these figures so that we would know who received what," he said.

Other Republican delegates introduced bills aimed at the alleged conflict of interest.

One bill would prohibit members of the General Assembly from receiving compensation for appearing before any state agency, or accepting gifts designed to influence them in legislative matters.

Another would require the attorney general to include in his annual report a list of fees paid to General Assembly members representing the Highway Department and other agencies.

House minority leader M. Caldwell Butler of Roanoke said "the purpose of this legislation is not to criticize any member of the General Assembly but to establish a code of conduct to which all members must adhere and to let the people of Virginia know the standard of conduct the General Assembly prescribes for itself, so that in all matters it would be above reproach."

Still another bill would bar any member of the Assembly from appearing before the Alcoholic Beverages Control Board for a fee or to be involved in any contract involving the board.

House Approves Regional Courts

RICHMOND — A bill providing for establishment of regional juvenile and domestic relations courts to assist counties that cannot afford to have their own was passed by the House Friday.

Del. Garnett S. Moore of Pulaski is the chief patron.

Saturday, February 10, 1968.

Opinion Page

Mr. Godwin's School Budget Fails To Halt Glaring School Deficiencies

"... a great upsurge in public education has manifest itself throughout the Commonwealth"

Having made that self-evident observation, the State Board of Education last fall endeavored for the first time to chart a massive spending program that would insure a quality education for every one of Virginia's 1.2 million school-age children.

It sought an unusually large increase in the state's unrealistic minimum salary scale for teachers.

It proposed a major breakthrough in revamping the Basic State School Aid Fund to reward communities with low pupil-teacher ratios and to give lagging localities a greater incentive to expand their teaching staffs.

It recommended an increase in state aid for counselors and special education teachers, again to reward quality systems already employing these specialists entirely at local expense and to entice other localities into hiring them.

It proposed a politically explosive crackdown on school systems where governing bodies refuse to raise even minimal local tax support for education.

When the cost was totaled up, a shudder went through the state capitol. Although Gov. Godwin had assigned the school budget uppermost priority (equalled only by his interest in community colleges), even he must have been taken aback by the unexpected appetite of a State Department of Education and a State Board of Education that previously had held down their budget requests to avoid causing political embarrassment on Capitol Hill.

It was inevitable, we suppose, that budget slashing subsequently would occur, given the fact that public schools account for almost half of the state's General Fund spending. But the severity of the cuts raises serious doubts about the state's willingness to meet its obligations in public education.

If new commitments were not explicitly made in last year's statewide series of Governor's Conferences on Education, the impression nonetheless was created that Virginia was prepared to tap more of its growing wealth to insure an end to the indefensible disparities that presently exist among its school systems. If the State Board of Education subsequently displayed an appetite that could not be satisfied without large scale increases in state income taxes, its desires were but a reflection of changing public opinion that was evident at every hand.

Admittedly, the new attitude of schoolmen posed a frightful dilemma for Gov. Godwin. Already faced with an accumulation of commitments for new programs such as the Virginia Outdoors Plan, community colleges and public kindergartens, Mr. Godwin quickly discovered that funds from the state's first major new tax in a

century simply would not meet the cost of a significant upgrading of elementary and secondary schools. While taxpayers and many legislators still have not faced up to the fact that the bills are only now beginning to come in for programs approved two years ago, it is abundantly clear to Mr. Godwin and others that the sales tax is going to be insufficient to meet Virginia's escalating needs.

Even by resorting to use of a speed-up in income tax collections to help balance recurring expenses and a modest borrowing program to help with capital spending, Mrs. Godwin still was forced to cut the State Board of Education's request by \$100 million. Increases in the basic minimum salary scale were held to an unspectacular \$300 annual increase, requested new grants-in-aid for each pupil were boosted only gradually, kindergarten funds were reduced and plans for extending state aid to 5,000 non-aided teaching positions were quietly dropped. Moreover, rather than precipitate a political fight with influential legislators whose counties would have been affected, Mr. Godwin also refused to recommend a stiffer requirement of local tax support for schools. He thus was left saddled with the present formula that requires the state to give too much support to localities that clearly have the means to assume a bigger share of the school budget burdens.

In formulating what he believes to be a "reasonably good" school budget, Mr. Godwin obviously tried to make available education funds go as far as possible. Whether education officials agree with his priorities remains uncertain since the State Department of Education has yet to appear before the House Appropriations Committee to voice its own views on the matter. In our opinion, however, Mr. Godwin's clearly stated commitments to public education are unmet by his budget recommendations.

Tomorrow: Why the Godwin school budget is objectionable.

Opinion Page

School Reforms Require Increase In State-Aided Teaching Positions

(Second of two editorials)

Gov. Godwin's 1968-70 school budget seems both insufficient and misdirected.

Two aspects of the program are especially objectionable. Both relate to the continued use of unrealistic formulas for determining the number of teaching positions for which localities are partially reimbursed by the state government.

In our view, absolutely no real progress can be made in getting at the root causes of existing educational disparities until these formulas are changed.

Since the knowledgeable fiscal expert of the State Department of Education, J. G. Bount Jr., declines to estimate the state's cost of implementing the needed reform, the cost cannot be fully determined at this time. However, the original Board of Education request indicated an approximate \$25 million total yearly cost. This would establish a state-aid ratio of one teaching position for every 27 children in kindergarten through the seventh grade, and one teacher for every 20 children in the remaining five secondary grades. (At present, the state pays on a basis of one teaching position for 30 children in elementary grades and 23 in high school.)

Since some school systems operate with only the minimal number of state-aided teaching positions, reduced ratios unquestionably would result in some additional local costs. In the vast majority of cases, however, the switch to lower ratios would simply extend state aid to positions already in existence. For example, Roanoke's 867 classroom teachers include 107 who do not qualify for state aid. In the state at large, over 10,000 teaching positions presently are denied state support because of the unrealistic formula in use. Significantly, even if the Board of Education's modest change were adopted, salaries of about 5,000 of the teachers would still be paid entirely by the localities.

Inasmuch as the board's proposed ratios would result largely in rewarding localities that already have good school systems and at the same time would provide incentives for other systems to hire more teachers, it ought to have been incorporated in the Governor's budget.

At this late date, and without any apparent pressures being initiated by the Department of Education, it would be naive to think that the needed change could be made. Nonetheless, the House Appropriations Committee ought to be told in no uncertain terms that the

school-aid formulas have got to be changed two years hence. For in the absence of such a realization on the committee's part, there is probably no chance that the oft-repeated pledges of school reform will ever be carried out.

At the same time, the committee ought to be kept from making the same grievous mistake with kindergarten aid formulas that was made years ago when the other pupil-teacher ratios were set. Because some backward-looking local governing bodies foolishly construe these ratios to represent a maximum standard for determining the number of teachers to be hired, the state unwittingly is encouraging the existence of poor schools.

Perhaps nothing can be done about the overall problem at this time, since the state's annual cost unquestionably would be an eight-figure amount. But steps can at least be taken to distribute the new state aid for kindergartens on a more realistic ratio, either 25 to 1 as first proposed by the Department of Education or 27 to 1 as sought by the Board of Education.

Since even the reduced allocation for kindergartens is now thought to be more than enough to meet localities' needs on a 30 to 1 formula, it would be a simple matter to retain the total allocation while at the same time establishing a ratio that would require the state to support more of the teaching positions.

Virginia is getting into the kindergarten program because of the insistence of urban area legislators, not because of anything state officials have done. Yet this is the only new school program being undertaken in the new Godwin budget. If this is a bold new commitment to public education, we are not impressed.

In fact, we think that while promises have been made to raise Virginia's schools to national levels—and we believe such promises were at least implicitly given—the "reasonably good" Godwin school budget is little more than a housekeeping budget with the usual necessary increases for rising enrollments and higher teachers' salaries. It is not, certainly, a gap-closing budget.

We do not blame Gov. Godwin, for he could hardly propose another big tax increase in the same year that sales taxes are going up and pay as you go is going out. But some straight talk from the Capitol is clearly in order—and also some commitments to write a 1970-72 budget that will give public education the high priority that the Governor sincerely wishes it to have.

Godwin 'Finds' \$34.1 Million

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. revised some figures Monday and found \$34.1 million which, he said, will leave the hard-pressed House Appropriations Committee \$12.8 million more to work with.

He met behind closed doors with the committee as two tax bills were introduced in the House—one raising state income taxes and the other rewriting the state sales tax.

Both would bring in a lot more revenue.

Godwin revised sales tax revenue estimates upward \$23.7 million, but said \$20.5 million of it will have to go into state aid for schools in cities and counties which have been losing half the amount they received from Washington in "impacted area" funds.

The governor said Virginia will appeal the federal court "impacted area" decision which jolted the General Assembly last week but suggested sufficient money should be included in the 1968-70 Appropriations Act in event the state loses the appeal.

Godwin said the \$20 million in his original budget for state aid for kindergartens can be reduced by \$5.2 million; other appropriations can be reduced \$3.8 million and added that in his original budget he left \$1.2 million unappropriated.

Against this \$34.1 million is the \$20.5 million which must go into school appropriations because of the "impacted area" decision and \$840,500 more which he proposed adding to the Appropriations Act.

Reporters and the public, including a delegation of visiting Girl Scouts, were asked to leave the committee room before the governor briefed the House committee and the Senate Finance Committee.

Copies of Godwin's revised figures and his remarks were later distributed by the governor's staff.

The governor, it was learned, was asked whether he thought this legislature should raise taxes. He has said many times that he does not want a tax increase.

One member of the committee said he got the impression from Godwin's answer that he is not

Here's Makeup Of 'Cushion'

RICHMOND — Here's the makeup of the new \$34.1 million "cushion" fashioned by Gov. Godwin for the General Assembly Monday:

| | |
|--------------------------------|--------------|
| Sales tax increase | \$23,774,000 |
| Kindergarten fund decrease | 5,267,000 |
| Other budget adjustments | 3,875,000 |
| Unallocated in original budget | 1,272,000 |
| | \$34,188,000 |

going to ask for an increase in taxes himself but might not oppose any effort by the General Assembly itself to find more revenue.

A far-reaching sales tax bill was introduced in the House by freshman Del. F. L. "Jim" Largent of Winchester, who estimated it will raise \$17 million more during the 1968-69 fiscal year.

The Largent bill would reduce the present state 2 per cent sales tax to 1 per cent, knocking out its automatic escalation to 3 per cent July 1.

But the 1 per cent sales tax would apply to everything — all retail sales, professional services, insurance premiums, motor vehicles, fuel, utilities, publications, alcoholic beverages and drugs.

Largent said in addition to bringing in more money it would reduce the amount of sales taxes low income families are now paying.

A bill raising the rate of existing income tax brackets was introduced by Del. Julien J. Mason of Bowling Green. He estimates it will yield \$35 to \$40 million more a year based on figures supplied him by the State Department of Taxation.

Both Largent and Mason entered the politically turbulent waters alone with their bills.

But reporters found some strong sentiment for Largent's bill among House members if they become convinced his estimates are accurate. They include Democrats who want to raise a few more million,

(Continued on Page 9, Col. 1)

Godwin 'Finds' \$34.1 Million For Budget

(Continued from Page 1)

particularly with a deficit looming by 1970. Some key figures think the Mason bill goes too far.

Because of their implications, both bills face a tough test in the House Finance Committee and, some legislators think, the outcome may depend on how much opposition comes from the governor's office.

Cities and counties now share 1 per cent of the 2 per cent state sales tax with the revenue earmarked for schools.

Largent said they can still get the same amount they now receive with his 1 per cent tax applying to everything. In addition cities and counties would retain their right to levy a 1 per cent "local option" sales tax of their own.

The governor, in revising his sales tax revenue estimates for the next two years, went half way with the Republican minority, which last week accused him of grossly underestimating the revenue. GOP leaders figure the sales tax will bring in more than the \$40 million more than Godwin's fiscal advisers originally estimated.

The biggest savings which the governor found in whittling down original items in the budget was \$2.9 million for community colleges. He said federal vocational funds from Washington were not included in revenue estimates and this money can be used for construction, equipment and salaries.

Godwin said the appropriations act also should include \$598,500 to implement the Hahn Commission legislation on metropolitan government and \$75,000 to finance the year-long study by the commission on Constitutional Revision.

THE ROANOKE TIMES, Tuesday, February 13, 1968.

9

Roanokers Propose Medical Training Plan

RICHMOND — A study that the Community Hospital of Roanoke Valley, the 1,700-bed and western Virginia medical facilities to train medical students and those in allied health fields was proposed Monday by Sen. William B. Hopkins of Roanoke.

"The main object of this study is to expand medical educational facilities at the lowest possible cost," he said.

The study, asked in a bill introduced in the Senate by Hopkins and one in the House by Del. Willis M. Anderson, also of Roanoke, would not cost more than \$35,000. It would be completed by Nov. 1, 1969.

"It is believed that Roanoke has the facilities and the manpower for such a program," Hopkins said.

He said that establishing a new medical school in Virginia is out of the question because one would cost about \$75 million.

The Roanoke area, he said, has such medical facilities as Roanoke Memorial Hospital,

These facilities could be used by the University of Virginia School of Medicine for training purposes, he said. A member of that school's faculty, who is an associate professor of medicine and assistant dean for continuing education, has been working on a pilot project in Roanoke since Sept. 1.

The project concerns the development of possible relationships between medical activities of the Western Virginia area and the University School of Medicine, said Hopkins.

State Minimum Pay Bill, \$1.15 at Start, Offered

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A state minimum wage bill, frequently offered and always defeated in previous sessions, was introduced in the House of Delegates Monday by Del. Mary Marshall of Arlington, with 25 copatrons.

Mrs. Marshall's bill would establish a \$1.15 minimum per hour minimum wage beginning this July 1, gradually escalating to \$1.60 by Feb. 1, 1971.

Among other bills introduced Monday, the last day for presentation of new bills in the 1968 session, were these:

One offered by Del. Stanley E. Sacks of Norfolk directing the State Corporation Commission to consider the investment earnings of insurance companies in setting premium rates in Virginia.

One sponsored by Del. L. Cleaves Manning of Portsmouth prohibiting any state agency from selling lists of citizens names to "junk" mailers.

A measure signed by Del. M. Caldwell Butler of Roanoke and other Republicans allowing appeals to the State Supreme Court by persons dissatisfied with rulings of the Alcoholic Beverage Control Board.

A bill introduced by Del. D. French Slaughter of Culpeper to

designate General Assembly seats in multimember districts by letters of the alphabet. In announcing his candidacy, a prospective legislator would specify which seat he was seeking.

A Republican measure to direct the Virginia Advisory Legislative Council to study what services and personnel in state government might be eliminated or combined in the interest of economy.

Another Sacks bill to require Assembly members to report any gift received from a lobbyist exceeding \$5 in value. Offering of such a gift would be a misdemeanor.

Del. Bernard Levin of Norfolk, chief patron of the successful local option liquor-by-the-drink bill, offered a bill setting fees for such licenses ranging from \$200 to \$750. Localities would be permitted to levy similar fees on establishments with liquor licenses.

Del. Lewis A. McMurran Jr. of Newport News offered a bill to change the makeup of annexation courts. The bill would require one judge to be from a rural area, one from an urban area, and one from a circuit court embracing both a city and a county, none of them adjoining the localities involved in the annexation suit. Present law provides that one judge be from the county being sued.

Assembly At Glance

Revision in revenue estimates produces extra \$12.8 million for House to appropriate. Page 1.

Potential fight on use of "twin trailers" is cut off by proposal for study. Page 8.

Democrats override Republican opposition to re-election of Harry H. Vaughan to State Electoral Board. Page 8.

Compulsory school attendance law approved by committee of Senate. Page 9.

Gas and electric utilities square off in fight over "total energy" packages for apartment dwellers. Page 8.



Opinion Page

No Ambivalence on Road Safety!

If the Virginia Traffic Safety Study Commission's excellent programs are to survive the legislative indifference that usually greets such farsighted proposals, key leaders of the General Assembly must immediately demonstrate a greater resolve to come to grips with the highway safety issue.

So far, only one important piece of safety legislation has gained approval of either house. That proposal, providing for mandatory prison terms for chronic traffic law violators, is a good one. But it is only one of over 50 separate bills introduced by Del. Harrison Mann and other Assembly members of his study commission. And whereas last week's House approval of the habitual offender bill ought to have signaled the start of a broad-scale program to save human life, it clearly did not.

Indeed, even as the House was belatedly sanctioning imprisonment of persons who commit 10 or more serious traffic crimes in a 10-year period, it was balking at a much more modest requirement to protect motorcyclists from the hazards of the roadway. Although foes made the absurd claim that the measure in question was an infringement of individual liberties and unenforceable besides, the real reason for the House's negative vote was politics: Nobody, it seemed, wanted to risk loss of even the motorcyclists' vote by requiring these persons to purchase protective head-gear.

Ultimately, the 43-42 defeat may be reversed by the House. When non-voting members are made to realize that \$12 million a year is at stake in their voting, fiscal realities perhaps will open the Assembly's eyes to the desirability of accepting such measures. But it is extremely unfortunate that only a threatened cutoff of federal highway funds finally compels a state legislature to approve safety programs that are intended to protect a state's citizens against both their own killer instincts and the devastating dangers of their machine-age vehicles.

prepared to tell motorcyclists that they must wear helmets to keep their skulls from being cracked open, the Mann Commission's middle-road drunk driver and driver relicensing proposals are obviously in danger of meeting a similar fate. Yet it is inconceivable, at least to us, that the General Assembly would turn down these measures and thus defy Congress and the U.S. Secretary of Transportation—especially when the blood is hardly dry on a state highway system that has just experienced its worst carnage in history.

After years of highway safety slogans, it is time that Virginia got serious about its effort to make streets and highways safe. Creation of a Highway Safety Division and an Accident Prevention and Research Center, recommended by the Virginia Traffic Safety Study Commission, would provide a strong beginning for such an effort. But the state must also take immediate steps to stiffen its safety legislation by ordering periodic visual and written tests for its motorists and a .10 standard of blood-alcohol concentration in its implied consent drunk driver law.

Moreover, the state should ungrudgingly meet all of the other federal standards. Not because road funds are at stake but, rather, because the macadam madness must be curbed.

Under provisions of the praiseworthy Highway Safety Act of 1966, states must meet a number of federal standards before qualifying for their 1969 road fund allocations. One of those standards, as the assemblymen were reminded during the House debate, provides that motorcyclists must wear approved safety helmets. Others, much more controversial, direct the states to re-examine motorists at least every four years and to enact stiff drunk driving penalties. Still others, many of which already are recognized in Virginia, provide for such things as periodic inspection of motor vehicles.

If the assemblymen are un-

Bill Cleared On Attendance At School

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A bill requiring all children 6 to 17 years of age to go to school was reported out of the Senate Committee on Education and Public Institutions Monday, 9-7.

It replaces "local option" which has been on the books for several years.

(Roanoke and many cities and counties in the state have exercised the "local option" and enacted compulsory school attendance laws of their own.)

State Sen. William F. Stone of Martinsville said he voted against the bill because "if the matter is left alone a little while longer the condition will resolve itself in a short time."

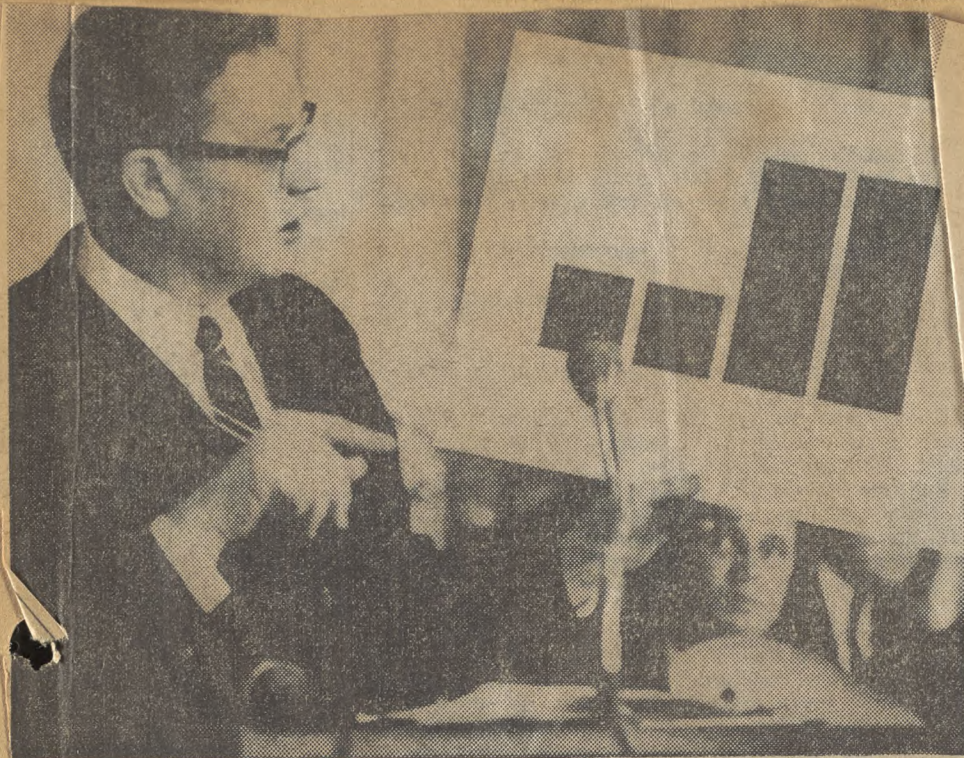
Stone envisioned problems in some areas where 15 and 16 year olds who dropped out will be thrown into classes with younger children.

Stone noted that Martinsville and other cities and counties in his district have their own compulsory school attendance law. He said he voted against the bill because of the problems he feels it will create in some rural areas which did not enact their own law.

Virginia repealed its statewide compulsory attendance law in the 1950s during the years it was trying to avoid school integration.

The bill, which won favorable action in the Senate committee but faces a debate on the floor, was sponsored by Sen. Hunter B. Andrews of Hampton.

There are 38 cities and counties affected by Andrews' bill. He introduced similar bills in both 1964 and 1966 but they were killed in committee.



AP Photo

Sen. Howell Points to Chart on Electric Rates During Hearing

SCC Asked To Explain Phone, Electric Rates

RICHMOND — Some members of the influential Senate Finance Committee insisted Tuesday the State Corporation Commission (SCC) explain why telephone and utility rates are higher in Virginia than in North Carolina.

By
Melville
Carico
Times
Political
Writer



"The differences are unbelievable and inexplicable," State Sen. Henry E. Howell Jr. of Norfolk insisted.

Howell appeared before the committee on behalf of his bill creating a consumer council within the state government to represent the public in rate cases before the SCC and protect consumers generally on prices.

There was not much sentiment within the committee for council, but some members, as learned, want the SCC to justify some of the differentials which Howell has been citing in speeches across the state.

No date was set for the SCC's appearance and, if there is one, it likely will be informal.

Significantly, the finance committee in discussing the bill behind closed doors did not kill it outright, as expected, but deferred action until some members can get an explanation from the SCC.

Utility representatives were at the capitol but did not testify against the Howell bill during the senator's hearing.

Howell continued to hammer at Virginia Electric Power Co. (Veeco) rates, particularly.

He charged Burlington Mills

built a new plant in North Carolina instead of Southside Virginia because it could buy power from Duke Power Co. cheaper than from Veeco and

the difference meant a saving of \$100,000 a year for the company. Howell also raised questions about Chesapeake and Potomac Telephone Co. rates.

As an example he said a resident of Norfolk can call Bristol, Tenn., for \$1.30 but it costs \$2.10 from Norfolk to Bristol, Va.

Interstate rates are regulated by the Federal Power Commission (FPC); intrastate rates by the SCC.

Howell said the rate differentials are costing consumers money, causing industries to build new plants elsewhere, and "preventing a healthy growth in the economy and employment future in Virginia."

Howell's bill would create an 11-member council — one member elected in each of the state's 10 congressional districts with the eleventh member appointed by the governor.

The House General Laws Committee after an afternoon hearing showed more interest in a bill establishing a consumer counsel in the governor's office — an attorney to represent the public interest in rate cases before the SCC.

Del. Clive L. DuVal II, the chief patron, suggested on his own that the bill be amended to become effective July 1, 1970, because of the shortage of money in this General Assembly. He estimated it would take about \$25,000 a year.

The attorney would be appointed by the governor subject to confirmation by the legislature.

Voting was postponed until Thursday to give DuVal and his associates time to rewrite part of the bill dealing with the scope of the counsel's job.

House Group Kills Plans Restricting Tuition Grants

BY MELVILLE CARICO
Times Political Writer

RICHMOND — Bills which would allow each city and county to decide whether it wants to continue "tuition grants" were killed Tuesday in the House Education Committee.

The vote was 9-7, the same vote by which the committee killed a bill last week which would have eliminated the tuition grant program entirely.

One bill sponsored by Del. Stanley Walker of Norfolk would have allowed a city or county to decide the issue in a referendum; the other by freshman Del. Beverly R. Middleton of Virginia Beach would have left

the decision to the local governing body and school board.

There are no figures on how many school children are now receiving tuition grants, but school officials said 12,786 received the grants last year.

Del. Grady W. Dalton of Tazewell County, a member of the committee, said abolishing the program will require higher appropriations because the per pupil operating costs of public schools is more than parents receive for sending their children to private schools.

Because of this, Dalton declared, claims that the grants are taking money from the public school system are erroneous.

Committee Chairman Sam E. Pope of Southampton County said "local option" would destroy the tuition grant program.

Middleton argued that if the program is abolished most

parents who are now sending their children to private schools would continue to do so.

"We are putting money into private schools and thereafter we have nothing to say . . .," Walker declared.

The 1968-69 appropriations bill Gov. Mills E. Godwin Jr. sent the General Assembly contained \$3 million to pay the state's share of the tuition grants the next two school years.



Assembly At Glance

1/14/68

Some members of influential Senate Finance Committee insist the State Corporation Commission explain why telephone and electric rates are higher in Virginia than in North Carolina. Page 1.

A hearing on the proposed Salem City Charter is scheduled Feb. 20 with Del. John W. Hagen making it clear he disagrees with some of its provisions. Page 14.

The House Education Committee kills bills which would allow each city and county to decide whether it wants to continue school tuition grants. Page 14.

Roanoke County's bond issue plight is discussed as a Senate Committee hears testimony on bill requiring towns which want to become second class cities to take a long look at costs. Page 14.

GOP Members of Assembly Hopeful Of Finding More Money for State

RICHMOND — A spokesman tax revenues for the coming biennium and now expected to be \$23.7 million more than previously anticipated.

Giesen said his figure was based on the 3 per cent sales tax that will be effective after July 1. Two per cent will go to the state, 1 per cent to localities.

He said Godwin's figure was based only on the 2 per cent the state will get beginning July 1.

Thus, said Giesen, his figure and the governor's actually are only a few million dollars apart.

Commenting on Godwin's statement of Monday, Del. M. Caldwell Butler, leader of the Republican minority in the House, said:

"I think our position on the

"I do, too," said Sen. James C. Turk of Radford, leader of the Republicans in the Senate. The 20 Republicans in the House and Senate have said that borrowing proposed by Godwin may not be necessary. They contend that the budget ought to be cut as much as possible before the borrowing is decided on.

Godwin has asked authority to borrow up to \$81 million to build educational and mental health facilities. This has been approved by the House and Senate but the bonds still must be approved by Virginia voters in November.

The governor said Monday the state had revised its sales tax revenue for 1968-70 by about \$40 million.

Giesen, speaking for the Republicans last week, estimated that Gov. Mills E. Godwin Jr. and his budget advisers had underestimated sales tax revenue for 1968-70 by about \$40 million.

The state had revised its sales

Salem Charter Hearing Set; Hagen Cites His Opposition

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The Salem City charter will get a public hearing Feb. 20 by the House of Delegates' Counties Cities and Towns (CCT) Committee.

Del. John W. Hagen—who introduced the measure—offered a number of amendments Tuesday to change some of the charter's provisions.

Hagen made clear he had offered the legislation "by request" of Salem officials.

"I don't agree with it," he told the committee. "It's contrary to general law in more than one instance. It's contrary to every city charter in the state in more than one instance."

Hagen said he had petitions signed by 600 persons opposing the original draft of the charter.

The committee hearing will begin 20 minutes after the House adjourns. In the meantime the bill will be studied by a two-man subcommittee composed of Dels. Stanley G. Bryan of Chesapeake and Matt G. Anderson of Goochland.

Proponents of the charter as drawn are expected to be led by former State Sen. Hale Collins of Covington, who represented Salem at the 1966 General Assembly.

One of Hagen's amendments would require that all five members of city council be elected this June. As drawn, the charter calls for only two members to be elected in June, the others in 1970.

This would have been the normal sequence had Salem remained a town. It switched to city status Jan. 1.

Another would have all constitutional officers elected this November.

Another amendment would give city council—rather than the Circuit Court judge—the power to appoint municipal and juvenile court judges.

Hagen also would give council the power to override appointments of the city manager by a three-fifths vote.

Other Hagen proposals would bar councilmen from doing business with the city and set a \$1,000 limit on contracts which would not have to be submitted to bidding.

Collins, acting as an attorney for Salem, and top city officials

have paid several visits to the Capitol to do some advance spadework.

When Hagen appeared before the committee Tuesday, Chairman R. Macklin Smith of

Lunenburg noted that he had offered the bill "by request."

"That means you have no interest in it," Smith commented. Hagen replied he had made clear that he opposed certain

features of the proposed charter when he was first asked to introduce it in the assembly and that he had agreed to do so with the understanding he would try to amend it.

14

THE ROANOKE TIMES, Wednesday, February 14, 1968.



Confer on Funds for Commission

David Mays of Richmond, (right) chairman of the Commission on Constitutional Government, confers with Del. M. Caldwell Butler of Roanoke during an interlude Tuesday in a House Appropriations Com-

mittee hearing on the commission's budget of \$250,000 to continue its dissemination of publications defending the constitution "as we interpret it."

AP Photo

City Status Bill Stresses Finances

By BEN BEAGLE
Times Staff Writer

RICHMOND — Roanoke County's bond issue plight came up here Tuesday as a Senate committee heard testimony on a bill which would require towns which want to become second class cities to take a long look at how much it would cost.

And the legislation before the committee on cities, counties and towns also drew widespread opposition from at least a dozen towns in the state—including several from Southwest Virginia.

State Sen. Robert C. Fitzgerald of Fairfax County, chief patron of the legislation, told the committee that Virginia's present laws for transition from town to city provide for swift change. And he said that towns often have no idea of the cost "before it's too late."

In the case of Roanoke County, the senator said, a multimillion dollar bond issue approved last year by voters has been ruled invalid by bonding attorneys because of Salem's rapid transition last month to a city of the second class.

Salem and Roanoke County have come to no firm agreement on compensation or on operation of schools, the senator said and this is the case, also, with other town-to-city transitions.

Fitzgerald's legislation, which was carried over for further consideration by the committee, would require any town and county to enter into talks about financing of the transition before it became effective.

If the town and county couldn't agree on the arrangements, a court could decide them.

But, under the legislation, the town—after the arrangement had been settled—would have the option of going on to become a city or remaining a town.

The decision, after a definite financial picture had been drawn, would be "purely and simply and totally in the hands of the town," Fitzgerald said.

Towns which become cities and then find themselves in bad financial shape "ought to know before it's too late."

Wytheville Mayor Carl E. Stark, a member of the board of the Virginia Municipal League, told the committee he opposes the bill.

Stark, who said that Wytheville and Wythe County get along fine anyway, told the committee that the league and the Virginia Association of Counties already have committees working on their relationship with each other.

Turner Smith, a lawyer representing about 12 towns in the municipal league, claimed the legislation is unconstitutional.

Vienna Mayor Charles Robinson claimed that such a law could "result in dissolution of the town or being forced into transition." He said, Vienna, a town of 17,000 in heavily populated Fairfax County, wants to remain a town. But, he said, the town is "under constant pressure" to dissolve.

He said legislation now before the General Assembly would make dissolution of towns by referendum possible. And, he claimed, it will not be many years before there will be proposed legislation to abolishing towns in urban areas. This, he said, would leave Vienna "in a box."

C. F. Hicks, counsel for the Virginia Association of Counties, supported the Fitzgerald legislation.

Long Charges GOP Intimidated Voters

By MELVILLE CARICO
Times Political Writer

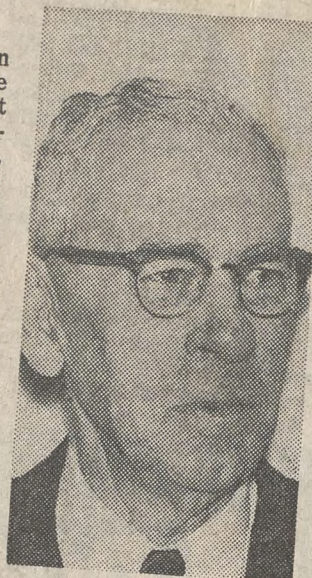
RICHMOND — A veteran Democrat in the State Senate charged Wednesday that Republican party workers carried guns, sat on ballot boxes, slashed tires and intimidated applicants for absentee ballots in last November's election in Dickenson County.

"If you tell your people to leave their guns at home there won't be any trouble," State Sen. M. M. Long Sr. told State Sen. James C. Turk of Radford, the minority leader in the Senate.

"If you will stop the 'black satchel' there would not be any guns," Turk replied.

The exchange erupted in the Senate Privileges and Elections (P&E) committee after the 82-year-old State senator read into the record charges against GOP officials and election judges.

Long said he obtained the report from Democratic party officials in Dickenson County after a Republican delegation came to Richmond last week and, in effect, accused Democrats of stealing the elec-



Sen. M. M. Long Sr.



Sen. James C. Turk

tion in Dickenson County with illegal mail ballots.

Long, a member of the Senate since 1944, represents Dickenson, Wise and Russell counties.

He won the toughest fight in his long political career in

beating Kline R. Powers, the Republican candidate, 15,632 to 15,125.

Because of high feeling over local elections in the three counties, there were 1,060 mail ballots cast in Dickenson, 1,973 in Wise and 1,242 in Russell.

The veteran senator asked Turk to come back after he had appeared before the P&E Committee on behalf of a GOP-backed bill limiting mail ballots to military personnel, their wives, and voters with a doctor's certificate.

After Long read the two-page report on alleged Republican conduct at the polls, Turk replied that he thinks Long himself has made a strong case for mail ballot reform legislation.

"I think I've made out a case for some indictments in your party," Long replied.

"I expect there are some

Trading Stamps: Tax or Windfall?

By BEN BEAGLE
Times Staff Writer

RICHMOND — The trading stamp was attacked here Wednesday as a "hidden sales tax" and defended as a "painless way" for the lady of the house to get that lamp she wants.

Not only trading stamps, but the games that gasoline companies play got a good going over before the House Finance Committee in a long public hearing.

The talk was about Arlington Del. Mary Marshall's bill to outlaw trading stamps in Virginia and to forbid service station games.

There were claims that the cost of the stamps and the games are eventually paid by the consumer and counterclaims that there is no evidence to show that this is the case.

James Heizer of Roanoke, executive secretary of the Virginia

Gasoline Retailers Association, Inc., spoke for Mrs. Marshall's bill.

"Trading stamp companies are waxing rich on the duplicity of the housewife," Heizer told the committee, "and the laxity of our state and federal governments in meeting this issue head on."

Heizer charged that stamp companies "have in reality imposed a 2 to 5 per cent private sales tax on the people where they ply their trade."

He claimed that the stamps have added to the cost of food "to the extent that farmers are deprived of needed revenue."

