

Weekly Legislative News By Institute of Government

NOTE: This is the eleventh of a series of weekly summaries of the work of the 1949 session of the General Assembly of North Carolina. These summaries are not intended as a report on all legislation, but are confined to discussion of matters of general interest or of major importance.

If, as Governor Scott stated last week, the legislators have been putting pressure on him to fill the United States Senate vacancy, his surprise appointment of Dr. Frank Porter Graham to that seat should entitle him to urge similar promptness by the legislators in giving favorable action to the knotty problems of roads, schools and general appropriations—a combination of affairs on which the Assembly has come dangerously close to a deadlock.

Appropriations
Rapid developments in the General Assembly last week posed these questions: Shall the \$30 million Post War Reserve Fund (1) be retained as a "cushion" against emergency deficits, (2) be used for current expenses to raise the teachers' salary scale to the \$2,200-\$3,100 level or (3) be used to finance county school building construction?

Advocates of retaining the Fund as a "cushion" fought a losing battle in the Joint Appropriations Committee, as school forces slammed the brakes on the unlimited spending of the previous week that threatened to send the whole Biennial Appropriations Bill to a subcommittee for trimming. Reconsideration of several approved increases and treatment of a few more minor requests resulted in an over-all appropriation of \$418 million for the biennium, some \$38 million in excess of estimated revenues for the same period. Then, rather than turn the measure over to a subcommittee, a convincing majority approved the release of the Reserve Fund to help meet the threatened deficit and vote to report the bill (HB 33) favorably, over the protests of co-chairmen Edwin Pate and W. Frank Taylor, both of whom informed members that they could not support the bill in its entirety because they felt that the appropriation measure could and should be balanced with expected revenues. The combination of the Re-

serve Fund with an estimated \$4 million surplus in the year ending June 30, 1949, still leaves revenues and available surpluses \$4 million short of meeting the proposed expenditures.

On the same Thursday afternoon that this action was taken, the House Finance Committee considered SB 203 calling for a \$50 million bond issue to be applied to school building construction, and emerged with a substitute bill providing for a \$20 million bond issue, with the remainder to be supplied by releasing the Post War Reserve Fund to this purpose. Under suspension of the rules this measure bypassed the Appropriations Committee and was on Monday's calendar. Since HB 33 could not be reported out before Tuesday, the House may well meet the question of expenditure of the Post War Reserve for capital outlay purposes before the Appropriations Committee-approved expenditure of the same Fund for current expenses can be considered.

In all this confusion one appropriations measure has not been heard from; just what is going to be the fate of the \$72 million allocated to permanent improvements at the State's institutions in the Advisory Budget Commission's recommendations?

Schools
In rewriting the Senate edition of the \$50 million school plant construction bill the House gave special attention to the method of allocating the money among the counties. SB 203, as originally written, allocated up to \$500,000 to each county. The House approach is to allocate the money in three ways: first, \$200,000 would be given outright to each county; second, \$25 million would be allocated among the counties on the basis of average daily school membership; and third, \$5 million would be set up as an equalization fund allocable by the State Board of Education on the basis of building needs and ability to pay. This method was first adopted by the House Education Committee and then embodied in the House Finance Committee's substitute bill reported out on Friday. The House Finance Committee's ideas about where this money should come from are mentioned in the paragraph dealing with Ap-

propriations. Two other school bills made their appearance in the Senate. SB 338 would add to the School Machinery Act provisions (1) for allotting additional supervisory and special instructional personnel to county and city administrative units at State expense, and (2) for allocating Federal funds if and when they become available. SB 343, probably prompted by recent criticisms of the handling of local school funds, provides more specifically for the accounting and auditing of all kinds of school funds and for the bonding of all personnel who are authorized to handle school property or who are concerned with the drawing or approving of checks on school funds.

Roads
Last week presented the first opportunity for concurrent consideration by one house of the bills embodying the ideas of both on the two paramount issues remaining on the road board question—the size of the issue and the question of making the 1c gas tax increase contingent upon favorable vote for the issue. This came about when, on last Wednesday, the Senate Finance Committee reported favorably as amended, SB 52, and unfavorably, with minority reports, HB 89 and HB 181. Attempts to have the minority reports adopted brought the gas tax issue squarely into focus, since the two House bills contemplated a linking of the tax and bond issue, while SB 52 would make the tax contingent upon approval of the bonds. The amount of the bond issue was taken out of the conflict, temporarily at least, by the Senate's amending SB 52 to set the figure at \$200 million instead of \$100 million with HB 89. After a round of debate and parliamentary maneuver, the score read SB 52, passed two readings, House bills 89 and 181, on the unfavorable calendar and "clinched." An interesting last try by the "non-linkers" was their attempt to have removed from the referendum ballot the reference to the 1c gas tax increase, which also met with defeat. There is now only one bill to be amended and compromised, whereas formerly there were three. When SB 52 passes its third Senate reading and is sent to the House, one of three reactions seems probable: (1) acceptance as written, with the raise to \$200 million by the Senate Committee compensating for the linking of the gas tax, (2) insistence upon non-linkage even if the amount be reduced again to \$100 million as a concession to the Senate majority, (3) refusal to accept anything but \$200 million and non-linkage, with a resulting im-

pass unless the Senate majority weakens. **Liquor**
As a seeming aftermath of the defeat of the state-wide liquor referendum bill, various municipalities hurried to join the towns of the state which have voted on ABC stores independently of their counties. One bill would allow such a vote for Greensboro, Athens, Walling, Warsaw, Kerns, Walnut Cove, Palsion, Clinton, and Mooresville. Forsyth County and Winston-Salem were offered a choice. HB 984 would authorize either the county or the city to call an election on establishing liquor stores, with the provision that if the county operated such stores Winston-Salem could not, while HB 1006 would authorize a county-wide election only.

Racing
A greyhound has a rather simple time of it following the mechanical rabbit around an oval track, but following the legislative act which permits the grey-

hound to run in this State seems a more difficult matter. First the New Hanover bill came out of committee with a favorable vote, passed its second reading and went back in committee to emerge this time with an unfavorable report. The bill to legalize dog racing in Currituck had an easy hope

through the House but failed its third reading in the Senate by a close vote. The Senate reconsidered the vote by which the bill failed its third reading and passed it. Pasquotank, in HB 1014, sought to prove that all racing in the State is not going to the dogs by seeking a vote on allowing horse racing. The bill was reported favorably.

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