

POPULAR GOVERNMENT

DECEMBER, 1968

Published by the Institute of Government

The University of North Carolina at Chapel Hill



This month . . .

**Long-Range Changes
in State Educational Policy**

General Election Results

The Legislative Roster

**Water Rights Policy
and Planning**

Local Government Bond Sales

The Institute Makes a Movie



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Contents

A Child Well Taught by Neill A. Rosser	1
Water Rights as a Policy and Planning Tool by Milton S. Heath, Jr.	8
North Carolina General Assembly	12
North Carolina General Election Results	19
Local Government Bond Sales by the North Carolina Local Government Commission by T. Gregory Morton	20
David S. Coltrane, Who Cared About People	22
The Institute of Government's First Film: <i>The Piedmont Crescent</i> by Elmer Oettinger	23
Book Reviews	24

Volume 35

December, 1968

Number 4

POPULAR GOVERNMENT is published monthly except January, July, and August by the Institute of Government, the University of North Carolina, Chapel Hill. Change of address, editorial, business, and advertising address: Box 990, Chapel Hill, N. C. 27514. Subscription: per year, \$3.00; single copy, 35 cents. Advertising rates furnished on request. Second-class postage paid at Chapel Hill, N. C. The material printed herein may be quoted provided that proper credit is given to POPULAR GOVERNMENT.



This month's cover picture captures in black and white the excitement and pleasure that comes in learning. A Child Well Taught, pages 1-6, is an account of the recommendations of the Governor's Study Commission of the Public School System of North Carolina for long-range improvements in the state's schools.

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A CHILD WELL TAUGHT

by Neill A. Rosser

[Editor's Note: Dr. Rosser, a professor of education at The University of North Carolina at Chapel Hill, is serving as Executive Director of the Governor's Study Commission on the Public School System of North Carolina.]

"Our public schools can be only as good as the people want them to be. Much more, however, is involved than merely saying 'I am for better schools.' Certainly all of us are for better schools, but are we for them enough to get out and find out what is going on and what is needed for their sound improvement?"

With these words on August 25, 1967, Governor Dan K. Moore charged the Governor's Study Commission on the Public School System with the task of delving into many areas of North Carolina education, covering the entire range of the program of the public schools. The Commission was instructed to bring from this "detailed and exhaustive study" the "blueprint for the future of our public schools."

"Our goal is a child well taught!" the Governor said when he announced the creation of the Commission. "We seek for every child full opportunity to develop his God-given abilities in the public schools."

The primary question to be answered by the study, the Governor said, is: "How best can the people of North Carolina provide full educational opportunity for their children?"

In seeking the answers to that question, the Commission had two chief aims: (1) to conduct the best possible study in the short time allotted, and (2) to involve the people of North Carolina to the greatest

possible extent. Accordingly, the Commission proceeded as follows:

- An executive director and two associate directors were appointed. Research and clerical staff members were hired.
- Nine advisory committees and 35 subcommittees were formed. These committees involved some 500 North Carolinians in intensive study and research over a period of six months. On each committee were people representing expert knowledge of the given areas studied. Also serving on each committee were representatives from the teaching profession, parents, business, industry, agriculture, local and state government, higher education, professions other than teaching, and civic organizations.
- Nationally known experts appeared before appropriate committees and subcommittees. Teachers, supervisors, principals, and superintendents were invited to testify.
- Commission members and selected advisory committee members visited outstanding schools in North Carolina and elsewhere.
- The central office staff conducted research involving, potentially, every superintendent, supervisor, principal, and teacher in North Carolina. Students in one class in one high school in each of the 157 local school administrative units were polled. A special in-depth study of manpower needs was accomplished.
- Various PTA groups across the state, the North Carolina Grange, and almost 100 individuals in special areas of competence submitted position papers.

- Superintendents of several local school units volunteered to perform in-depth research of various aspects of the study. The North Carolina League of Women Voters conducted its own statewide study and submitted the findings to the Commission.
- A two-man team, composed of a veteran school superintendent and a nationally recognized leader in vocational education, spent three months doing on-the-spot interviews in schools, technical institutes, and community colleges across the state.
- The central office staff, Commission members, and selected advisory committee members held 125 public hearings across North Carolina during the spring of 1968.

The Commission endeavored to coordinate and evaluate information from these and other sources. From this effort, almost 200 recommendations emerged. However, some of them are more crucial than others. The success of all others depends upon implementation of certain "priority" recommendations.

The Commission designated priority recommendations in the areas of organization, finances, personnel, and curriculum as outlined in the paragraphs that follow.

Organization

A very evident weakness of our public school system is the fact that the organization of the public schools is not designed for efficient and economical operation.

This condition, let us hasten to add, is not the fault of those educational leaders who have been forced to live with the system. They have made it work despite its weaknesses. In a very real sense, the fault lies with all of us.

What are these weaknesses?

At the state level, North Carolina has an appointed Board of Education and an elected State Superintendent of Public Instruction. Finances are handled by the Controller, who reports directly to the State Board. Community colleges and technical institutes are under a director, who reports directly to the State Board.

Both the State Constitution and the statutes are unclear about where the State Board's responsibility ends and Superintendent of Public Instruction's begins.

Such unclear lines of authority and responsibility between the State Board of Education and the State Superintendent of Public Instruction tend to promote disjointedness of the educational effort. The effects are felt all the way through the public school system.