Heizer said that major chain stores have been "sandbagged" into buying the stamps and asked, "Is it any wonder that thousands of smaller businessmen have been victimized and sledgehammered into submission?"

Dr. Eugene R. Beem, vice

(Continued on Page 5, Col. 1)

Assembly At a Glance

2/14/68

Sen. M. M. Long Sr. charges Republican party workers carried guns, sat on ballot boxes, slashed tires and intimidated applicants for absentee ballots in last November's election in Dickenson County. Page 1.

Senate Privileges and Elections Committee delays decision on bill abolishing runoff primary now mandatory if vote leader does not get a majority. Page 30.

A hearing will be held today on a bill ending private sessions of state and local government bodies. Page 32.

Advocates and opponents debate bill giving housewives a chance to back out of contracts made with door-to-door salesmen. Page 32.

Legislators Bare Hearts and Needles

RICHMOND (AP) — It was a sort of Happy Valentine Day in the Virginia House.

There was poesy needling the Speaker gently read offstage into the public address system by Del. Edgar Bacon of Lee County.

Pages marched front and center to present Speaker John Warren Cooke with a Valentine the size of a laundry shirt board that said "You're a Peach" on the front and "Stoned or Otherwise" when you opened it.

A lady delegate, Mrs. Mary Marshall of Arlington, was even interrupted in her presentation of a bill to add to members to the State Library Board by a floor amendment. It said:

"Speaker, you are doing fine. Won't you be my Valentine."

The poesy came via Telstar from Lee County—said Junie Bradshaw of Richmond. It didn't really. It was the voice of Bacon of Lee crying in the wilderness of an anteroom. The verses, containing references to former Speaker E. Blackburn Moore and to Del. Roy Smith of Petersburg, a tentative candidate for the speakership, said:

"As we look to you up there . . . We must confess in truth . . . We didn't think you'd make that chair . . . While you were still a youth."

"Won't you please confide in us . . . and tell us, Mr. Speaker . . . Your eyes up lit when Blackie quit . . . and you cried out, 'Eureka.'"

"Or were you apprehensive . . . and — recalled from poet-ree . . . The line that started with 'The Smith' . . . A mighty man is he . . ."

"Our bonds are close — beyond all guess . . . And none upon this floor . . . Would say he loves John Warren less . . . Because he loves Blackie Moore."

Republicans Offer Financial Measures

RICHMOND (AP) — Senate Republicans Wednesday offered a bill proposing an 11-member commission to study the feasibility of establishing a permanent nonpolitical, nonpartisan arm of the Assembly for independent audit of state agencies.

Another Republican bill, introduced by Sen. H. Clyde Pearson, provides for the sale of the state-owned stock in the Richmond, Fredericksburg & Potomac Railroad to the Literary Fund or the Virginia Supplemental Retirement System at "fair market value."

Senate Prepares Pupil Age Bill For Final Vote

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — There was no audible objection Wednesday when the State Senate, on a voice vote, took its first action on legislation restoring Virginia's old compulsory school attendance law but making it one year longer—17 instead of 16.

The final recorded vote will come Thursday after which the legislation goes to the House of Delegates.

It will affect about 38 cities and counties in Virginia which did not enact compulsory school attendance laws of their own under a "local option" provision in the present law.

The bill was reported out of the Senate Education and Public Institutions Committee, 9-7. The bill was sponsored by State Sen. Hunter B. Andrews of Hampton with 10 co-patrons including Sen. William B. Hopkins of Roanoke. Andrews tried, without success, to get similar legislation through the 1964 and 1966 legislatures.

Hearing Today on Bills Ending Secrecy

RICHMOND (AP)—The House General Laws Committee faces a Virginia version of "Meet the Press" Thursday when it opens a public hearing on legislation aimed at ending secrecy in state and local government.

House Bill 602, introduced by Del. Roy Smith of Petersburg, is expected to draw strong support from newspaper, television and radio reporters when the hearing begins at 2 p.m. here.

The measure, with certain exemptions, prohibits "closed door" or "executive sessions" of state and local agencies, boards or commissions and requires that public records be available to any citizen of the state.

It provides that anyone who deliberately violates the proposed "freedom - of - information" law can be found guilty of a misdemeanor and fined up to \$250, sentenced to 30 days in jail or both.

Smith's bill, which has 23 co-patrons, was drawn up at the request of the Richmond chapter of Sigma Delta Chi (SDX), a professional journalism fraternity.

It also has the support of Virginia Associated Press Newspapers and Virginia Associated Press Broadcasters.

The relatively mild measure was drawn after the Richmond SDX chapter conducted a statewide survey last year and found that, although there is much secrecy in state and local government, no one seemed outraged about it.

Smith's proposed bill would permit persons who contend the

law is being violated to take the matter to court.

Exempted from the measure are standing or other General Assembly committees — providing final votes on legislation are taken in public—and various leg-

islative study commissions or committees.

Also exempted are committees or commissions appointed by the governor and boards of visitors or trustees of state-supported colleges or universities.

The bill provides that closed door meetings of state and local bodies are allowed only for personnel matters or discussion of the purchase of private property for public use or the disposition of public land.

It says no executive can be held unless the mental body formally record—to hold them.

Thirty-nine states open records laws at open meeting laws.

30

THE ROANOKE TIMES, Thursday, February 15, 1968.

Committee Delays Decision On Ending Runoff Primary

Times Legislative Bureau Press Room, State Capitol
RICHMOND — The Senate Privileges and Elections Committee put off a decision Wednesday on one of the toughest political questions facing the Democratic organization — the runoff primary for governor, lieutenant governor and attorney general.

State Sen. Henry E. Howell of Norfolk, all but an announced candidate for governor himself, appeared before the committee on behalf of his bill abolishing the mandatory runoff.

Politically, it was learned, some conservative Democrats think the chances of their candidate for governor in next year's primary are jeopardized by the mandatory runoff if the leader does not get a majority,

but they hate to vote for Howell's bill.

The deadline has passed for the introduction of bills except with unanimous consent of either the House or Senate or on the written request of Gov. Mills E. Godwin Jr.

With Charlottesville lawyer William C. Battle and Howell certain to be candidates, conservatives see the chances of Lt. Gov. Fred G. Pollard jeopardized if Pollard, or whomever their candidate turns out to be, gets less than a majority and the Battle and Howell forces should combine their strength in a runoff.

The runoff law was enacted in 1952 after then Gov. John Battle almost lost the nomination in a

four-way primary. Since then it has never been used because the Democratic primary winners had the strength to get a majority.

Howell, in speaking for his bill, pointed to the skyrocketing cost of statewide campaigns.

As an example, Howell said, former Gov. Thomas B. Stanley spent only \$15,600 in winning in 1953. But two years ago, in winning their Democratic primary nominations, U.S. Sen. Harry F. Byrd Jr. spent \$223,000 and U.S. Sen. William B. Spong Jr. \$132,100. Former U.S. Sen. A. Willis Robertson spent \$253,600 in losing to Spong in the primary.

Bill Would Aid Police Arrests

RICHMOND — Roanoke Del. Willis M. Anderson Tuesday introduced a bill in the General Assembly that would allow police to make arrests in misdemeanor cases under certain conditions.

The bill would change the law so that policemen could take a prisoner if there was some evidence of a crime such as visible wounds from an assault.

Under present state law, a citizen must swear out warrants in such cases. Policemen can make arrests only in felony cases or in those misdemeanor cases in which they have witnessed the act.

Approval of Judges By Council Sought

RICHMOND — Judges of Roanoke's Juvenile and Domestic Relations Court would be elected by city council under legislation introduced Wednesday by Sen. William B. Hopkins. This is the way the city's municipal judges are selected. Now juvenile court judges are named by the judges of the city's courts.

Bill Seeks Cleanup Of Streams

It might take 100 years to clean up Virginia's streams and other polluted waters, says Del. Clive L. DuVal of Fairfax County, "but it's time now to set our sights higher."

DuVal is chief patron of a bill to amend Virginia's water control laws and set 1970 as the deadline for more rigid control over pollution.

The bill would also eliminate a "grandfather clause" in the original 1946 water control law. The provision has given a measure of immunity to industries existing before that date.

The House General Laws Committee will consider DuVal's bill and other proposed legislation relating to state waters at a public hearing Tuesday at 3 p.m.

In general, DuVal's legislation would establish a state policy of restoring, as far as possible, all state waters to such condition that they would support all original native aquatic life and game fish.

Where normal water courses have been impounded, the goal would be water of quality to support fish and other aquatic life that might reasonably be expected to inhabit it.

Specifically, the provisions include:

1. The State Water Control Board would not grant permission for industries or other water users to discharge wastes into state waters unless the board is satisfied "it would in no way change the physical, chemical or thermal characteristics of such waters." The board would review each case periodically and at least every five years.

2. Standards would be set for licensing of operators of waste treatment plants to insure more efficiency.

3. The water board would be geared to administer federal grants to localities and industries for waste disposal improvements, provided the state supplements the grants. "The state obviously doesn't have the money now to take advantage of this," DuVal said, "but we should look to the future."

4. Where waste discharges kill fish, the offender would pay the state's expenses in investigating the incident, plus the replacement value of the fish destroyed.

34

Senate Committee Favors Change in Primary Dates

By MELVILLE CARICO
Times Political Writer

RICHMOND — The powerful Senate Privileges and Elections Committee approved legislation Thursday moving the date of Democratic primaries for Congress, governor and the legislature from July to June to get them out of the middle of the summer.

The shift, if approved by this General Assembly, will be effective for the 1969 elections—not this year's elections.

The draft approved by P&E representing the thinking in a number of Senate bills aimed at getting away from the July primary was done by a subcommittee headed by Sen. Hunter B. Andrews of Hampton. Some proposed a September primary.

Actually the primary date applies to either the Democrats or the Republicans but Republicans, in the past, have nominated their tickets in conventions.

Andrews said no effort was made to make the change effective for this year, in which Virginia will elect its congressional delegation and most cities and towns will elect their councils, because of complications it would create.

Virginia elects a new governor, lieutenant governor and attorney general next year, along with 100 members of the House of Delegates.

The P&E's legislation also

moves the date for the election of city and town councils up from June to May, and if they hold a primary, the primaries from April to March.

Primaries for city and county offices will be held in June too.

Andrews said one of the objections to a September primary advocated by some is that it does not give sufficient time for any ill feeling within the party that may develop in a hot campaign to heal before the November general election.

He said the main reason for getting away from a July primary is that voters are on

vacation and it is hard to generate political interest in the middle of the summer.

The P&E bill keeps the optional runoff in these elections. It would be held on the third Tuesday of the month, allowing three weeks after the primary.

Still to be decided within the P&E committee which normally represents the Democratic organization in the legislature is whether to abolish the mandatory runoff in primaries for governor, lieutenant governor

(Continued on Page 12, Col. 3)

Assembly At a Glance



The powerful Senate Privileges and Elections Committee approves legislation moving the date of Democratic primaries from July to June. Page 1.

Senate, without debate, passes a bill requiring compulsory school attendance of all children between the ages of 6 and 17. Page 18.

Bill aimed at keeping meetings and records of public bodies open to the public gets generally favorable reaction from General Assembly committee. Page 18.

House education committee clears bill permitting local option of method of naming school board members. Page 18.

House approves bills exempting volunteer fire and rescue units from retail sales tax and auto titling tax. Page 19.

2/16/68

But he said it is hurting chances of the coal field area getting badly needed business and industry.

"It would be difficult to realize how much damage that has been done to our part of the state by these charges," the Bristol lawyer told the House P&E Committee.

Warren said the commission he envisions could study ways to stop "voting abuses that un-Southwest Virginia and other parts of the state . . ."

Senate Group Favors Change For Primary

(Continued from Page 1)

and attorney general and for the U.S. Senate.

Meanwhile, the House P&E Committee in a morning session sidetracked a Senate bill for a voting law study sponsored by Sen. George M. Warren Jr. of Bristol in favor of one sponsored by its own chairman, House Majority Leader James M. Thomson of Alexandria.

The Thomson bill sets up a two-year study by the P&E committees of the House and Senate; the Warren bill which already has passed the Senate creates a commission to make the study.

House Minority Leader M. Caldwell Butler of Roanoke was the only members of the House P&E Committee to support the Warren bill.

Warren was before the committee on behalf of his Senate bill and in response to a question from Butler on whether his commission would include a Republican, he replied:

"I would be very disappointed if it didn't . . . I think it ought to be an impartial committee."

The P&E Committee meeting came the morning after a heated exchange Wednesday between Sen. M. M. Long Sr. of Wise County and Senate Minority Leader James C. Turk of Radford over vote fraud charges in Dickenson County.

Long told the Senate P&E Committee that in last November's election in Dickenson County Republican Party workers carried guns, sat on ballot boxes, slashed tires and intimidated Democrats.

Turk and other Republican leaders testified at a House P&E Committee meeting last week that Democrats voted hundreds of fraudulent mail ballots in Dickenson County. Dickenson is in Sen. Long's district.

Sen. Warren in speaking for his bill said charges of fraud that come after every election are hurting Southwest Virginia industrially and, like Sen. Turk, he warned if something is not done about the mail ballots there could be bloodshed.

"It's a case of a very few people that tars all of us," Warren said.

Names Sought In Vote Fraud

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A top Democrat in the General Assembly said Thursday he intends to ask Gov. Mills E. Godwin Jr. to take steps to bar reappointment of any justices of the peace who falsely certified absentee ballots.

Del. James M. Thomson, House Majority Leader and chairman of the House

Privileges and Elections (P&E) Committee, asked Republican Del. Jerry H. Geisler of Hillsville during a committee meeting to provide the names of justices of the peace who—according to charges made by Republicans at a hearing last week—falsified mail ballots assigned to persons residing outside the state and cast by other persons in some Southwest Virginia localities.

Lending Bill Goes to House

RICHMOND (AP)—The House Insurance and Banking Committee cleared an amended truth in lending bill Thursday. The amendments would bring the measure more in line with a federal bill passed earlier this month by the U.S. House of Representatives.

Also approved was an amendment accepted by the Virginia Retail Merchants Association spelling out the method for computing interest charges on revolving credit accounts. The organization said it would go along with the measure as amended.

Study Suggested On Long Trains

RICHMOND (AP) — Del. Thomas Moss of Norfolk thinks those long freight trains — some containing up to 500 cars — shouldn't block street crossings for long periods.

They delay firefighting equipment, ambulances and physicians and annoy ordinary citizens, Moss said Thursday.

He said it in a joint House resolution asking the Virginia Advisory Legislative Council to study the vexing problem and — hopefully — come up with some suggestions to clear the tracks.

Senate Approves Martinsville Bill

RICHMOND — The Senate has passed on a 37-0 vote Sen. William F. Stone's bill providing for a Martinsville parking authority.

Thomson said he was making the request in behalf of the full committee. Geisler said the names would be provided.

The committee killed several GOP bills aimed at changing election laws, however.

These included bills sponsored by Del. Rufus V. McCoy Sr. of Dickenson County to allow popular election of school boards and dog wardens, bar welfare board members from seeking elective office, and require state income tax payment as proof of residence for issuance of an absentee ballot.

Also killed were two Geisler bills—one giving the Republicans a majority of electoral board members in those counties where the GOP is the stronger party and another permitting a political party to submit only two nominees for appointment as election judge rather than the present five.

\$10,000 Requested For 2 Boys' Parents

RICHMOND — Legislation that would award \$10,000 to the family of two boys killed by dogs has been introduced in the State Senate by Sen. James W. Davis of Agricola.

The children, Gene Anthony Goodman, 5, and Kenneth Wayne Goodman, 4, were attacked and killed last Dec. 17 while playing in woods near their home.

Ernest G. Floyd, owner of the dogs, has been indicted by an Amherst County Circuit Court grand jury on charges of involuntary manslaughter in connection with the death of the boys.

The woods in which the boys were playing adjoins the property of Floyd in Madison Heights in Amherst County.

Plan To Study Twin Trailers Moves Ahead

RICHMOND (AP) — A compromise bill providing a two-year study of the controversial subject of twin-trailer trucks cleared the Senate Roads Committee Thursday.

The new measure emerged from a stalemate that arose in a four-man subcommittee over the original bill that would have allowed twin trailer trucks on Virginia's four-lane highways and restricted two-lane access roads.

Railroad and trucking interests clashed on the proposal embodied in Sen. Garland Gray's original bill.

This week Gray offered the study commission bill which was approved by the roads committee and by way of clearing its docket of dead wood the earlier measure was killed.

The nine-man commission to be supplemented by test use of a three-vehicle combination truck not to exceed 65 feet.

On a reported 8-7 show of hands vote the committee killed Sen. Leslie D. Campbell's bill that would have eliminated the requirement that vehicles in the opposite lane of a divided highway not be required to stop for school buses loading or unloading pupils.

House Approves Tax Exemptions For Volunteer Fire, Rescue Units

RICHMOND (AP) — Bills exempting volunteer fire departments and rescue squads from the retail sales tax and the automotive titling tax were passed

by the Virginia House Thursday over the opposition of the Democratic floor leader.

The floor leader, Del. James M. Thomson of Alexandria, was joined by Republican minority leader M. Caldwell Butler of Roanoke. He endorsed Thomson's view that the exemptions — amounting to only a negligible loss of revenue — could be the opening wedge for a flood of other requests from a long list of non-profit organizations.

But Del. C. W. Cleaton of Mecklenburg said these volunteer forces were doing for the rural areas free what the cities were paying to have done. He said they actually could get supplies and vehicles through the towns and counties — and thus avoid the tax — but they wanted pride of ownership.

Del. Harrison Mann of Arlington supported Cleaton and noted that the rescue squads in the state had provided more than

\$475,000 in free services to Virginians last year.

Thomson, who opposed the sales tax in 1966, said he felt now he was wrong as far as revenue needs are concerned. But, he said, if the assembly wanted to be a "good guy" now to such deserving organizations as volunteer fire departments and rescue squads it wouldn't be able to say no later to the long list of other deserving organizations.

"The revenue involved here is negligible," he said, "but when they all ask to be exempted you're going to end up with highly restricted excise taxes and not a general sales tax at all."

The opposition, however, couldn't muster more than 20 votes against any of the four bills — the vote was 74-20 on one to which an exemption for breeding horses had been added. The bills now head for the Senate.

TB Group Board Plans Session

Charles D. Fox III, Roanoke lawyer, will discuss the legal responsibility of a voluntary health agency at the quarterly meeting of the board of the Roanoke Area Tuberculosis and Respiratory Disease Association Wednesday at 7:30 p.m.

The meeting will be at the association office at 4841 Williamson Road.

A report of the Virginia Thoracic Society's advisory council meeting will be given by Dr. Robert E. Paine Jr., chairman of the local Medical Advisory Committee. Dr. Paine also will give the results of a survey recently made to determine policy of school divisions on X raying and tuberculin testing of school personnel in the area.

Roy E. Kyle, chairman of the Christmas Seal Campaign Committee, will give the returns in the 1967 campaign which will not close until the last of March.

The Roanoke association serves the cities of Roanoke and Salem and the counties of Bedford, Botetourt, Craig, Franklin and Roanoke.

House Committee Clears School Board Option Bill

RICHMOND (AP)—A bill permitting local option on how county school boards may be named—moved ahead in the Virginia General Assembly Thursday.

In the House Education Committee, the bill that would let counties vote on whether to continue to have their school boards named by the court-appointed electoral board or by the board of supervisors didn't get out without a fight. But the only opponent was the committee chairman, Del. Sam Pope of Southampton County, in deep southern Virginia.

The bill approved for floor action was a reworked version of a bill offered by Del. Donald G. Pendleton of Amherst, whose original bill would have provided another alternative method — direct election by the county voters.

A subcommittee came up with the compromise and Del. Julian Mason of Caroline said it couldn't go along with direct election for fear the school

boards would become too embroiled in politics.

The bill as reported by a vote of 12 to 1 would permit 20 percent of the voters of a county to petition for an election which would offer the choice of school board appointments by the three-member electoral boards appointed by the circuit judges or elections by the boards of supervisors.

Pope argued that such an option "will wreck our situation" in eastern Virginia counties.

"There are thousands of voters in my county who can't read and write and yet they are qualified voters," he said.

Mason, who represents the rural counties of King George, Essex and King and Queen as well as Caroline, said he felt the only areas which would utilize the proposed option would be those where they were having trouble with the school board.

"I doubt if any of the coun-

ties I represent will go to the trouble of petitioning for an election," he said.

Pope said the bill was a departure from a policy "that has served us well" and promised to fight the bill on the floor to the best of his ability.

Cities whose councils name the school boards are not affected, nor are the counties of Arlington, Henrico, Albemarle, Fairfax and Scott, which have county manager or executive forms of government.

Delegates from the cities and the populous Northern Virginia and coastal areas came to the aid of Pendleton's proposal.

"Is it our responsibility to tell the localities how they should operate their schools?" inquired Del. W. C. Daniel of Danville.

And Del. William M. Dudley of Lynchburg said "all changes present problems. Some are for the better, some are worse. This just gives them a chance to change."

2/16/68

Reaction Favorable to Bill Requiring Open Meetings



Del. Smith (left) and Del. Richardson
Discuss Freedom-of-Information Bill

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A General Assembly committee gave a generally favorable reaction Thursday to a bill aimed at keeping meetings and records of public bodies open to the public.

Del. W. Roy Smith, the chief patron, told the House General Laws Committee his "Freedom-of-Information" bill "attempts to set a standard under which people who conduct public business would do so in public."

The Petersburg Democrat said he was surprised to learn during a study of the subject that there is "almost a complete absence of law as to what is public business and what is private."

Such an important area "ought to be public by law and not public by whim" of a governing body, school board, commission or other agency, Smith said.

John Gunn, representing the Richmond Chapter of Sigma Delta Chi, professional journalism society, said Virginia presently has a hodge-podge of conflicting opinions by the attorney general and General Assembly resolutions, but nothing with the weight of law.

Smith said he had not included Assembly committees because of a state constitutional provision which gives each House of the Assembly the right to set its own rules.

Smith said he had decided the bill's criminal provisions should be removed. As it is drawn, a violator could be fined \$250 and sentenced to 30 days in jail.

Removing these penalties would leave an aggrieved person the right to seek a court order to force public officials to comply by opening their doors or records to the public.

D. Tennant Bryan, publisher of the Richmond Times Dispatch and News Leader and former president of the American Newspaper Publishers Association, told the committee "secrecy in public meetings can give an aura of evil when evil is not there."

D. Lathan Mims, publisher of the Harrisonburg Daily News Record and a spokesman for the Virginia Press Association, said "secret meetings erect a wall" between government and the public. "News is often incomplete and misleading in the absence of full disclosure" as a result of closed meetings, he said.

Mims said the practice of many public bodies to hold closed-door meetings creates

"confusion and gaps of credibility" like that allegedly found in the federal government.

Other supporters of the bill included Al Charles of Waynesboro, president of the Virginia Associated Press Broadcasters, Olan Sikes of the West Point Jaycees, Frank Bat-

ten, publisher of the Norfolk Virginian Pilot and Ledger-Star, and Charles Rowe of Fredericksburg, vice president of the Associated Press Managing Editors Association.

The most outspoken opponent was Frank Crenshaw, former chairman of the Norfolk School Board, who said he spoke for the Norfolk Redevelopment and

Housing Authority and three members of Norfolk City Council.

Crenshaw said the bill would kill "any sensible discussion of public problems."

Public officials need to have "decent privacy to talk about a problem that's private," he said.

Crenshaw complained that when he was on the school board, "You couldn't get publicity on the normal little actions, but if two of us got to arguing, then we had news."

Reporters looked for areas of disagreement, he said.

Crenshaw said that if the bill is passed, "You can only discuss this or this or this or else have a walkie-talkie in with you or you're going to go to jail."

Mayor Morrill M. Crowe of Richmond said the list of exceptions should be expanded to exclude discussion of contracts and annexation matters and welfare rolls.

Col. Harold Burgess, superintendent of state police, proposed an amendment he said was needed to safeguard police records and any record designated by the governor.

Several committee members pointed out that police investigative records are already protected in the bill's language.

Commonwealth's Atty. James Wilkerson of Richmond said he approved of the bill but that juries and grand juries should be excluded from its provisions.

Smith said the original draft of the bill had mentioned juries and grand juries but they had been inadvertently dropped from the language. He proposed an amendment to return them to the list of exceptions.

Committee Chairman Arthur H. Richardson of Dinwiddie, saying he thought the Smith measure was "a good bill but needs some cleaning up," refer-

red the bill and the proposed amendments to a five-man committee.

The subcommittee is headed by Del. George N. McMath of Accomack County, publisher of the Eastern Shore News. Other members are Dels. Walther B. Fidler of Richmond County, Alan A. Diamondstein of Newport News, E. P. Pendleton Jr. of Richmond and Jerry H. Geisler of Hillsville, a Republican.

Senate Passes Bill To End School Truancy

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The State Senate without any debate Thursday passed a bill requiring statewide compulsory school attendance for all children between the ages of 6 and 17. The vote was 32 to 8.

More opposition may come in the House of Delegates, particularly in the House Education Committee which at this session has killed bills ending Virginia's tuition grant program with 9-7 votes.

Both the "local option" on compulsory school attendance and the tuition grants are remnants of "massive resistance" legislation when Virginia was trying to block school integration.

All but 38 cities and counties in Virginia now have compulsory school attendance laws of their own enacted under the "local option" provision which the Senate bill replaces with a statewide compulsory school, attendance law.

Voting against the bill were Sen. William F. Stone of Martinsville, Sen. W. Carrington Thompson of Pittsylvania County; Sen. J. Harry Michael Jr. of Charlottesville; Sen. James D. Hagood of Halifax County; Sen. Joseph C. Hutcherson of Lawrenceville; Sen. Garland Gray of Waverly; Sen. John Galleher of Manassas; Sen. James W. Davis of Amherst County. All are Democrats.

Del. Ray L. Garland, a Roanoke Republican, and Del. Donald G. Pendleton, a Democrat from Amherst County, asked that their similar bills be dropped and added their support to the Smith bill.

Garland said the Democrat-controlled Assembly would be taking away Republican issues by passing the bill. He said he used freedom of information as an issue in his campaign against former Democratic Del. Robert W. Spessard, who he said voted against a similar bill in the General Laws Committee in 1966.

No committee member was openly hostile to the bill, though several expressed reservations about specific provisions.

As drawn, the bill applies to state boards, commissions, local governing bodies, school boards, authorities and the like.

Exempted are General Assembly committees, study commissions, and boards of visitors of state-supported institutions.

Bodies would still be permitted to hold private meetings to discuss personnel matters, real estate matters, and "the private reputation of a person not connected with public business."

Del. Thomas W. Moss Jr. of Norfolk said he would offer an amendment to include General Assembly committees under the bill's provisions.

Grand Jury To Investigate Mail Ballots

By MELVILLE CARICO
Times Political Writer
RICHMOND — A grand jury
is being summoned to Clintwood
March 4 to investigate charges



Assembly At a Glance

Sen. M. M. Long Sr. discloses that a grand jury is being summoned to Clintwood March 4 to investigate charges growing out of Dickenson County election last November. Page 1.

A committee clears and sends to the House floor a three-bill package to carry out some of the proposals made by the Hahn Commission. Page 12.

Tough going is expected for bill prohibiting governing bodies from conducting public business in private meetings. Page 12.

and countercharges by Democrats and Republicans growing out of the election in Dickenson County last November, veteran State Sen. M. M. Long Sr. disclosed Friday.

Long said the grand jury investigation was ordered jointly by Senior Judge Raymond J. Boyd and Judge Glyn R. Phillips.

Republicans accused Judge Phillips of thwarting a State Police investigation ordered by the governor.

Gov. Mills E. Godwin Jr. said at a press conference Wednesday that the State Police investigation in Dickenson County has not been completed, but officers have turned over two volumes of interviews to the Commonwealth's attorney after conducting a similar investigation in Lee County.

Long, chairman of the Senate Courts of Justice Committee, had a list of seven prominent Dickenson County residents who, he said, are being summoned for grand jury duty.

County GOP Chairman Rufus V. McCoy Jr. testified here last week that Democrats voted hundreds of mail ballots illegally last November, and Long replied that Republicans carried guns, sat on ballot boxes and intimidated Democrats who voted by mail.

"I have never in my 25 years working in elections seen a Republican judge with a gun but I have seen guns on Democratic judges," Del. Rufus V. McCoy Sr., Republican from Dickenson County, said on the floor of the House before adjournment Friday. He is the father of the Dickenson County GOP chairman.

McCoy's House speech, on a point of personal privilege, was in response to Sen. Long's charge that Republicans carried guns Election Day.

Meanwhile, the Republican delegation lost another round in its efforts to block confirmation of 71-year-old Harry H. Vaughan of Hopewell as the Republican member of the State Board of Elections. Vaughan, over GOP objections, was named for a second term by Godwin.

Grand Jury Called To Consider Dickenson County Mail Ballots

(Continued from Page 1)

over the Dickenson County election.

Long told Turk he "resented" some of his statements and that he was making "preposterous claims, wholly uncalled for."

"We're killing time, sitting here listening," the senator told other Democrats on the committee.

Vaughan was hailed as a "great Republican" by Democrats in defending the governor's nomination in the debate on the House floor.

"A great Republican Mr. Vaughan is not . . . He is a rejected Republican," State Sen.

K. Kenneth Robinson of Winchester told the committee.

The Vaughan nomination will be up in the Senate next week with his confirmation certain by a big Democratic majority.

The charges and countercharges have shaken up Democrats from the eastern part of the state accustomed to seeing only a handful of mail ballots cast in any election.

Over 1,000 were cast in Dickenson County in the November general election.

McCoy, in his speech on the House floor, blamed Long because, he charged, Long urged Democratic party workers following his nomination to "get out and get the mail vote."

"They did a good job. . . . They got more than 4,000 in the senatorial district, McCoy told the House, adding:

"The senator knows very well what his people did. These charges are a smoke screen to shift the blame from the guilty."

Long said the following have been summoned for the grand jury investigation: J. D. Nicewander, a coal operator; H. B. Arrington, a banker; F. L. Buchanan, a businessman; William L. Keen, an insurance man; Nemmie Maloney, a former Clinchfield Coal Co. foreman; Monroe Mullins, retired, and Ira J. Deel, a retired Highway Department supervisor.

GOP Says Assembly 'Hasn't Done Much'

RICHMOND — General Assembly Republicans looked back Friday over the 1968 legislature and concluded, in the words of Sen. James C. Turk of Radford, that "it hasn't done much."

Del. M. Caldwell Butler of Roanoke added that he was disappointed in the legislature. "The people of Virginia had been led to believe there was a great program," he said.

Turk and Butler were spokesmen at a GOP press conference. The Republicans plan to have weekly press conferences during the remainder of the session.

Turk and Butler said they were particularly disappointed that the 1968-70 state budget doesn't have more money for public education and added that Republicans will appear before the House Appropriations Committee to ask for increases for this purpose.

Disappointment was expressed also that legislation hasn't been enacted that would do away with the vote frauds, particularly those arriving from mail voting in Southwest Virginia.

Turk said such legislation would pass if the governor would get behind it.

In other comments, the Republicans said:

They are hopeful an open meetings law will be passed.

They are sorry that legislation

THE ROANOKE TIMES, Saturday, February 17, 1968.

The Senate Committee on Nominations and Confirmation, all Democrats, reported Vaughan's nomination after listening to protests from the GOP delegation. The House, on a straight party line vote, earlier this week confirmed Vaughan. All 14 votes cast against him were by the 14 GOP members.

During the Senate committee hearing on Vaughan's nomination, Long, a member of the committee, and Senate minority leader James C. Turk of Radford got into another exchange

(Continued on Page 12, Col. 6)

Finances Hold Assembly Spotlight

RICHMOND (AP) — The Virginia General Assembly started what probably will be the final long weekend recess of the 1968 session Friday after routine floor sessions in the two houses.

Many members of both houses headed for home in the early afternoon but some House Appropriations Committee members faced a weekend of work on the omnibus budget bill which is expected to be sent to the House floor by Feb. 28.

Republicans and Democrats clashed in the House on state fiscal policy. Over Republican opposition the House moved toward passage Monday Charlotte Del. J. H. Daniel's bill to increase from \$24 million to \$35 million the maximum investment of the Virginia Supplemental Retirement System in state office buildings.

Del. M. Caldwell Butler of Roanoke called this "a form of backdoor financing," and contended the interest rate probably would be 5 per cent — "too much for the state to pay for this financing."

Butler conceded another office building is needed but insisted an additional \$11 million authorization is not needed in the next two years.

Democratic Floor Leader James M. Thomson said there is need for another building for housing under one roof the agencies now renting more than 250,000 square feet of space in scattered buildings over the city.

The Senate sped through a routine calendar before adjourning its floor session shortly before noon and an hour later the House called it quits. Both houses will convene at noon Monday.

At the request of the patron the Senate accepted a House amendment to Sen. William F. Stone's bill to eliminate the December bar examination. As passed by the Senate the bill would have become effective in

1969 but the House change delayed its effectiveness until 1970.

The Senate passed the House measure empowering the State Real Estate Commission to impose a \$250 fine in lieu of revoking or suspending real estate brokers or salesmen's licenses for infractions.

House passage was given to a package of bills dealing with persons charged with repeated felonies and stemming from a Virginia Advisory Legislative Council study of recidivist statutes.

Before the House adjourned, Republican Dels. Robert A. Maloney and Vincent F. Callahan lutions calling for federal income tax revenue sharing with the states, annual Assembly session and a study of Virginia's criminal laws to utilize advances in psychiatry.

Tough Going Seen for Bill Ending Secrecy

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The chairman of a legislative subcommittee handling the freedom-of-information bill said Friday that 8 and possibly 9 of the 17 members of the full committee favor the basic bill.

Del. George N. McMath said the other members of the House General Laws Committee were either in the "opposed" or "doubtful" categories but that he felt confident a majority could be lined up to report the bill to the House floor.

The Eastern Shore Democrat said, however, that even if a freedom-of-information bill is passed by the House, opposition is already mounting in the Senate.

McMath said some senators feel the bill—sponsored by Del. W. Roy Smith of Petersburg—is aimed at them.

Senate committees are more inclined than House committees to act in closed-door meetings.

The bill is designed to curb the practice of holding closed meetings by state and local boards, commission, and other agencies. As the bill is drawn, General Assembly committees are exempted because of constitutional provision giving each house the right to make its own rules. But an amendment map be offered to make the legislation apply to such committees.

McMath—who publishes the Eastern Shore News—said he felt the recent press coverage of a private party to which Del. W. Ferguson Reid, a Negro, was not invited had alienated some legislators in their feeling for the press.

These lawmakers reportedly consider the coverage reportedly because, they contend, Dr. Reid wasn't the only member who was not invited. Jay W. Johns, the party's host, was quoted several accounts as saying that he had sent out 139 invitations to the 140-member Assembly.

Several members are saying, however they did not receive invitations and that Johns has always excluded some members from his guest lists.

At a public hearing Thursday, some members of the committee suggested clarifications in the bill's language, but none expressed outright opposition.

McMath listed as favorable—with qualifications in some cases—committee Chairman Arthur H. Richardson of Dinwiddie, Walther B. Fidler of Richmond County, James B. Fugate of Scott County, Alan A. Diamonstein of Newport News, Guy O. Farley Jr. of Fairfax, Arthur R. Giesen Jr. of Staunton, Jerry H. Geisler of Hillsville and himself. In addition, he said he thought Del. E. B. Pendleton Jr. of Richmond, a subcommittee member, could probably be persuaded to support the measure.

