

NORTH CAROLINA GENERAL ASSEMBLY AND LIBRARY LEGISLATION IN 1969

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When the state's political leaders and State House reporters reviewed the deeds and misdeeds of the 1969 North Carolina General Assembly last summer, no reference was made to the significance of the library legislation enacted by the solons. Undoubtedly this omission was due to the fact that libraries and their support are of little import in the public mind.

Yet, to any librarian or friend of libraries, the action of the 1969 General Assembly relating to libraries was significant regardless of the yardstick used to measure significance.

Nine bills, seven of which were local (applying only to specific counties, cities, or other units of local government), relating to libraries were enacted into law during the session. Unquestionably the most far-reaching in its impact was H.B. 20 introduced by Rep. Sam Johnson (Wake). This bill provided appropriations for each of the state's departments, institutions, and agencies, including the State Library. State aid to public libraries was more than doubled for the 1969-71 biennium as compared with funds appropriated for the 1967-69 biennium—\$3,527,456 for the former; \$1,587,347 for the latter.

Operational funds for the State Library mushroomed, with \$803,364 appropriated for the 1969-71 biennium as contrasted with \$536,800 for the previous biennium. Credit for this substantial increment in financial support to libraries goes to hundreds of librarians and lay people throughout the state. Members of the Legislative Commission to Study Library Support, a group appointed by former Governor Dan K. Moore in 1967, deserve especially high marks for this achievement. Members of this commission, which submitted a report to Governor Moore and members of the 1969 General Assembly in August, 1968, were David Stick, Kitty Hawk, chairman; Senators Mary Faye Brumby of Murphy and Hector McLean of Lumberton, and Representatives Charles W. Phillips of Greensboro and Thomas E. Strickland of Goldsboro. In its report the Commission recommended that state aid to public libraries be increased by approximately 35 cents per capita during the first year and 55 cents per capita during the second year of the 1969-71 biennium. Although the final appropriations was only 50 percent of this recommended figure, the increase granted by the legislature was gratifying to state library officials as well as public librarians from Manteo to Murphy.

The other public bill (H.B. 540) enacted into law is designed to clarify the status of county and municipal library employees. Introduced by Representative Auman of Moore County, the act specifies that library employees "shall be for all purposes the employees of the county or municipality, as the case may be."

Three local bills were passed authorizing county governing boards to levy a tax for support and maintenance of the existing public library. These bills were as follows: H.B. 624 (Boger of Davie and Tolbert of Rowan) relating to Davie County Public Library; H.B. 1308 (Barr of Ashe) relating to public libraries in Ashe, Watauga, and

Wilkes counties; and H.B. 1378 (Leatherman of Lincoln) relating to the Lincoln County Public Library. Each of these acts limited the tax, if levied, to three cents per \$100 valuation and stipulated that the tax shall be "valid and binding" without approval of voters in a referendum on the question. The latter provision was indubitably a judicious one in view of the prevailing sentiment of most voters against imposition of any additional tax for any purpose.

Other local bills enacted into law during the 1969 session were the following: (1) H.B. 591 (Harkins of Buncombe)—amended a 1959 act so as to change the method of appointment and terms of the Asheville Library Board, the policy-making agency for the Asheville Public Library system. The amendment provided that five of the nine board members were to be appointed by the Asheville City Council from city residents, with the remaining four members to be appointed by the Buncombe County Board of Commissioners from county (outside city) residents. (2) H.B. 265 (Harris of Alamance)—relating to Alamance County Law Library. The intent of this act is that any funds held by the clerk of the Superior Court of Alamance County for the purpose of establishing and maintaining a law library in that county shall be remitted to the county treasurer. (3) H.B. 542 (Barbee and Fenner of Nash, Eagles of Edgecombe)—revised the charter of the Town of Nashville and confers several powers upon said town. Among these powers is that of organizing and administering public libraries. (4) H.B. 558 (Bradley of Clay)—authorizes the governing body of Highlands in Macon County to appropriate money from nontax funds not to exceed \$2,000 annually for the purpose of supporting the operation of Highlands Public Library and other local facilities in Highlands.