At the local level, the small school and small school administrative unit are still major obstacles to educational excellence in many communities. Despite the progress made in recent years, only 76 of the 735 high schools of the state have genuinely comprehensive programs—programs that offer something useful and understandable to every child.

Less than half the students in this state go to schools large enough to even begin offering comprehensive programs. The result is that a college preparatory program is offered, usually a poor one at that.

Forty-five of every 100 students beginning the first grade twelve years ago did not graduate from high school last spring. Only eleven or twelve of the 100 will graduate from college.

This represents the great, immeasurable cost of small, ineffective schools. But in terms of things that can be measured, the administrative costs ranged in 1966-67 from \$4.93 per pupil in a large unit to \$40.93 per pupil in a small unit. In short, we are heavily subsidizing mediocrity while children are being denied their birthright.

To provide a solid foundation for the improvement of our schools, the Commission recommends:

That the State Board of Education be firmly established as the policy formation agency for public education.

That the Superintendent of Public Instruction be appointed by the State Board of Education, subject to the terms, salary, and conditions set by the Board.

That the State Board of Education recognize its divisions into a single agency responsible for the administration of all aspects of the educational program.

That, to provide improved services to local school units, a regional service center be established in each of the eight educational districts of the State.

That the state adopt the county as the basic school administrative unit. Merger of city units with county units and, where necessary, merger across county lines should be accomplished in order to achieve sound educational programs.

The State Board of Education should be empowered by the General Assembly to develop criteria for such mergers, taking into account geographic conditions and other relevant factors. Mergers should be accomplished as speedily as local conditions permit.

That the comprehensive senior high school (grades 10-12) enrolling at least 750 students and the comprehensive junior high school (grades 7-9) enrolling at least 750 students become the basic pattern of organization for the secondary school grades. The Commission realizes fully that local conditions may necessitate alterations from these basic patterns. The essential condition to be met is providing appropriate curricular offerings for all students.

Finances

As with any organization—from the largest corporation to the household—public schools require a certain amount of money to operate.

North Carolina's schools are not adequately financed.

It shows. We are unable to keep many talented young people, especially men, in the teaching profession. Many of our educational programs are second rate because we have not paid for first-rate education. Many schools operate without essential curricular programs and services.

Part of the problem can be remedied by wiser use of funds now available. As the preceding paragraphs note, we can consolidate the small, costly, inefficient schools that are a drain on the taxpayer's dollar. A later recommendation notes that a system can be implemented which will both increase the supply of qualified persons in the schools and reward competence in teaching.

But we cannot avoid the core of the problem. North Carolinians are going to have to pay more for education if they expect to get more from their schools.

Today we still finance our schools the way we did thirty years ago. During the Depression, when most local governmental units were broke, the state assumed responsibility for paying for education by establishing a minimum basic program of support, covering the salaries of school personnel and the cost of instructional materials.

The minimum basic program does not cover such essentials as school maintenance or new construction.

Whereas some local school administrative units use local funds to beef up state monies in order to offer more than a "minimum" program, many local units continue to rely almost entirely on state support. In 1966-67, for instance, the amount spent per pupil from local funds ranged from a high of \$171.20 to a low of \$19.63. A glance through the list of expenditures per pupil by local school administrative units across the state reveals that some relatively wealthy units are doing very little while others are doing much. The same situation prevails among the poorer units.

At present, the state offers no incentives to local school administrative units to go beyond the bare essentials covered in the state "minimum" program. As a result, a philosophy of "Let the state do it" has grown up in some localities. To correct this situation, the Commission recommends:

That the financial support of public education in North Carolina be a cooperative local, state, and federal effort organized as a Minimum Basic Program and an Incentive Support Program.



The total finance plan should: (1) give local taxing authorities more sources of revenue; (2) provide for more local initiative in program planning and use of funds; and (3) require local participation in the total school program on the basis of ability.

The Minimum Basic Program should: (1) require minimum local participation; (2) include all essential elements of public education, including capital outlay; and (3) promote cooperative planning between state and local agencies to insure efficiency, economy, and wide participation.

The Incentive Support Program should: (1) be attractive enough to encourage local school administrative units to go beyond the minimum in fiscal support; and (2) be wide enough in scope to support any worthwhile endeavor that a local school board might wish to undertake.

It is unreasonable to expect every local school unit to provide the same amount of money, apportioned on the number of pupils served. Some counties are poorer than others and their resources are less. However, it is not unreasonable to expect every local school administrative unit to put forth the same effort to use the resources available. A poor county can put forth just as much effort as a wealthy county. We can measure local ability to put forth this effort by two widely recognized criteria: equalized property valuation and per capita income. The Commission proposes a formula to determine each county's fair share based on these two criteria.

Personnel

When all is said and done, the quality of education any child receives depends upon four things: (1) the child himself; (2) the persons who work with him; (3) the materials and tools of instruction; and (4) the general conditions under which teaching and learning take place.

All that has been stated to this point is important only for the reasons that good organization and adequate financing are essential to provide good teachers and good schools.

There is a desperate shortage of competent instructional personnel. In seeking the cause of this shortage, the Commission found that competition for intelligent, highly educated people is keener than ever before; that salary scales in the teaching profession start too low, advance too slowly, and peak both too low and too soon to attract and keep enough qualified people in the profession; and that working conditions in many places discourage teachers from entering, or remaining, in the profession.

The Commission believes that in order to attract and hold competent people in the teaching profession, steps must be taken to insure that teachers and other school personnel are guaranteed comfortable living standards; that school personnel are assigned the jobs they are trained to do, leaving other tasks con-

nected with schools to those more qualified to accomplish them; and that those teachers who are competent are rewarded accordingly.