In the doubtful category McMath placed Dels. Lucas D. Phillips of Leesburg, Marion Galland of Alexandria, Clive L. Duval II of McLean, W. Ferguson Reid of Richmond, and Donald A. McGlothlin of Buchanan County.

Probable opposition was expected from Dels. Lyman C. Jarrell Jr. of Emporia, Randall O. Reynolds of Chatham, and Thomas W. Moss Jr. of Norfolk.

Hahn Bills Reach Floor Of House

RICHMOND (AP)—A House committee Friday passed and sent to the House floor a three-bill package to carry out some of the proposals made by the Virginia Metropolitan Areas Study Commission.

The action of the House Committee on Counties, Cities and Towns came on a voice vote and only one "no" was heard. Several committee members said they reserved the right to change their votes on the floor.

The package of bills calls for:

- Creation of a division of State Planning and Community Affairs to take over functions of the existing State Division of planning and also administer an expanded state role in local government planning.

- Division of the state role in local government planning.

- Division of the state into planning districts to be based, in urban areas, on Census Bureau Standard Metropolitan Statistical Areas. Local governments may create planning district commissions within their districts, to perform metropolitan area planning functions much like existing regional planning commissions.

Authority to give member governments in the planning district commissions the power to create a new type of government—called the Service District.

Missing from the legislative package is the controversial Commission on Local Government, a body which would have broad authority over annexation proceedings, among other things.

Dr. T. Marshall Hahn Jr., president of Virginia Tech and the man who headed the state's urban study commission, said Friday's package represents 80 per cent of the program sought by the commission.

Salem's Court Gets Approval

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Senate acted quickly Friday on a House bill putting the new City of Salem in Judge Fred L. Hoback's 20th Judicial Circuit—a technicality necessitated by its change from a town. As a town, Salem was part of Roanoke County, which is in Hoback's circuit.

House Approves Change In School Board Elections

By JEFF DEBELL
Times Staff Writer

RICHMOND — An amended bill providing alternative methods of selecting county school board members survived debate in the House of Delegates Monday and was moved toward approval, perhaps Tuesday.

The House bill calls for county voters to initiate a referendum on whether the method of school local board selection should be changed. If voters decide affirmatively, the county board of supervisors would fill school board seats as the terms of incumbent members expired.

At present, most county school board members are named by school trustee electoral boards acting independently of the supervisors.

Supporters of the measure introduced by Del. D. G. Pendleton of Amherst saw it as a means of bringing school board appointments closer to the public.

But opponents, among them Dels. L. C. Harrell Jr. of Emporia and Sam E. Pope of Drewryville in Southampton County, said the bill if passed would put school board selections under the shadow of politics.

The House approved a floor amendment offered by Del. Gary G. DeBruhl of Patrick County which would open the referendum to voters in the previous presidential election.

The House also advanced to third reading bills which would:

—Establish an interstate compact for the regulation of drivers license suspensions.

—Bring motor vehicle tire tread thickness under state auto inspection regulations. The measure would not apply to dualwheeled buses used in urban areas.

Three bills to carry out watered down recommendations of the Virginia Metropolitan Areas Study Commission were passed by Monday and are expected to receive priority when the House convenes Tuesday at 11 a.m.

Del. Willis M. Anderson of Roanoke, House patron of the so-called Hahn Commission bills, said supporters wanted to have them considered in a group.

Pressing adjournment, caused by the need for committee meetings for consideration of some 700 still outstanding house bills, would have prevented that Monday, Anderson reported.

**Roanoke County Supervisors
Chairman Praises Proposed School Board Option—Page 9**

Assembly At a Glance



Proposal to give counties option of letting their governing bodies elect school boards nears House passage. Page 1.

Senate moves toward final passage a bill raising the maximum interest rate on home loans from 6 to 8 per cent. Page. 8.

Batch of tax bills killed by House Finance Committee. Page 8.

ABC Board opposes billboard advertising of beer. Page 9.

2/20/68

ABC Chief Opposes Billboard Beer Ads

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Alcoholic Beverage Control (ABC) Board Monday opposed legislation which would permit billboard advertising of beer in Virginia.

ABC Board Chairman John W. Hardy—Referring to board regulations barring such advertising—told the Senate Welfare Committee “we haven’t prohibited anything, we just haven’t premitted it.”

Hardy said the board unanimously thinks “it proper that billboard advertising not be permitted.”

He said the bill—sponsored by Sen. Henry E. Howell Jr. of Norfolk—would also allow bus placards, skywriting and other forms of outdoor advertising.

Howell said outdoor ad-

vertising firms are being discriminated against because beer is advertised in other media.

It is unfair, he said, for billboards advertising beer to be barred when television, radio, magazines, and newspapers “make millions” by bringing such ads into “the innermost part of the home.”

Opponents included Mrs. Raymond Power, who said she spoke for four leading women’s clubs in the state, and Mrs. T. Roy Jarratt, world president of the Women’s Christian Temperance Union. They said billboards bearing beer ads would mar Virginia’s scenic beauty and result in more intoxicated drivers.

Airport Tax Should Be Grounded

One of the more dubious schemes to come before the General Assembly is a rural lawmaker’s suggestion that Virginia levy a \$1 head tax on airline passengers.

The purpose of the legislation at first glance seems above reproach: to raise more money for airport development. But the revenue-raising method is clearly wrong.

The tax supposedly would raise \$4.4 million a year, mostly at the Washington area’s National and Dulles Airports. Virtually all of the money, in fact, would come from commercial airports in only four metropolitan areas: Northern Virginia, Richmond, Hampton Roads and Roanoke.

But where would the money go? Logically, if such a tax ever became law, one would assume that the money would be used to expand the airports where it is collected (since these are the airports that constantly require expansion). But since this particular bill is a pet scheme of rural legislators, logic is as elusive as a last-minute seat aboard a rush-hour plane.

In an attempt to make the head tax palatable to urban areas, the bill’s patrons have conceded that one-half of the money ought to be used at airports where it is collected but the other half would be spent to upgrade small airports.

Many European countries and at least one U.S. city—in New Hampshire—collect similar taxes at present. In all cases, these taxes are a nuisance. If the practice ever were to become widespread in this country, with states or cities enacting taxes in varying amounts,

the situation quickly would become ludicrous.

Because of the dangerous congestion that is occurring at the major U.S. airports, it is altogether conceivable that a uniform user tax will soon become necessary in order to speed development of additional airport facilities in urban communities. But such a tax should properly be levied by the federal government, which is largely responsible for insuring safe and efficient air transportation.

Roanoke City Council went on record against the head tax yesterday, having recognized that its long-term disadvantages undoubtedly would offset any short-term gain to be realized in public funds. The General Assembly should also recognize that fact.

Court Study Is Proposed For Valley

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A resolution calling for study of the relationships among courts of record in Roanoke, Salem and Roanoke County was introduced Monday in the House of Delegates.

Roanoke Del. M. Caldwell Butler submitted the resolution, asking the State Judicial Council to make the study and report to the governor and General Assembly by Oct. 1, 1969.

The council is to look into “the necessity, if any, for changes in jurisdiction and additional judges.”

Roanoke City Council asked area legislators before the legislature convened to investigate the possibility of a separate circuit court judge for the city.

Councilmen said the city’s docket is heavy enough to justify a full-time judge. At present, Judge Fred L. Hoback serves circuit courts in Roanoke, Roanoke County and the new City of Salem.

Del. John W. Hagen of Roanoke County also introduced a resolution calling for the Virginia Advisory Legislative Council (VALC) to study “the advisability and feasibility” of keeping public schools open year around.

Other new resolutions called for VALC studies of public utility marketing practices and sales policies, preservation of scenic waterways and low interest loan fund for hospital construction.

Income Tax Hike Killed in House

By JOHN F. DAFFRON
RICHMOND (AP) — The House Finance Committee killed a batch of tax bills Monday, including the proposal to bring in \$70 million or more in the next two years by increasing personal and corporate income tax rates.

The committee acted after it debated for more than an hour in closed session.

There was no dissent on the motion to kill the bill, which was opposed by the Godwin administration.

The committee took no immediate action on a bill by Del. J. Warren White Jr. of Norfolk to put ABC store liquor sales under the general sales tax.

White's bill, strongly opposed by members of the ABC Board on grounds Virginia would face diminishing returns if it put any more taxes on liquor, apparently has only a slim chance of seeing light on the floor.

White said the bill would produce more than \$5 million a year which well could be put to use in education and the mental hospital program.

The committee ran into a snarl on what license fees to charge restaurants and hotels under the recently enacted local option liquor-by-the-drink bill.

The bone of contention was the board's position that licenses should be made high enough to make them mean something to the proprietors who held them.

Del. Bernard Levin of Norfolk proposed a first-bracket license tax of \$200 for restaurants seating from 50 to 100; of \$300 for those seating 100 to 150; and \$500 for those seating more than 150.

The board, with the backing of other committee members, suggested the licenses should start at \$500, go in the next category to \$750, and then to \$1,000. It would make the licenses for private clubs conform, depending on the size of their membership.

Finance Chairman C. W. Cleaton of Mecklenburg turned over the liquor license tax measure to a three-member subcommittee to resolve differences. He named to the sub-committee Dels. Theodore V. Morrison Jr. of Newport News, J. Warren

White Jr. of Norfolk and Robert E. Gibson of Chesapeake.

The committee gave its approval to the bill by Del. D. French Slaughter of Culpeper to make state income tax exemptions more closely in line with those of federal returns to facilitate the taxpayers' work.

Under the bill, individual exemptions would be \$600 each instead of the present \$2,000 for taxpayer and spouse, and \$200 each for children or other dependents. It also provides a flat deduction of 10 per cent instead of the presently allowed 5 per cent.

The committee killed a bill by Del. Donald G. Pendleton of Amherst to allow the state tax returns to consider capital gains in line with federal practice. This was strongly opposed by tax commissioner C. H. Morrisett, who said it would cost millions in revenue.

He said the reason the federal government could permit long-term capital gains to be taxed at a lower rate was because federal tax rates are "way up yonder" and Virginia's maximum income tax rate is 5 per cent.

The committee also killed, with the tax commissioner in strong opposition, a bill by Del. Carrington Williams of Fairfax allowing tax deductions for monies paid into retirement trust funds.

During debate on his bill to boost the income tax rate, Del. Julian J. Mason of Caroline told the committee it was perfectly all right with him to make it applicable to the 1969 tax year.

"Tax raises are going to come and it's a question of fiscal responsibility for us to provide the additional revenue that's going to be needed in 1970," Mason said.

He said rather wryly that he knew some in high places had said there would be no tax increases at this session, in an obvious reference to Gov. Godwin's stated position. But Del. Willis M. Anderson of Roanoke observed:

"And there were some of us in not very high places who said that also during the campaign."

More Funds Sought For Kindergartens

RICHMOND — Roanoke would get an additional \$107,500 in state kindergarten funds in 1968-70 under an amendment proposed by Del. Willis M. Anderson in behalf of the Roanoke Assembly delegation.

Del. Anderson's proposal has been handed to a special subcommittee of the House Appropriations Committee.

The amendment proposed to the governor's budget bill, in effect, would do this:

Provide that state kindergarten aid be given to localities on the basis of one teacher per 25 pupils in average daily attendance. The ratio is one teacher for each 30 pupils in the governor's budget now before the assembly.

"Our school board feels that this change is essential," said Anderson.

The State Board of Education has suggested that state funds for kindergarten programs be distributed on the basis of one teacher to each 25 pupils, Anderson pointed out.

But the '68-'70 budget provides money on a 1-30 basis, saying, in effect, that localities must pay the difference between this and the amount needed for a 1-25 ratio.

Statewide, the change in formula would mean that localities would get an additional \$862,000 in the first year, \$1,168,000 in the second.

This is assuming that all those localities that have said they are going into the kindergarten program do so.

Anderson said that if the House Appropriations Committee does not approve his amendment, it will be offered on the floor.

Roanoke has had a pilot kindergarten program paid for by the federal government, and Anderson said it has been quite successful.

Americans are buying more and more footwear made wholly or partly of synthetic materials. About 35 varieties are now available.

Commission Phase Out By 1969 Voted, 9-7

Times Legislative Bureau Press Room, State Capitol
RICHMOND — A compromise bill to abolish the Commission on Constitutional Government cleared the Senate Courts of Justice Committee Monday on a 9-7 vote.

The move to report the bill to the Senate floor came during a late afternoon closed-door session.

The committee was set to consider a bill, similar to one already killed in the House of Delegates, which would have abolished the commission outright.

But Sen. Edward L. Breeden Jr. of Norfolk proposed the amendment version which would phase the commission out of existence by 1969.

Del. W. Roy Smith of Petersburg, who had supported the commission in the House, told the committee he still favored retaining the agency but would agree to abolishing it "somewhat less than abruptly" as originally proposed.

The commission has been the center of controversy during the current General Assembly. It uses state money to print and distribute publications defending the constitution.

Under the Senate bill, the commission would be granted \$50,000 to wind up its operation during the remainder of 1968.

The money cannot be used for new publications or for activities "not necessary to effect orderly cessation by Jan. 1, 1969."

Also during its closed session, the Court of Justice Committee cleared bills making alienation of affection a misdemeanor and strengthening laws against habitual motor vehicle offenders.

The bill, sponsored by Sen. Peter K. Babalas of Norfolk, would put alienation of affection cases under jurisdiction of local Juvenile and Domestic Relations Courts.

The bill against habitual highway offenders, which allows license suspensions of up to 10 years, already has passed the House of Delegates.

A spokesman for the Virginia Bar Association urged the committee to temper the traffic bill's provisions, saying they are so tough that prosecutors will hesitate to press charges.

Earlier this month, Commission chairman David J. Mays appeared before the House Appropriations Committee to request restoration of budget funds to the \$250,000 the commission requested for the next two years.

Gov. Mills E. Godwin Jr. in his \$3.06 billion budget proposals included \$172,800 for the commission.

Council Criticizes Garland for Bill

Roanoke City Council voted Monday to oppose two General Assembly bills and criticized Del. Ray L. Garland for introducing one of them.

One of the bills opposed would prevent cities from buying private utility companies located within an adjoining county unless the county agreed.

The other bill would put a \$1 tax on each person boarding an airplane at any of Virginia's 12 largest airports. That would include Roanoke's Woodrum Airport.

Garland, along with Del. John W. Hagen, introduced the bill that would bar cities from buying utility companies in counties.

Roanoke City has recently bought several water companies in Roanoke County.

Hagen represents Roanoke

County; Garland represents the city and county. Both are Republicans.

Councilman James Jones said, "Mr. Garland should be representing the City of Roanoke as well as Roanoke County."

Mayor Benton O. Dillard said "he (Garland) thought he represents Roanoke County alone."

The mayor said that Garland now represents two cities: Roanoke and Salem. Salem was still a part of the county when Garland was elected.

Council voted unanimously to oppose the Hagen - Garland bill and the bill to tax air travelers.

The proposed \$1 tax on those flying would be split between the airport where the person boarded and the state. The state would divide its funds among all Virginia airports.

Mayor Dillard said the tax "would be fatal."

Vice Mayor Vincent Wheeler said the purpose of the tax is only "to help the county airports."

Eddy Lauds Bill To Pick School Board

The chairman of the Roanoke County Board of Supervisors Monday praised a bill now up for final reading in the House of Delegates which would give county supervisors the power to appoint school board members.

Lee B. Eddy said the current law, under which school trustee electoral boards appoint the school board members, is "out of date and undemocratic."

The bill, which was put up for final reading Monday in the House of Delegates, calls for a referendum among county voters on the question of whether the supervisors or the court-appointed board should name school board members.

Eddy said that if the legislation gets through the General Assembly he hopes the residents of the county "will act quickly" to start such a referendum.

In a county where 90 per cent of the taxes goes to schools, Eddy said, the present method is a "severe form of taxation without representation."

Eddy said his comments weren't meant to reflect on any past county school board or on members of the present board.

Building Project Near Capitol Voted by House

RICHMOND (AP) — The House passed Monday a bill that will enable the state to embark on a three-phase building program in or near Capitol Square at a cost of some \$20 million.

The projects are a new building for the Virginia Supreme Court of Appeals and the attorney general's offices, estimated to cost \$2.25 million; a new state office building, about \$13.5 million, and additions and alterations to the present State Library and Supreme Court building, about \$3.25 million.

The projects were identified by Del. James Thomson of Alexandria, Democratic majority floorleader, who spoke briefly in support of a bill by Del. J. H. Daniel authorizing an increase from \$24 to \$35 million in the amount of state retirement fund that may be invested in state office buildings.

An ounce of gold can be stretched into a wire five miles long. Or it can be hammered flat into a sheet 100 feet square.

2/20/68

Rural Forces Rally To Amend Hahn Bill

By JEFF DeBELL
Times Staff Writer

RICHMOND — Two bills implementing recommendations of the Virginia Metropolitan Areas Study Commission cleared crucial second readings in the House of Delegates Tuesday, but only after the teeth were pulled from part of the legislation.

Bills advanced to third readings would create a state division of planning and urban affairs and outline its duties,

provide for of regional planning districts and commissions, and open the way for setting up new layers of urban area government called service districts.

Another bill setting forth court jurisdictions within service districts was scheduled for debate during a Tuesday night session of the House.

Del. Archibald A. Campbell of Wythe County led a group

of predominantly rural legislators in killing one of the so-called Hahn report's major recommendations—a provision calling for state takeover of welfare and highway costs in service districts.

Campbell's amendment passed the House on a 54-42 show-of-hands vote.

A move led by Del. James M. Thomson of Alexandria to delete provisions for intra-service-district annexation regulations failed to pass.

Thomson, who is Majority Floor Leader in the House, sought to remove a provision requiring county permission for a city or town to annex part of it.

But that section remained intact, along with a floor amendment by Del. Willis M. Anderson of Roanoke which would further broaden annexation possibilities by allowing corporate expansion on petition of 51 per cent of the affected territory's voters.

A second amendment in effect prohibiting some localities within a planning district from forming a service district at

(Continued on Page 2, Col. 1)

Assembly At a Glance



House passes on second reading two bills implementing recommendations of Hahn Commission but kills a provision calling for state takeover of welfare and highway costs in service districts. Page 1.

Democratic Sen. Henry E. Howell and GOP members of the Senate lose bid to amend bill changing date of primary elections and requiring all general election candidates to file by the same deadline. Page 15.

Republican legislators lose fight to block naming of Harry Vaughan as GOP representative on the State Board of Elections. Page 15.

GOP Loses Fight To Drop Vaughan

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Republican legislators took their fight to block the reappointment of Harry H. Vaughan of Hopewell as the GOP representative on the State Board of Elections to the State Senate Tuesday and lost.

The Senate heard the same arguments which had been aired before a House committee, the full House, and a Senate committee, and then squelched the Republican protest.

Again, Senate Minority Leader James C. Turk of Radford enumerated the GOP objections to Vaughan—his age and ill health prevent him from filling his duties, he is not representative of the Republican party, and that Gov. Mills E. Godwin Jr. agreed to consult with party leaders about the appointment but never did.

Sen. J. Kenneth Robinson of Winchester, chairman of the joint GOP delegation, said Vaughan was a "rejected Republican" and that it would be a "slap in the face of Republicans statewide" to confirm his nomination.

which said he was physically able to perform his duties.

Manns said such a challenge to a nomination by the governor "had never happened before" and that it might "embarrass the governor, Mr. Vaughan and the Senate of Virginia" to reject the nomination.

As in the House when the matter came up, some Democrats seemed disinterested in the debate and a hubbub of conversation was in the background.

Republican Sen. H. Clyde Pearson of Roanoke County said he saw "no element of levity" in the question and that there "had never been a more fundamental question" before the Senate.

As in previous debates over Vaughan, leading Democrats rallied to Vaughan's support and endorsed his status as a valid Republican.

Sen. William B. Hopkins of Roanoke said, "It is basic that the minority party is entitled to a member on the state board and I would fight for their right to be so represented on elections but that was not the issue before us today."

Hopkins said the Republicans offered no opposition to Vaughan when he was appointed the first time in 1963 and that they offered no opposition to his reappointment in January, 1967, until the 1968 General Assembly session began.

"In fact, it is my understanding that the State Republican Central Committee never took any action not to confirm him," he said.

Hopkins said the only basis for rejecting Vaughan would be that he was not a Republican, and if that were the case, it should have been brought out when he was first appointed.

Sen. Paul W. Manns of Bowling Green, chairman of the Senate Nominations and Confirmations Committee, read a telegram from Vaughan's doctor

Let the Counties Decide

A major educational reform has emerged unexpectedly from the House of Delegates, giving rise at last to hopes that Virginia's political leaders are prepared to give citizens of the counties a voice in running their schools.

At present, the state resorts to something akin to a Rube Goldberg invention to determine the make-up of its county school boards. Elected boards of supervisors are denied any say in the selection of school board members, the result being that the electorate similarly is shut out of the policy-making process. Under the Virginia system, control of county schools is placed at least indirectly in the hands of judges, not local governing bodies.

Since judges are political appointees who must look to the Democrat-controlled legislature for life-long tenure, the set-up has effectively sealed out Republicans and non-Organization Democrats from school management. It is true that in some instances the scheme has served the public interest insofar as school affairs have been somewhat isolated from the everyday hurly-burly of local politics. But in those counties that lack forward-looking judges willing to insist on quality schools, the school boards too frequently have been willing to "go along to get along" with supervisors whose foremost concern is in cutting taxes, not raising school budgets.

Under the House-passed reform measure, the system could be changed in any county where a majority of the voters gives the go-ahead. For the first time, voters in all counties would be given discretionary power to authorize their boards of supervisors to appoint school board members, in much the same way that city councils presently name the school boards in independent municipalities. If voters ratified the change, judge-appointed school trustee electoral boards would be disbanded, thus effectively denying the judiciary any further role in school matters. It is these trustees who select board of education members at present.

Roanoke County Supervisors' Chairman Lee B. Eddy speaks for county governing bodies and school patrons in calling the present set-up "out of date . . . undemocratic . . . a severe form of taxation without representation." The House of Delegates agrees; so should the Senate.

Economic Measure By Butler Defeated

RICHMOND (AP) — Republican Del. M. Caldwell Butler of Roanoke sought to effect a modest economy in the budget Tuesday by doing away with a commission and turning its duties over to the Virginia Advisory Legislative Council.

But the House Rules Committee killed his bill. Butler sought to abolish the Commission for Economy in Governmental Expenditures.

Howell, GOP Fail To Amend Primary Bill

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Beating back amendments proposed by the Republicans and by all-but-announced gubernatorial candidate Henry E. Howell, the state Senate Tuesday advanced to final passage stage a bill moving the date of statewide primary elections from July to June and requiring all general election candidates to file at the same time.

Howell, a Norfolk Democrat almost certain to seek the party's nomination for governor in next year's primary, tried to amend the bill to abolish runoff primaries, called for in present law in the event no candidate gets a majority.

Howell said flatly, "we are going to have more than two candidates. We are going to have a runoff primary."

The age of inexpensive campaigns is over, Howell said. "You are asking the Democrats of Virginia to contribute more than \$1 million for the primary campaign," he told opponents of his plan.

The GOP amendments would have allowed Republicans and independents until September to qualify.

Senate minority leader James C. Turk of Radford told Democratic senators he didn't care "when you have your

primary." But it would be "an undue restraint" to require Republicans and independents to file in June along with Democrats, he said.

Sen. Hunter B. Andrews of Hampton, chairman of a Privileges and Elections (P&E) Subcommittee which worked out the compromise measure, said all candidates should "be at the post at the same time."

"They (the GOP) want us to have to file in June while they have until September to look over the field," Andrews said.

Republican Sen. H. Clyde Pearson of Roanoke County said the early filing date would "prohibit a lot of good candidates from running for office."

Presidential candidates have until September but aspirants for lesser state offices would have to qualify five months in advance of the election, Turk said.

Democratic Sen. William B. Hopkins of Roanoke noted the GOP had scheduled its 1969 nominating convention for April—seven months before the election.

Present law gives independents 10 days longer than party nominees to file.

Turk said he doubted the bill would be approved by the U.S. Attorney General, who must review all Virginia election law changes under the 1965 Voting Rights Act.

The GOP amendments were defeated on a show of hands with Howell joining the six Republicans on the losing side.

Andrews told Howell a separate bill aimed at killing the primary runoff was "still in the breast of the Privileges and Elections Committee and is still warm, still being caressed and still being nourished by some."

Some conservative Democrats are said to feel abolishing the runoff provision might help their candidates but they are reluctant to support the liberal Howell's bill.

The runoff question "should rise and fall on its own merit," Andrews said, and not be tagged onto the measure before the Senate.

Howell, pushing for the amendment, said he was aware his bill was "romanced" by the P&E committee, but that it had been the victim of some "substantial alienation of affection."

Howell said the runoff plan—adopted in 1952 but never

used—"may drive several large nails into the coffin of the Democratic party."

The party was designed to be the "party of the average man and woman," he said, but the runoff primary makes it a "rich man's" party.

Howell quoted the late Del. Robert Whitehead of Nelson County as calling the runoff bill in 1952 "The fraidycat bill." (Whitehead, a leading anti-organization Democrat of the time, was considered a possible gubernatorial candidate.)

Howell said the runoff would "price the average man out of the market" by forcing him to pay for two campaigns. He noted the rising cost of statewide campaigning and said the total spent by the four candidates in the 1966 senatorial primary topped \$750,000.

"The ice man is gone and the refrigerator is here to stay," he said.

Howell said his amendment was "designed to restore democracy to the Democratic primary and the Democratic party."

Passage of the amendment "would be the brightest torch of liberty and integrity that has been lit so far, where the Democratic primary is concerned," he said. "It would make the torch on the Statue of Liberty look like a burnt-out match."

But Howell's oratory won him no support. When he called for a show of hands, only his hand was raised.

After an hour's debate on the Vaughan reappointment, the Senate ran into a parliamentary

snarl when the Republican senators sought to have the journal show their votes against confirmation were directed solely at the Vaughan nomination and they would have voted for the appointees on the list with him if separate votes were taken.

Lt. Gov. Fred G. Pollard noted the Senate had rejected Republican efforts to amend the resolution so as to delete Vaughan's name and the Senate rules provided no way for the minority delegation's request to be granted for severance.

Sen. Andrews, seeking to smooth the ruffled feelings of the Republican minority, had moved to reconsider the 34-6 vote by which the resolution was adopted.

Various proposals for allowing the minority to show its vote was against Vaughan's name only were ruled out of order and Sen. Edward L. Breeden Jr. of Norfolk suggested a solution.

"Certainly this is an unusual situation," Breeden said in supporting the Republicans' view that their vote be shown as against Vaughan only.

"I think the law contemplates confirmation of a man and not a group of men," said Breeden, suggesting then that the Senate take another confirmation vote and order entry in the journal to show the Republicans were voting against Vaughan and not against others on the list of appointments.

School Attendance Action Due Soon

RICHMOND (AP) — "Everybody has a right to go to hell in his own way," a Longwood College chemistry professor said Tuesday in opposing a statewide compulsory school attendance bill.

"This is a question of authority against liberty," Professor Jack Hardy told the House Education Committee at a public hearing on a compulsory attendance bill sponsored by Sen. Hunter Andrews of Hampton.

The committee, after hearing a half-dozen supporters of the bill and Hardy, the only opponent, referred the proposal to a subcommittee studying several similar House bills. The committee hopes to act on the legislation Thursday.

Hardy said proponents of compulsory attendance laws are unselfish in their motivation but make the mistake of trying to tell other people what's good for them and what they have to do.

The Virginia General Assembly recently enacted laws permitting local option on the sale of liquor by the drink, Hardy said, and now proponents of statewide compulsory school attendance "turn around and say local

option on education is no good." Andrews' bill, which would reimpose statewide compulsory attendance laws wiped off the books in the late 1950s during Virginia's massive resistance to racial desegregation of the schools, was passed by the Senate last week on a 32-8 vote.

In explaining his proposal Tuesday, Andrews said 98 Virginia localities have and 38 localities have not adopted local compulsory attendance ordinances.

Andrews' measure was endorsed Tuesday by spokesmen for the Virginia Association of Counties, Virginia Congress of Parents and Teachers, Virginia School Boards Association, Virginia League of Women Voters, Virginia Chapter of the American Association of University Women and a Fauquier County resident who said several hundred children have dropped out of school there because of parental apathy and lack of a compulsory attendance ordinance.

C. F. Hicks, speaking for the Virginia Association of Counties, said, "If we don't educate the children now, we'll support them later on welfare or in penal institutions."



SEN. HUNTER B. ANDREWS
Subcommittee Chairman

Subcommittee To Consider Salem Charter

By JEFF DeBELL
Times Staff Writer

RICHMOND — Salem's proposed city charter was handed to a House of Delegates subcommittee Tuesday in the wake of testimony including a charge that the document has become a tool of political interests.

Action followed a public hearing before the House Committee on Cities, Towns and Counties. The subcommittee, composed of Dels. Stanley G. Bryan of Chesapeake and Matt G. Anderson of Goochland, was directed to report at the next CTC meeting on Tuesday.

The charter bill had been held by the subcommittee since mid-January, but Bryan said Tuesday that study was postponed pending the public hearing.

Del. John W. Hagen, representing Roanoke County and Salem, introduced the charter bill "on request"—meaning he disagreed with parts of it.

As promised, the Republican delegate offered several amendments to the charter. And as expected, representatives of the Salem city government testified against Hagen's proposals.

Most controversial was Hagen's proposal—reportedly backed up on petitions by more than 600 Salemites—that all five city councilmen stand for reelection this June. The charter provides that two councilmen be elected in June and the remaining three in 1970.

Former Del. Ernest "Pig" Robertson, speaking for the charter as proposed, charged Republicans with using this section to turn the charter bill into a "political football."

Area Republicans are inconsistent, he said, in asking for a full council election at the same time they have proposed legislation for staggered Roanoke County Board of Supervisors elections.

The board fell under Republican control in last November's election.

Hagen charged that Salem City Council approved the charter at a Jan. 19 public hearing

despite obvious public sentiment for changes.

The statement of approval obviously had been prepared before the hearing, Hagen said.

He added that council did not make the proposed charter public until the morning of the hearing, and only then at his insistence.

Salem Mayor J. Leonard Shank, Vice Mayor E. P. Hart, Councilman Henry Garden Jr., City Manager Frank Chapman and Assistant City Manager William Paxton Jr. were present at the hearing, but did not testify.

Other Hagen amendments would:

—Have all city constitutional officers elected in November.

—Raise the number of school board members from three to five.

—Give council, rather than the circuit court judge, power to appoint municipal and juvenile court judges.

—Give council veto power over the city manager in staff appointments and assignments.

—Require referenda on bond issues.

—Bar councilmen from doing business with the city and set a \$1,000 limit on contracts which would not have to be submitted for bidding.

The charter as drawn would have constitutional offices filled in November elections preceding the expirations of incumbents' terms. In addition, it would allow contracts of up to \$5,000 to be let without bids.

The charter as written also would let council issue bonds without a referendum.

Former State Sen. Hale Collins of Covington, representing Salem, said the charter was prepared by "experts" at a Charlottesville legal publishing firm and that city officials had approved it as written.

An amendment recommended by the state attorney general—allowing the circuit court judge to appoint constitutional officers—also had met council's approval, Collins said.

Hagen's amendments were supported by Del. Ray Garland and State Sen. H. Clyde Pearson.

Interest Limit Bill Gets Final Approval by Senate

RICHMOND (AP)—The Senate gave final passage Tuesday to the House bill raising the top home loan interest rate from 6 to 8 per cent, a bill strongly backed by lending institutions as a necessary move to attract investment funds and keep the mortgage money supply flowing.

The House consented to the idea of having proposed revisions of the state election laws studied by Privileges and Elections committees of both branches of the General Assembly. Republican Minority Leader M. Caldwell Butler of Roanoke voted for the resolution of Democratic Floor Leader James M. Thomson but said he would prefer to see the job done by an

independent commission as another bill suggests.

"It's sort of like leaving the rabbits to protect the cabbage patch," said Butler, the first Republican in modern times to be named to the potent committee which handles all political legislation.

The House also passed and headed toward the Senate the bill to give counties the option of voting whether to have their school boards named by the boards of supervisors or continue the present court-appointed school trustee electoral board.

The vote was 85 to 10.

The House Insurance and Banking Committee approved a bill to raise minimum automobile liability coverage from \$15,000 for one person and \$30,000 for more than one, to \$25,000 and \$50,000.

Virginia To Study Costs of Textbooks

RICHMOND (AP) — A proposal for study of the costs of providing textbooks in the public schools of Virginia went into the General Assembly Tuesday.

14

THE ROANOKE TIMES, Wednesday, February 21, 1968.

Truth in Lending Nears House O.K.

RICHMOND (AP)—The House of Delegates Tuesday night advanced for final passage a truth-in-lending bill requiring disclosure of annual interest rates in credit transactions, including revolving and open-end credit plans.

In addition to requiring that

this information be furnished by the seller to the credit customer, the measure also charges the State Corporation Commission with enforcement of the Virginia Consumer Credit Code.

It provides punishment for violators up to \$5,000 and one year in prison or both.

The bill was sponsored by Del. A. L. Philpott of Henry County.

Fugate Opposes Truck Proposal

RICHMOND (AP) — Proposed legislation to increase the weight limit on trucks using Virginia roads drew the fire of State Highway Commissioner Douglas B. Fugate Tuesday.

Fugate told the Senate Roads Committee, which is considering a bill to raise the weight limit from 18,000 to 20,000 pounds, that the increase would greatly heighten construction and maintenance costs for the state.

State Sen. William E. Fears of Accomac, who introduced the measure, said he felt small Virginia haulers should be allowed to compete with those in surrounding states, most of which have higher weight limits.

The committee adjourned without a decision, but indicated it might consider the bill further at its meeting Wednesday.

Also advanced to third reading was a measure fixing jurisdiction for offenses committed in service districts proposed by the Virginia Metropolitan Areas Study Commission.

Under the proposal the county where an offense is committed would receive court costs and the service district the fines.

The House advanced a bill by Del. Dorothy McDiarmid of Fairfax permitting school boards to spend public money for the education in private non-sectarian schools of handicapped children in special classes, where such classes are not available in public schools.

Also pushed along for final passage was a bill by Del. C. Armonde Paxson of Charlottesville providing that either a sheriff or the city sergeant may be in charge of a consolidated jail.

Coed Campus Dies in House

RICHMOND (AP) — You fellers who hoped to make Longwood College a co-ed campus will have to go elsewhere.

A proposal to admit men students to the all-women college in Farmville was killed Tuesday by the House Education Committee at the request of the bill's sponsor, Del. Tom Frost of Warrenton.

Hearings Set On Work Law

RICHMOND (AP) — Public hearings have been scheduled by Senate and House committees on bills proposing modification of Virginia's right-to-work law.

House Labor Chairman Lawrence R. Thompson of Rustburg announced Tuesday his committee will take up the House bill at 10 a.m. Thursday. The Senate General Laws Committee has called a hearing for 3 p.m. Monday on similar measure.

The bills, sponsored in the Senate by Sen. Henry E. Howell Jr. of Norfolk and in the House by Del. Wallace G. Dickson of Arlington, would require non-union employees to pay to a union a part of the benefits they received under a labor contract negotiated by the union.

Virginia's right-to-work law bars closed or union shops.

