

1957—RESOLUTIONS

H. R. 1434

RESOLUTION 51

A JOINT RESOLUTION CREATING A COMMISSION OF THE NORTH CAROLINA GENERAL ASSEMBLY TO STUDY PROBLEMS OF MUNICIPAL GOVERNMENT AND TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE 1959 SESSION THEREOF.

WHEREAS, the General Assembly has the constitutional responsibility for the creation and development of sound municipal government which is essential to the welfare and prosperity of the entire State of North Carolina; and

WHEREAS, the General Assembly is aware of the increasing difficulty experienced by municipal governments in attempting to provide for their sound development and growth under existing laws which govern and limit the procedures, powers and authority of cities and towns; and

WHEREAS, it is proper and desirable that a comprehensive study of the problems of cities and towns be undertaken in order that the General Assembly may meet its responsibility for the creation and development of sound municipal government in this State:

*Now, therefore, be it resolved by the House of Representatives, the Senate concurring:*

**Section 1.** The Governor of North Carolina shall appoint, upon the recommendation of the President of the Senate and the Speaker of the House of Representatives for the 1957 Session, a commission to be composed of nine members which shall be known as the Municipal Government Study Commission of the North Carolina General Assembly. Six members shall be selected by the Speaker of the House of Representatives from the membership of the 1957 House of Representatives and three members shall be selected by the President of the Senate from the membership of the 1957 Senate. Not less than three members of the Commission selected, either Senators or Representatives, shall represent counties in which there is located a municipality with a population of 50,000 or more according to the last United States census. On the date and at the place selected by the President of the Senate and the Speaker of the House, but not later than September 30, 1957, the Commission shall meet and organize by electing from its membership a chairman, vice-chairman and secretary-treasurer.

**Sec. 2.** It shall be the duty of the Commission to make a detailed and comprehensive study of the problems of municipal government in North Carolina which may include, but shall not be limited to a study, of the following:

(a) The procedures, powers and authority which are granted by the General Assembly and are available to municipalities that govern and limit the ability of municipal government to provide for orderly growth, expansion and sound development.

(b) The governmental services and functions provided and the increased or additional services and functions needed to meet the requirements

## 1957—RESOLUTIONS

for orderly growth, expansion and sound development of cities and towns and the capacity of municipal government to finance such services and functions.

Sec. 3. Upon completion of its studies or any part thereof the Commission shall report its findings and recommendations to the 1959 Session of the General Assembly and such recommendations may include, but shall not be limited, to the following:

(a) Recommended changes in the procedures, powers and authority of municipal government that govern and limit the growth, expansion and sound development of municipalities.

(b) Recommended methods of providing and financing the increased or additional services and functions needed to meet the requirements for orderly growth, expansion and sound development.

A summary of the findings and recommendations of the Commission shall be submitted to the members-elect of the 1959 General Assembly and the Governor not later than November 15, 1958.

Sec. 4. The Commission is hereby authorized to hold public hearings, examine the records of any municipality, county or State agency; receive testimony from any officer or employee of any municipality, county or the State and any other witness who may assist the Commission in the performance of its duties. The Commission may also call for assistance in the performance of its duties from any agency or institution of the State and from any political subdivision or organization within the State.

Sec. 5. The Commission is hereby authorized to employ any public or private agency or institution and person, firm or corporation to undertake such studies, research and the drafting of such reports and legislation as may be required to perform its duties. The Commission may also employ such professional or clerical assistants as the Commission may deem necessary. The Commission may adopt by majority vote such rules as it may deem proper for carrying out its duties.

Sec. 6. The members of the Commission shall be paid a per diem allowance of seven dollars (\$7.00) for the days when they are engaged in the performance of the duties of the Commission and such necessary travel expenses and subsistence as may be incurred by them in the performance of the duties of the Commission. The Governor is hereby authorized and directed to expend from the Contingency and Emergency Fund such funds as are necessary in order to comply with the requirements of this Section. Upon request of the Commission the Superintendent of Buildings and Grounds shall provide a suitable meeting place and, if required, office space for the Commission.

Sec. 7. In order to pay for the expense of studies, research or other work authorized by and prepared for the Commission in the performance of its duties, the Commission is authorized to accept any gift, donation or grant from any person, firm, corporation, foundation and from any agency of the Federal Government. The Commission is authorized to contract with any person, firm, corporation, foundation or with any agency of the Federal Government for services to be rendered to the Commission. In addition, the Commission may accept contributions from the municipalities of this State,

## 1957—RESOLUTIONS

all of which are hereby authorized to make contributions to the Commission by appropriation of money from nontax revenue, and the Governor may expend from the Contingency and Emergency Fund such reasonable amount for the use of the Commission as he may in his discretion deem advisable and which shall be in addition to the expenses, allowances and subsistence provided for in Section 6 of this Resolution.

Sec. 8. If the Commission shall receive funds from sources other than the Contingency and Emergency Fund, it is hereby authorized to administer such funds as hereinafter provided. Any gift, donation, grant, contribution or other monies received by the Commission for its work shall be placed in a bank or trust company authorized to do business in North Carolina and designated by the Commission as the official depository of the Commission. No funds shall be disbursed unless authorized by the Commission and then only upon vouchers signed by the secretary-treasurer and countersigned by the Chairman of the Commission. An accounting of any funds received and the amounts disbursed shall be rendered to the Speaker of the House and the President of the Senate upon the completion of the Commission's work.

Sec. 9. This Resolution shall be in full force and effect from and after its adoption.

In the General Assembly read three times and ratified, this the 12th day of June, 1957.

H. R. 1442

### RESOLUTION 52

A JOINT RESOLUTION REQUESTING THE COMMITTEE OF THE NORTH CAROLINA BAR ASSOCIATION ON EXPEDITING AND IMPROVING THE ADMINISTRATION OF JUSTICE IN NORTH CAROLINA TO MAKE AVAILABLE TO THE 1959 GENERAL ASSEMBLY AND REPORT THEIR RECOMMENDATIONS WITH RESPECT TO THE TENURE, PAY, WORK LOAD AND ADVISABILITY OF FULL-TIME SUPERIOR COURT SOLICITORS.

WHEREAS, this General Assembly has endorsed the principle that the several Superior Court Solicitors of the State should be placed on a full-time basis; and

WHEREAS, the Committee of the North Carolina Bar Association on Expediting and Improving the Administration of Justice in North Carolina is now making a study of the administration of justice in this State, which study will include the tenure, pay, work load and advisability of placing Solicitors of Superior Courts on a full-time basis:

*Now, therefore, be it resolved by the House of Representatives, the Senate concurring:*

Section 1. That the Committee of the North Carolina Bar Association on Expediting and Improving the Administration of Justice in North Carolina make available to the 1959 General Assembly its report and recommendations with respect to the problem herein set forth.

Sec. 2. This Resolution shall become effective upon its adoption.

In the General Assembly read three times and ratified, this the 12th day of June, 1957.