The Commission believes that certain realities should be kept in mind in considering just how to go about achieving these goals. In the first place, the state cannot and should not go on indefinitely trying to reduce class size and at the same time staff every classroom with a fully certified, qualified teacher. In the light of what we know about teaching and learning today, this makes about as much sense as staffing a commercial airliner with a crew composed only of pilots.

Second, it is neither educationally wise nor economically feasible to continue to base salary scales solely on the two lock-step factors of training and experience. Competence, responsibilities, and duties performed must be considered. This can be done without getting into highly questionable "merit rating" procedures.

Proposed Classifications

The Commission believes that in order to utilize effectively the talents of all classroom personnel and to reward them accordingly, the role of the teacher in North Carolina must be redefined. We must get away from the "egg crate" concept of one teacher in front of a class of thirty students, in all grades, in all subjects.



Some learning must be encouraged for students studying independently; some learning requires a one-to-one tutoring relationship between student and teacher; some learning must be accomplished in small groups; and some types of teaching and learning can be accomplished just as well with 100 students as with 25 students.

In view of these considerations, the Commission recommends:

That the concept of team teaching be encouraged in North Carolina schools at all levels. Under this arrangement, one or two highly qualified teachers might work with as many as 150 students, utilizing the help of other personnel as described below.

That to use more fully the abilities of teachers and other instructional staff and to reward them according to their service and competence, it is recommended that the school instructional staff be differentiated as follows:

1. *Aide*: A person hired to fill a special need of a school. In every community there are housewives, retired persons, and others — not necessarily trained as teachers — who would welcome the opportunity for a few hours each day.

2. *Educational Technologist*: A person with specialized training in library work, health, physical education, audiovisual equipment and maintenance, and the like.

3. *Teacher Intern*: A college student teaching only half-time while finishing his undergraduate teacher requirements.

4. *Probationary Teacher*: A college graduate who has not completed the professional education requirements.

5. *Provisional Teacher*: A beginning teacher with requirements to enter at what is now the "A" certificate level.

6. *Professional Teacher*: A fully certified teacher who has successfully completed a one- to three-year trial period at either the probationary or provisional level.

7. *Senior Professional Teacher*: A person possessing professional and academic requirements now designated for the "G" certificate and who, in addition, meets standards of excellence to be set by the State Board of Education.

8. *Instructional Specialist*: A person of special competence chosen from the professional or senior professional ranks to serve as a team leader, department head, curriculum specialist, or other such position. Appointments should be made on a yearly basis. To keep this position flexible, no special certification should be required.

Remuneration

The law of supply and demand applies to teachers as well as to other aspects of life. Unless this fact is recognized, our children will not receive the kind of education they need and deserve despite these recommended policies. Therefore, the Commission recommends:

That considering the general economy of North Carolina, the average pay for teachers should be at the national average; that pay should be based, at the State level, on training, experience, and position held in the categories noted above.

That the salary for "Professional" level teachers should provide for ten months' employment, including holidays, time for in-service education, and similar activities.

That the State provide for twelve months' employment for supervisory and administrative personnel.

That the State adopt an index salary schedule for teachers, supervisors, and administrative personnel based on the salary of the beginning probationary teacher.

That the State set aside a sum to be determined by the State Board of Education for the employment of aides and educational technologists.

That the State make payments directly to teachers who serve as supervisors of student teachers. Such teachers would automatically become "Instructional Specialists" for the period of such supervision.

That local school administrative units establish and maintain supplementary pay scales which make provisions for persons designated as "Instructional Specialists."

That local school administrative units establish and maintain supplementary pay scales which recognize those persons who perform duties for the schools not directly related to academic instruction. This provision is for the person who might not qualify for the "Instructional Specialist" category, but who always volunteers to help out with coaching plays, ticket taking, and other such duties.

The Curriculum

The Commission believes that priority should be given to instituting a statewide kindergarten program with increased emphasis on early childhood education generally. It believes, further, that equal priority should be placed on improving the occupational education programs throughout the State.

Such priorities do not deny the central importance of learning how to live. Neither does the emphasis on early childhood and occupational education belittle the importance of teaching, for example, communication skills. On the contrary, the Commission contends that early childhood is the time when foundations are built for all future learning; and that good occupational education is also good education in reading, writing, and arithmetic.

Early Childhood Education

In early childhood the groundwork is laid for all that occurs thereafter. This principle is as old as *Proverbs* and as young as the latest psychological seminar. The greatest growth, intellectually and otherwise, occurs during childhood. If a child is stunted then, the damage is rarely remedied. Excellent homes provide for the kind of growth needed. But, in modern society, many homes do not provide the kinds of experiences needed for healthy intellectual, social, and emotional development.

In the primary grades, the progress of many children may be further retarded through a lock-step system of teaching and promotion. Children grow gradually and at different rates. Yet much teaching has proceeded on the assumption that pupils at a given age are capable of learning from the same book at a uniform rate. It makes as much sense to assume that all children in the same class should jump the same height, or wear the same size shoes! Therefore, the Commission recommends:

That the General Assembly enact legislation providing for an extension of public education to five-year-olds on the same basis that educational programs are established for other age levels (grades 1-12). In view of the limited availability of teachers and facilities, the initial effort should be for 25 per cent of the eligible children with an accompanying two- or three-phase effort to serve all five-year-olds.