Land Swindle Is Charged

By WAYNE FARRAR
Times Staff Writer

RICHMOND—Saying "I'm going to suffer" as a result of these allegations, Sen. Henry E. Howell Jr. Wednesday brought charges of widespread conflict of interest involving highway construction before the Senate Privileges and Elections (P&E) Committee.

Howell—a Norfolk Democrat expected to seek the governorship next year—presented what he called "a model conflict of interest bill" designed to stamp out practices by state employees which might "impair the reputation for integrity that our state enjoys."



Assembly At Glance

Sen. Henry E. Howell Jr. of Norfolk brings charges of widespread conflict of interest involving highway construction before the Privileges and Elections Committee. Page 1.

House passes diluted measures aimed at aiding metropolitan areas solve their problems. Page 10.

Bill making public list of applicants for mail ballots clears Senate committee. Page 10.

Patrons of measure requiring periodic re-examination of drivers changes its language to permit waiver by Division of Motor Vehicles if driver has not had a violation since obtaining last permit. Page 10.

Republican legislators tell House Appropriations Committee there is \$22 million worth of "fat" in the administration's budget. Page 10.

House Finance Committee kills a bill assuring each locality of at least 1 per cent of the sales tax collected in that locality and also kills a bill prohibiting the use of trading stamps. Page 11.

Howell said he would withdraw the bill if the committee would approve a resolution sponsored by Sen. Hunter B. Andrews of Hampton calling for a two-year study of possible conflict-of-interest legislation. The committee later agreed to report the resolution to the Senate and to kill the bill.

Howell introduced to the committee Gordon Dillon, publisher of The Virginia Observer, who described a case in Virginia Beach in which he said an unnamed councilman, two highway department attorneys, and a highway official and "a political leader" swindled three Mennonites who owned land through which a new toll road was planned.

Dillon claimed the councilman, who also was a real estate salesman, obtained an oral option on the land from the Mennonites at \$2,000 an acre. He said the councilman knew of the highway department plans through his association with the highway official and attorneys.

These men, he said, formed a bogus realty firm and sold the option to a road builder for \$25,000. The road builder paid the Mennonites \$100,000 for the land and then sold it to the state for \$216,000, Dillon said.

Howell said the state attorney general's office had ruled that there was no conflict of interest in the case because Virginia had no law against such activity.

Howell said the people involved in the case were "People I've known . . . some of the sweetest people I know."

Committee members offered no comment in open session but went into private session and, Andrews said later, approved the resolution calling for a study.

THE ROANOKE TIMES

THURSDAY, February 22, 1968

Page Six

Opinion Page

An Unpardonable Slap at Cities

By its incredible action in refusing to provide financial incentives to lure cities into new regional government arrangements, the House of Delegates has effectively cut out the very heart of the Hahn Commission's long-range program to cure urban malaise.

If the negative vote is not reversed, the legislature of Virginia will have recklessly turned its back on many of the pervasive core-city problems that unquestionably lie at the root of present-day conflicts throughout this nation.

Unless the assemblymen quickly grasp the dangers of continuing such ostrich-like statehouse attitudes in the face of growing core city-suburban antagonisms, declining innercity tax resources and the continuing migration to the cities of the poor and the aged, they must bear a heavy responsibility for the tragic consequences that eventually could well occur.

In proposing two eventual grant-in-aid advantages for cities that vote themselves into areawide Service District governments, the Metropolitan Areas Study Commission sought only to provide a minimum of reforms in a state-aid program that presently discriminates against the cities in almost every instance.

One of these changes would require the state to shoulder the entire cost of providing arterial and primary highways in the cities. Since the state already picks up this tab in counties, including several densely populated suburban ones, such a policy change would correct an ancient wrong at the same time that it wooed the cities into partnership with their bedroom neighbors.

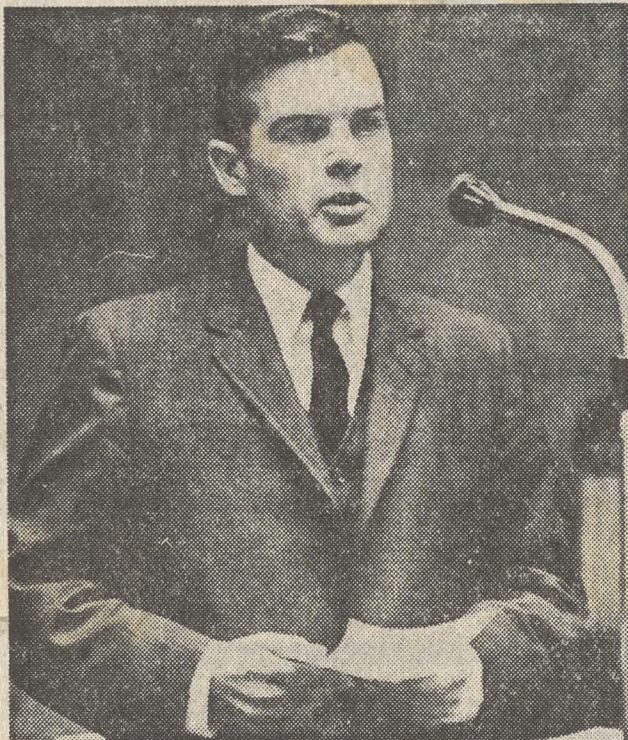
The second change, which would make the state solely responsible for supplementing federal welfare funds in the Service District areas, would cost the state only a few

million dollars in any given year. Yet it would indirectly spread welfare costs over a full urban population inasmuch as citizens of wealthy suburban counties would finally be paying state taxes to help meet the burgeoning expense of handling innercity social problems.

City expressways are built largely for the benefit of the suburbs, not the core-city pedestrian or bus patron. It should not be the cities, therefore, that are singled out for local matching-fund requirements when these highways are built. And it is just as evident that city welfare loads keep getting bigger because of the constant exodus of the poor from rural regions, many of whose Richmond representatives were in the vanguard of the House's anti-city vote. Clearly, the burden of meeting the cost of social welfare programs should not be assigned disproportionately to the budget-strained cities. It is the cities that shell out the welfare grants to rural immigrants who obviously cannot live in high-rent suburban districts that prohibit public housing, enact restrictive zoning regulations, offer very few jobs for the unskilled and stop just short of erecting Keep Out signs at the corporate boundaries.

Without new state-aid incentives it is folly to think that Virginia cities will trade their annexation powers for regional overlayers of government. If the legislature is unwilling to admit this fact, it might as well forget about finding rational solutions to the threatened class and racial conflicts between cities and suburbs. Unless, that is, it's at least prepared to give cities the power to levy payroll taxes against suburbanites who earn their livelihood in the cities, use city expressways and blithely drive away from city problems everyday at 4:30 p.m.

House Passes Diluted Hahn Bills



Del. Anderson Speaks for Measures

Times Photo by Jack Gaking

RICHMOND — Measures aimed at aiding metropolitan areas solve their complex problems—watered-down versions of the sweeping proposals made last November by the Virginia Metropolitan Areas Study Commission — were given final approval Wednesday by the House of Delegates and sent to the Senate.

Del. Willis M. Anderson of Roanoke, a member of the commission and co-patron of the bills, told the House the package offers "a new dimension" in solving the plight of urban centers across the nation.

"A great deal is being written and spoken," Anderson said, "but little is being done," about metropolitan problems.

The General Assembly has "the opportunity to make Virginia a leader" in combatting these problems, he said.

Calling the bills "evolutionary, not revolutionary," Anderson said they would not offer "instant solutions" but would "provide the working tools" for localities to work together.

Anderson urged reluctant delegates to "think not just of



By
Wayne
Farrar

Times
Staff
Writer

your own city or county and not just of today."

The House passed, 82-11, a bill expanding the role of the State Division of Planning and establishing a scheme for planning districts throughout the state.

Passed, 71-23, was a bill providing for the establishment of planning district commissions, providing methods for the creation of regional government units or "service districts," and calling for an urban assistance incentive fund to channel state aid to the metropolitan areas.

A third bill, concerning court jurisdictions within service districts, passed, 68-18.

After hearing Gov. Mills E.

Godwin Jr.'s opening day message to the Assembly, proponents of the legislation redrafted the bills to conform with his recommendations.

Dropped was a provision calling for a commission on local government which would arbitrate certain disputes between neighboring localities. Also deleted was a feature which—under certain circumstances—could have permitted creation of a service district against the wishes of one of the localities involved.

Later, bills were further amended to pacify opponents.

And on Tuesday, the House voted to cut from the bills some of the inducements designed to attract cities into service districts.

These would have had the state pick up welfare and highway costs of localities participating in service districts.

Dr. T. Marshall Hahn Jr., president of Virginia Tech and chairman of the study commission, and other proponents have denied that the changes in the original report have so diluted the concept as to reduce sharply the impact of what remains.

They contend the recommendation for a commission on local government can be part of the recently begun constitutional revision study and that the welfare and highway cost incentives can be returned to the legislation in future years.

Following House action, Dr. Hahn said:

"The bills as passed by the House of Delegates today (Wednesday) provide a basic structure for beginning to deal more effectively with the pressing problems of Virginia's urban areas.

"Final passage of these bills by the Senate, would, as Mr. Anderson has eloquently expressed, place Virginia in a position of national leadership.

"Local citizens, local governmental units and future general assemblies will be able to build on this basic structure which would result from final passage of this legislation."

Republicans Cite Ways To Cut \$22 Million From State Budget

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Republican legislators told the House Appropriations Committee Wednesday they have found \$22 million worth of "fat" in the administration budget.

Assistant House Minority Leader Arthur R. "Pete" Giesen Jr. of Staunton said "further investigation by the appropriations committee will possibly reveal unfounded optimism on our part in some particulars."

But, he said, the GOP delegation thinks sizable sums can be freed for more essential services such as public education and mental health.

In addition to cutting the appropriations recommended by Gov. Mills E. Godwin Jr. by \$22 million, Giesen said, another \$10.3 million could be gained by passing Roanoke County Sen.

H. Clyde Pearson's bill providing for the sale of the state's stock in the Richmond, Fredericksburg and Potomac Railroad.

Earlier, the Republicans had told the committee the governor's revenue estimates were low by about \$40 million.

Godwin later confirmed that the estimates were low, but by some \$33 million. About \$21 million of this, he said, would be taken up by appropriations needed to replace the federal school impact fund checkoff recently ruled out by a federal court.

Among cuts suggested by the Republicans Wednesday were:

—A \$106,000 decrease in the amount earmarked for raises for state officials.

—\$200,000 decrease in recommended raises for judges.

—\$106,000 cut in legal assistance to localities. (This fund was formerly largely concerned with local litigation involving racial desegregation, a field the GOP said is no longer appropriate).

—\$250,000 cut in the governor's discretionary fund, which the Republicans said had not been satisfactorily justified.

—\$450,000 decrease in amount recommended for maintenance and operation of the new James Madison office building.

—\$172,800 saving by deleting whole budget for commission on constitutional government.

—\$100,000 decrease in budget for data processing equipment.

—\$166,165 saved by abolishing the state compensation board, which the GOP says is unnecessary.

—A \$70,000 cut in the Virginia Museum for fine arts budget.

—\$3.5 million by abolishing tuition grants.

—\$400,000 for an airplane for the governor's office.

—\$900,000 earmarked for renovating the State Supreme Court and library building, which reportedly can not be completed in the next biennium.

—\$10 million left to the discretion of the governor for salary increase for state employees. The Republicans say increases should be included in agency budgets.

Congressman To Run For Another Term

WASHINGTON (AP) —Rep. L. H. Fountain, D-N. C., announced Wednesday he will run for re-election.

He is now serving his eighth term from the state's 2nd Congressional District.

Trading Stamps Win Reprieve

Cities Lose Fight To Get Guaranteed Share of Tax

By JOHN F. DAFFRON
Associated Press Writer
RICHMOND (AP)—The House Finance Committee killed Wednesday night the McNamara bill that would have assured

each Virginia locality it would receive at least one per cent of the three per cent state sales tax collected in that locality beginning July 1. The proposal would have guar-

anteed that all localities would have their shares of the sales tax supplemented from the general fund to bring them up to one per cent. City delegates strongly backed

the proposal. Del. Thomas R. McNamara of Norfolk, sponsor of the plan, said cities were getting only a fraction of the money under the state split generated by sales in their communities.



AP Photo

Del. McNamara Speaks for Proposal

The committee vote was by voice and sounded fairly close. It was not tallied, however.

On another major tax proposal, that of Del. F. L. Largent Jr. of Winchester to broaden the state sales tax base and reduce the rate to one per cent, the committee agreed the plan merited further examination but there was no chance to make such a radical shift at this late stage of the 1968 Assembly.

It approved a substitute for the bill — which Largent said would bring in an additional \$17 million a year — which refers his sales tax approach to a nine-member study commission.

In other action, the committee killed the bill that would prohibit the use of trading stamps, coupons and other sales incentives in Virginia. The bill was proposed by Del. Mary Marshall of Arlington.

Killed also was a bill by Del. Archibald A. Campbell of Wytheville to raise the automotive titling tax from two to three per cent but allow the traded-in vehicle to be considered with the tax applying only to the net amount of the sale.

On the sales tax sharing bill, McNamara estimated the cost to the general fund of the state would be \$13 million in fiscal 1969 and \$14.3 million in fiscal 1970.

He said he did not think this would adversely affect the new budget, since he felt confident

tax revenues were still underestimated even in light of Gov. Mills E. Godwin's upward appraisal.

He cited figures showing 35 localities would benefit by immediate increases in their proportions of the state tax, and all other would have the benefit of a fixed minimum.

The present state sales tax of two per cent is split equally with the localities, which also impose a one per cent local sales tax of their own.

Particularly affected by the school-age population distribution formula of the state are the major city shopping centers. The city of Richmond, which received \$1.046 million for the last six months of 1967, actually was getting only .43 per cent based on one per cent of sales in the area.

Norfolk, whose share was \$1.6 million, received .72 per cent; Alexandria, with \$543,282, re-

ceived .49 per cent; Lynchburg, with \$308,004, received .48 per cent; Roanoke, with \$522,551 received .46.

On the other hand, Danville, with \$285,047 got .70 per cent, and Newport News, with \$801,195, got .97 per cent.

At the bottom of the list was Williamsburg, whose \$31,072 share amounted to only .14 per cent on one per cent of the retail sales there.

School Bus Measure Dies in Committee

RICHMOND—A bill that could have given assistance to cities like Roanoke in transporting pupils has been killed by the House Education Committee.

The bill had been signed by all of Roanoke's House delegation. Del. M. Caldwell Butler supported it in an appearance before the committee.



AP Photo

Hearing on Hard of Hearing

Larry Staudte of Hampton was one of several youngsters appearing Wednesday at a hearing by the Senate Education Committee on a bill that would

supported education program for hard-of-hearing children. Here he helps Sen. Edward T. Caton of Virginia Beach check his

New Bill Planned On Abortions

RICHMOND (AP)—Del. Wallace G. Dickson said Wednesday he will substitute a bill patterned after North Carolina's new abortion law for his own bill introduced previously on the subject.

The new bill would permit therapeutic abortion only under certain circumstances that can be "reasonably proved" such as:

—Continued pregnancy would threaten the life or seriously impair the health of the mother.

—There is a substantial risk the child would be born with a severe mental or physical defect.

—The pregnancy resulted from rape or incest which was

reported to police within seven days.

In addition, three physicians would have to examine the woman and concur that abortion is justified. The woman would have to have been a resident of Virginia for at least four months except where her life is in danger.

Virginia law now permits abortion only to save the life of the mother. Dickson's previous bill would have wiped out the law entirely, leaving abortion a matter between physician and patient.

Strabismus is the medical term for crossed eyes.

Bill Advances To Make Public Mail Vote Lists

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Senate Privileges and Elections Committee Wednesday approved a bill sponsored by Sen. George M. Warren Jr. of Bristol requiring voting registrars to open to the public lists of absentee ballot applicants.

As originally written, the bill would have opened to public inspection all records a registrar keeps in connection with the performance of his duties.

An amendment to limit the language to absentee ballot applications was agreed to after Sens. Joseph C. Hutcheson of Lawrenceville and Hunter B. Andrews of Hampton questioned Warren about the bill.

Hutcheson said the bill's wording would require a registrar to "open up every paper, book, file or anything in his office."

Warren said that's exactly what he had in mind and that he "couldn't imagine" anything the registrar might keep in performance of his duties that the public shouldn't see.

He agreed with Andrews, however, that it was mainly the names of persons seeking absentee ballots at which he was aiming.

Warren represents Lee County, one of several far Southwestern Virginia localities where charges of absentee voting frauds have been made.

Andrews told Warren, "I'm not hostile to your bill, Senator, I want you to know that."

Hutcheson hastened to add that he wasn't hostile either.

Sen. Paul W. Manns of Bowling Green said to Committee Chairman Garland Gray, "Mr. Chairman, I congratulate you for having such a polite committee . . ."

"They're not always so polite when we're in executive session," Gray replied.

The F-100 fighter plane costs about \$1.25 million.

Proposals Eased On Driver Retests

Times Legislative Bureau
Press Room, State Capitol

RICHMOND—The bill requiring periodic re-examination of drivers was significantly changed Wednesday by its patrons to give the Division of Motor Vehicles (DMV) power to waive the written examination if the driver had not had a violation since he last obtained an operator's license.

The bill has been one of the more controversial recommendations of the traffic safety study commission, headed by Del. C. Harrison Mann. Periodic re-examination is one feature of new federal highway safety standards to which states must adhere to qualify for their full share of federal road funds.

It was not clear whether the change in the bill would be enough to cost Virginia the 10 per cent penalty, about \$12 million a year.

The revised bill would still require a vision test for license renewal, but the effective date for this provision was changed to Jan. 1, 1970, instead of Jan. 1, 1969.

At no time has the bill called for retesting of actual road skills.

Other changes outlined by the bill's chief patron in the Senate, Sen. Hunter B. Andrews of Hampton, would require renewal of licenses only once every four years, rather than the present three years.

Also, the fee for a driver's license would be raised to \$7 over the present \$6. The original bill set the fee at \$6.50, but now the driver would get a four-year license for \$7 instead of a three-year license for \$6.00.

Meanwhile, Republican Del. O. Beverley Roller of Augusta County charged Wednesday that the DMV has tried to block effective safety legislation by submitting figures which have "ballooned the cost of safety measures right out of reason."

"Some department heads want to keep things just as they have been in the past," Roller said.

"The validity and strength of the Mann Commission report



DEL. O. BEVERLEY ROLLER
Charges Safety Block

has been cleverly and willfully undermined," he added.

Roller also charged that legislators had gotten the word "by the grapevine" that the administration wanted no bills passed at this session which would raise taxes or fees.

This restriction, Roller said, would prevent passage of such safety measures as those calling for reflectorized license plates which would raise the cost of a set of plates by \$1.

Convict Aid Planned In Bill Before House

RICHMOND (AP)—Trustworthy convicts in the State Penitentiary would be permitted to work in business establishments during daylight hours without guard under a bill sent to the House floor Wednesday by the House Welfare Committee.

Also cleared was a measure authorizing the Department of Welfare and Institutions to establish a system of halfway houses for the temporary care of adults scheduled for discharge from prison.

Threat Cited In Vote Case

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The new Dickenson County clerk of court told a legislative committee Thursday he was threatened "by implication" with contempt of court action when he attempted to assume responsibility for records of last November's election.

Teddy Bailey, a Republican elected to the clerkship in November over Democratic incumbent Frenchman O'Quinn, said the implied threat came from Circuit Court Judge Glyn R. Phillips, a Democrat.

Phillips last month barred state police investigators sent to Dickenson by Gov. Mills E. Godwin Jr. from seeing the poll books, ballots and other election material. The investigators were probing charges of absentee ballot irregularities.

Bailey said, he "bought a second lock and put it on the cabinet."

After this, he said, Judge Phillips called him in and "wanted to know whose instructions" he was acting under.

Bailey testified before the House Privileges and Elections (P&E) Committee on a bill sponsored by House Minority leader M. Caldwell Butler of Roanoke and other Republicans permitting the attorney general or his representative to inspect election records.

Bailey said that when he took office Jan. 1, Judge Phillips told him he was being "relieved" of his responsibility for the election material.

O'Quinn told him the key to the cabinet containing the material had been turned over to Phillips, Bailey said.

Bailey said the cabinet was surrounded by a padlocked chain and was located inside a vault.

When the state police investigators told him he was legally responsible for maintaining the election records,

Bailey said he replied that he was acting under his own authority. Phillips told him he was embarrassed by his actions, he said, and gave him sections of the state code relating to grounds for contempt of court citations.

Bailey said Phillips did not order him to remove the second lock and did not threaten him directly, "but the implication was there."

He then removed the second lock, Bailey said.

Phillips was at the capitol but did not appear before the committee.

During the house session, Republican Del. Rufus V. McCoy Sr. of Dickenson introduced Phillips and Bailey as

distinguished guests. There was no hint of the allegations and rivalries surrounding the election probe.

Garland Seeks Marital Study

Times Legislative Bureau
Press Room, State Capitol

RICHMOND—Dels. Ray L. Garland of Roanoke and Vincent F. Callahan of Fairfax offered a resolution Thursday calling for a special commission to study separation and divorce in Virginia.

The measure says the state's laws on the subject have been amended "in a rather fortuitous fashion" which results "in a morass of laws difficult to administer."

House Gets Salem Bill On Charter

By WAYNE FARRAR
Times Staff Writer

RICHMOND—The Salem City Charter Bill was approved by the House Counties, Cities and Towns Committee Thursday, essentially as requested by Salem officials.

Most of the amendments sought by Del. John W. Hagen, who introduced the bill by request, failed to win the committee's favor.

Assistant City Atty. A. H. Jolly told the committee Salem was pleased with the report of a two-man subcommittee that recommended several minor amendments.

Hagen said he didn't object to any of the subcommittee amendments but that he was "amazed" that the group did not "follow the code of Virginia in one instance."



Assembly At Glance

Dickenson County clerk of court tells legislative committee he was threatened "by implication" with contempt of court action when he attempted to assume responsibility for records of last November's election. Page 17.

Salem charter bill passes House committee essentially as requested by Salem officials. Page 1.

Freedom - of - information bill is reported to the House floor. Page 9.

Del. Ray L. Garland of Roanoke loses move to curb appointive powers of circuit court judges. Page 9.

House Education Committee clears measure requiring compulsory school attendance by all children between the ages of 6 and 17. Page 8.

He referred to the subcommittee's rejection of his principal amendment, calling for the election of all five city councilmen this June, rather than the two former town councilmen whose terms expire this year.

The subcommittee, consisting of Dels. Stanley G. Bryan of Chesapeake and Howard P. Anderson of Halifax, did recommend one of Hagen's amendments. It would reduce from \$5,000 to \$1,000 the amount of a contract not requiring sealed bids.

The subcommittee also recommended deletion of a section permitting councilmen to do business with the city, providing no member objected.

The committee approved the subcommittee report and sent the bill to the House floor without comment.

Heart Balm Bill Approved by Senate

Times Legislative Bureau
Press Room, State Capitol

RICHMOND—The Senate Thursday passed and sent to the House the bill abolishing grounds for civil suit by jilted brides and persons whose spouses are wooed away.

The vote was 28-8 on the bill, which proponents said was needed because present laws permitting such suits encourage blackmail.

An amendment added to the bill in committee makes it a misdemeanor to "cause or contribute to the disruption of a marital relationship."

THE ROANOKE TIMES

FRIDAY, February 23, 1968

Page Six

Opinion Page

The Grandfather Clause Should Go

Tired of dirty streams?

Want the state government to crack down on every single industry and municipality that have poisoned your rivers for the past quarter of a century—or longer?

Write a letter, then, to the House General Laws Committee, Capitol Hill, Richmond, Va. And tell 'em it's time to stop giving special treatment to certain cities and a few old factories and businesses that are still exempt from the state's clean-streams law.

For 22 years, Virginia's otherwise stringent anti-pollution law has proved unenforceable in the face of this criminal dumping of untreated industrial and human wastes. The reason for the State Water Control Board's inaction is always said to be the same: a grandfather clause that gives immunity to polluters, mostly industrial, that already were in existence at the time the state's water control laws were enacted, in 1946.

Isn't 22 years a sufficient grace period for all cities and industrial citizens? In the standpat view of E. Blackburn Moore, SWCB chairman, it is not. "Do we want to stop growth of industry?", he asks.

Nobody suggests, obviously, that Virginia take a punitive or overly hasty step that would impede industrial growth. But, as the state's dramatic economic growth clearly

demonstrates, the existence of tough anti-pollution curbs has not prevented new industries from locating in Virginia. Furthermore, there is no evidence to suggest that a belated extension of those restrictions to older industries would "stop growth of industry," either.

Del. Clive L. DuVal of Fairfax County believes it's time to end the kid-gloves treatment of the countless industries and municipalities that have done little or nothing since World War II to end their wanton destruction of the state's rivers and woodland streams. He proposes, therefore, that the state repeal the grandfather clause in its water pollution laws, effective in 1972. Industries and cities would thus be given four full years in which to put a stop to their harmful discharges.

Mr. DuVal's proposal is entirely reasonable in its recommended timetable, contrary to what Mr. Moore would have us believe. It would not "stop growth." Rather, it would place all industries and municipalities on an equal footing, signal Virginia's renewed determination to restore all streams to their original state and thus place Virginia in step with a growing national commitment to rescue our precious national resources from the ravages of both man and machine.

Money Hunt Still On In Assembly

RICHMOND (AP)—The dollar sign was still the big question mark Thursday in the Virginia General Assembly.

The Appropriations Committee of the House labored late in an effort to report the omnibus \$3.06 billion budget bill by the end of the week.

Its major task was that of trying to match urgently requested additional items to Gov. Mills E. Godwin's latest estimates of anticipated revenue and still leave a bit of financial elbow room for the Senate, which is expected to get the bill by the middle of next week.

Word from members of the Appropriations Committee before their tailoring job was complete was that from a dollar standpoint the committee additions are well within the governor's revenue appraisals. The Senate probably will have operating room of \$3 million or more.

But the big money problems weren't before the main body of the Assembly, which will devote much of the next two final weeks of the session to appropriating the revenue for the biennium ahead.

3 Law Measures Passed to House

RICHMOND (AP)—The House General Laws Committee in rapid-fire fashion Thursday sent to the House floor proposals outlawing the burning of fiery crosses on public as well as private property; raising from 30 days to one year in prison the penalty for public flag burning, and prohibiting the giving of intentional misleading information to police.

House Unit Passes Bill To End Truancy

RICHMOND (AP) — The House Education Committee cleared for floor action Thursday a Senate bill to reimpose statewide compulsory school attendance in Virginia for children 6 to 17.

The committee approved the bill on a voice vote over the objections of a three-man subcommittee composed of Dels. W. Roy Smith of Petersburg, William McG. Dudley of Lynchburg and W. C. "Dan" Daniel of Danville.

The statewide compulsory school attendance law was repealed in the days of Virginia's "massive resistance" to school desegregation in the late 1950s.

Sen. Hunter B. Andrews of Hampton, chief sponsor of the bill, appeared before the committee to urge passage. He explained parents "who conscientiously object" to their children's attending school may appeal through juvenile courts and local school boards.

After Andrews' plea, Del. Marion Galland of Alexandria said, "I'll move to second the motion to report in order to bring it to a vote."

When committee chairman Samuel E. Pope of Drewryville asked if there were more comments, Smith responded:

"Yes, sir, I'd like to say, 'If you can't beat 'em, join 'em.'"

In approving the Senate measure, the committee voted to strike two of its own on the same subject.

The committee also cleared for floor action an amended version of Norfolk Del. Stanley C. Walker's bill to provide continuing contracts for teachers after a three-year probationary period on a statewide basis.

Under Walker's measure, Virginia teachers could be discharged without stated cause during the initial three-year period and thereafter would hold tenure "during good behavior and competent service."

The committee accepted an amendment, offered by Del. W. L. Lemmon of Marion, saying the measure would not be retroactive.

The continuing contract proposal received strong support

from Virginia metropolitan education officials.

Dr. John Alborn, superintendent of Alexandria schools, said the bill would give school boards "holding power" over teaching personnel.

"We need professional security in school programming," said Gene Truitt, president of the Alexandria Education Association.

Other speakers for the bill were Dr. Robert F. Williams, executive secretary of the Virginia Education Association, and Lewis Stevens, president of the organization's Norfolk chapter.

In other action, Del. Doroth

S. McDiarmid of Vienna moved to strike her bill providing that local education associations may represent their members in dealings with local school boards.

Roanoke Backed for Study As Medical Training Center

RICHMOND — The Senate Education Committee Thursday unanimously approved a bill that could lead to the use of Roanoke and other Western Virginia hospitals for clinical training of medical students and those in allied health fields.

Dr. K. R. Crispell, dean of the University of Virginia School of Medicine, said in supporting the bill that Roanoke has moved far ahead in medical facilities.

"We think it would be an ideal place to start this sort of program," he said.

The program would be conducted in conjunction with the university's medical school.

As introduced, the legislation called for an appropriation of \$35,000 for the feasibility study.

But this has been taken out of the bill.

Sen. William B. Hopkins of Roanoke, who introduced the bill in the Senate, said the proposed study would be paid for by public and private grants.

The legislation also was changed to say that the governor could, at his discretion, direct similar studies in other parts of the state.

Testifying for the bill, in addition to Hopkins and Dr. Crispell, were Dr. Charles L. Crockett Jr. of Roanoke, Dr. John A. Martin, president of the Roanoke Academy of Medicine, and Del. Willis M. Anderson of Roanoke, who introduced a bill in the House identical to the Senate bill.

Administrators of several Roanoke hospitals attended the hearing, but did not testify.

Anderson said that the Roanoke Valley Jaycees endorsed the study and will give what help they can.

Dr. Crockett said that in addition to students getting valuable experience, they would learn much about community health problems through training and hospitals.

Dr. Martin told the committee that Roanoke actually is now a medical center and described its hospital facilities. The Roanoke Valley has 225 practicing physicians, he said.

Hopkins told the committee that the governor has said he is very interested in the proposed program.

House Committee Clears Bill To Limit Governmental Secrecy

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A freedom of information bill was reported to the House floor Thursday by the House General Laws Committee. The approval was on voice vote, with no audible opposition.

The bill, sponsored by Del. W. Roy Smith of Petersburg, was amended by a five-member

subcommittee, but proponents of the legislation seemed generally satisfied with the version which emerged.

The measure, designed to limit secrecy by governmental agencies, spells out circumstances under which bodies may meet in private or keep their records from public inspection.

The subcommittee amendments would make it possible for two bodies meeting together (such as a school board and city council) to do so privately for consultative purposes.

Another change exempts police investigations and medical records from records which must be made public, but an amendment requested

by the state police which would exempt any record designated by the governor was rejected.

Del. Thomas W. Moss Jr. of Norfolk attempted to amend the bill to make it apply to General Assembly committees, which were exempted in the original Smith bill.

Smith said Moss was trying to kill the bill by making it unacceptable to the Senate and flying in the face of constitutional provisions.

The State Constitution gives each House of the Assembly the right to make its own rules.

Move To Curb Judges' Power Fails

Times Legislative Bureau
Press Room, State Capitol
RICHMOND — The House Counties, Cities and Towns Committee defeated a package of

bills sponsored by Del. Ray L. Garland of Roanoke which would curb the appointive powers of circuit court judges.

A subcommittee, headed by Del. Donald G. Pendleton of Amherst, recommended that the bills be "passed by indefinitely" — in other words, killed.

The bills would have removed the power of judges to appoint county school boards and various appointive officials, and town councilmen, county supervisors and constitutional officers when vacancies occur.

Garland issued a statement saying, "By defeating Republican efforts to reduce the great appointive powers of judges, the ruling party has once again shown that it lacks faith in the basic principles of democracy."

"It clearly does not want the

elected representatives of the people to make these important appointments. It is still their desire to uphold machine rule and the political spoils system. I hope that the people are as revolted as I am by such cynicism."

Opinion Page

No Longer in 'Pink' of Condition

Virginia's legislators apparently have had about all they can stomach of political and fiscal embarrassments caused by the Commission on Constitutional Government. But until Monday it seemed that the free-spending commission—which is supposed to be propagandizing against government spending—might somehow again escape a General Assembly order to close up shop.

Twice before in the present session the House General Laws Committee had killed widely supported bills to disband the commission. It was thought, therefore, that only an end-of-session floor fight over the commission's new budget appropriation would give opponents an opportunity to put the agency out of our misery.

To everybody's surprise, the Senate Courts of Justice Committee struck the fatal blow instead. Faced with an anti-commission bill that was backed by no fewer than 19 of the Senate's 40 members, the committee apparently decided that the political realities argued against another rescue operation.

The Senate committee was unnecessarily generous in giving the commission nearly a year to wrap up its affairs. But since it coupled the Jan. 1, 1969 closing order with a directive that the commission halt its overworked printing presses after July 1, one would think the agency could not do too much more damage to the state's reputation. But we'd hesitate to make book on this, given the commission's well-deserved reputation for getting into trouble.

Although nobody in the legislature thought to object when the commission first was formed a decade ago, at a time when state tempers were still hot over the U.S. Supreme Court's desegregation decisions, even some of the Assembly's rock-ribbed conservatives have since begun having second thoughts. Clearly, it now should be evident to everyone that a state government has no business underwriting the espousal of any political philosophy.

If there were any doubts on this score, the commission and its chairman, David J. Mays, surely have put them to rest in the past year, first with the publishing of an irresponsible pamphlet, "Every Man His Own Law," then with Mr. Mays' clumsy lobbying efforts and his recent characterization of Pennsylvania's former Gov. William Scranton as a "pink."

The pamphlet's call for forma-

tion of quasi-vigilante groups put down Negro riots proved to be nonsensical even for Gov. Godwin who promptly labeled the scheme unacceptable. And Mr. Mays' most recent pleas for an additional \$78,000 in '68-70 appropriation must have left even his few remaining sympathizers ready to climb the walls in the Appropriations Committee's well-appointed hearing room.

Why was the money needed? To pay for doctrinaire educational television programming, according to Mr. Mays—notwithstanding the fact that ETV budget requests have been cut \$3 million by Gov. Godwin. To pay for a study of federal grants-in-aid, already the subject of countless studies. And to furnish additional copies of the Constitution to schoolchildren, who surely ought to be getting such materials directly from their school systems.

Mr. Mays still professes not to understand what the fuss is all about. He and his fellow commissioners have just "tried to defend the Constitution as we see it," he laments. The point, of course, is that others see it differently—and pay state taxes too. Conceivably, these dissenters might eventually become a majority in their own right—and then could begin using Mr. Mays' taxes to harrangue the rest of the country about the Constitution as "they" see it.

Strangely, no one thought of such a turnabout 10 years ago. But in the fast-changing political context of present-day Virginia somebody on the conservative side of the Assembly aisles ought to be thinking of it now. The commission therefore should be abolished forthwith—and the budgeted \$172,000 should be transferred to bias-free educational programs.

Stone Assails Higher Speed For Trucks

By WAYNE FARRAR
Times Staff Writer

RICHMOND — Sen. William F. Stone of Martinsville Friday assailed efforts to amend Mann Commission traffic safety legislation to set 55-mile-per-

hour speed limits for trucks on all primary highways.

"It's putting us in the fix of having to vote against safety," said Stone, a ranking member of the Senate Roads Committee.



Times Photo

The speed measure was tacked onto one of the Mann bills by the House Thursday by a 50-43 vote. A similar amendment was adopted by the Senate committee Thursday night, 9-7.

Stone said the seven senators on the minority side then voted against sending the safety bill to the floor, because they could not accept the amendment.