Another approved piece of legislation relating indirectly to libraries was a proposed constitutional amendment which would revise the finance article of the state constitution. If approved by a majority of the state's voters in a November, 1970 referendum, this amendment would wipe out the requirement that levying of taxes and borrowing of money by local governments be endorsed by voters in the city or county affected, unless the money is to be used for a "necessary expense." The North Carolina Supreme Court has consistently held that support of libraries is not a necessary expense of local government.

The proposed amendment provides that the General Assembly, acting on a uniform, statewide basis, will make the final determination as to the need for voter approval on the question of property tax levies or borrowing of money to finance particular activities of local government. One such activity is the operation of public libraries.

Returning to the appropriations bill, several solons were instrumental in obtaining approval of a considerable increase in state aid to public libraries, as well as a sizeable boost in the State Library's operating budget. Among those senators who supported additional funds for libraries were Hector McLean of Robeson, vice-chairman, Senate Committee on Libraries; Charles H. Larkins Jr. of Lenoir, member, Committee on Libraries; John T. Henley of Cumberland, chairman, Appropriations Subcommittee on General Government and Transportation; and Martha Evans of Mecklenburg, chairman, Senate Education Committee. House members who took the lead in demanding additional funds to support libraries were Thomas E. Strickland of Wayne, vice-chairman, House Library Committee; Charles W. Phillips of Guilford, member of the Library

Committee; and Roberts H. Jernigan Jr. of Hertford, vice-chairman, Appropriations Subcommittee on General Government and Transportation.

In the opinion of several of these lawmakers, the chief significance of increased state aid for public libraries is that a vital principle has been established; namely, the state of North Carolina has a responsibility for public library support as well as for public school support.

Representative Strickland, a candidate for the State Senate in the May Democratic primary this year, believes that "a formula has been devised for state aid to libraries and public policy has been changed." Representative Jernigan feels that the 1969 session was more responsive to the needs of libraries "than any session in several years."

The legislators named above are unanimous in their belief that the amount of state aid to public libraries authorized by the 1969 session is insufficient to meet current needs of the state's public libraries. Notwithstanding this, they contend that the legislature did as much for libraries as it could, given the heavy demands for funds placed upon the General Assembly by various agencies and institutions. Senator Henley describes the appropriation for 1969-71 as "a great step forward." Representative Phillips believes the funds appropriated to public libraries will be "of tremendous help in improving library resources" but admits that some needs will remain unmet until more money becomes available.

These lawmakers agree that the 1971 session of the General Assembly has the responsibility of providing a higher level of support for public libraries than its immediate predecessor. Senator McLean declares that the aid furnished to libraries by the 1971 session should be "substantially increased" over the appropriation for the current biennium. Representative Strickland expresses the opinion that a rise in library appropriations "will be possible and feasible" for the 1971-73 biennium. Senator Evans states, "Now (the first few months of 1970) is the time to start figuring a budget for the next biennium." Representative Jernigan adds an optimistic note, "With more funds available because of additional taxes approved by the 1969 session, public libraries will certainly receive their share of the appropriations." Representative Strickland makes the important observation that in future sessions of the legislature, state aid to public libraries "will simply be a matter of the amount of money appropriated." The question of the wisdom of such aid, Strickland notes, was answered affirmatively by the 1969 session.

Action taken by the 1969 General Assembly was an imposing first step toward implementing the most far-reaching recommendation of the Stick Commission; namely, that the state should gradually assume equal responsibility, with local government, for public library support. Commission chairman David Stick, who almost single-handedly wrote the report which was influential in charting a new financial course for the state's plethora of public libraries, is confident that subsequent sessions of the Tar Heel legislature will augment state aid to libraries if librarians, trustees, friends, and North Carolinians for Better Libraries wage an energetic campaign to insure continuation of the policy of increased annual appropriations for library support.

Perhaps the most fruitful action any librarian concerned about the level of state aid for public libraries can take during the next few months is to sound out candidates

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