That the State Board of Education and the State Superintendent of Public Instruction initiate policies and procedures which establish for children, ages five through eight, a program of continuous learning that is based upon their individual needs, interests, and stages of development.

The latter recommendation means the placement of children ages five through eight in situations where they are able to achieve at their own individual rates, irrespective of age. This procedure would result in an ungraded primary program. Thus, for certain kinds of instruction, a five-year-old and an eight-year old might be in the same class.

The achievement of this goal depends upon a reorientation of the instructional staff and accompanying action to provide appropriate instructional materials and facilities. It would require parent understanding and support. Hence, the new program should be phased in gradually as local conditions permit.

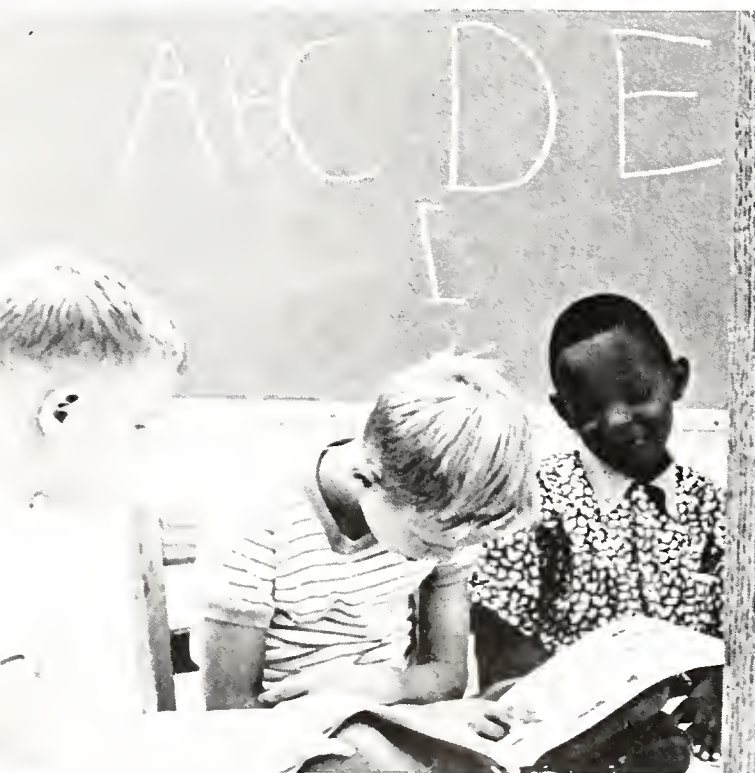
Occupational Education

Children, even in early childhood, are interested in "What I'm going to do when I grow up." Teachers at all levels and in all subjects, therefore, should relate interests and information about the world of work to their areas of instruction.

Teaching a child how to read, write, and compute is occupational education in its broadest sense. Thus, good general education is good occupational education.

The reverse is also true. Good occupational education may be good general education. For example, the boy learning to be a bricklayer often learns more arithmetic in the bricklaying class than he does in the arithmetic lesson. He learns how to compute the amount of materials needed and the cost; he learns to compute the ratio and proportion of sand, cement, and water. He learns facts and operations in a practical situation.

The Commission is convinced that adequate occupational education in schools will revitalize the entire curriculum. Specific occupational courses at the junior and senior high school levels will do much to answer the student's question "What good is this going to do me?" Therefore, the Commission recommends:



That as part of the development of comprehensive secondary schools, much greater emphasis be placed on occupational education, including specific training in vocational subjects at the junior and senior high school levels. Special emphasis should be given industrial and service related skill training.

Conclusion

This article has commented briefly on the Commission's major recommendations. The full report—containing more complete explanations and other recommendations—will be placed in the hands of members of the General Assembly, chairmen of the various boards of county commissioners and boards

of education, school superintendents, members of the Commission's advisory committees, and other interested persons.

These leaders will act, but they will act to express the will of the people. In a democracy such as ours, this is as it should be.

We, the people, must decide the route we now take. Our children must follow that route, along with us for part of the way and then on into the future.

What will that future hold for them? While that question cannot be answered with any certainty for anyone, we do know that those who are uneducated will be unprepared.

Will every child in North Carolina be "A child well taught?" We, the people, must answer that question.

The Institute Calendar

January

Highway Patrol Basic School No. 44	January 5 through April 18
City and County Planners	Jan. 10
District Court Judges	10-11
New County Commissioners	13-15
Utility Management	13-16
Day-Care Consultants	15-17
Health Directors Conference	16-17
Probation Supervisors	21-22
Sheriffs School	27-30

February

New Magistrates School	3-4
City and County Managers	5-7
Day-Care Consultants	5-7
City and County Planners	7
Probation Assistant Supervisors	10-12
School Board Attorneys	14-15
Wildlife Supervisors School	17-19
Probation Officers	17-21
Wildlife Patrolmen	24-28
Building Inspectors	Feb. 28-Mar. 1

Continuing Schools

Municipal and County Administration	Jan. 3-4 23-25
	Feb. 20-22
Police Administration	Jan. 4-8 Jan. 20-22 Feb. 11-13

Water Rights as a Policy and Planning Tool

by Milton S. Heath, Jr.

[Editor's Note: This article is the second in a two-part series devoted to water resources law and organization in North Carolina. It was adapted from a paper presented at a conference sponsored by the League of Women Voters in Charlotte on October 10, 1968, on the topic "Land and Water for Tomorrow."]