The veteran Democrat said he, committee chairman Charles R. Fenwick of Arlington and Sen. M. M. Long Sr. of Wise will fight on the Senate floor Monday to have the amendment removed.

Stone said it was his understanding that after a compromise was worked out on the controversial "twin trailer" bill, "there would be no more trucking legislation at this session."

"Now they have come up here in the last three weeks of the session and attach this to the safety bills," he said.

"Hank Mann is so disgusted he doesn't know what to do," Stone commented.

Del. C. Harrison Mann Jr., chairman of the traffic safety study commission which recommended the massive package of bills, said on the House floor

Thursday when the amended bill was being debated he wish there was some way to have his name removed as chief patron. "It's not my bill any more," he said.

The truck speed matter is not the first example of what is popularly known as "the shadow treatment" where the Mann package is concerned.

Previously, the House refused to accept a measure requiring safety devices for motorcyclists. A Senate committee added an escape clause to the bill requiring periodic retesting of drivers, and the proposal for

Stone said he could accept 55-miles-per-hour speeds for trucks on all but two-lane highways.

Proponents of the change contend the increased speed limit would be safer by permitting all traffic to move at the same rate of speed.

Opponents say it would be less safe because of longer stopping distances and added danger in passing.

Trucks are now restricted to 50 miles per hour on interstate routes and 45 miles per hour on other routes, generally.

Assembly At Glance

Del. Jerry H. Geisler of Hillsville asks House to support long-delayed Blue Ridge Dam Project in Grayson County. Page 11.

Senate amends House-passed habitual offenders bill. Page 11.

Roanoke businessman complains to Sen. Henry E. Howell of Norfolk about telephone rates and Howell asks State Corporation Commission to study the situation. Page 11.

Sen. William F. Stone of Martinsville assails efforts to set 55-mile-per-hour speed limits for trucks on primary highways. Page 1.

Assembly acts to speed increase in interest rate ceiling. Page 11.



Del. Jerry H. Geisler

House Asked To Support Dam Project

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — A resolution was introduced in the House of Delegates Friday by Del. Jerry H. Geisler of Hillsville supporting the long-delayed Blue Ridge dam project planned by Appalachian Power Co. in Grayson County.

The measure endorses the state's action in intervening in the case pending before the Federal Power Commission, commends the governor and Virginia's congressional delegation for their efforts and requests that these efforts continue.

The resolution would "exhort all parties concerned to expedite the completion of the proceedings" and the awarding of a license to Appalachian for construction of the dams.

Tempo Rises In Richmond

RICHMOND—This was the week when the General Assembly reached the inevitable meat-grinder stage, with hundreds of mostly minor measures being turned out as the relentless March 9 deadline for adjournment draws ever nearer.

The House of Delegates held night sessions on three occasions, and on Friday met two hours early and returned to work after lunch in an effort to make a dent in its crowded calendar.

Senate and House committees, burdened with weighty dockets of yet-to-be-acted-upon bills, by week's end were holding meetings whenever and wherever it was possible to get the members together.

Committee sessions usually start no earlier than 10 a.m., but on Friday, normally a light day, many legislators by that hour had already attended at least one meeting and were on their way to another.

Some of them were complaining about having to be in two or three places at once when two committees of which they were members decided to meet simultaneously and they were also expected to testify before another committee.

"This job calls for track shoes," said one legislator as he scurried down the corridor to another meeting.

The hustle and bustle were complicated by the fact that this week also was the peak of visitations by school groups and women's clubs. The corridors were frequently clogged with busloads of such visitors, making the trip from one end of the capitol to the other a major logistical problem.

The appropriations committee met almost constantly, including last weekend and this, trying to get the budget in shape for presentation to the House early next week.

Lawmakers who came here Jan. 10 so crisp, enthusiastic and eager, now seem numbed, wilted and disinterested in the debates and roll calls on the floor. It's all the speaker can do to get a few feeble "ayes" when he calls for a voice vote on some measures.

It should be noted that most controversial and significant legislation is behind the assembly now.



By
**Wayne
Farrar**
Times
Staff
Writer

Speaker John Warren Cooke, notably more flexible and more approachable than his predecessor, E. Blackburn Moore, now seems to be getting just a little irritated at the antics of some house members.

He has had to call for order repeatedly in the past week when a drone of conversation all but drowned out floor debate.

Some of the visiting school groups have not been particularly orderly in leaving the gallery, either.

Cooke seems to enjoy a degree of informality in presiding over the body, but the same joke repeated day after day would get to anybody.

For example, it is tradition in the House that when the clerk prepares to read the journal, a formal function always dispensed with, the speaker acknowledges an imaginary motion to dispense with the reading and calls for a vote on it. The "ayes" are invariably barely audible and a chorus of "noes" rings out.

The speaker, knowing it's all a joke, said "the ayes have it and the reading of the journal is dispensed with."

But one member said the other day, "John Warren is getting a little put out with all the horseplay. I think he feels as Blackie did, that the daily joke about the journal might leave the wrong impression on the school kids who are here to learn about the legislature. They don't know the reading of the journal is of no consequence."

"One day at the last session—after that round of 'noes'—Blackie told the clerk to proceed with the reading of the journal. That shaped things up for awhile."

For all the apparent chaos, interest suddenly picks up when an important measure does come up. For the Virginia General Assembly is composed of sincere, hard-working men and women.

With more than 1,800 bills and resolutions introduced this session — a record — their energies are being sorely tested.



John Warren Cooke

Feb. 25

Opinion Page

'Closed Shop' in Sheep's Clothing

State Senator Henry E. Howell Jr., organized labor's designate-apparent for governor, will ask a General Assembly committee today to begin chipping away at Virginia's right-to-work law.

His proposal must be killed.

The Norfolk legislator denies that his real intent is to repeal the state's voluntary unionism safeguards. Nonetheless, this is implicitly threatened by his attempt to substitute an "agency shop" law for a time-tested statute that heretofore has protected the rights of workers who decline to join or support a labor organization.

Sen. Howell asserts that he opposes compulsory unionism, thus seeming to put himself on the popular side of a law that an overwhelming majority of Virginians has enthusiastically supported for 22 years. However, in seeking to force workers to pay what amounts to union dues under the guise of agency-shop legislation, the Norfolk senator actually espouses a form of compulsory unionism.

Under provisions of the Howell bill, workers "receiving benefits and services under a collective bargaining contract . . ." would be required "to pay such charges as would be reasonable and commensurate with the services and benefits received by them." On

its face such a scheme might seem entirely equitable. In practice, however, it would mean that persons wishing to remain outside a union would find themselves paying the equivalent of union dues, thus making them supporters of union representation against their will.

Sen. Howell wants "anyone working at a plant which has union representation (to) pay his fair share of the cost of bargaining." But he conveniently overlooks the essential fact that non-union workers in such plants have never sought such bargaining and presumably do not wish it.

Since representation fees ultimately would be spent for political purposes over which an agency-shop worker would have no control, it is not inconceivable that such an employee would find himself paying for Mr. Howell's expected run for the governorship in 1969. Thus, he would be unwillingly supporting the candidacy of the very man who had forced him to pay, in effect, union dues.

Voluntary unionism can be preserved only so long as a worker can give or withhold union financial support of his own free will. Clearly, therefore, the Senate Committee on General Laws should dispose of the agency shop idea following today's public hearing.

House Fight Seen On ABC Appeal Bill

RICHMOND (AP)—The House General Laws Committee reported out Saturday a bill which, if approved, would permit court appeals of liquor licensing decisions by the state Alcoholic Beverage Control Board.

The measure, certain to bring fireworks when it comes before the "drys" in the legislature, went to the floor by a 9-4 decision as the committee worked

overtime to clear an overcrowded docket.

Present state law permits no appeal of an ABC board decision to revoke, suspend or refuse to grant a beer or wine license, a law stoutly defended Saturday by John Hardy, chairman of the board.

Hardy said if the proposed law change passes, the General Assembly might just as well take away the ABC board's right to grant licenses and give that power to the courts.

The bill, offered by Del. George Kostel of Clifton Forge, would do two things:

—It would repeal a section of state law that refuses to allow a court appeal of any ABC board licensing decision.

—It would add a new section to the law to the effect that anyone who has had an application for a license refused or has had one revoked or suspended has the right to appeal the decision to the circuit or corporation court in the city or county in which his business is located.

Efforts to tack such court appeal provisions on local option legislation — which has been signed by Gov. Mills E. Godwin Jr. — failed during committee sessions early in this legislative session.

Alexandria Del. Marion G. Galland, a member of a three-member subcommittee that opposed the Kostel bill, nonetheless said Saturday the ABC board had been given power far exceeding that of any other state agency.

Mrs. Galland said what has been said by many of the board opponents — that its power is out of proportion with its re-

sponsibilities, while even State Corporation Commission decisions are subject to court review.

The subcommittee's two other members — Dels. Walther B. Fidler of Sharpes and E. B. Pendleton of Richmond — recommended that the Kostel bill be turned down.

Hagen Charge Is Disputed By Phillips

Charles Phillips, president of the Salem Young Democrats Club, denied Sunday that he drew up a resolution of the club attacking Del. John Hagen.

Hagen said Saturday Phillips had acted for revenge when the Young Democrats assailed the Republican delegate for Roanoke County in a resolution which said that Hagen "no longer represents the best interests nor the prevalent political atmosphere of the City of Salem."

Phillips was named commonwealth's attorney for the city but Hagen received an opinion from the state attorney general's office declaring his appointment illegal.

"I am not vindictive nor vengeful toward anyone because of the recent attorney general's opinion," Phillips said.

Hagen had charged that Phillips drew up the resolution and that "as few as seven people were at the meeting."

"The resolution . . . was drawn by members of the club and adopted in the presence of more than 30 members," Phillips said Sunday.

Phillips said he did not apologize for the resolution but said he did not participate in drawing it up.

Hagen unsuccessfully tried to amend Salem's city charter so that all former town councilmen would have to run for re-election in June rather than only the two whose terms expire then.

He proposed other changes that Salem officials found objectionable.

In his statement Saturday, Hagen said the Democrats would rather have a representative "who would do only what their little special interest group desires . . . they are not concerned with the welfare of the people of Salem or the State of Virginia."

Hagen said he was elected to represent all of the people of Roanoke County, including what is now the city of Salem.

Phillips said Hagen's "personal charge . . . is purely a desperate effort on his part to evade his ineffectiveness in the current General Assembly."

Election Scandal

Another Look At Dickenson

RICHMOND (AP) — The Democrats came to bat Monday in the game of who is doing what in the absentee voting scandals in Dickenson County.

And the veteran of all the Southwest Virginia Democrats, 82-year-old Sen. M. M. Long of Wise County, took the mound — or rather, the lectern — in the House Privileges and Elections Committee to give his version of what goes on.

Last week, the newly elected Republican clerk of Dickenson, Teddy Bailey, told of voting records in a locked steel cabinet in his office vault — a cabinet that was girdled with chain and padlocked.

But Democratic Circuit Judge Glynn R. Phillips had the keys, wouldn't let state police investigators see the records, and wouldn't let Bailey have the key — although he is supposed to be custodian of the records.

Long, the oldest member of the Assembly, said he hated to see the GOP so loose with the truth. Bailey wasn't correct when he said the judge had the keys. Bailey had the key to the case, Long said, and the judge had the key to the padlock that was on the chain.

"I understand the judge has reminded him of this and he said he made a mistake," Long told the committee.

The senator said Bailey also suggested he was intimidated by the judge and took off a second padlock he had added to the chain on the case after the judge talked to him.

"The judge was upholding the law and acted perfectly properly in seeing that no one had access to the ballots in a case under investigation," said Long, whose district includes Dickenson — a county he lost in his narrow re-election victory last November.

"They talk about election fraud," said Long of the Republican opposition, "but did they ever tell you that Dickenson used to go Democratic by 600 or 700 votes until last election? They won that election by force and violence and won the office of treasurer, clerk and a majority of the board of supervisors.

"Why, they even took over the courthouse, tore up the judge's chair and assaulted people," said Long, shaking his head.

"They voided mail ballots because the notary's seal didn't say when his commission expired.

"Oh, I tell you, they use their old stock in trade that the Democrats are stealing elections — they use it all the time."

Long had a friend in court — Committee Chairman James M. Thomson, Democratic majority leader of the House.

"Would you say that is what the Germans called 'The Big Lie'?" Thomson inquired gently.

"That is what I would say," said Long.

Besides, Long went on, the Republicans seem to have more money and are able to pay the



Sen. M. M. Long

fare for those who have left the area to come home and vote — from far away as Akron, Ohio.

On the other hand, he said in a perfectly even, serious tone the Democrats can't afford transportation so they vote by mail if they want to vote.

Why, said Long, the Republicans even sent letters to out-of-state Virginia Democrats telling them they would have to pay Virginia income taxes if they voted.

"They didn't send those letters to their own folks, though," he said.

Finally, the only Republican member of the committee, Del. M. Caldwell Butler of Roanoke, asked in slightly tired tones:

"Won't you agree, senator, the time has come to clean up the absentee voting law?"

"I'm for anything that will prevent fraud," Long replied. "If it does the job I'll go along. I've never advocated or countenanced any election fraud."

Butler advocated committee approval of a bill by fellow Republican Del. Jerry Geisler of Hillsville to tighten absentee voting requirements. His motion to report the bill died for lack of a second.



AP Photo

Virginia AFL-CIO President Julian F. Carper Testifies at Crowded Labor Bill Hearing

Agency-Shop Bill Killed

RICHMOND — The Senate General Laws Committee Monday killed an agency-shop bill which would have permitted labor-management contracts providing for payment in lieu of dues by nonunion members.

Julian F. Carper, president of the Virginia AFL-CIO, told the committee "free riders" who benefit from union negotiations should contribute to the cost of the union's operations.

"Is it ethical or morally defensible for an individual to determine that he owes no obligation to the common effort?" he asked.

But Reid Larsen, spokesman for the National Right To Work Committee, said it is "an erroneous assumption that workers always benefit from union representation. Sometimes they are helped and sometimes they are hurt."



By
Wayne
Farrar
Times
Staff
Writer

Opponents produced a statement from 5th District Rep. William M. Tuck, known as the "father of the right-to-work" during his term of governor in the late 1940s. In the statement read by Del. A. L. Philpott of Bassett, Tuck said he did not recall previously expressing his views on state legislation since he left the governorship. "The agency shop amounts to a union shop," Tuck said.

"In short, the provisions set forth in this bill would enable the unions to force and compel a man to pay union dues, thus in effect forcing him to join the union.

"It constitutes a veiled and surreptitious attempt to repeal our Virginia right - to - work law," Tuck added.

Sen. Henry E. Howell, the bill's chief patron, said "The bill does not change a single word of the so-called right to work legislation."

The measure "will return to the employers of Virginia the right to sit down at the bargaining table with the duly elected bargaining representatives of the majority of the workers and agree on a clause in the contract that would require the nonunion worker to pay a fair share of the cost of negotiating and producing the

services and benefits that flow to the nonunion worker as a result of an employment contract," Howell said.

Del. Fred T. Gray of Chesterfield, one of the opponents, said the present law "guarantees the right to belong to a union as well as the right not to belong."

Virginia's right - to - work, or open shop, law was enacted at a special General Assembly session in early 1947 after Gov. Tuck called for a study by the Virginia Advisory Legislative Council on Dec. 16, 1946.

At the time, a strike against Virginia Electric and Power Co. was threatened.

Seventeen other states now have similar laws. Congress endorsed the right of states to have open shop laws as part of the Taft - Hartley Act of 1948.

Feb. 27

Budget Bill Goes Limit on Bonds

By MELVILLE CARICO
Times Political Writer

RICHMOND — The House Appropriations Committee sent to the floor Monday night a 1968-70 appropriations act that goes the limit on bonds—\$81 million—but otherwise makes few significant changes in the budget Gov. Mills E. Godwin Jr. sent the legislature in mid-January.

There were some switches, of course, but the 17-man committee revised general fund appropriations upward only \$35.8 million.

The House set 11 a.m. Wednesday for action on the whopping appropriations bill with Democrats on the committee ready to stand shoulder-to-shoulder against any efforts to alter its contents.

Bills specifying the amount each institution will get from the \$81-million bond issue were introduced in the House Monday night by Del. John H. Daniel of Charlotte Court House, chairman of the appropriations committee.

The two bills do not spell out the specific projects for each institution but give only the amount each will receive if the bond issue is approved by voters in the November referendum.

The specific appropriations are listed in the budget bill itself but in many of the projects other money including federal aid from Washington is involved. The bond money for mental

hospitals totals \$13.7 million; for colleges, \$67.2 million.

Before the committee reported out the bill, Del. Lacy E. Putney of Bedford, an Independent, tried to get the committee to make across-the-board cuts totaling \$80 million so, he said, it will not be necessary to hold a bond issue referendum in November.

Putney argued that if the bond money for colleges and mental hospitals is as essential as Godwin and Democratic leaders feel, Virginia should not run the risk of voters saying no in the referendum.

Pointing to the economic growth of Virginia, Putney told the 16 Democrats on the committee that he cannot justify "embarking on the course of the federal government from which there is no return."

Del. W. Roy Smith of Petersburg said he shared some of Putney's concern but that an across the board cut would result in a budget short of essential needs. As it was, Smith said, such urgent matters as a requested extra \$1.7 million for a facility for retarded children at Central State Hospital had fallen short by 60 per cent in the budget as approved.

"The state must continue to progress and we can't do any-

(Continued on Page 2, Col. 1)

Extra Money Provided Clinch Valley College and VPI — Page 21.

A Comparison With Godwin Budget

| | Operating Expenses | Building With Current Funds | Building with Bond Issue Funds |
|-------------------|--------------------|-----------------------------|--------------------------------|
| Governor's Budget | \$1,303,785,695 | \$36,240,560 | \$70,880,595 |
| Committee Report | 1,339,624,640 | 36,003,480 | 81,000,000 |

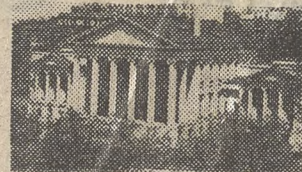
Assembly At a Glance

Bill making it tougher for a town to become a city runs into opposition in Senate. Page 21

Senate committee kills agency-shop bill opposed by former Gov. Tuck. Page 21

Appropriations bill cleared for House floor debate beginning Wednesday at 11 a.m. Page 1

House approves changes to make state tax returns conform to federal returns. Page 21



Budget Bill Goes Limit on Bonds

(Continued from Page 1)

thing to slow it down," he said.

Majority floor leader James M. Thomson of Alexandria, a member of the committee, said Putney's proposal would have a serious effect on the community college program as well as hamper the development program at George Mason College.

Putney's move for the cut died for lack of a seconding vote, a situation he said he anticipated when he made the motion. Then Putney joined the others to send the bill to the floor.

Under strong pressure, the Appropriations Committee raised the college and mental hospital bond issue from \$70.8

million in the governor's budget to \$81 million, the limit under the state constitution.

The committee made a slight reduction in appropriations for buildings the next two years from current revenue—\$36.2 million down to \$36 million.

Significantly, some of \$36.2 million is mixed with anticipated revenue from the bond issue in financing the college and mental hospital building program.

Actually the committee in its six weeks of work cut \$6 million from the governor's budget and added \$42.1 million.

The major change was the necessity of adding \$20.5 million to appropriations for state aid to school created by a federal court decision this month barring the state from withholding half of the amount a city or county receives in "impacted area" funds from Washington because of their military and government installations.

The decision jolted the governor and administration leaders already hard pressed for money the next two years.

But the governor and his fiscal advisers revised estimates from the sales tax upward \$23.7 million soon thereafter.

Based on current revenue estimates for 1968-70, the \$1.3 billion in general fund appropriations leaves only \$1 million unappropriated—a bare bone for the Senate to use when the bill clears the House.

The Republican minority bloc is expected to seek amendments knocking out about \$80 million in appropriations so they can argue that a bond issue is not necessary now.

Actually, the appropriations bill totals \$3.11 billion, including \$1.7 million in special funds — federal aid from Washington, gasoline taxes and license revenue earmarked for highways and such things as tuitions.

Bill Charging Runoffs To Localities Cleared

RICHMOND (AP)—The Senate Privileges and Elections Committee approved Monday a bill to require that localities pay the cost of runoff primary elections for the General Assembly or for constitutional offices.

Sen. W. Carrington Thompson of Pittsylvania, patron of the measure, pointed out to the committee it carried a clause making the bill retroactive to include runoff primaries after July 1, 1967.

Thus it would cover a runoff held at Danville last year, he noted.

House Votes Change In State Tax Return

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House of Delegates Monday passed and sent to the Senate a bill con-

forming state income tax procedures to federal regulations.

The vote was 64-28. Republican Del. Robert A. Maloney of Fairfax said the bill was "palpably unconstitutional."

But Chief Patron D. French Slaughter said the State Supreme Court of Appeals would have an opportunity to act on its constitutionality before it took effect.

The bill would first apply to tax returns filed in 1970.

Among other things, it would change state exemptions to conform with the federal allowance of \$600 for the taxpayer and each dependent. At present, the state allows \$1,000 for the taxpayer and his spouse and \$200 for each additional dependent.

The bill would permit the taxpayer to take the same net income computed for his federal return and apply the state tax rate.

Bill To Create Arts Commission Goes To Floor

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House Rules Committee Monday cleared for a vote in the House legislation sponsored by Del. Glenn Yates Jr. of Portsmouth, an architect, creating a nine-member Virginia Commission of the Arts and Humanities.

The legislation authorizes the commission to receive federal grants and private donations, and Yates said he and his group hope, too, to get an appropriation from this General Assembly to start its work.

Yates was joined by 38 other House members as co-patrons.

Purpose of the commission, whose members will be appointed by the governor, is to encourage public interest and participation in the arts and humanities.

Election Bills Killed in House

RICHMOND (AP) — The House Privileges and Elections Committee stripped its docket Monday.

It referred a batch of proposed constitutional changes to the Commission on Constitutional Revision, killed a crop of election bills — mainly Republican ones — and referred others to study groups.

An issue left unresolved was whether a recodification of the election laws — including a tightening of the fraud-shrouded absentee voting laws — will be done by a blue-ribbon independent commission or the Privileges and Elections committees of House and Senate.

The independent commission study has been approved by the Senate and is now before the House P&E Committee, which will consider it at a meeting Thursday.

The House has approved the joint study idea by the House and Senate committees, a proposal made by majority floor leader James M. Thomson who is also chairman of the House P&E Committee.

House Rejects Senate Changes In Traffic Bill

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House of Delegates Monday refused to accept Senate amendments to the habitual offenders bill.

As passed by the House, the bill could cost a driver his license for 10 years if convicted of 10 lesser offenses or three serious ones in a 10-year period.

The Senate upped the number of lesser violations to 15 and provided that a number of violations accumulated in a 24-hour period would count as one.

Del. Russell Carneal, chief patron of the bill, asked the House to reject the amendments, which it did, 82-10.

The bill now goes to a conference committee of the Senate and House.

2 Lawyers To Assist Vote Probe

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. announced Tuesday he has appointed two experienced prosecutors, one a Democrat and the other a Republican, to help prepare for a grand jury investigation of alleged mail ballot frauds in Dickenson County.

One is B. A. "Monk" Davis III of Rocky Mount, who was an assistant U.S. attorney for Western Virginia during the Eisenhower Administration; the other is Commonwealth's Atty. Alfred W. Whitehurst of Norfolk.

The governor said the help was requested by Commonwealth's Atty. Victor A. McFall of Dickenson County.

A grand jury has been summoned for Monday at Clintwood but the governor said its investigation will be delayed and instead McFall and the two special prosecutors will meet with him here Monday afternoon at 2.

More than 1,000 mail ballots were cast in Dickenson County in the general election last November and this session of the General Assembly has been rocked by charges and countercharges from Republicans and Democrats.

"We are interested in seeing that the guilty are punished and that those who are not guilty are cleared," the governor told a special press conference in which he announced the appointment of Davis and Whitehurst.

The governor said if there are indictments Davis and Whitehurst will assist in the prosecutions, too. They will be paid by the state.

He added that members of the attorney general's staff and the State Board of Elections have been asked to attend the Monday afternoon meeting in his office.

The governor, in answer to a question, said it is con-

(Continued on Page 4, Col. 4)



B. A. Davis III



Alfred W. Whitehurst



Assembly At a Glance Feb 28, 1968

Governor appoints a Democrat and a Republican to help prepare for a grand jury investigation of alleged mail ballot frauds in Dickenson County. Page 1.

Sen. Stone wins fight to keep speed limit for trucks from being increased. Page 17.

House gives preliminary approval to freedom of information bill after amendment was adopted to make its open-meetings provision apply to General Assembly committees. Page 17.

GOP Leaders Laud Vote Probe Action

RICHMOND — Republican leaders in the House and Senate Wednesday visited Gov. Mills E. Godwin Jr. and left pleased with his approach to investigation of alleged vote frauds in Dickenson County.

"I'm real pleased with his attitude," said Del. M. Caldwell Butler of Roanoke, minority House leader.

"I would judge he is genuinely concerned and is going to cooperate in every way he can," he said.

Sen. James C. Turk of Radford, Senate GOP leader, echoed Butler's sentiments, saying he was pleased with the governor's approach.

Turk said many Republicans were concerned that two lawyers named by Godwin

might be just prosecutors. That prompted Wednesday's visit.

"I am glad that they will help with the investigation," said Turk.

Turk said he hoped that voter registration books would be purged in various parts of the state.

Godwin named two lawyers, Beverly A. (Monk) Davis III of Rocky Mount, a Republican, and Alfred W. Whitehurst, a Democrat and commonwealth's attorney of Norfolk, to help in the Dickenson investigation.

The governor named the two at the request of the Dickenson County commonwealth's attorney.

Davis and Whitehurst will help in the Dickenson vote investigation at state expense. They will meet with Virginia Atty. Gen. Robert Y. Button at 2 p.m. Monday.

Turk said the governor laughingly had recalled receiving a rather skimpy vote in Dickenson when he had been opposed for lieutenant governor by former Sen. Armistead L. Boothe in the 1961 Democratic primary.

In that election, Godwin received 71 votes and Boothe 1,254.

Cries of vote frauds had been coming from far Southwest Virginia for years, and this year they had erupted several times in the General Assembly.

Bitter exchanges erupted between Turk and Sen. M. M. Long, Wise County Democrat.

The charges revolved around the unusually large number of mail ballots cast in Wise, Dickenson and Lee counties.

Republicans claimed that hundreds of mail ballots were cast illegally in the far Southwest with most of them going for Democratic candidates. Democrats denied this.

Senate Rejects Bill To Increase Speed of Trucks

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — State Sen. William F. Stone of Martinsville led a fight Tuesday to keep speed limit for trucks on two-lane roads from being raised from 45 to 55 miles per hour and he won.

The Senate by a vote of 26-12 knocked out a committee amendment to one of the Mann Highway Safety Study Commission bills which had brought protests from its chairman, Del. C. Harrison Mann Jr. of Arlington.

The House already has passed a bill with the 55-mile speed limit for trucks on the two-lane roads.

Unless there is a change Wednesday the Senate and House will face a confrontation over the speed limit.

The Senate agreed to wait until Wednesday for final action at the request of Sen. William F. Parkerson Jr. of Henrico County who wants to amend the bill to permit the state highway department to designate two-lane roads on

which it feels it would be safe for trucks to go 55 miles an hour.

Parkerson voted with the majority against the blanket committee amendment because he agreed the trucks should not have a 55-mile limit the same as cars on narrow, twisting mountain roads.

The defeat of the committee amendment represented another legislative setback for most motor line operators who, earlier in the session, were defeated in trying to get legislation authorizing them to operate 65-foot-long twin trailers on the interstate system.

The Senate bill is back in the form it was drafted by the Mann Commission: 65 for trucks on the interstate, 55 on the 1,700-mile four-lane arterial system now under construction, and 45 on the primary system.

The Senate Roads Committee, over the objection of Chairman Charles R. Fenwick of Arlington, amended the bill to permit 55 miles an hour on the primary system too.

"The question is whether you are going to make a decision that will endanger many, many lives," Fenwick told the Senate in joining in the fight to defeat the committee amendment.

Sen. Leslie D. Campbell Jr. of Hanover County sponsored the amendment in the committee and spoke for the higher truck speeds in the floor debate.

Campbell said 24 states permit trucks a 55-mile limit and only eight restrict them to 45 miles an hour. Others have limits of 50 miles an hour or more.

"Certainly these states have considered all the arguments we have heard here today," Campbell declared. He said safety is not the issue.

The debate and parliamentary maneuvering lasted 1 hour and 40 minutes, a record for this session of the General Assembly.

Stone told the Senate not all motor line operators want the 55-mile limit on two-lane roads in relating that Roy Stone, operator of one of the state's major motor lines out of Collinsville, told him it would be too dangerous

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The freedom-of-information bill was given preliminary approval by the House of Delegates Tuesday after an amendment was adopted to make its open-meetings provision apply to committees of the General Assembly.

By a 40-38 show-of-hands vote, the delegates approved the amendment offered by Del. Thomas W. Moss of Norfolk.

Moss said he didn't "think it fair" that the assembly tell other public bodies that—except under carefully prescribed circumstances—they should meet in public when it was not willing to provide the same requirement for its own committees.

The bill's chief patron, Del. W. Roy Smith of Petersburg, said his "greatest problem" in deciding to offer the legislation was the point raised by Moss. But he said there were two reasons the Moss amendment should be rejected.

First, he said, the state constitution gives each house of the assembly the right to make its own rules. Second, practical political considerations made it a "vain act" to attach the Moss amendment.

Smith said Moss knew the Senate would not accept the bill if it applied to legislative committees. Senate committees are more inclined than house committees to act behind closed doors.

Del. George N. McMath of Accomack chairman of a general laws subcommittee which worked out the bill's final

version, said it "does not go as far as some would like and goes further than some would like."

"Free, open government is the hallmark to democracy," McMath said. "The people have the right to be informed."

The bill was advanced to its final reading without opposition.

Generally, the bill requires state and local boards, com-

missions, councils, and the like to hold their meetings in public and make available to the public any official records which are required to be kept by law.

Records exempted include material relating to criminal investigations, applications for ABC board licenses, income tax, medical, scholastic and welfare records, and material furnished to the governor in confidence.

Meetings which may be conducted in private include those dealing with personnel and real estate matters, discussions involving prospective industry, legal consultations involving pending litigation, and discussion of any matter which will be the subject of a public hearing. Also, two governmental agencies may confer in private.

Even under these exceptions, no vote or official action can be taken in private.

Senate Favors Phasing Out Commission

RICHMOND (AP) — A bill to phase out the Commission on Constitutional Government, attacked in the Virginia General Assembly as the voice of the far right, cleared the Senate Tuesday on a 21-17 vote.

Sen. Edward L. Breeden Jr.'s bill now goes to the House where the Appropriations Committee has trimmed Gov. Mills E. Godwin Jr.'s budget request for the commission from \$172,800 to \$50,000.

The lesser amount is estimated to be sufficient to permit the commission to distribute the publications it has already prepared on separation of state and federal powers.

The vote:

For (21)

Aldhizer, W. W. Bird, Breeden and the co-patrons: Andrews, Howell, Bateman, Babalas, Fitzgerald, Brault, Hirst, Bendheim, Caton, Hopkins, Fears, Reynolds, Hodges, Moody, Turk, Pearson, Dawborn and Robinson.

Against (17)

L. C. Bird, Burruss, Campbell, Davis, Fenwick, Galleher, Gray, Hagood, Hutcheson, Long, Manns, Michael, Parkerson, Stone, Thompson, Warren and Willey.

Meanwhile, the powerful Senate Finance Committee Tuesday heard State Tax Commissioner C. H. Morrisett renew his opposition to the House-passed bill designed to simplify Virginia income tax returns on the grounds the bill is unconstitutional and inadequate in its present form.

Morrisett said if the bill is to be passed, however, the effective date should be Jan. 1, 1971, a year later than is now proposed.

Del. D. French Slaughter Jr. of Culpeper piloted his bill to 64-28 passage in the House Monday over cries of its unconstitutionality. This point, he contends, will be answered by court test before the bill would be effective.

Republican Del. Robert A. Maloney of Fairfax announced he has asked Atty. Gen. Robert Y. Button for a written opinion concerning the constitutionality of a study commission Slaughter headed.

The Senate has an identical bill.

House Adopts Budget Without Any Changes

By MELVILLE CARICO
Times Political Writer
RICHMOND — A weary House of Delegates talked and listened for five hours Wednesday and then adopted a \$3.1-billion budget for 1968-70 exactly as it came out of the Appropriations committee.

The budget, which will involve an \$81-million bond issue referendum in November, was approved 90-6 after administration leaders succeeded in keeping the bill from being changed a single dollar. House members had been in session until midnight Tuesday

night and faced a Wednesday night session that some feared would last until after midnight again.

The record-breaking appropriations act now goes to the Senate with only \$1 million left between what the House appropriated and anticipated revenues for the next two years, a bare bone for senators who have projects of their own.

Del. John H. Daniel of Charlotte Court House, chairman of the Appropriations Committee, told the House the budget, with the bond issue, "will meet the most pressing needs..."

With the administration in full control, the House rejected all efforts to increase appropriations beyond those originally recommended by Gov. Mills E. Godwin Jr. and additions made by the powerful House Appropriations Committee—\$35.8 million for operations and \$10.9 million for college and mental hospital construction with bond money.

The House, with a 40-37 vote, accepted an amendment to the appropriations act specifying qualifications for kindergarten teachers which some administration leaders fear could wipe out the \$5 million cut it made in the governor's original \$20-million recommendation for state aid in Virginia's new "local option" kindergarten program.

The amendment sponsored by Del. Dorothy S. McDiarmid of Fairfax County removed a specification in the appropriations act that kindergarten teachers must have a certificate as an elementary school teacher.

Speaker John Warren Cooke ruled Mrs. McDiarmid's amendment did not require 51 votes because the change did not involve a specific appropriation.

Del. Lewis A. McMurrin Jr., of Newport News contended it did because the new wording might influence the number of cities and counties beginning kindergartens and, therefore,

(Continued on Page 2, Col. 1)

House Adopts Budget Without Any Changes

(Continued from Page 1)

have a bearing on the \$15-million appropriation.

Del. Willis M. Anderson, a Democrat, and two Republicans in the Roanoke delegation jointly sponsored an amendment pegging state aid for kindergartens on one teacher for each 25 pupils.

But administration floor leaders objected because it would add \$1.8 million to the appropriations act and the Roanokers' efforts were killed on a voice vote.

Anderson argued that the 25-1 pupil-teacher ratio in kindergartens would be a "modest beginning" towards reducing pupil-teacher ratios in elementary and secondary schools later.

The House, also overwhelmingly rejected a Republican delegation's effort to reduce teacher-pupil ratios in the state aid formula which, they estimated, would take \$16 million more.

"We would be in a fix—it would be disastrous," Del. D. French Slaughter of Culpeper, one of the appropriation committee's floor leaders, protested. The administration's argument against all proposed changes was the same—there is no more money in sight.

Del. Vincent F. Callahan Jr., freshman House member from Fairfax who was the GOP's candidate for lieutenant governor two years ago, presented a revenue analysis for the delegation contending that the Godwin

Administration has underestimated by \$16 million the revenue from personal income taxes during the next two years.

The GOP's wanted to reduce teacher-pupil ratios from 1-30 to 1-29 in elementary schools; from 1-23 to 1-22 in secondary schools.

The Callahan amendment was the only combined effort by the 14 Republican members of the House.