Introduction

Most of the time we take for granted the availability of water as needed, whether as a service or an amenity. That is, we commonly assume that our public or private water supplies will provide for our daily wants, and that nature—helped by man, if necessary—will afford us the pleasures of swimming, fishing, and boating in our rivers and lakes.

Our dependence on water is such that it comes as an unpleasant surprise to find our usual assumptions about the availability of water challenged, either by the elements or by the improvidence of our fellow man. Lately many North Carolinians thus have been rudely jolted by shortages or impending shortages of water. This autumn much of the East and the Piedmont struggled under the impact of a drought that painfully spotlighted the weaknesses of numerous local water supply systems. Another kind of water problem has been the focus of attention in and around Beaufort County, where the development of a new phosphate mining industry has incidentally caused concern over the ground water resources of the surrounding region.

In this context, it is timely to make a critical appraisal of our water resources and of our water laws and institutions. Questions about the adequacy of available water resources and of the costs of water

resources development can be best answered by engineers and economists. Here, I will try to supply the setting for a consideration of the legal and administrative issues.

In a previous article, published last month in *Popular Government*, the modern history of North Carolina water rights law and water resources organization was reviewed. Picking up from that point, this article examines the functioning of our state's water rights law as a tool for water resources policy and planning. In the course of the article, an approach or methodology will be suggested for evaluating the effectiveness of our water rights law as a policy and planning tool.

It is logical to begin such an analysis with the common law rules of water rights law that prevail in North Carolina. Reduced to their essentials, these are:

- (1) The courts of North Carolina divide water into three legal categories for purposes of water rights: surface waters in rivers and streams; "diffused surface water," or water as it drains along the surface of the earth before reaching a defined stream; and ground (or underground) water.
- (2) The prevailing rule governing the use of surface streams is the "reasonable use" version of the riparian rights doctrine, which in effect entitles every riparian owner to the reasonable use of a stream in a manner that is equitably consistent with the uses to which other riparian owners may wish to put the water.
- (3) The rule governing the use of diffused surface water is probably one of absolute ownership—i.e., a landowner may make whatever use he pleases of

diffused surface waters on his land. Our Supreme Court has not yet been called upon directly to pronounce a rule on this matter.

(4) The rule governing the use of ground water is that a landowner can make such use of ground water underlying his land as is incidental to any reasonable use of the land. Although often referred to as the "reasonable use" rule, this is really quite different from the reasonable use version of the riparian rights doctrine. It focuses upon the way in which a person uses his land rather than upon his use of water. To illustrate, if the landowner uses his land for a legitimate purpose, such as mining, according to the usual standards for that purpose, and this incidentally results in impairing another landowner's ground water supply, there is no legal remedy for this incidental impairment of ground water supply.

How can we judge the effectiveness of these rules as planning tools? To answer this question, it may be helpful to construct a framework for evaluating water rights law.

I submit that a system of water rights should function fairly effectively as a planning and policy tool if two conditions prevail throughout the system:

First, that the basic legal rights of water users to use water are reasonably definite and secure. Second, that water users are legally protected against material and unreasonable impairment of their sources of supply by competing or conflicting water uses.

If it can be confidently predicted that these two conditions will be met for every major class of water users, then water resources planners and policy-makers should be able to go about their business without serious concern for deficiencies in the legal structure of water rights law.

A Framework for Evaluating Water Rights Law

Now I will suggest an approach for testing these propositions. Figure I is a chart which shows the major groups of water users along the vertical axis and the two criteria that I have suggested along the horizontal axis, coupled with each of the three "legal" categories of water.

Initially, certain boxes have been marked in Figure I with a dash to eliminate from consideration those cases that are either obviously irrelevant or unimportant at this time.

Next, those boxes have been marked with "X's" that represent areas where, under presently prevailing circumstances, basic legal rights to use water are usually fairly secure, as well as areas where water users can expect to find legal protection against serious impairment by conflicting uses. Certain personal judgments enter into this appraisal, to wit:

. . . That most irrigators and industries using ground water will usually be fairly secure in their basic legal rights of use. (This assumes that groundwater-using irrigators and industries will ordinarily use the water on overlying land, and we will give them credit for operating according to the normal standards of their business.)

. . . That most irrigators using diffused surface waters (from farm ponds) on their crops will be fairly secure in their legal rights to this use of the water.

. . . That most hydroelectric power producers and other streamside industrial water users will be secure in their water rights in surface streams and fairly well protected at law against conflicting water uses. It has long been recognized that the riparian rights doctrine is quite favorable to this class of water users.

Now we can begin to see where the potential problem areas may lie in the existing water rights structure of our region. (See blank spaces in Figure I.)

Figure I

A Framework for Evaluating North Carolina Water Rights Law

	GROUND WATER		SURFACE WATER		DIFFUSED SURFACE WATER	
	Basic Right	Protection Against Conflicting Uses	Basic Right	Protection Against Conflicting Uses	Basic Right	Protection Against Conflicting Uses
Irrigation	XXX				XXX	
Municipal					---	---
Industrial	XXX		XXX	XXX	---	---
Hydroelectric	---	---	XXX	XXX	---	---
Fish & Game	---	---			XXX	

Legend: XXX, Secure

---, Irrelevant or currently unimportant

● *Withdrawal Uses of Ground Water.* Reading across the chart in Figure I from left to right, a cluster of weakness or potential weakness can be spotted in the ground water column under the heading of "Protection Against Conflicting Uses." What this row of blanks signifies is that the so-called "reasonable use" rule of ground water is really a first-come, first-served doctrine with a vengeance. It allows the first-comer to use his land in such a way as to destroy the natural ground water source of his neighbors, without necessarily making any beneficial use of the water himself and without any legal responsibility to his neighbors. On this issue, the chickens came home to roost in North Carolina with the coming of phosphate mining in Beaufort County. Briefly, the dry-pit form of phosphate mining that was ultimately installed at the initial mine by the Texas Gulf Sulphur Company in Beaufort County created a two-pronged problem for the region: it lowered water tables significantly for many miles around in a rich ground water aquifer, and it created a graver threat of possible salt-water intrusion into this aquifer. These consequences followed because vast quantities of water were continually pumped from the ground in order to keep the pit dry (60 mgd per day or more).

The enduring lesson of the Beaufort County experience is that this weakness in the law of ground water rights can have serious consequences, not only for isolated individual landowners¹—which has happened in the past and probably will continue to happen in the future—but also for an entire region. For those who are concerned about the public policy implications of water law, this experience should be a demonstration that deficiencies in the legal structure can have adverse implications on a regional or statewide basis.

Another lesson from Beaufort County is that one should not rely on the water users themselves to take care of these problems. In this instance, the company involved apparently did not have the relevant experience to anticipate the serious ground water consequences that followed.

North Carolina has done something about this deficiency in its ground water law. In 1967 the General Assembly enacted a large volume of new water legislation, including the capacity use areas law and the well-construction standards law. (The capacity use areas law, modeled after similar New Jersey legislation, gives the Department of Water and Air Resources authority to regulate the use of water by large water users in areas where it finds that water shortages exist or are impending. This is essentially a regional water management tool that will enable the state to focus its attention on water problem areas as they develop and to seek solutions for problems such as salt-water intrusion and other unwarranted

interferences with water users in the area. The first capacity-use-area proceeding under this law went into hearings in October, 1965. The well-construction standards law authorizes the Department to adopt rules concerning well location, construction, repair, and abandonment, and to require permits for construction of large wells.)

The upshot is that North Carolina now has governmental machinery to deal with this kind of regional ground water problem before it causes irreparable damage. This is not to say that individual landowners will not continue to suffer occasional losses as a result of the existing rule of ground water rights. But North Carolina will have a way to deal with these problems where they affect many people on a regional basis.

● *Recreational Uses of Surface Streams.* Moving further across the chart, observe the two blanks in the "surface streams" column opposite the category of fish and game. This is not intended to indicate that the rights of riparian owners regarding wildlife are insecure or indefinite or unprotected. Rather, it points to the fact that many fishermen and hunters are not riparian landowners and own no riparian rights. As matters now stand, the protection of their interests in fishing and hunting lies not in individual property rights, but in the over-all performance of the riparian rights system. If the system usually operates to ensure that stream flows and lakes are maintained in a quantity and quality that is conducive to wildlife, then it will prove beneficial to the sportsmen. Since historically in our region the system for the most part has operated in a manner favorable to preservation of wildlife, it is not surprising that the sportsmen have often been strong advocates of the doctrine of riparian rights and have opposed the replacement of riparian rights with a system of water rights less favorable to maintaining stream flows and lake levels, such as prior appropriation.

Speaking of lake levels, it is worth noting that some states have adopted legislation concerning the regulation of lake levels which provides some legal protection for the interests of fishermen, hunters, and recreationists. In the case of F.P.C.-licensed hydroelectric reservoirs, the Federal Power Commission furnishes another forum where lake-level questions can be raised. In our region we have witnessed some wide-ranging disputes over lake-level regulation—like the one concerning High Rock Lake on the Yadkin River.² However, to my knowledge there has been as yet no concerted effort to secure lake-level control legislation in North Carolina.

● *Local Public Water Supplies and Surface Streams.* Without attempting to speak to all of the empty blocks on the chart, I will concentrate on one other

1. For example, the so-called "reasonable use" rule can be a disaster for the landowner near a quarry who loses the use of his well as a result of continuous pumping from the quarry pit. *Bayer v. Nello Teer Co., Inc.*, 256 N.C. 509, 124 S.E.2d 552 (1962).

2. The High Rock Lake controversy now seems to have been resolved to the general satisfaction of the lake's recreational users by establishing a five-foot maximum drawdown during the main recreation season.

area of uncertainty that is spotlighted by this chart. This is an area where we have taken no significant remedial steps, and which I believe may have important implications for regional and state-wide planning and policy. I refer to the legal rights and protections of municipalities—indeed, of any local public water suppliers—involving the use of surface streams. (See Figure I.)

The blank spaces in the chart representing municipal water supplies in surface streams reflect the inferior legal status of municipal water supply agencies under the riparian rights doctrine, as interpreted in almost every riparian rights jurisdiction. One might think that, since municipal water suppliers constitute the aggregate of almost all of the domestic water users, the basic riparian right of a municipality to use water would be securely established. But this is not the case. The almost universal rule in states following the riparian rights doctrine is that the use of water for a local public water supply is not a valid exercise of riparian rights. In rationalizing this rule, the courts usually reason either that the water will be used largely on non-riparian land or that a public water supply places such an extraordinarily concentrated demand on the water resource that it should not be considered on the same legal footing as other water uses. Moreover, the uncertain legal status of the municipal supplier's water rights casts something of a cloud upon the municipality's ability to secure legal *protection* against conflicting water uses.