There were efforts made during the five hours to pump more money into the park development program through the outdoor recreation commission and scattered programs ranging from vocational rehabilitation to free text books.

Only six House members voted against the appropriations act in the showdown.

The six House members voting against the bill on final passage were all Republicans—Del. Jerry H. Geisler of Hillsville, Del. Donald K. Funkhouser of Mt. Jackson, Del. Rufus V. McCoy Sr., of Dickenson County; Del. Don E. Earman of Harrisonburg; Del. John Hansen of Chesterfield County; Del. Robert A. Maloney of Fairfax County.

The House heard a protest from Del. A. L. Philpott of Henry County over the little money the 5th Congressional District will get out of the bond issue if it passes.

"It is going to be difficult to become enthusiastic (about the bond issue) when we know

there is not going to be anything in 1970 either," Philpott told the House in predicting the next legislature will not have any funds for building.

Philpott feels Patrick Henry College at Martinsville was slighted with the bond issue program earmarking only \$16,100 for architects plans for a new library there.

(The 1968-70 appropriations act reappropriates \$851,000 for an administration and a science-academic building at Patrick Henry).

Earman, one of the six Republicans voting against the appropriations act, told the House he was doing so because the administration is using money for operating expenses that would normally go into a building program so it can argue that the bonds are the only way to raise the needed money.

After the House adopted the appropriations act it passed two bills itemizing the \$67.2-million college building program and the \$13.7-million mental hospital building program, necessary supplements to the bond issue legislation enacted in January. The vote on the college bill was 84-8; on the hospital bill 81-6. There was no debate.

The House Appropriations Committee worked six weeks on the budget bill and it took Clerk George Rich 1 hour and 40 minutes to read the amendments making item-by-item changes. All were accepted by the House.

Driver Retesting Passes in Senate

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The Senate Wednesday passed, 33-6, the bill calling for written tests and vision examinations for persons applying for renewal of their drivers' licenses.

As passed by the Senate, the bill calls for four-year licenses at a cost of \$9 instead of \$6 for the present three-year permit, eye tests for drivers in specified age brackets, and written examination in the discretion of the motor vehicles commissioner for drivers applying for renewal.

Sen. William E. Fears of Accomack, calling the retesting provisions "onerous and miserable" restrictions, told the Senate, "We're going to think a house fell on us" when the voters learn about the measure.

"Half of us will not be coming back four years from now," he said.

Fears said many people in his district are elderly persons and most accidents are caused by youthful drivers.

"We're not going to stop killing people by grounding little old ladies in the backwoods who just drive into town for their groceries," Fears said.

If a driver has had no reportable violation in the preceding four years, the written examination may be waived and sponsors of the measure contended this likely would mean that 75 per cent of the applicants would not take such a test.

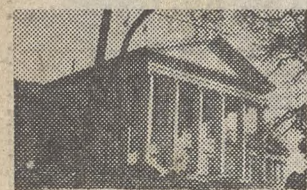
"If my Papa had bad eyes, I would take his license away from him," Fears said, arguing this was a family matter and not one for the state.

Fears also objected to the bill on the ground it was "federal blackmail." Federal

(Continued on Page 2, Col. 5)

Assembly At Glance

Feb 29



After five hours of talk the House adopts a \$3.1-billion budget for 1968-70 exactly as submitted by the Appropriations Committee. Page 1.

Senate passes bill calling for written test and vision ex-

aminations for persons applying for renewal of their drivers' licenses. Page 1.

A bill raising speed limit of trucks to 55 miles per hour on 4-lane highways but leaving it at 45 on 2-lane and 3-lane roads clears Senate on a 39-0 vote. Page 35.

Senate Passes Bill Requiring Driver Retests

(Continued from Page 1)

safety standards require states to retest motorists periodically or risk losing part of their federal road funds.

"The federal government will not have nerve enough to enforce those standards," Fears said.

He added that members of Virginia's congressional delegation had told him they didn't think the standards would be strictly enforced by the U.S. Department of Transportation.

Sen. Hunter B. Andrews of Hampton, the bill's chief patron said it was "the result of distinguished study" and would be "fair and proper to the individual as well as to the public."

Andrews said he was sure the DMV would waive written tests for 75 per cent of renewal applicants.

Sens. H. Clyde Pearson of Roanoke County, James C. Turley of Radford and George I. Barnes of Tazewell were among those joining Fears in voting against the bill.

Lee Factions Take Fight To Richmond

By MELVILLE CARICO
Times Staff Writer

RICHMOND — Ill feeling between Democrats and Republicans in Lee County boiled up at the Capitol again Thursday at a hearing on legislation to block a referendum changing the form of government in their county.

The Republicans won control of the board of supervisors last November.

"Since then with the consent and egging-on of a small, almost maniacal group, the board has embarked on a plan to destroy our county," Del. Edgar Bacon, a Democrat, charged.

A Republican delegation turned out for a hearing by the

Senate Committee on Counties, Cities and Towns to fight Bacon's bill, already passed by the House, removing Lee County from State law permitting counties, by referendum, to switch their form of government.

The committee deferred action for the time being.

Supervisor in Lee County, with the Republican chairman holding the balance of power, is reported on the verge of calling a referendum to switch Lee County to the county board form of government.

This change would permit the board to appoint the school board.

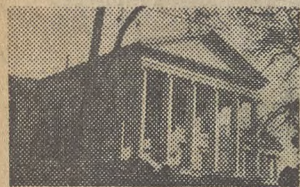
Del. Orby L. Cantrell, who with Bacon represents Wise and Lee in the House, predicted the supervisors, with this new authority, "will expel, terminate or fire every (school) principal in the county." He said Lee County has a "model government."

A big delegation of Democrats from Lee also was at the hearing to support Bacon.

Bacon told the committee the "vindictiveness" of the new three Republicans on the board goes back to the 1956 election contest in Lee County in which Republican officeholders were removed because their election was "fraudulent."

Already, Bacon said, the board has abolished the job of county dog warden because the judge, in making the appointment, "would not knuckle under" to the Republican members and the job of county probation officer was abolished too because the officer, since

(Continued on Page 2, Col. 3)
GOP Charges Jury Is Top-Heavy With Democrats—
Page 19



Assembly At Glance

Ill-feeling between Democrats and Republicans in Lee County boils up during hearing on legislation to block a referendum changing the form of government in their county. Page 1.

Senate changes Salem charter bill to require election of three councilmen this June. Page 17

House votes to establish \$500 liquor license fee for restaurants and clubs and to tax bottle sales. Page 10.

Lee Factions Fight in Richmond

(Continued from Page 1)

re-employed by the state, was a Democrat.

Opposition to the Bacon bill was led by Jonesville lawyer Glen M. Williams, a former state senator, and one of the Republican leaders in the "Fighting 9th."

Williams and other opponents said they did not find out about the Bacon bill until Sunday, after it had passed the House.

He and the others charged the bill discriminates against Lee County because it deprives it of the right enjoyed by all other counties — the right to hold a referendum on switching to an alternate form of government.

Bacon said a referendum could cause a political upheaval and jeopardize Lee County's government because 1,200 illiterates were registered to vote last year.

Bacon said the responsible leadership in the county wants no change but, he said, it could come because the 1,200 illiterates now eligible to vote "will be in favor of anything that has some emotional appeal."

"I'm one of those maniacs Mr. Bacon spoke of," Dr. B. H. Owens, a Lee County physician, told the committee in opposing the legislation and blaming the Democrats for what he called a poor school system.

Supporters of the Bacon bill at the hearing included Ray Rasnic, chairman of the county school board.

"They don't fade away, they just die off," Dr. Owens remarked in declaring the school system in Lee County needs "new blood."

"The only qualification for the school board," the doctor charged, "is that you do not have a college degree and that you are a Democrat."

Birg Sergeant, a Pennington

Gap lawyer who spoke against the Bacon bill, predicted changes to come in Lee County.

"Young people, Democrats and Republicans, are going to give you a county you are more proud of," he told the committee.

Sen. H. Clyde Pearson of Roanoke County, who once represented Lee in the House, kept at the Democrats with questions implying that they were asking the legislature to deny residents the right to vote.

McCoy Asks New Jury For Vote Fraud Probe

RICHMOND — Del. Rufus V. McCoy of Dickenson County Thursday asked that a grand jury to be empaneled to consider evidence of vote fraud in Dickenson be dismissed.

"My plea to the judge is to dismiss the grand jury and select a group of men not recently involved in politics," said McCoy.

The grand jury was recently selected by Circuit Court judges Glyn R. Phillips and Raymond Boyd of the Dickenson-Russell-Buchanan circuit.

At least six of the seven members of the grand jury are involved in county politics, McCoy declared.

Some have been political candidates, precinct workers, precinct chairmen or holders of other political jobs, he said. One member was chairman of Roaring Fork precinct last fall where more than 20-mail votes were cast, McCoy said.

The grand jury was selected after charges were made by

Dickenson Republicans that many persons voted illegally by mail ballot last fall.

Two on the grand jury are Republicans, McCoy said, himself a Republican.

"I want the job done right and properly so justice will prevail," he said. "If this is done properly, no one will have the right to holler 'whitewash.'"

The grand jury was to have met Monday in Clintwood, but this session has been postponed indefinitely to allow two lawyers named by the governor to get in on the investigation. The lawyers—B. A. Davis of Rocky Mount and Alfred Whitehurst of Norfolk—were named this week by the governor to extend the investigation.

Postponement of the hearing was directed by a court order Wednesday requested by the Dickenson County commonwealth's attorney, L. Victor McFall.



DEL. EDGAR BACON
His Bill Opposed



GLEN M. WILLIAMS
Leads GOP Forces

Giesen Defeated On Bingo Games



Del. A. R. Giesen, Jr.

Times Legislative Bureau Press Room, State Capitol
RICHMOND — The House of Delegates Thursday defeated a bill to legalize bingo games and raffles conducted by charitable organizations.

Del. A. R. Giesen Jr. of Staunton said nonprofit organizations always have held such games of chance and authorities "look the other way." His bill merely would legalize an accepted practice, he said.

But Del. Walther B. Fidler of Richmond County said the bill would be impossible to administer because law enforcement officials would have to trace the proceeds from such activities to be sure they were being used by charitable organizations.

Del. Fred T. Gray of Chesterfield said the bill was unconstitutional because the State Constitution provides "no lottery shall hereafter be authorized by law and the buying, selling, or transferring of tickets or chances in any lottery shall be prohibited."

"It doesn't say 'except charitable lotteries,' it says any lottery," Gray said.

Del. Donald A. McGlothlin asked Giesen, "How can we tell our children it's wrong to gamble one place and all right another place?"

The House rejected the bill 44-40.

House Sets \$500 Liquor License Fee And Approves Taxing of Bottle Sales



Del. William Dudley

Longwood Bill Put to Sleep

RICHMOND (AP) — A proposal to admit men students to women-only Longwood College was put quietly to sleep Thursday in the House of Delegates.

"The girls let me down," Del. Tom Frost of Warrenton told the House with a smile as he asked that his proposal go by for the day. This parliamentary procedure disposed of the bill for this legislative session, as Thursday was the last day the House could act on its own measures.

He took the action, Frost said later, because only a dozen or so men had applied for admission to the Farmville college, "and with that small number, it wasn't worth going through with it."

By JOHN F. DAFFRON
Associated Press Writer

RICHMOND (AP) — The Virginia House wrapped up a package of license and bottle taxes for liquor by the drink establishments Thursday and shunted a major part of the remaining legislative burden to the Senate for final action in the last week of the 1968 session.

Restaurant, club and hotel interests won a point in the liquor legislation license fees, which were set at an annual maximum of \$500 in the bill approved 82 to 5 by the House rather than the \$1,000 maximum advocated by the ABC Board.

But they lost on the special license bottle tax that Del. William M. Dudley espoused as a source of possible extra revenue to help fund the Godwin administration's \$81 million bond program.

Dudley's bill won 52 to 28 approval on passage over opposition protests that such a tax might cause drinks to be priced too high to attract the thirsty trade.

There were also some expressions of professed concern that the application of the general state and local sales taxes to ABC store sales would also be added to the bottle sales to licensees.

This issue was not specifically resolved, but Dudley said he was sure that bottle lots sold to the licensees for resale wouldn't come under a retail sales tax law.

Dudley told the House the ABC Board favored his bottle tax, but later amended this to say the board didn't favor any taxes — but at least hadn't opposed the tax. ABC Board Chairman John W. Hardy said the

board was prepared to administer the program but was neutral on the tax.

The House, whose members felt rather like night watchmen on daylight overtime after the Wednesday marathon session which ran until 1:30 a.m., cleared its calendar of House bills two days early to get in good position for the onslaught of legislation from the Senate.

Speaker John Warren Cooke praised the members for their hard floor and committee work which allowed them to escape another night session. The House wrapped it up at 5:25 p.m.

But before it quit, it passed the bill to permit the state to charge a \$1 emplaning tax on airline passengers whose trips originate in Virginia, effective on changes in the compact the state has with the federal government over operation of Washington National Airport in Alexandria.

The Senate, which hasn't been putting in the hours that the larger and more youthful House has been working, is in for more stress in the final week.

The major bill before the Assembly — the \$3.11 billion budget bill — which reached the Senate after House approval Wednesday, went to the Finance Committee, which will begin its touching up job Friday night.

Committee members said a subcommittee would work on the budget over the weekend with the aim of getting full committee approval and the bill to the floor by Monday.

The House turned to a number of controversial topics before it got around to resolving the bottle tax on liquor that will be sold to local option licensees.

Defense attorneys in the House spearheaded an attack on a measure by Del. C. Harrison Mann of Arlington to require hospitals to take blood samples from injured motorists if police believe there is evidence of intoxication and doctors say the condition of the patient permits it.

The bill was killed 48 to 43 in spite of an impassioned plea by Del. Lester Schlitz of Portsmouth that the House seemed more concerned with protecting the drunken driver than with the "people he's killing."

The House also lowered the boom on a bill in a package of welfare measures that would require local welfare agencies to meet certain administrative and physical office standards or risk the loss of funds.

In a bipartisan attack on the bill, Republican Donald K. Funkhouser of Mt. Jackson and Del. Joseph P. Johnson of Abingdon,

a Democrat, hit at federal directives that would permit the state commissioner to have an almost absolute say in local welfare matters.

Funkhouser said he "was sick and tired" of being told what to do by Washington and Johnson said he would just as soon go home as "sit here and legislate for a few federal dollars."

Passed by the House for Senate action next week was a bill to put a dime per \$100 of value recordation tax on real estate sales with the entire proceeds, estimated at \$400,000 to go to the localities. The tax supplants a federal tax which was eliminated Jan. 1.

A political bill by the Republican minority in the House won 87 to 1 approval but only the title of the bill was the same and it wound up applying only to a Democratic Del. Stanley Owens of Manassas.

The bill originally dealt with the appointment of Republicans as clerks as well as judges of elections and would have required county electoral boards to provide courses of study for the election judges.

Such provisions would be more properly part of the anticipated over-all study of election laws, said Democratic Floor Leader James M. Thomson. The Privileges and Elections Committee which Thomson heads used the Republican bill as a vehicle to get Owens' proposal to the floor.

As passed, the bill allows Prince William County to name additional election judges.

A bill by Del. Thomas Moss and four other delegates from Norfolk to permit 18-year-olds to buy beer by removing the distinction between 3.2 beer—classified as a non-alcoholic beverage—and regular beer was killed although the vote was 38 to 33 in favor of it. Moss won reconsideration, though, and the bill was resurrected and passed 40 to 34.

Speaker Cooke ruled originally that the bill failed because it didn't receive the constitutionally required affirmative vote of 40—two-fifth of the elected membership of the House.

In the Senate also a bill to give state maintenance aid to Richmond's proposed toll expressway if it runs into financial difficulties was passed by a 20 to 19 vote.

Interest Ceiling Bill Signed; Caution Urged

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. signed legislation Friday raising the interest ceiling on mortgage loans in the state to 8 per cent with the prediction it will bring more investment capital into Virginia.

And the Virginia Bankers Association (VBA) cautioned member banks against any "precipitous action" and to keep interest rates as low as possible based on local money market conditions.

The letter over the signature of VBA President Thomas E. Sebrell III, president of First and Citizens National Bank, Alexandria, urged bankers in making mortgage and other contract loans to explain to customers the reason for the rate they are charged.

He said bankers must be careful the public does not get the impression that critics of the legislation were not right in claiming controls are necessary to protect borrowers.

The capitol bill room has gotten more requests, particularly

from out of state, for the 8 per cent bill than any other piece of legislation in this session of the General Assembly, so many in fact that 1,000 extra copies had to be printed.

The VBA cautioned its members that the 8 per cent maximum should not be interpreted as an 8 per cent minimum and that all loans they make should be based on local money market conditions.

The ceiling has been 6 per cent under state law and with the 2 per cent increase investment specialists anticipated that the going rate will rise to between 6.5 and 7 per cent.

Godwin complimented the work of the commission headed by Del. C. Hardaway Marks of Hopewell, which made a two-year study of interest rates.

The commission reported to the General Assembly insurance companies and other out-of-state investors were not sending money into Virginia since they could get a higher return elsewhere because of the 6 per cent ceiling.



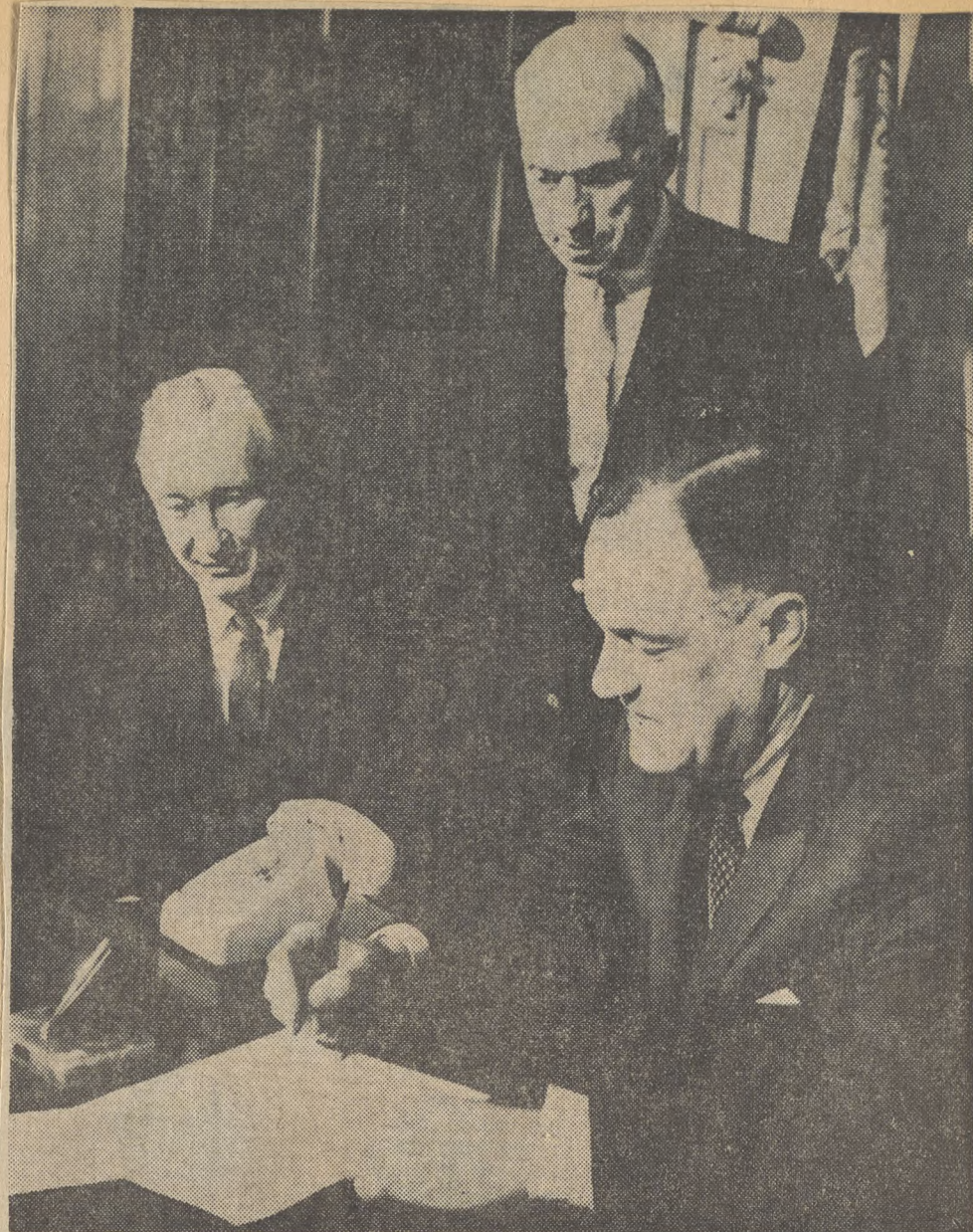
Assembly At Glance

Mar. 2

Governor signs legislation raising interest ceiling on mortgage loans and bankers association cautions members to keep rates as low as possible. Page 1.

Senator seeks rule change on introduction of bills. Page 10.

House approves resolution creating commission to study ways of consolidating small school divisions. Page 10.



Del. Hardaway Marks (left), Sen. Edward L. Breeden Jr. Watch
As Gov. Mills E. Godwin Jr. Signs Interest Ceiling Bill

AP Photo

Dickenson Investigators Expected To Seek Ballots

By MELVILLE CARICO
Times Political Writer

RICHMOND — Gov. Mills E. Godwin Jr. met Monday with the special prosecutors he appointed in the Dickenson County vote fraud investigation and they will hold their first session with State Police investigators in Wytheville March 13.

There was no statement after the meeting, but, it is believed, one of the first steps will be to petition Circuit Court Judge Glyn R. Phillips to give state police investigators access to the controversial mail ballots and other election records now locked in his office.

Commonwealth's Atty. L. Victor McFall, who requested the help, came to Richmond for the meeting with two special prosecutors the governor appointed — Commonwealth's Atty. Alfred W. Whitehurst of Norfolk and B. A. "Monk" Davis of Rocky Mount, a former assistant U.S. attorney.

The three prosecutors held separate meetings with Atty. Gen. Robert Y. Button and his staff and the State Board of Elections following the meeting with Godwin.

A grand jury originally was scheduled to convene Monday in Clintwood, but its investigation was postponed after Godwin appointed the special prosecutors to help McFall.

The grand jury will not be convened until McFall and his associates are ready. It may be weeks off.

Some apprehension was voiced in the conferences, it was learned, over ability to get a non-partisan grand jury because of the ill feeling in Dickenson County over the election in which more than 1,000 mail ballots were cast.

In addition, the prosecutors have a difficult job in presenting evidence in a complex case since they cannot be in the room with the grand jury. Members of the grand jury have to question the witnesses in state courts.

The seven men summoned for the grand jury which was to have convened Monday to conduct the investigation were criticized by Del. Rufus V. McCoy Sr., whose son is Republican chairman of Dickenson County. He claimed they are too closely tied to the Democratic party to be non-partisan.

While the governor was meeting with the lawyers, the Privileges and Elections committees of the House and Senate were taking up election law bills.

A compromise appeared in the making late Monday on whether a "blue ribbon" commission will make an election law study or whether it will be conducted by the two P&E committees.

The Senate passed a bill creating a commission study but the House P&E Committee killed the Senate bill and substituted one sponsored by its chairman, Del. James M. Thomson of Alexandria, pro-

viding for a study by the two P&E committees instead.

The Senate P&E committees met behind closed doors Monday afternoon with Thomson on his House bill and afterwards it was announced the Senate committee left it to Thomson and Sen. Garland Gray of Waverly, chairman of the Senate committee, to resolve the difference.

Gray said he thinks the study should be made by some members of the P&E committee and some public representatives appointed by the governor.

The House P&E committee withheld action until Thursday on bills sponsored by Sen. George M. Warren Jr. of Bristol specifying specifically that voter registration books and records of electoral boards are public record available for inspection "at reasonable times." The bills passed the Senate last week.

Warren said the bills are not needed for Bristol "and 99 and 9-10ths of the places in the state."

Without mentioning the mail ballot contests in Lee and Dickenson counties, Warren added:

"Unfortunately there are places that continue to give my area a bad reputation . . ."

Assembly At a Glance

Mar. 5

House Finance Committee paves way for study of new revenue sources and tax laws. Page 10.

Petitions for liquor-by-drink referendums can be circulated any time. Page 10.

Executive director named for new Commission on Constitutional Revision. Page 10.



Study of Revenue Clears Committee

By HARRY NASH

RICHMOND (AP)—The House Finance Committee approved Monday a Senate joint resolution creating a commission to study potential new revenue sources and present tax laws to determine whether they are adequate to present and future needs.

Before reporting the resolution, sponsored by Sen. Leroy Bendheim of Alexandria, the committee broadened the commission's study to include a proposal by Winchester Del. Flournoy L. Largent — which the same committee killed several weeks ago — for a 1 per cent state sales tax with no exemptions.

The resolution was amended also to increase the study appropriation from \$15,000 to \$25,000 and to include in the study a question whether public utility easements should be made subject to taxation.

Known as the Revenue Resources and Economic Study Commission, the group will be composed of 15 members. Four will be appointed by the president of the Senate, four by the speaker of the House of Delegates and seven by the governor.

Bendheim, speaking in behalf of his resolution, which carried 31 copatrons, recalled that Gov. Mills E. Godwin in his State of the Commonwealth address to the General Assembly in January, said "it is highly unlikely the next governor of Virginia" would have an alternative to recommending that taxes be raised.

The committee cleared a bill by Sen. E. E. Willey of Richmond exempting from taxation the income from stock owned by a nonprofit charitable foundation which is donated in Virginia for literary, scientific or educational purposes. The vote on the measure was 8 to 6.

The proposal was sent to the House floor over the protest of State Tax Commissioner C. H.

Senate Votes Bill To Provide Extra \$4 Million

RICHMOND (AP) — The Senate gave hurry-up treatment to a House bill putting a dime per \$100 tax on land transfers so the finance committee could consider the probable new revenue in its final work on the omnibus budget bill.

The tax, replacing a federal levy that was dropped Jan. 1, would bring in an estimated \$4 million or more in the next biennium. As passed by the House the bill would let the localities keep all of the money but the Senate amended the bill to give the state a half share.

Senators voted 31 to 7 on passage after Sen. Edward L. Breeden of Norfolk said he thought the finance committee should be advised on what the Senate intended to do with the bill so it could consider the extra available revenue.

The bill now goes back to the House for approval of the Senate amendment.

million in the last five years for educational purposes in Virginia.

In other action the committee cleared:

—A bill by Sen. Edward T. Caton of Virginia Beach to exempt from state income tax the first \$2,000 of income of military retirees.

—A proposal of Sen. Joseph Hutcheson of Lawrenceville to relieve public service corporations of taxes on money and intangibles. The total amount of taxes received from all such corporations in Virginia averages \$62,409 annually, the committee was told by Lee Younger, director of the Public Service Taxation Division of the State Corporation Commission.



Opinion Page

Will the Next Governor Stand Up?

As expected, the Democrats' annual Jefferson-Jackson Day Dinner last weekend didn't give the \$35-a-plate Richmond crowd any clear-cut reading on the 1969 governorship race. And how could it? With the party now badly split among conservative, moderate and liberal factions, not even Gov. Godwin could have any insight into who'll be picked to succeed him.

Time was, matters of this kind were decided far in advance of a gubernatorial election. Kingpins of the Byrd Organization quietly designated the line of succession through the governor's mansion and that was that. But with the passing of the Old Guard, nobody has the influence nor, seemingly, the inclination, to select the heir apparent in such undemocratic fashion.

Still, as Sen. William B. Spong reminded a Harvard University audience last month, the governorship holds the key to the Democratic Party's fate in Virginia and throughout the South. Certainly, if the growing challenge of the Republicans cannot be turned aside in gubernatorial elections, it will be only a matter of time until the South's state legislatures and local governments shift to GOP control.

Virginia's era of hand-picked governors doubtless ended with Gov. Godwin's election, although this fact did not become publicly evident until Sen. Spong's election a year later. But once Sen. Spong defeated the Organization in an intraparty contest, the door was thrown open to all comers. Subsequently, Spong quickly seized the initiative by boosting his own campaign manager, William C. Battle, as the man best suited to succeed Mr. Godwin.

Battle makes no attempt to conceal his candidacy, either in get-acquainted meetings with newspapermen around the state or at Jefferson-Jackson Day parties. Indeed, Sen. Spong's "intimate little gathering for close friends" at the Grand Ballroom of Richmond's Jefferson Hotel a week ago might as well have been billed as the formal kick-off of Battle's campaign. Since it outdrew the evening's fundraising dinner and thus revealed the growing popularity of the Spong-Battle faction, no one could doubt the seriousness of Battle's candidacy or the importance of his early lead.

Lt. Gov. Fred G. Pollard, the man who seems most likely to carry the Organization's banner against Battle, is still having trouble catching fire with voters or party leaders. But the other men mentioned as possible Organization candidates, such as VPI president T. Marshall Hahn and Newport News' Rep. Thomas Downing, have encountered even greater difficulty.

Waiting in the far-left wings is Norfolk's State Sen. Henry E. Howell, who apparently thinks he could edge out Battle and Pollard in a three-way race. Happily, he has stubbed his toe in trying to get the General Assembly to repeal the state's automatic runoff for

gubernatorial primaries decided by a mere plurality. In the end, Howell finally may contain his ambitions—although it is not inconceivable that he will try to use his liberal base of support to woo concessions from the two larger factions.

In deciding to run for governor, Mr. Battle is known to have been concerned by the growing threat that is posed by the political left. It's his view, and doubtless Sen. Spong's as well, that if moderate Democrats do not come to power within the state, the voter will reject the old brand of conservatism in favor of extreme liberals. Certainly, such a danger is a real one, as evidenced by Sen. Howell's successes and the near-election of a Democratic liberal who unseated Rep. Howard Smith in the Eighth District primary two years ago, only to lose to a Republican.

Except for Sen. Spong's enmity toward Mr. Kellam, it might have been possible for the Spong organization to form a coalition ticket that would have given the gubernatorial nomination to Battle without a bitter primary fight next year. Prospects for such an accommodation seem bleak, however. In fact, with so many uncertainties clouding the political picture, it is not unthinkable that the Democrats will still be trying to learn the identity of the leading candidate for governor when another Jefferson-Jackson Day dinner rolls around a year hence, on the very eve of the primary filing deadline. Which shows how deliciously mixed up politics has become in the Old Dominion, doesn't it!

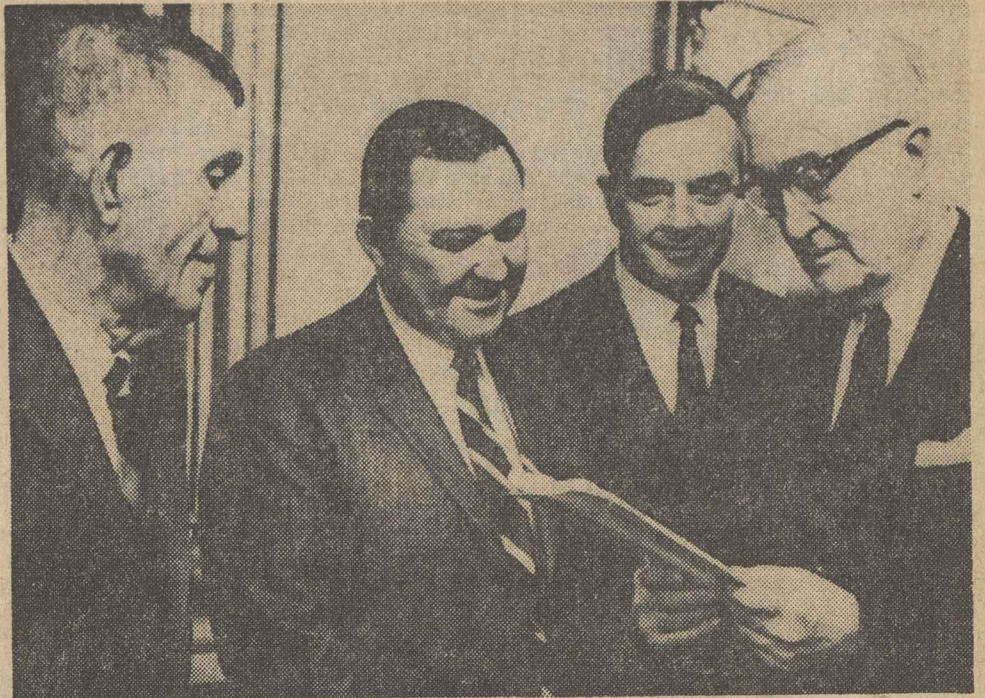
The Issue Is Ducked

Del. Wallace Dickson's abortion proposal, which began with a bang, will end in a whimper.

On its circuitous course in a House committee, it was transformed from a bill that would make abortion a private matter between physician and patient, into one that would provide the reforms that North Carolina and several other states have instituted, and finally into a rather weak plea for a study on the matter.

The watering down process came as no surprise, even though the religious opposition to the proposals never did close ranks to the extent it has in other states. The lobbying was quiet, restrained, and apparently effective.

Whatever happens, study or silence, Virginians will have to wait at least two years, perhaps longer, for another attempt at reform. Few Virginians doubt that the present law is archaic and, at times, downright harmful. But Virginians, and particularly legislators, like to think things over a long time before they act. It is an admirable trait, except when the law is so obviously outdated. The legislature, unwilling to move into an area that badly needs more light and reason, has shoved the whole question back into the twilight zone.



AP Photo

Harry Vaughan, Stanley Hardaway, James William Fletcher, Of State Board of Elections, Pose With Atty. Gen. Button

Senate Passes Salem Charter

Times Legislative Bureau Press Room, State Capitol

RICHMOND — The Senate Monday passed the amended Salem charter bill without dissent as part of its "uncontested calendar."

The bill must go back to the House for concurrence on an amendment adopted in the Senate Counties, Cities and Towns Committee. The amendment provides for the election of three city councilmen in the June municipal election.

As passed by the House, the measure called for the election of two councilmen this year and the other three in 1970.

Hahn Testing Vote Strength

By MELVILLE CARICO
Times Political Writer

RICHMOND — A campaign to sound out support for Dr. T. Marshall Hahn Jr., president of Virginia Tech, for governor began Thursday in the General Assembly.

Purpose of the effort, at this point, appears to let Democrats know Dr. Hahn would run if wanted rather than to get firm commitments of support from senators and House members.

Several House members, particularly, said they are interested in the educator but prefer not to have their names used at this time. Others said they are taking a wait-and-see position.

The effort on Dr. Hahn's behalf was confirmed by Del. George N. McMath, publisher of the Eastern Shore News and president of the Virginia Press Association.

The campaign is aimed at giving conservative to moderate Democrats in the General Assembly a second choice and let them know Dr. Hahn is available if the feeling grows. Lt. Fred G. Pollard could not win next year's Democratic primary nomination which now shapes up as a three-way struggle.

The effort was not started earlier, it is understood, in order not to jeopardize the Hahn Commission metropolitan government legislation introduced with the support of Gov. Mills E. Godwin Jr.

Dr. Hahn has been in Richmond this week on behalf of the Hahn Commission legislation and Virginia Tech appropriations in the 1968-70 budget bill now in the Senate

Finance Committee. A number of legislators are known to have talked to the educator about his future plans.

Dr. Hahn is known to have told them that if support should

(Continued on Page 2, Col. 7)



Assembly^{Mar. 6} At a Glance

House and Senate committees reach compromise on election laws study. Page 1.