Reinforcing the inferior legal status of municipal water suppliers is a related factor: a policy of the doctrine of riparian rights law against diversion of water, especially where the diversion involves movements of water that are trans-river basin or trans-watershed in character. This antidiversion policy in North Carolina, at least has been reflected in some recent statutes as well as in judicial precedents.³

Our municipalities have usually dealt with this problem in one of two ways. Often they have simply developed their water supplies without regard to water rights questions, on the assumption that few if any riparian landowners will deem it worthwhile to raise legal objections and that, if necessary, the city can defend any damage suits that may be brought against it on water rights grounds. A few cities have gone one step further and exercised their statutory rights to bring eminent domain proceedings to condemn water rights in disputed cases.

In this somewhat makeshift fashion, most of our cities have managed to develop needed water supplies despite the inherent weakness of their water rights position. It may be that most of our local water supply agencies will continue to be able to muddle along in this fashion for some time to come in this region. How-

ever, the current drought, coupled with growing water supply needs, may bring considerable pressure to bear on this weakness of the existing legal structure.

One long-range consequence of the drought, for example, may be to lend emphasis to the need for planning and developing stronger regional water supply systems which can withstand drought conditions better than isolated local water supply systems can. This would almost inevitably involve some diversions of water on a larger scale than now prevails. And this in turn is likely to expose more clearly the vulnerability of the current legal structure.

A general legislative framework for regional water supply systems already exists in North Carolina. Some amendments to this legislation—dealing with such matters as the diversion issue—will probably be necessary, however, in order to make it completely functional. I think it doubtful, however, that lawyers are now in a position to draft the kind of statutory revisions that will be needed to provide a sound framework for regional water supply ventures or regional coordination of local water supplies. Before this comes to pass the technical, political, and financial aspects of the subject ought to be more closely analyzed. In particular, the planning of regional water supply systems should proceed far enough to identify, at least tentatively and generally, the most appropriate areas for regional water supply systems or regional coordination; to project the various combinations of sources of water supply that are likely to be needed; to indicate appropriate relationships between neighboring water supply systems and between adjacent water supply regions; and to help forecast the kind of coordination that may be needed with other water resources and natural resources programs and projects. When these studies have been made, lawyers should be in a far better position to draft the additional legislation needed to support stronger regional water supply ventures and regional coordination. These background studies will be essential in order to produce intelligent and desirable answers to remedy the vulnerability of our local water supply systems that has been so painfully spotlighted by the drought.

3. The statutory anti-diversion provisions were noted in the previous article of this series. See *POPULAR GOVERNMENT*, November, 1968, page 4.

Credits: The cover picture and the photos on pages 3 and 4 are courtesy of the National Education Association. The picture on page 5 is courtesy of the Goldsboro City Schools, and the portrait on page 22 is courtesy of the *Raleigh News and Observer*. All others are by Ted Clark. Lois Filley did the layout.

NORTH CAROLINA GENERAL ASSEMBLY 1969

Members of the State Senate

(Democrats Unless Otherwise Indicated)

<i>Senate District</i>	<i>Name</i>	<i>County</i>	<i>Address</i>
1st (2)			
Bertie	J. J. Harrington	Bertie	Lewiston
Camden	George M. Wood	Camden	Camden
Chowan			
Currituck			
Gates			
Hertford			
Northampton			
Pasquotank			
Perquimans			
Washington			
2nd (1)			
Beaufort	Edgar J. Gurganus	Martin	Main St., Williamston
Dare			
Hyde			
Martin			
Tyrrell			
3rd (1)			
Carteret	Norris C. Reed, Jr.	Craven	New Bern
Craven			
Pamlico			
4th (2)			
Edgecombe	Julian R. Allsbrook	Halifax	Drawer 40, Roanoke Rapids
Halifax			
Pitt	Vernon E. White	Pitt	Winterville
Warren			
5th (1)			
Greene	Charles H. Larkins, Jr.	Lenoir	1200 Sweetbriar Cir., Kinston
Jones			
Lenoir			
6th (1)			
Onslow	Albert J. Ellis	Onslow	105 Keller Ct., Jacksonville
7th (1)			
Franklin	Edward F. Griffin	Franklin	105 Sunset Ave., Louisburg
Granville			
Vance			
8th (2)			
Johnston	J. Marvin Johnson	Johnston	Smithfield
Nash	J. Russell Kirby	Wilson	1711 Brentwood Cir., Wilson
Wilson			
9th (1)			
Wayne	Lindsay C. Warren, Jr.	Wayne	208 Ridgewood Dr., Goldsboro