Dr. T. Marshall Hahn Jr.'s backers begin sounding out possible supporters if he should decide to run for governor. Page 1.

Gov. Mills E. Godwin Jr. says he will act swiftly to curb any civil disorders in Virginia. Page 15.

Sen. D. Woodrow Bird of Bland County says he cannot consider running for Congress until after the General Assembly adjourns. Page 15.

Two Democrats from Southwest Virginia lock horns over Rhodesia. Page 15.

Fate of two House-passed bills placing new taxes on liquor looks bleak. Page 16.

Accord Reached On Election Study

RICHMOND (AP) — Responding to pressure from Gov. Mills E. Godwin Jr., political committees of the Virginia House and Senate came to terms Tuesday on how to set up a study aimed at the cleanup and revision of the state's election laws.

A few hours after Godwin told a news conference the study was needed in view of the numerous charges of fraud in the November election in Southwest Virginia, the Senate Privileges and Elections Committee gave unanimous approval to a compromise at a three-minute meeting.

Godwin, who said he thought a compromise would be arranged, had added that if the Assembly didn't provide for the revision study, he would do it himself.

Thus, a big bone of contention between the Senate committee and its opposite House number was resolved as the Assembly bore down on political, tax and budget matters in its final week drive toward adjournment Saturday.

The election study compromise was a combination of points of view of both House and Senate. As approved by the Senate committee for an anticipated speedy adoption by the Senate Wednesday with the House to concur soon thereafter, a 15-member commission — divided among legislators and outsiders — would make the study and report by Nov. 1, 1969.

Four Privileges and Elections Committee members would be named from the House, three from the Senate and the eight others, including a chairman, would be picked by the governor.

The tieup developed after the House approved a resolution by Privileges and Elections Chairman James M. Thomson to have the study made by the two political committees of the Assembly, and the Senate backed its own idea to have the governor name a special blue-ribbon commission to do the job.

Another thorny matter remained to be worked out by the committees — the Senate bill now in Thomson's House committee that would advance the state primary date from July to early June. The bill also would advance the date of municipal primaries by a month and eliminate the 10-day grace period after the primaries in which independent candidates may qualify.

Senate P&E Chairman Garland Gray of Sussex is chief patron of the measure. House Committee Chairman Thomson is strongly opposed to the June date — he prefers a later primary date rather than an earlier one — and has given the bill to a subcommittee for recommendations.

Godwin commented on this pending matter also, saying he saw nothing wrong in the earlier June primary date and that a Democratic primary "is a good thing any time of the year."

It is possible Gray's primary bill may wind up before the elections study commission to avoid the chance the study could come up with a different recommendation.

And the Senate advanced for possible passage Wednesday the House bill to let restaurants and hotels sell fortified wines without a local option referendum if

(Continued on Page 2, Col. 7)

Move Made To Increase Auto Speeds

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The House Roads Committee Tuesday amended the already much amended bill dealing with speed limits on the highways to raise to 60 miles per hour the maximum speed for cars on four-lane primary roads.

The bill — introduced as part of the Traffic Safety Study Commission legislation — originally dealt simply with the definitions of business and residential districts for the purpose of establishing speed limits.

The House amended the measure to permit trucks to travel at 55 miles per hour on all interstate, arterial and primary highways. The Senate amended it further to keep the truck limit at 45 on three-lane and two-lane primary roads.

Sent back to the House for concurrence on the Senate amendment, the bill was changed again by the House committee to increase the limit for passenger cars to 60 on four-lane primaries.

It appeared likely that a conference committee of the two bodies will have to work out a compromise.

At present, unless otherwise posted, cars are limited to 55 on all primary and secondary highways and 65 on the interstate and arterial systems.

Trucks are limited to 45 on primary and secondary roads and 50 on the interstate and arterial highways, unless posted to the contrary, a spokesman for the governor's highway safety committee said.



Del. Edgar Bacon



Del. Grady W. Dalton

Rhodesia Sparks Debate in House

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — Two

Democrats from Southwest Virginia locked horns in the House of Delegates over Rhodesia Tuesday and the Johnson administration came out the winner.

The House voted down a resolution sponsored by Del. Grady Dalton of Tazewell County calling for United States recognition of Rhodesia as an independent nation.

Del. Edgar Bacon of Lee County called the Dalton resolution a "ridiculous motion."

The House shouted down the resolution.

Dalton's resolution, which had 15 Democrats, seven Republicans and one Independent as co-patrons, has

been on the House calendar for several days.

Dalton began a center aisle speech on his resolution by pointing to news stories in the Tuesday morning papers that the State Department had denied a visa to Prime Minister Ian D. Smith so he could come to the United States to speak at the University of Virginia.

"Bear in mind that Rhodesia has committed no crime, invaded no countries' borders, has not kow-towed to the Communist bloc of nations, not even traded with the enemies of the United States in the war in Vietnam," Dalton told the House.

Dalton pointed to trade barriers which, he said, are hurting American manufacturers because of the sanctions against Rhodesia after the Smith regime proclaimed Rhodesia's independence from Great Britain to stave off the advance of Negro majority rule in his country. He read editorials from the Richmond News Leader and the Columbia, S.C., state.

"I have no editorials to read from a well-known southern paper, only a simple statement from the heart that applies not to commerce but to people," Bacon began his speech against the Dalton resolution.

He said if the General Assembly asks for recognition of Rhodesia it should ask for recognition of Red China too because the people in Red China have as much freedom.

In Rhodesia today, Bacon declared, opponents of the Smith regime are awaiting execution "merely because they stood up for their rights."

The House voted after Bacon's speech. It was by voice and there was no recorded votes.

Speaker John Warren Cooke ruled those who voted against the resolution were in the majority.

New Taxes on Liquor Face Stiff Opposition

By WAYNE FARRAR
Times Staff Writer

RICHMOND — The fate of two House-passed bills placing new taxes on liquor looked bleak Tuesday, with Gov. Mills E. Godwin Jr., the Alcoholic Beverage Control (ABC) board chairman and members of the Senate Finance Committee expressing reaction which ranged from decidedly unenthusiastic to mildly hostile.

One of the bills, sponsored by Norfolk Del. J. Warren White Jr., would remove the sales tax exemption from liquor sold in state stores. This would have the effects of adding a 4 per cent state and local sales tax (effective July 1) to the existing special tax of 10 per cent levied on liquor in 1960.

The other, backed by Del. William M. Dudley of Lynchburg, would place a \$6-a-gallon tax on liquor sold to restaurants for resale under the new local option by-the-drink legislation.

At his morning news conference, Godwin said he thought it would be "unwise" to make liquor subject to the general retail sales tax. He has repeatedly maintained he would not favor any tax increase at this session of the legislature.

On the Dudley bill, he was less definite, saying merely that he was "not for" the tax, but not saying he was against it either.

The Finance Committee took up the two bills at a late morning meeting, then met again Tuesday night, for possible action on them.

White defended his bill, telling the committee it would not be a new tax since the sales tax already is on the books. He answered critics who said his measure would have the effect of making the tax on liquor 14 per cent, pointing out that other "luxuries" were taxed even higher.

Cigarettes and gasoline are each taxed more than 30 per cent by the state, he said, and beer is taxed 18 per cent.

Sen. Robert S. Burruss Jr. of Lynchburg, supporting the White bill, said it would mean \$1.4 million a year to the localities.

ABC board chairman John W. Hardy spoke against the bill. "If you keep putting these taxes on, you might as well change the name of the board to alcohol beverage promotion and tax board," he said.

Hardy contended that liquor sales would drop if the sales tax exemption were removed, thus costing the state revenue. He said that in 1961, the first year of the 10 per cent special tax, sales dropped from \$118 million to \$103 million, only \$10.3 million was made up through the tax.

a stand on the Dudley bill. Pressed by Sen. Edward E. Breeden of Norfolk on whether the board would prefer to administer the local option law without the Dudley tax or with it, Hardy replied, "there would be problems with it that we wouldn't have without it."

Hardy said the board would rather control the sale of alcoholic beverages by adjusting prices rather than having to administer taxes levied by the legislature.

Sen. William B. Hopkins of Roanoke said earlier Tuesday he saw no need to impose a 4 per cent sales tax on products sold by Alcoholic Beverage Control (ABC) stores.

But Sens. James C. Turk of Radford and H. Clyde Pearson of Roanoke County disagreed.

Hopkins said that since all ABC profits go to the state anyway, the ABC board could raise whisky prices if it is shown that more money is needed.

Pearson said about the four per cent tax bill:

"I'm for it." He didn't elaborate.

Turk said that since such items as milk and other foods come under the sales tax, he can see no reason for exempting ABC products.

"And I don't believe it would have any major effect in cutting down on sales," he said.

Turk said that the entire four

per cent, if enacted, should go to the state treasury.

As the legislation stands, 3 per cent—which is what the statewide sales tax will be come July 1—would go into the state's general fund.

One per cent could go to the locality where it was collected.

Thus those localities—like Salem and Roanoke County—that have no whisky stores would receive no part of the local 1 per cent tax revenue.

By letting localities keep the revenue raised by the local 1 per cent tax on whisky, other communities might be induced to open whisky stores so they could share in whisky tax money, Turk said.

'Chickenfeed' Hunt Delays Senate Action on Budget

Senate Approves Compromise On Vote Study

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Senate Wednesday unanimously approved a compromise resolution setting up a study of Virginia's election laws.

Senate Privileges and Elections (P&E) Committee chairman Garland Gray explained that the measure was a compromise between the plan advanced by Sen. George M. Warren Jr. of Bristol and a House plan favored by House P&E chairman James M. Thomson of Alexandria.

The Warren plan had called for a blue ribbon commission of nonlegislators to make the study, while the house version would have the two P&E committees do the job.

The compromise would include some P&E members and some citizens at large on the 15-member group.

By a 39-0 vote the joint resolution was approved and sent on its way to the House where quick approval is expected.

Gray said the resolution provides for the study to deal only with the election statutes, leaving the constitutional questions to be handled by the Commission on Constitutional Revision which now is at work.

He said it is expected the study commission will report in time to include its findings with the constitutional commission's recommendations early in 1969.

RICHMOND — With senators looking for what one called "chickenfeed," a fight over legislation involving a few million dollars is holding up Senate action on the administration's \$3-billion appropriations act.

Senate voting cannot come now before Friday and in the next 24 hours there has got to be a showdown between the House and Senate over some tax legislation with Saturday adjournment on the horizon.

The powerful Senate Finance Committee was in another closed door meeting late Wednesday night juggling the costs of some of the projects members want within a bare \$1.03-million leeway the House left the

By
Melville
Carico

Times
Political
Writer



Senate between appropriations made by the House and anticipated revenues for 1968-70.

Some members, it was learned, are insisting that the House agree to a Senate amendment to the 10 cents per \$100 increase in the fee for recording deeds

which would divide the revenue between the state and the locality.

The Senate amendment would give the Senate Finance Committee an additional \$1.5 million to work with.

The original House bill put all the money in the localities and the Senate amended it to divide the revenue 50-50. It is now in a committee of conference after the House rejected the Senate change.

The House's action rankled some influential senators already peeved by the small amount of money the House Appropriations Committee left the Senate for its projects.

Late Wednesday night the

committee killed the bill to put ABC store sales under the sales tax and approved the bottle tax, cut from \$6 per gallon in the House-passed measure to \$3 per gallon. The bottle tax would be applied to liquor sold to licensees under the new local option liquor-by-the-drink program.

The committee also approved without change the House Levin bill imposing licensing fees from \$200 to \$500 on establishments licensed for mixed drink sales.

The governor and the ABC Board have been almost adamant in their opposition to the whisky sales tax bill, contending the tax would cause sales to drop in volume and could lead to an increase in bootlegging.

Informed sources said some Democrats in the Senate would have liked to see the tax but were fearful Republicans who have been advocating it for years would say: "We told you so."

The Senate Finance Committee also has on its docket the House bill putting a \$1 emplaning tax on commercial airlines in Virginia but it cannot become effective until Congress agrees to permit the tax to be levied at Washington National Airport too and, therefore, it cannot be used in this appropriations act.

(The Associated Press reported Wednesday night the committee had approved the House bill imposing a \$1 emplaning tax on passengers boarding planes at Virginia's 12 airports which serve 17 commercial airlines.)

However, it put into the House version a proviso for automatic elimination of the tax on intrastate passengers if the levy should be held unconstitutional on interstate travel.)

Actually, one source said, the Senate Finance Committee did not have anything to begin with although the appropriations act

(Continued on Page 2, Col. 6)

Bill To Lower Beer-Buying Age Killed in Senate

Times Legislative Bureau
Press Room, State Capitol

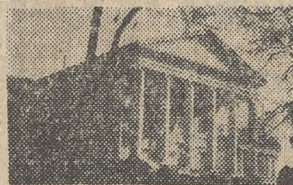
RICHMOND — The Senate Welfare Committee Wednesday killed a House-passed bill which would have permitted 18-year-olds to purchase any kind of beer.

Persons between 18 and 21 presently may purchase 3.2 beer.

Meanwhile, the Senate General Laws Committee took under advisement a bill making it a misdemeanor for a person under 21 to purchase alcoholic beverages, other than 3.2 beer.

Del. Theodore V. Morrison Jr. of Newport News, the chief patron, told the committee it presently is unlawful to sell alcohol to a minor and to misrepresent one's age for the purpose of purchasing it.

But, he said, it is not illegal to make such purchases if one is "clever enough" to do so without falsely stating his age.



Assembly At a Glance Mar. 7

A fight over legislation involving a few million dollars holds up Senate action on \$3-billion budget bill. Page 1.

Sen. Garland Gray of Waverly, a top figure in the old Byrd organization, endorses Lt. Gov. Fred G. Pollard for governor. Page 16.

Senate committee considers in private a bill requiring governmental bodies to hold open meetings. Page 17.

Before the special tax, he said, 80 to 90 per cent of the liquor consumed in Northern Virginia was purchased in Virginia stores. After the tax was levied, the figure dropped to 40 per cent with the remainder being purchased in Washington, D.C., he said.

Virginia formerly was known as a state where liquor was inexpensive and tourists would "stock up" while in Virginia, Hardy said. Now, the reverse is true and the state is losing millions, he said.

Dudley told the committee his bill was needed to provide funds for policing the local option provisions, which he said had not been funded.

Even with his tax, Dudley said, a licensee selling one-ounce drinks would make a profit of \$12.80 on the average bottle. In other states, cocktail establishments earn a 60-70 cent profit on each drink, he said.

Hardy was reluctant to take

Senators Censure Lee GOP Witnesses

By WAYNE FARRAR
Times Staff Writer

RICHMOND — A Senate subcommittee censured a delegation of Lee County Republicans for attempting to mislead the parent committee at a public hearing last week and warned that optional forms of county government are not to be used to gain control of appointive offices by any political party.

The subcommittee said the GOP spokesmen were not truthful when they said no referendum was being planned in the county on switching to another form of government.

By accepting the report of its subcommittee, the Senate Counties, Cities and Towns Committee in effect added its weight to the censure, unprecedented in the memory of Capitol veterans.

The hearing was held Feb. 29 on a bill sponsored by Democratic Del. Edgar Bacon of Lee to remove from the county the right to hold a referendum on adopting the county board, county manager or county executive forms of government.

Bacon contended that the Republican-controlled board of supervisors in Lee wanted to gain control of appointive offices so it could make a wholesale purge of Democratic officials. The Republican delegation denied such charges.

Aldhizer said two other amendments suggested by Crenshaw failed to win Smith's consent and were rejected. One, he said, was a "terrible amendment" which would have "exempted everybody."

Aldhizer insisted the committee "didn't massacre" the bill and said it would be a valuable guideline for governmental bodies and the public in determining what matters may justifiably be sheltered from public view.

House Directs Abortion Laws Be Studied

RICHMOND (AP) — The House of Delegates Thursday directed the Virginia Advisory Legislative Council to study the desirability of revising the state's abortion laws.

The study was called for in a House Joint resolution offered by Arlington Del. Wallace Dickson as a replacement for a bill he had introduced — and later withdrawn — proposing that the abortion laws be liberalized.

Another House joint resolution approved Thursday directs the VALC to study means of disposing of millions of tons of solid wastes, including wrecked automobiles, which "many communities...are unwilling or financially unable to dispose of...in a sanitary manner."

Many communities, the resolution declared, are reluctant to assume responsibility for disposal of such refuse, and unless "early, vigorous action is taken" the volume of it "will create serious health and aesthetic problems which will be not only intolerable, but perhaps insurmountable."

Open Meetings Bill Advances in Senate

RICHMOND — The House passed freedom-of-information bill was approved unanimously Thursday by the Senate General Laws Committee and sent to the Senate floor.

Chairman George S. Aldhizer II of Rockingham said the committee had adopted a number of amendments he described as "clarifying." The measure is "basically the same bill" which emerged from the House, he said.

The amendments were proposed by Frank Crenshaw of Norfolk, leader of the opponents to the bill, and agreed to by Del. W. Roy Smith of Petersburg, the chief patron.

Aldhizer said two other amendments suggested by Crenshaw failed to win Smith's consent and were rejected. One, he said, was a "terrible amendment" which would have "exempted everybody."

Aldhizer insisted the committee "didn't massacre" the bill and said it would be a valuable guideline for governmental bodies and the public in determining what matters may justifiably be sheltered from public view.

Basically, the bill provides that meetings of public officials, which they are required by law to maintain, shall be open to the public.

Certain bodies and records are exempted and certain topics are listed as permissible reasons for closed meetings.

At present, there is no state law requiring open meetings and open records, though there has been a series of conflicting legislative resolutions and opinions of the attorney general.

By MELVILLE CARICO
Times Political Writer
RICHMOND — Patrick Henry Community College at Martinsville and Wytheville Community College at Wytheville.

Community College get new buildings under amendments to the 1968-70 Appropriations Act made Thursday by the Senate Finance Committee.

The committee appropriated \$340,000 to match \$600,000 in federal funds for an administration building at

Wytheville with no strings attached.

But in appropriating \$500,000 for a new library at Patrick Henry the committee made release of the funds contingent upon approval of the \$81-million bond issue in the November referendum although the library is not in the bond program for colleges and mental hospitals itself.

The two community college projects in Western Virginia were major items in 57 committee amendments which raise appropriations \$2.8 million above the total amount in the House bill.

The Senate will take up the budget at 11:30 Friday with very few floor amendments expected, a check with the cross section of the membership indicated.

The increase also includes \$55,000 in state funds toward construction of a regional civil defense center at Pulaski and \$40,000 for a tourist information center on Interstate 81 near Bristol.

The amendments also authorize Virginia Tech to issue \$2.5 million in revenue bonds, instead of \$1.5 million as the bill passed the House, for renovating and enlarging the student center on its campus.

The House changes and the committee's proposed changes, if approved by the Senate, would give Virginia a \$3.12-billion budget for the next two years — \$38.9 million above the figure in the Appropriations Act as it was sent to the legislature by Gov. Mills E. Godwin Jr.

Budget Director L. M. Kuhn said if there are no changes 764,372 will remain unappropriated in line items to take care of "sum sufficient" appropriations.

Some Senate committee changes intrigued onlookers.

One cut the salary for the next governor back from \$40,000, as proposed by the House, to \$32,500. Godwin gets \$30,000.

The committee also earmark-

(Continued on Page 14, Col. 1)



Assembly At Glance

Senate Finance Committee earmarks funds in State budget for community colleges in Southwest Virginia. Page 1.

Senate subcommittee censures a delegation of Lee County Republicans. Page 16.

Freedom - of - information bill passes Senate committee. Page 16.

Some organization Democrats discuss the possibility of a Pollard-Hahn ticket in upcoming gubernatorial election.

Sen. Pearson Criticizes Censure of Witnesses

Times Legislative Bureau
Press Room, State Capitol

RICHMOND—Sen. H. Clyde Pearson, a Republican member of the Democrat-controlled Senate Committee on Counties, Cities and Towns, said Friday he disagrees with its criticism of Republican witnesses from Lee County at a public hearing.

Instead, Pearson said, he would have criticized Del. Edgar Bacon of Lee County, a Democrat, for what Pearson called "unwarranted, vitriolic and intemperate charges made by the patron (Bacon) against the people he represents."

Pearson, who now lives in Roanoke County, is a former Jonesville lawyer and once represented Lee County in the House of Delegates.

"Mr. Bacon charged that the 1,200 persons registered by the democratic registrar of Lee County in 1967 were all illiterate. Such a statement is not only intemperate but patently and obviously untrue," Pearson declared in a prepared statement distributed to reporters.

Board Plan Kept Alive By Amendment

RICHMOND (AP) — A bill to give counties the right to have governing bodies name their school boards under local option was killed in form by a Senate committee Friday but lived on in substance by a House amendment to a Senate bill.

Del. Donald G. Pendleton of Amherst got the House to tack the amendment onto a Senate bill that would permit the county of Southampton to name two at-large members to the county school board so Negroes could have representation on the board.

Del. Sam Pope of Southampton, piloting the Senate bill, opposed any amendments he said he feared might sink the bill entirely when it went back to the Senate.

But the House agreed with another amendment to make Pendleton's idea more palatable to the Senate. This one, by Del. D. French Slaughter of Culpeper, would limit referendums on how a school board would be named to one in five years. The House then passed the amended bill 89 to 0.

Another amendment by Del. Grady Dalton of Tazewell to allow supervisors to name school board members on staggered terms, without going through a referendum, failed 48 to 27.

Three Democrats forming a government, merely that they subcommittee appointed by Chairman William B. Hopkins of Roanoke criticized unnamed witnesses before the committee on the Bacon bill because, they claimed they led the committee to believe the GOP-controlled board of supervisors had no intention of calling a referendum to switch to the county board form of government.

The subcommittee said, too, the alternate forms of county government were never intended to be used as a means of keeping political control in a county. Hopkins reported to the Senate his committee, of which Pearson is a member, agreed unanimously to the filing of the subcommittee's report.

"Due to the publicity surrounding the disposition of the bill introduced by Del. Bacon to disfranchise the people of Lee County, I deem it necessary to clarify my position," Pearson said.

Pearson said he agreed to the filing of the report but if he had been a member of the subcommittee he would have filed a minority report criticizing Bacon for his statements before the committee.

The committee killed Bacon's bill removing Lee County from a statewide law permitting counties to hold a referendum to switch to an alternate form of county government. The attorney general's office said to exempt Lee County would be unconstitutional.

Pearson's comment followed by one day the release of the subcommittee report censuring and criticizing certain witnesses heard by the committee against the bill.

"The thrust of the argument presented by the opponents was that there were no present plans to change the present form of

In view of newspaper articles published prior to the hearing, "where the chairman of the board of supervisors and chairman of the Republican party represented the contrary," the subcommittee felt this testimony all far short of the truth," Hopkins said.

He added the committee "adopted the subcommittee report" and "thus I think the full committee shared the view of the subcommittee on the subject."

Money Talk Reminds Butler of a Friend

A Times Staff Dispatch
Southwest Virginia Bureau

RICHMOND — House Minority Leader M. Caldwell Butler pretended more than usual legislative interest in the salary the next governor will receive when it became an issue in the House Friday, holding up final action on the 1968-70 appropriations bill.

"Can this go by temporarily. I would like to check with someone in Roanoke and I'll be right back," Butler asked jokingly and the House laughed.

Butler is the law partner of Linwood Holton, the Republican candidate for governor two years ago. He figures in the speculation over who will be the GOP's candidate next time, too.

Holton was in Richmond Thursday night visiting with the Republican delegation in the General Assembly.

Gov. Mills E. Godwin Jr. gets \$30,000 a year. The House wanted the next governor to get \$40,000; the Senate felt \$32,500 was enough. After a brief debate a \$35,000 figure was agreed upon.

Godwin Signs Bill for Salem

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Salem city charter bill was signed into law Friday by Gov. Mills E. Godwin Jr.

Dels. John W. Hagen and Ray L. Garland were present for the brief ceremony.

Meanwhile, the State Compensation Board announced it had set salaries of two constitutional officers for Salem, which had become a city Jan. 1.

The commissioner of revenue will be paid \$10,550 a year. The treasurer will get \$10,000.

The state will pay half the salary of these two city officials.

The attorney general has ruled the city can't officially name a clerk of courts, city sergeant and commonwealth's attorney until a court system is set up.

House Says No To Beer Ads On Billboards

RICHMOND (AP)—The House of Delegates turned back Friday an attempt to permit beer advertisements on billboards.

The attempt was made by Norfolk Del. Stanley Sacks in an amendment he offered to a Senate bill fixing a schedule of fees for outdoor advertising. The House passed the bill after rejecting Sacks' amendment.

Sacks contended it was discriminatory to bar beer ads from billboards when they are permitted in newspapers and on television. His amendment would have permitted outdoor advertising of any commodity allowed in newspapers and on television.

Another Senate bill approved by the House makes it a felony punishable by imprisonment up to three years for second conviction of stealing money from pay telephones, parking meters and vending machines.

Del. Walther Fidler of Richmond County said severe penalties were needed to combat roving bands of thieves who come into Virginia to raid pay telephones and other coin-operated devices.

Other Senate bills approved by the House:

—Make the abandonment of an animal a criminal offense.

—Establish new safety and sanitary requirements for migratory labor camps.

Opinion Page

Boomlets and Deafening Silence

The Democratic Organization, which has kept Virginia under tight one-party political control for four decades, uncharacteristically erected a Help Wanted sign this week.

Wanted, it said: a winning candidate for governor.

Within 48 hours it seemed clear that, despite the urgent call, the Organization's endorsement was still up for grabs—and that Dr. T. Marshall Hahn, Virginia Tech's politically-oriented president, was all but ready to take the big political plunge.

Initially, the week's much heralded, widely anticipated, "Hahn-for-Governor" feelers seemed to have little or no impact in the Democratic Party's confused ranks. Assemblymen, Courthouse officeholders and the rank-and-file were still withholding endorsements, keeping an uneasy silence and trying to read the political currents without simultaneously getting pulled under.

Although the carefully planted big-city newspaper leak of Dr. Hahn's availability failed to win any groundswell of favorable party response, it had the quite unexpected effect of partially boosting the sputtering candidacy of the Organization's other prominent gubernatorial hopeful, Lt. Gov. Fred Pollard.

State Sen. Garland Gray, one of the last Organization powers in the General Assembly, announced he would support Mr. Pollard for the nomination. Instantly, then, the Hahn boomlet had been effectively countered by the Pollard forces. Pro-Hahn assemblymen, if they had intended to choose sides

publicly, suddenly thought better of it.

Whether Virginians would want as governor an educator-scientist instead of still another lawyer-politician remains, of course, the unanswered question of the moment. In the face of growing Republican strength and a now-certain run for the governorship by non-Organization Democrat William Battle, the remnants of the old Byrd Organization probably would choose the VPI president over Pollard in event political readings were to indicate Hahn was a winner, Pollard a loser. So far, however, no such reading is at hand.

Since the party's liberal faction headed by Norfolk State Sen. Henry Howell foolishly broke last week with the moderate forces of Battle and Sen. Spong, the Organization's chances of retaining control of the governorship undoubtedly have been enhanced. If Howell challenges Battle and the Organization candidate in next year's primary, as now appears likely, the Organization will be in a strong position to win the nomination, whether Pollard, Hahn or someone else is tapped for the race.

The real question, then, is which Democrat can beat the Republican candidate, who seems certain to be either the '65 nominee, Linwood Holton, or the new party leader from Winchester, State Sen. Kenneth Robinson. Judging from both the non-response to Dr. Hahn's trial balloon and the still-grounded candidacy of Lt. Gov. Pollard, that is a question for which Organization Democrats have no ready answer.

Senate, House Reach Agreement on Budget

By MELVILLE CARICO
Times Political Writer

RICHMOND — A disagreement between the Senate and House over the next governor's salary, a matter of \$7,500 a year, held up final action for two hours Friday on the 1968-70 Appropriations Act totaling \$3.12 billion including \$81 million in bonds.

In the end they agreed future governors will be paid \$35,000.

Some weary legislators thought the difference might delay final action until Saturday, the last day of this General Assembly which in a few days after it convened in January was able to resolve the controversial issue of a bond issue referendum.

It was over as quick as it began.

The legislators were too weary to fight over anything.

It took the Senate only 25 minutes to adopt 37 changes in the House bill and send it back to the House for its approval of the amendments, 40 to 0.

But the House got into short lived wrangles over pensions for daughters of Confederate war veterans and a \$10,000 appropriation for the 3-year-old Portsmouth naval shipyard museum.

The House accepted these changes.

But it balked at a Senate reduction in the salary for the next governor from \$40,000 to \$32,500 and rejected the Senate's change 59-36.

Southwest Virginia got big breaks in the \$2.8-million addition the Senate made to the Appropriations Act — \$340,000 towards a new administration building at Wytheville Community College and \$500,000 for a library at Patrick Henry Community College at Martinsville.

The House applauded and whistled when the Patrick Henry amendment from the Senate was read, a recognition of Del. A. L. Philpott of Henry County who associates said worked hard to get the Senate change after the House appropriated only \$16,000 in planning money for the library.

The \$500,000 for Patrick Henry is not in the November bond referendum but working of the amendment keeps the governor from releasing the money unless the \$81-million college-mental hospital bond issue is approved.

The \$340,000 for Wytheville Community College has no strings attached.

"I've really been under pressure," Sen. D. Woodrow Bird of Bland said after getting the Wytheville money. He is a member of the Senate Appropriations Committee.

The \$340,000 from the state will be matched with \$450,000 in Appalachian regional money and \$150,000 in higher education facilities funds from Washington, Bird said.

Just as the House made no

(Continued on Page 7, Col. 1)

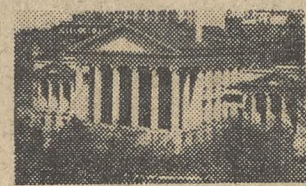
Assembly At a Glance March 9

Senate and House reach accord on \$3.12-billion budget after two-hour disagreement over what salary to pay the next governor. Page 1.

Sen. H. Clyde Pearson disagrees with subcommittee criticism of Republican witnesses from Lee County. Page 9.

Senate passes bill which limits circumstances under which governmental agencies may bar the public from their meetings and records. Page 9.

Del. C. Harrison Mann Jr., chairman of the Virginia Traffic Safety Study Commission, says proponents of tougher safety legislation "have lost some very badly needed measures" and will have to "ask for them again" in 1970. Page 9.



Senate Passes Bill Requiring Open Sessions

Times Legislative Bureau
Press Room, State Capitol

RICHMOND — The Senate Friday passed, 36-1, the freedom-of-information bill, which limits the circumstances under which governmental agencies may bar the public from their meetings and records.

The only opposing vote was cast by Sen. William F. Stone of Martinsville.

The bill had previously passed the House but must go back there for agreement on several clarifying amendments.

In general, the bill requires all state and local boards, councils and commissions to admit the public to their meetings. In addition, all records which officials are required by law to maintain must be kept open for public inspection.

Certain types of public bodies are exempted from the bill's provisions as are certain types of records. Certain carefully prescribed topics would still be permissible subjects of discussion in private.

Governing Units Will Control School Budgets

RICHMOND — Legislation that gives city councils and county boards of supervisors detailed control over school budgets has passed the House of Delegates.

The Senate had already approved the measure. It places so-called line-by-line budget review authority in the hands of local governing bodies. School boards in some areas, including Roanoke City, have contended that governing bodies can control only the broad categories of school expenditures.

College Funds Put in Budget For Wythe and Martinsville

(Continued From Page 1)

ed \$20,000 for an election law study, \$5,000 for the study of twin-trailer operations, and increased the pensions of four

widows and 1,000 daughters of Confederate Veterans by \$10 a month.

The House left the Senate slightly more than \$1 million between its appropriations and anticipated revenue for the next two years.

But the House yielded to the Senate's insistence and agreed to a 50-50 split between the state and the localities in the 10 cents per \$100 valuation increase in the fee for recording deeds, an agreement that gave the Senate about \$1 million more

a year in anticipated revenues to work with.

There might have been more.

But late Wednesday night the finance committee killed a House bill putting a 4 per cent sales tax on ABC store sales and reduced a House-proposed special tax on whisky sold to restaurants with license to serve mixed drinks from \$6 to \$2 a gallon.

The Senate committee made no significant changes in the House appropriations — a fact expected to lead to quick House approval of the Senate amendments.

The committee rejected a proposed amendment which would have required teachers in the new kindergartens to have special certificates.

The special certificates were knocked out by the House in accepting an amendment sponsored by Mrs. Dorothy S. McDiarmid of Fairfax County who feared this requirement would reduce the number of cities and counties beginning kindergartens under the new state program. Her amendment permits a school system to use any teacher with an elementary certificate in the kindergartens.

The budget carries a \$15-million appropriation for state aid to cities and counties starting the program. No change in this figure was made by the Senate.

THE ROANOKE TIMES
Saturday, March 9, 1968. 7

Senate, House Reach Accord On Budget

(Continued From Page 1)

changes last week in the appropriations act as it came out of its appropriations committee, no attempt was made on the Senate floor to change the Senate Finance Committee amendments or alter its version of the act.

The flare-ups, if they can be called that, came later on the House side in acting on the Senate changes.

Some in the Republican bloc objected to the Senate's \$129,720 increase in pensions for four widows and 1,100 daughters of Confederate veterans.

The pensions—which will be \$360 a year for four widows and \$240 for the daughters—are paid through the accounting department with United Daughters of the Confederacy certification.

The GOP's position was that the pensions should go only to those who need them and should be handled through the Department of Welfare.

Lee Republicans Pleased At Death of Bacon's Bill

By JACK CHAMBERLAIN
Times Staff Writer

JONESVILLE — The leader of the Republican fight against the House bill aimed at freezing Lee County's form of government said Thursday he is glad that Del. Edgar Bacon's bill was killed, despite the censure of Republicans by the Senate Counties, Cities and Towns Subcommittee.

"I'm so glad the committee killed the bill, I don't care what they have to say about me," said Glen M. Williams, a Jonesville lawyer.

A subcommittee of the Senate committee appointed to investigate the Lee County controversy after a public hearing Feb. 29, charged that certain Republican witnesses opposing the bill were untruthful because they denied they had plans to change the form of government.

The subcommittee said the Bristol Herald-Courier and The Powell Valley News quoted a top county GOP official before the hearing that the supervisors intended to offer a resolution for a change of government.

The GOP official, C. B. Waddell of Pennington Gap, chairman of the board, denied Thursday night that he ever made such a statement.

He said the Bristol newspaper had talked with him, but he was misquoted. He said no one from The Powell Valley News, a Pennington Gap weekly, had any contact with him.

Williams and Waddell said Thursday that the board of supervisors has no intention of initiating a referendum to change the county's form of government. They said, however, that citizens' groups may initiate the action.

Williams said that he had thought about presenting a resolution to the board, if the bill had passed, to bring the new law to court for a test case.

Waddell also said the board would have sought a court test of the bill, had it passed, by initiating action toward a referendum.

The supervisors met W

nesday and Thursday, but Waddell said no action was taken on a resolution or anything else to change the form of county government.

Williams said he attended Thursday's meeting and told the board, "I thought every citizen of Lee County ought to get down on his knees and thank God that we still have a chance at a little freedom."

Williams and Waddell said there have been rumors in the county about changing the form of government, but no official statements or comments by Republicans.

Williams and Waddell said no member of the subcommittee contacted them regarding the committee's investigation after the hearing.

"I'm willing to be called a

liar, a cheat and a fraud as long as they killed that bill," Williams said of the Senate subcommittee's censure.

"I feel like that has unshackled the freedom in Lee County," Waddell said of the death of the bill.

Williams and other Republicans from Lee testified at the Senate committee's hearing in Richmond. Waddell said he was not in Richmond for the hearing.

Williams and Waddell said no member of the subcommittee contacted them regarding the committee's investigation after the hearing.

Del. Donald K. Funkhouser of Mount Jackson, the GOP spokesman, said he is not opposed to the pensions, if they are needed, but to the pensions being handled through the DAR and the State Department of Accounts instead of welfare.

"Those of us who know some of these ladies know they have one quality in abundance—that is dignity," Del. Willis M. Anderson of Roanoke, a Democrat, replied.

The House accepted the Senate amendments raising the pensions 79-10.

Del. Don E. Earman of Harrisonburg, a Republican, said it is a "little bit ridiculous" to appropriate \$10,000 to a privately operated museum in Portsmouth when public schools are crying for more money and people are being asked to vote bonds.

The House approved the Senate amendment 82-11.

The protest against the Senate reducing the salary for the governor to be elected next year from \$40,000 to \$32,500 was started by Del. George Rawlings of Fredericksburg.

And before it was over chairman John H. Daniel, chairman of the House Appropriations Committee from Charlotte Court House, and House floor leader James M. Thomson of Alexandria were on opposite sides.

Daniel told the House that Gov. Mills E. Godwin Jr., who gets \$30,000 a year, recommended \$32,500 for his successor.

And in answer to critics who pointed to salaries of top state officials now approaching the \$30,000 mark, Daniel said the governor, in addition to his salary, gets use of the mansion and a maintenance allowance, too.

Thomson moved rejection of the Senate amendment so, he said, a compromise could be worked out. Many legislators thought it would be \$35,000.

Legislature Adjourns; Godwin Lauds Actions

RICHMOND — A weary General Assembly adjourned Saturday night with praise from Gov. Mills E. Godwin Jr. for "adding a brilliant chapter to the history of our state."

The end came at 6:29 p.m.

By that time, a few members already had started for home and late Saturday night only those with hundreds of miles to go were still in Richmond.

At the request of the governor the legislature broke with the past and called an \$81 million bond issue referendum for November and created a 11-member commission headed by Justice Albert S. Harrison Jr. to propose sweeping changes in the state constitution.

Members will be back for a special session next year, possibly in February or March, to act on the commission's recommendations which will go to the heart of controversy—raising the ceiling on bonded indebtedness, annual sessions and state, city and county relations. During the long days, and sometimes into the night, the legislature hammered out hundreds of bills—the full import of which will not be felt for years, maybe decades.

The legislature took the first step toward implementing the metropolitan government concepts of the Hahn Commission, made highways safer through much of the Mann Commission recommendations, and appropriated more money for welfare with the aim of getting people off welfare roles and rehabilitating those in prison by training them to hold jobs.

And with widespread misgivings the legislature authorized cities and counties to hold their own "local option" referendums on whether mixed drinks can be sold in their hotel dining rooms and restaurants. Some will be held this summer, undoubtedly.

"My pride in your accomplishments is shared by millions of Virginians," Godwin

By
**Melville
Carico**

Times
Political
Writer



said in a message sent down from his office to the House and Senate just before they adjourned.

The Republican minority went along with most of the governor's program which

swept through the Democrat-controlled legislature. However some thought by rearranging the budget and making a few cuts the \$81-million bond issue could have been avoided.

Sen. J. Kenneth Robinson of Winchester, chairman of the Republican delegation of six senators and 14 house members, called the session "a session of transition—transition from ABC stores to whisky by the drink, transition from pay as you go to bonded indebtedness."

He criticized the Godwin administration for appropriating \$61.5 million which will be derived from a one time "windfall"

by advancing tax payment dates for corporations for expenses instead of buildings.

If the "windfall" money had been appropriated for needed buildings at colleges and mental hospitals this legislature, Robinson said, "would not be abandoning pay as you go and calling a bond issue referendum."

Some senators and house members said privately they are fearful the bond issue might not be approved, particularly since it is being held in conjunction with the presidential election in which spending in Washington will be a top issue. But they went along with the

governor for two reasons: one, they agree the buildings are needed. Two, the decision on turning to bonds is a decision voters should make and, politically, it is a decision they will make.

Many legislators had hoped to get away early Saturday and Friday. After his House had held night sessions, Speaker John Warren Cooke had his eye on adjournment by 1 o'clock.

But as the House and Senate

(Continued on Page A-5, Col. 1)

**A Brief Look At Legislation
Enacted And Rejected —
Page B-2**

THE ROANOKE TIMES

SUNDAY, March 10, 1968

Page A-Six

Opinion Page

New State Budget Far-Reaching As Stage Set for Policy Changes

The soaring costs of state governments—a reflection of continuing population pressures, public demand for better services, and many past needs unmet—haunted Virginia's General Assembly throughout the 60 days of its just-concluded biennial session.

The state legislature, hobbled heretofore by the outworn tradition of pay-as-you-go financing, signaled the beginning of long overdue budgetary reforms by proposing an \$81 million general-obligation bond issue for colleges and mental health, the first such borrowing in modern times.

Even with the bond issue, though, the assemblymen were prevented from launching any significant new state programs except kindergartens and Medicaid, the latter a Washington-initiated plan of health services for low income individuals.

While a one-time acceleration of income tax payments and the previously scheduled 33 per cent escalation in sales tax rates will produce about \$180 million in new '68-70 revenues, the assemblymen discovered early in their session that the state faced a tight-budget situation.

What is happening, of course, is that Virginia is having to pay dearly for past mistakes. Instead of anticipating college enrollment pressures, mental hospital needs, recreational requirements and a host of other governmental burdens stemming from Virginia's high rate of population growth, earlier legislatures and previous administrations tried to get by with bare-bones operating budgets, minimal capital spending and a paucity of new ideas or programs.

are the proper ones. In higher education, for example, it provides large-scale increases both for expansion of existing institutions and development of additional ones. While the appropriations for the largest community colleges are not adequate, the overall support for public colleges is gratifying.

In spending for the public schools, however, the minuses prevail. While necessary increases for teachers salaries, teaching positions and the new kindergarten programs are provided, the overall budget is clearly unsatisfactory.

State-aid formulas remain unfair to school-minded communities, counties again are encouraged to provide only minimal education programs, archaic pupil-teacher ratios are continued for aid-allocation purposes and education-earmarked sales tax rebates are again allocated without adequate policing.

Because of budget limitations, Assembly disinterest and Mr. Godwin's undue cautiousness in avoiding divisive issues, these school-aid problems have been totally ignored in the state's 1968-70 program. They are matters, however, that must be attended to in the near future. (So, too, must the issue of multi-county school system consolidations be faced, either by use of incentive state-aid formulas or a compulsory statewide merger plan.)

Another Catch-Up Budget

Suddenly, the unpleasant statehouse realities had to be faced—beginning with the 1966-68 state budget's various new programs (of which the community colleges rank uppermost in importance), a massive '66-68 catch-up of capital outlays (financed largely by the state's last pre-planned surplus) and an across-the-board sales tax plan, giving the state its first major new tax in a century (and, equally important, providing both a tax-sharing system and supplementary local sales tax powers for the benefit of localities).

For the 1968-70 biennium, the legislators acted with similar far-sightedness, recognizing that Gov. Godwin had no alternative but to recommend borrowing for some new construction, accelerating tax deadlines to prevent an operating deficit and utilizing both the new 1 per cent sales tax and the customary increase in revenues from the existing tax structure to offset the inevitable rise in costs of all governmental operations and to pay for the new programs begun earlier.

The state's new \$3.1 billion budget, despite numerous Assembly revisions and an increase of nearly 28 per cent over '66-68 spending, remains largely in the form originally proposed by Gov. Godwin at the start of the Assembly's meeting. Generally speaking, its indicated priorities

Tax Hike Is Inevitable

Yet, even if there were none of these shortcomings requiring new financing, another tax increase in 1970 still would be inevitable. Gov. Godwin knows this, the assemblymen know this, and the public might as well prepare for the worse. The amount of the increase doubtless can be held down if additional borrowing authority is written into the Constitution, a step that Mr. Godwin and the majority of the General Assembly undoubtedly anticipate with the establishment of the Harrison Commission on Constitutional Revision.

Inasmuch as the Assembly also approved the Governor's plan for a definitive long-range study of tax resources and revenue needs, all of the needed facts should be in hand to permit informed decision-making, both by the 1970 Assembly and Gov. Godwin's successor, as to what '70-72 tax increases would be both equitable and necessary.

Its decisions to rewrite Virginia's Constitution, abandon the much-evaded policy of pay as you go and insure a pre-planned 1970 tax revision unquestionably must be rated the most important accomplishments of the General Assembly's 60-day session.

Likewise, the state government's first post-adjournment order of business is equally clear: securing passage of the \$81 million bond issue in the Nov. 5 referendum.

With voter ratification of the bond issue, the '68 Assembly's work will have assured better state services for all Virginians, the budget's aforementioned shortcomings notwithstanding.

Without such ratification, much of the Assembly's work will have been for naught.

Western Virginians Call Session Constructive

RICHMOND — Legislators from Roanoke Valley and Western Virginia generally agreed Saturday that the just-concluded 1968 General Assembly has been one of the hardest-working and most constructive in history.

There was disagreement, however, as to whether the session enacted many wholly new programs or devoted most of its attention to funding and improving upon already-enacted ones.

Here is a sampling of session-end opinions of lawmakers from the western part of the state:

—Sen. William B. Hopkins, Democrat of Roanoke, chairman of Senate Counties, Cities and Towns Committee: "This General Assembly has been primarily a house keeping session in which we have improved on programs that have been prepared before. . . . As far as Roanoke Valley is concerned, the legislation to lay the groundwork for medical education in the valley under the auspices of the University of Virginia will have significant effect. . . . We have provided funds for Virginia Western Community College so that in 1969 it can have 3,500 students. . . . And we have also given state funds for state public health at Roanoke."

—Del. Willis M. Anderson, Democrat of Roanoke: "It was, I'm sure, the busiest in the history of Virginia and was productive in many respects. We



By
**Wayne
Farrar**
Times
Staff
Writer

passed the largest budget in the history of our state. . . . Much of this money of course will go for financing the new programs that were begun at the historic session of 1966. I think we've made some significant achievements in highway safety, crime control and in laying the groundwork in solving the problems of metropolitan areas. . . ."

—Sen. H. Clyde Pearson, Republican of Roanoke County: "In some respects it's been a very good session and in some respects a disappointing one. . . . There were no specific legislative acts to correct some of the election abuses that have been so graphically demonstrated as occurring in the southwest part of the state. . . . They've have studied this matter for 20 years. . . . It's me we were passing some legislation on it."

—Del. M. Caldwell Butler of Roanoke, House Republican leader: "I think its time now to cast aside false modesty and admit the major ac-

complishments of this General Assembly have been part of the Republican program for years. . . . The major accomplishments . . . are a direct result of the continued expansion of the two party system in the State of Virginia and a recognition of the Democratic Party that they'd better do something and do something fast in these fields because the Republicans are moving in."

Sen. D. Woodrow Bird, Democrat of Bland, chairman of the Senate Agriculture Committee

—"It's been one of the hardest sessions we've ever had, yet has operated more effectively and smoothly and accomplished more than almost any session. Creation of the commission on constitutional revision took a lot of work off us by postponing action on proposed constitutional amendments. . . . the budget generally is fair, spreading over every area of our economy on a just and equitable basis. I'm particularly pleased with the appropriations we got for Wytheville Community College, badly in need of additional facilities."

Del. John N. Dalton, Republican of Radford

—"A lot has been accomplished but there were a number of things we didn't do that we should have done. I'm particularly sorry we didn't abolish the tuition grant program. I'm also disappointed we didn't do something to correct

election law abuses besides just authorizing a study. But I'm delighted to see the compulsory school attendance law re-enacted."

Del. Garnett S. Moore, Democrat of Pulaski, chairman of House Courts of Justice Committee:

—"I think this has been the hardest working session of the General Assembly I have attended and it accomplished more in relation to highly controversial subjects early in the session. Problems dealing with the financial and fiscal conditions of the state have been the most serious of all. There have been many pieces of constructive legislation concerning commercial interests of the commonwealth and we have taken a step forward in improving the laws pertaining to road safety."

Del. Grady W. Dalton, Democrat of Tazewell County:

—"I'm disturbed over what appears to me to be a shift to the more liberal viewpoint. For example, as a member of the House Education Committee I have been astounded at the legislation that slipped by as a matter of course, legislation that would have been killed before ending tuition grants, compulsory attendance. Legis-

lators who you knew you could depend on have vacillated to a point of saying: "If you can't beat them, join them." My six terms have not changed my philosophy. If this trend continues for another session or

two I can see a tremendous change that, from my viewpoint, is dangerous and frightening."

Del. Archie A. Campbell, Democrat of Wytheville:

—"It seems to me this session has been very progressive. Two years ago we delved into the financial aspects of education and this year we have gone to the substantive needs of education — the teacher tenure bill, category instead of line-by-line control over school budgets, and the like."

Del. A. R. "Pete" Giesen Jr., Republican of Staunton:

—"It's been an active and hard-working session and there have been some real advances—local option, on direct appointment of school boards, a study of our election laws, a study of proposed conflict of interest legislation and the study commission on revising the constitution. The budget was disappointing in what it gave to elementary and secondary education and mental health, and in not taking steps to eliminate some unnecessary expenditures."

Del. Russell L. Davis, Republican of Rocky Mount:

—"It's been one of the most constructive sessions of all, though the other one (1966) was really the greatest. I was much impressed with the attitude of the House of Delegates in wanting to keep up with the times and the needs of the people."

I think the presence of more Republicans was partly responsible and maybe if we had more in the Senate it would be more progressive, too."

Del. A. L. Philpott, Democrat of Henry County:

—"It was a constructive session. The financial problem of the state points up the need for serious study of some means to produce additional revenue or the state is faced with the prospects of having to curtail its services. There were entirely too many bills dealing with local problems that should have been dealt with at the local level."

Del. Charles W. Gunn Jr., Democrat of Lexington:

—"I think we made great stride in areas of progress begun in 1966, particularly education and mental hygiene. I am still concerned we do not have ample time (60 days) to perform to the ultimate."

Del. W. L. Lemmon, Democrat of Marion:

—"This was my first time and I've enjoyed it, particularly being on the Education Committee, which I think reported some good legislation—continuous contracts for teachers and local referendum on the method of appointing school boards. I voted for the bond issue referendum because I think it is a decision that should be made by all the people, not just the 140 (members) down here."

Legislation Enacted or Rejected by 1968 Assembly

By MELVILLE CARICO
Times Political Writer

The good and the bad of the '68 General Assembly in a nutshell.

Governor's Program

—Adopted a record breaking \$3.12-billion budget for 1968-70 within the framework of the governor's recommendations, and called a November bond referendum on issuing \$67.2 million in bonds for construction of colleges, including seven new community colleges, and \$13.7 million for new mental hospital facilities.

—Created an 11-member commission to propose changes in the state constitution after which the governor will call a special session of the legislature next year.

Public Schools

—Enacted a statewide compulsory school attendance law for those 6 to 17 years old.

—Launched a "local option" kindergarten program and appropriated \$15 million as the state's share of teachers salaries in cities and counties setting up public kindergartens.

—Gave teachers a \$300 raise in each of the next two school years.

—Provided state funds for 1,700 new teachers but voted down efforts to lower pupil-teacher ratios on which state aid is based.

—Raised per pupil state aid to \$110 for the 1968-69 school year and \$115 for the 1969-70 school year.

—Created continuous contracts for teachers after a probation period.

—Started a pilot program to find preschool children with impaired hearing so they can get special help before entering school.

—Prohibited city councils and county boards of supervisors from making line-by-line cuts in school board budgets.

—Set up two-year studies looking to the possibility of free text books for students, changing distribution formulas in state aid to education, and the consolidation of small school districts.

—Made an overall increase in public school appropriation of \$161 million.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

—Killed legislation abolishing Virginia's tuition grant program under which parents can get public funds towards their children's education.

cases where the defendant, if convicted, could get from 20 years to death to \$450.

—Created a 15-member commission to study the possibility of establishing an intermediate appellate court between the trial courts and the Virginia Supreme Court of Appeals and to propose ways to speed up the disposition of cases in the state's judiciary system.

Metropolitan Areas

—Enacted some of the Virginia Metropolitan Area Study Commission program, expanding the role of the State Division of Planning, providing for establishing planning districts, setting up the framework for regional governmental units called service districts to be entered into voluntarily by cities and counties. A total of \$100,000 was appropriated for planning districts; \$100,000 for an urban assistance fund.

—Provided for the merger of a city and county combinations of counties and cities, or a county and the towns within its borders, into cities without the areas that were counties losing for 10 years State Highway Department construction and maintenance funds that go to counties.

—Killed a raft of annexation bills; some of which would have made annexation easier; some harder.

Elections

—Created a commission to be composed of both legislators and the public to study Virginia's election laws with the goal of guaranteeing all elections are honest. All election law bills introduced were referred to this commission which will be appointed by the governor.

—Bills sent to the committee include ones moving the dates of primary elections up from July to June and requiring voting out the 10 additional days after the primary or deadline for a convention for independent candidates to file.

Whisky

—Authorized cities and counties to hold referendums on whether their hotel dining rooms and restaurants can be licensed by the ABC board to serve mixed drinks.

—Killed legislation imposing a 4 per cent sales tax on sales in ABC stores.

—Imposed a special \$2 a gallon tax on whisky purchased through ABC stores, at regular prices, by restaurants holding whisky-by-the-drink licenses.

—Killed legislation to permit beer advertisements on billboards.

Taxes

—Created a commission to study new sources of revenue with many legislators fearful the next general assembly will have to raise at least \$300 million more in additional revenue.

—Killed bills increasing state income taxes in the face of stiff opposition from the governor's office and also bills exempting food from the governor's office and also bills revenue situation.

—Killed a bill sought by tobacco interests removing the 2½ cents a pack state tax on cigarettes in two stages.

—Enacted a \$1 boarding tax on each airline passenger departing Virginia airports effective when Congress amends a compact permitting the tax to be levied at federally-operated Washington Nation Airport which lies in Virginia. The revenue will be earmarked for airport development.

Traffic Safety

—Enacted a tough law to get "habitual offenders" off the highways by providing for the trial of a driver with a record of 12 serious offenses within a 12-year period. If convicted as a habitual offender the driver loses his

license for 10 years and if caught driving he faces 1 to 5 years in prison.

—Passed the "heart" of the Mann Commission package, providing for mandatory eye tests, and under some circumstances written examination, in renewing driving license every four years.

—Provided funds for employment of 30 more state troopers.

—Raised the speed limit for trucks to 60 on the interstate; 55 on four-laned divided primary highways. Killed legislation raising truck speed to 55 on two-lane roads.

—Expanded Virginia's "good samaritan" law now covering doctors and dentists to anyone rendering assistance to victims of highway accidents at the scene. It is aimed primarily at eliminating the danger of damage suits against firemen and first aid crews.

Higher Education

—Called a referendum on a bond issue for \$67.2 million in new college facilities, including seven more community colleges whose locations are yet to be selected. The entire building program will cost \$130 million.

—Created a new Richmond area university to be known as Virginia Commonwealth University by combining the Medical College of Virginia and Richmond Professional Institute under a joint board, including four members from MCV and four from RPI.

—Appropriated sufficient funds for Clinch Valley in Wise County to become a four year college beginning next September.

—Appropriated \$5 million to upgrade faculty salaries, \$2.5 million to upgrade college libraries and \$1.5 million for graduate scholarships.

—Set up a study on whether business colleges, correspondence schools and trade schools (including data processing schools) should be accredited and licensed by the state.

The Unusual

—Enacted a law making cross burning on the street or on public property, such as a park, a crime. The anti-KKK law now outlaws cross burning on private property.

—Made burning the American flag "with contempt" a crime.

—Refused to liberalize Virginia's antigambling statutes to permit churches and charitable organizations to gamble on bingo or run raffles.

—Made "glue sniffing" a misdemeanor and classified LSD as a "dangerous drug" enabling the state to regulate its sale and use.

—Refused to permit Fairfax County to impose a license tax on cats. Legislators thought dogs are enough.

—Designated certain birds, such as black birds, grackles, starlings, cowbirds and pigeons, as "nuisance birds" and empowered the state commissioner of agriculture to take the steps necessary to get rid of them.

—Created a \$5 permanent hunting and fishing license for those over 70.

Highways

—Directed the State Highway Department to take \$10 million off the top of its allocations the next two years and create a revolving fund for use in long range right-of-way acquisition.

—Tapped a minimum of \$600,000 more a year for highway construction by applying the automobile-truck titling tax to mobile homes which, through an oversight, had not been taxed either under the sales tax or titling tax the last two years.

—Killed legislation permitting motor lines to use twin trailers, known as "double bottoms" on interstate highways the highway department having a part in the experiment with one truck.

—Appropriated \$230 million for interstate construction; \$187.4 million for primary and arterial systems; \$124.6 million for the secondary system; \$68.5 million for urban highways.

—Increased state aid to localities for street maintenance from \$1,000 to \$1,100 a mile.

Mental Health

—Called a bond issue referendum for \$13.7 million in new mental hospital facilities.

—Created a commission to study the operations of the state Department of Mental Hygiene and Hospitals looking into the growing problem of caring for the elderly, particularly geriatrics patients and the indigent, and local treatment of the mentally ill.

For Those In Prison

—Appropriated \$330,000 to establish a release center for convicts through which all prisoners will be channeled the last 30 days of their sentence.

—Inaugurated a work-release program for a select group of "long term" prisoners who will be permitted to hold jobs on the outside during the day, return to prison at night.

—Established "halfway houses" for convicts who have no home to go to after they are released from prison.

—Authorized the reductions in sentences one day a month for prisoners who apply themselves in either the academic or trade schools within the prison system.

—Authorized bonuses of a few cents a day for prisoners with job skills who show an interest in work.

—Authorized a pilot program for 18-21-year-old prisoners who show a "high potential" for training.

—Hoped to alleviate a bad moral program among 375 road camp guards by appropriating \$600,000 so their work week can be reduced from 60 to 48 hours.

Welfare

—Increased state appropriations \$10 million, much of it to finance programs aimed at getting people off welfare rolls, particularly young mothers receiving welfare because of their children.

—Incorporated intent in six different bills and set up a work training program.

—Expanded the day care centers to take care of children of mothers either in training or working.

Public Health

—Appropriated \$20.2 million to match \$34.6 million from Washington to launch Medicaid, that is hospitalization and medical care for the needy, beginning in July 1969. The program will be administered by the health department with the Department of Welfare and Institutions deciding who is eligible to receive help.

—Authorized the use of organs removed by the chief medical examiner in the course of his investigations for transplants in hospital patients, if needed.

—Appropriated funds for Roanoke City and Arlington County to come under the state-locality Public Health Department setup.

—Directed the Department of Health to conduct a study of Virginia's abortion laws looking to widening their scope.

The Legislature

—Created a commission within its own membership to study the facilities, space, staffing, compensation of a legislature which at this session, more than any other, felt the pressure of time, inadequate facilities and a flood of bills that staggered the imagination.

—Gave healthy salary increases to top state officials, judges and department heads.

—Could not give Gov. Mills E. Godwin Jr. a raise, although many members think he deserves one, because of a restriction in the state constitution. Raised the salary of the next governor to \$35,000 a year.

—Passed a "Freedom of Information" law requiring city councils, boards of supervisors, school boards, commissions and authorities to hold open meetings, except under certain circumstances, and make their records available to the public for inspection.

—Set up a study of ethical standards for legislators and all public officials as a safeguard against conflict-of-interest.

Opinion Page

Assembly Writes An Extraordinary Record in Response to State Needs

The Virginia General Assembly wrote its second consecutive record of precedent-breaking actions during its 1968 session. Reflecting its own changing attitudes and the growing public impatience with unresponsive state government, the assemblymen initiated both immediate reforms and promising interim studies that doubtless will prove far-reaching in their eventual implementation.

There were disappointments, of course. But, on balance, the legislature proved itself amenable to policy changes and new directions to a greater degree than ever before. The growing influence of enlarged urban delegations, the prodding of a small but usually progressive Republican block, the admission of the first Negro assemblyman in eight decades, the absence of many once-powerful rural legislative leaders and the forceful, unwavering leadership of a pragmatic Governor all combined to reinforce and accelerate the progress begun two years previously.

Some of the most significant accomplishments occurred early in the session, following a timetable sensibly laid down by the Godwin Administration. Authorization was given for a sweeping constitutional reform by a bipartisan, biracial study commission. Bond-financed construction programs were approved for colleges and mental hospitals, thereby enabling the voters to end the state's pay-as-you-go anachronism in a special election this fall. And a massive two-year budget of over \$3 billion was proposed by Gov. Godwin, providing countless innovations and strengthened programs in higher education, health, welfare, criminal rehabilitation and traffic safety.

"New Va." Liquor Law

If there was any single dramatic indication of the statehouse metamorphosis that has occurred as a result of post-W.W. II urbanization of Virginia and the "one man, one vote" legislative reapportionment of the Sixties, the passage of local option liquor-by-the-drink legislation probably was the event. The "new Virginia"—the reform-minded, densely populated urban corridor that stretches from Arlington-Fairfax to Hampton Roads—demanded legalization of mixed drinks, picked up a few outstate votes needed to form a statewide urban coalition and thus succeeded in finally breaking away from a fundamentalist era of overly rigid state regulation.

In voting out the propagandistic State Commission on Constitutional Government and resurrecting statewide compulsory school attendance laws, the Assembly further scuttled Massive Resistance actions of the Fifties. At the same time, the sensible rejection of labor's ill-conceived demands for a weakened right-to-work law make it abundantly clear that the problem-oriented assemblymen are not about to embrace ultra-liberal political philosophies.

While both the legislature and Gov. Godwin faltered in their acceptance of only the skeletal remains of the novel Hahn Commission program for helping the urban areas, impetus nonetheless was given to the growing movement for new forms of metropolitan government within the state. Creation of the state's first block-grant system of modest subsidies for urban programs, increased state powers to encourage areawide planning, a greatly expanded state planning division, additional state aid for regional planning purposes and clear-cut statutory authority for creation of regional governments all rate commendation. To augment these actions, however, the state ultimately must be given increased powers to guide metropolitan growth; likewise, the cities ultimately must be given the additional grant-in-aid incentives required to lure them into regional governments.

In going beyond the Hahn report in voting to protect consolidated regional governments against immediate loss of the counties' special road-fund privileges, the assemblymen provided an important new inducement for merger of municipalities and counties. That the lawmakers would provide such an incentive for coun-

ties and yet not accept the Hahn program's proposed welfare and highway grant-in-aid inducements for cities is a graphic example, however, of the inability of the cities to obtain fair treatment in a legislature in which a rural-urban county coalition seemingly exerts endless domination on parochial city-county issues.

Important New Studies

Although the legislature again declined to enact tough laws to curb election irregularities or conflict of interest, its decision to begin detailed studies of both troublesome issues doubtless is a sign that some legislation will be adopted two years hence. Similarly, its approval of interim studies of state school-aid formulas, consolidation of small school divisions, abortion laws and its continuing review of welfare programs also can be expected to result in other implementing laws of far-reaching importance in the Assembly's next regular session.

Of the Mann Commission's 50-plus proposals for a strengthened highway safety program, at least 80 per cent finally won the lawmakers' acceptance. Specifically, creation of a full-time traffic safety division of state government, enactment of a plan to get habitual traffic law offenders off the roads, tightening of driver training requirements for juveniles, passage of a modified driver re-examination plan and revision of the implied consent drunk driver law all must be rated of extreme importance.

Progress also was made in modernizing the state's mental health programs, both at the existing institutions and in community-based treatment. Significantly, the first steps were taken to separate custodial care for the aged from the mental health program, a policy change that clearly must be undertaken if mental illness is properly to be dealt with.

In the newly revitalized State Department of Welfare and Institutions, the '68 legislature's actions are certain to produce more welcome changes in the months ahead. Sixteen of a study commission's 19 proposed reforms won Assembly approval, including new child day-care and adult work-training programs to help welfare recipients become self-sufficient.

Also, a number of educational, job training and counseling programs will be initiated for juvenile and adult criminals, including an enlightened work-release plan (heretofore opposed by state prison officials) that will enable carefully selected prison inmates to prepare themselves for parole by securing daytime employment outside a penal institution.

Crucial Follow-Up

In sum, the '68 General Assembly wrote a crucial second chapter to the landmark effort that launched Gov. Godwin's program of progress two years ago. Its huge outlays for higher education, including funds for seven new community colleges and the merger of two existing Richmond institutions into a new tax-supported university, are certain to aid in further closing the state's longtime education gap. If the new school-aid and school consolidation studies can produce similar 1970 benefits for elementary and secondary schools, education finally will have received its due.

As the assemblymen ruefully discovered, the present-day legislative workload makes it absolutely mandatory that members be given more pay, time, space and research assistance to conduct state affairs. The necessary groundwork has been laid to correct nearly all of these shortcomings in the near future, beginning with a constitutional change to permit annual sessions.

In its get-things-done approach to state government the General Assembly has given Virginians a remarkable 60 days of lawmaking and budget-balancing, thereby earning both Gov. Godwin and the assemblymen a well-deserved vote of confidence. Virginians will have an opportunity to register that vote on Nov. 5, on the occasion of the state's all-important bond issue referendum.

Butler Credits GOP For Assembly Gains

By MELVILLE CARICO
Times Political Writer

House of Delegates minority leader M. Caldwell Butler claimed Friday night the "accomplishments" of the 1968 General Assembly have been part of the Republican platform for years.

"If the Republican Party continues to keep the pressure on the people of Virginia will be the beneficiaries," Butler said.

He and the other three Republicans in the General Assembly from Roanoke and Roanoke County participated in a round table discussion of the just-closed session of the General Assembly at an organizational meeting of the Roanoke Valley Republican Club at the municipal building.



RICHARD E. MARTIN
Heads GOP Club

Del. John Hagen and freshman State Sen. H. Clyde Pearson saw the role of Gov. Mills E. Godwin Jr. differently.

Hagen called Godwin a "very dedicated person" and told the room full of Young Republicans to "knucke under" to the "I can honestly say I think

he tried to do what is best for Virginia in his own mind." Pearson criticized what he saw as a tendency of Democrats to "knucke under" to the governor and this, the senator

said, left only the Republican minority "to speak up without fear of reprisals."

"I'm fairly certain if a resolution to abolish the General Assembly had come down from the third floor (the governor's office) they (Democrats) would have rushed to become co-patrons," Pearson said.

Del. Ray L. Garland, a freshman, said one of his impressions was that "the governor gets what he wants" because there are about 65 Democrats "willing to vote for about anything within reason the governor wants."

He said the legislaure "works under appalling conditions" because of the lack of space in the Capitol.

Garland told the Young Republicans about legislative procedures and said some House members in explaining a bill on the floor consider it a "badge of honor" to supply other members with as little information as possible. In some cases, Garland said, he felt the explanations were "deceptive."

Richard E. Martin, a certified public accountant, was elected president of the new Valleywide Republican organization.

He defeated Leonard Moses, a bookkeeper for Varney Electric Co., 18-12. Martin, a president of the old Roanoke Young Republican Club, was the pick of a nominating committee.

Actually there were nominations from the floor for all offices.

Many who had heard the legislators left before the voting began.

Edward W. Clark Jr., a foreman in the central office of the Chesapeake and Potomac Telephone Co., was elected vice president, beating Charles Winters, an employe of Independent Transmission Co., 20-10.

Mrs. Anita Torrence, whose husband David was one of the organizers of the new club and served as temporary chairman, was elected secretary. She was the only nominee from the floor to be elected in defeating Douglas E. Dooley, head of the accounting department at Roanoke Electric Steel, 16-11.

Alfred C. Anderson, a member of the faculty at Northside High School, the Republican candidate for treasurer in Roanoke County last year, was elected treasurer. He defeated Susan Tuck, a district office employe of the C&P Telephone Co., 18-12.

Butler said that for the first time the Republican minority was "treated like a party" in the Democrat-controlled General Assembly.

He attributed the change, in part at least, to Speaker John Warren Cooke who assigned Republicans to important standing committees. When retired E. Blackburn Moore was the speaker only one Republican ever was assigned to a major committee.

And Hagen called the speaker "a human being."

Butler criticized the General Assembly for not enacting conflict-of-interest legislation and laws to curb what he called "vote frauds" in Far Southwest Virginia.

City • County • State

News

of THE TIMES

Saturday, March 16, 1968.



Del. Anderson (left), Dr. Wheeler and Del. Butler in Panel Discussion

Times Photo

Apr. 17, 1968

Citizen Action Necessary To Force Constitutional Revision, Wheeler Says

By BEN BEAGLE
Times Staff Writer

Dr. John P. Wheeler, a consultant to Virginia's Commission on Constitutional Revision, told a League of Women Voters' meeting Tuesday night their interest in changes in the constitution is the first he has seen in the state.

And Wheeler, who also served as consultant to the State of Maryland during constitutional revision procedures, said an important factor in Maryland's success was "long-term citizen action."

Wheeler's comments came as

he and Roanoke, Dels. M. Caldwell Butler and Willis M. Anderson participated in a panel discussion of the upcoming revisions sponsored by the League of Women Voters of the Roanoke Area.

"Citizens have got to get interested and press the politicians," Wheeler said.

The panel also developed a discussion between Butler, a Republican, and Anderson, a Democrat, about how the commission's recommendations will fare in the General Assembly.

Butler said he expected the "do nothing" Privileges and Elections Committees of both houses of the legislature to be

assigned deliberations on the commission recommendations. "We won't get the kind of changes we want," Butler predicted.

Anderson said it has always been his understanding that the revisions will be assigned to various committees — debt revisions to Finance Committees and local government changes to Committees on Cities, Counties and Towns.

It would be the "logical way to divide up this report and refer them to appropriate committees," Anderson said.

Wheeler, dean of Hollins College and a political scientist, said he would prefer a constitutional convention to bring about the changes but he said the state needs the revisions quickly. He said that citizen interest should be great for several years before such a convention "and this is not a state with great citizen interest."

In answer to a question, Butler said he would be "very pleasantly surprised" if the commission recommended a constitutional convention.

Butler and Anderson also disagreed over which is quicker: the commission-legislative method or the constitutional convention.

Anderson said he would be in favor of "a leisurely convention" except that constitutional debt provisions must be modified by 1970 or the "next governor of Virginia is going to be faced with insurmountable problems."

Butler claimed that the commission could recommend a convention and a convention could still get the changes approved

by the voters by 1970 or even sooner. He claimed the legislative method amounts to a "strait jacket" for the revisions.

All three panelists agreed that the present constitution has excess words, too many restrictions on the legislature and should be written to provide broader constitutional guidelines.

The revised document, Butler said, "should be flexible enough so that we don't have to amend it at all."

Del. Giesen May Oppose Marsh in 7th

WAYNESBORO (AP) — Republican Del. A. R. Giesen of Staunton said Tuesday night he may oppose 7th District Democratic Rep. John O. Marsh in the November congressional election.

Giesen told a Waynesboro GOP meeting he would announce his decision by April 24 and possibly before.

Giesen said if he were to run, he would not run in opposition to Marsh but rather "on what the Republican party stands for. I believe that what we need in Washington is not just a change of names but a change of party in order to get this country back on an even keel."

He added that "President Johnson's decision not to run for re-election makes it more difficult for anyone in any party to oppose Marsh."