10th	(2) Duplin New Hanover Pender Sampson	John J. Burney, Jr. Stewart B. Warren	New Hanover Sampson	720 Forest Hills Dr., Wilmington Box 745, Clinton
11th	(2) Durham Orange Person	Gordon P. Allen Claude Currie	Person Durham	Reid Park, Roxboro Box 1491, Durham
12th	(2) Wake	J. Ruffin Bailey Jyles J. Coggins	Wake Wake	924 Cowper Dr., Raleigh 3601 Ridge Rd., Raleigh
13th	(1) Chatham Harnett Lee	William W. Staton	Lee	636 Palmer Dr., Sanford
14th	(2) Cumberland Hoke	John T. Henley N. Hector McGeachy, Jr.	Cumberland Cumberland	Hope Mills 2001 Winterlochen Rd., Fayetteville
15th	(1) Bladen Brunswick Columbus	Sankey W. Robinson	Columbus	Whiteville
16th	(1) Caswell Rockingham	Frank R. Penn	Rockingham	1202 Crescent Dr., Reidsville
17th	(1) Alamance	Ralph H. Scott	Alamance	Rt. 1, Haw River
18th	(3) Guilford Randolph	Hargrove (Skipper) Bowles Elton Edwards Coolidge Murrow (R)	Guilford Guilford Guilford	700 Country Club Dr., Greensboro 309 N. Tremont Dr., Greensboro 506 Overbrook Dr., High Point
19th	(2) Davidson Montgomery Moore Richmond Scotland	W. D. James William P. Saunders	Richmond Moore	306 Entwistle St., Hamlet 910 E. Mass. Ave., Southern Pines
20th	(1) Robeson	Hector MacLean	Robeson	Box 1489, Lumberton
21st	(1) Alleghany Ashe Stokes Surry	Fred Folger, Jr.	Surry	1015 N. Main St., Mount Airy
22nd	(2) Forsyth	Harry Bagnal (R) Geraldine R. Nielson (R)	Forsyth Forsyth	2861 Wesleyan Lane, Winston-Salem 3521 Kirkless Rd., Winston-Salem

<i>Senate District</i>	<i>Name</i>	<i>County</i>	<i>Address</i>
23rd (1) Rowan	Odell Sapp (R)	Rowan	314 W. Marsh St., Salisbury
24th (2) Anson Cabarrus Stanly Union	John R. Boger, Jr. Frank N. Patterson, Jr.	Cabarrus Stanly	101 Louise Dr., S.E., Concord 446 N. Tenth St., Albemarle
25th (1) Davie Watauga Wilkes Yadkin	Thomas Rhudy Bryan, Sr. (R)	Wilkes	Box 148, Wilkesboro
26th (2) Alexander Catawba Iredell Lincoln	Norman H. Joyner (R) J. Reid Poovey (R)	Iredell Catawba	Box 116, Troutman 61 20th Ave., N.W., Hickory
27th (3) Mecklenburg	Martha W. Evans Charles K. Maxwell Herman A. Moore	Mecklenburg Mecklenburg Mecklenburg	2441 Hassell Pl., Charlotte Rt. 1, Box 348, Huntersville 1521 Dilworth Rd., Charlotte
28th (1) Burke Caldwell	David T. Flaherty (R)	Caldwell	803 Hospital Ave., Lenoir
29th (2) Cleveland Gaston	Marshall A. Rauch Jack H. White	Gaston Cleveland	1121 Scotch Dr., Gastonia 218 Edgemont Dr., Kings Mountain
30th (1) Avery McDowell Rutherford	Clyde M. Norton	McDowell	Box 477, Old Fort
31st (2) Buncombe Madison Mitchell Yancey	Bruce B. Briggs (R) R. T. (Ted) Dent (R)	Madison Mitchell	Box 81, Mars Hill Spruce Pine
32nd (1) Haywood Henderson Polk	Carroll W. Wilkie (R)	Henderson	Rt. 1, Fletcher
33rd (1) Cherokee Clay Graham Jackson Macon Swain Transylvania	Herman H. West (R)	Cherokee	Box 539, Murphy

Members of the House of Representatives

(Democrats Unless Otherwise Indicated)

<i>House</i>	<i>District</i>	<i>Name</i>	<i>County</i>	<i>Address</i>
1st	(2)			
	Camden	W. T. Culpepper, Jr.	Pasquotank	1705 Parkview Dr., Elizabeth City
	Chowan			
	Currituck	Philip P. Godwin	Gates	Gatesville
	Gates			
	Pasquotank			
	Perquimans			
2nd	(2)			
	Beaufort	Archie Burrus	Dare	Manteo
	Dare	William R. Roberson, Jr.	Beaufort	313 College Ave., Washington
	Hyde			
	Tyrrell			
	Washington			
3rd	(3)			
	Carteret	Chris Barker	Craven	New Bern
	Craven	Henry C. Boshamer	Carteret	Vera Mar Harbor, Morehead City
	Pamlico			
		R. C. Godwin	Craven	New Bern
4th	(3)			
	Onslow	J. F. Mohn	Onslow	Richlands
	Pender	Reuben L. Moore	Pender	Atkinson
		Hugh A. Ragsdale	Onslow	Richlands
5th	(2)			
	New Hanover	Howard A. Penton, Jr.	New Hanover	1119 Country Club Rd., Wilmington
		Edward C. Snead	New Hanover	1239 Columbus Cir., Wilmington
6th	(2)			
	Bertie	Roberts H. Jernigan, Jr.	Hertford	401 N. Curtis St., Ahoskie
	Hertford			
	Northampton	Perry Martin	Northampton	Rich Square
7th	(2)			
	Halifax	J. A. Everett	Martin	Palmyra
	Martin	Thorne Gregory	Halifax	1601 N. Church St., Scotland Neck
8th	(2)			
	Pitt	David E. Reid, Jr.	Pitt	Box 375, Greenville
		H. Horton Rountree	Pitt	1209 Drexel Lane, Greenville
9th	(2)			
	Greene	Guy Elliott	Lenoir	105 E. Vernon Ave., Kinston
	Jones			
	Lenoir	Daniel T. (Dan) Lilley	Lenoir	1805 Sedgewfield Dr., Kinston
10th	(2)			
	Wayne	Mrs. John B. Chase	Wayne	Eureka
		Thomas E. Strickland	Wayne	Rt. 2, Goldsboro
11th	(1)			
	Duplin	Hugh S. Johnson, Jr.	Duplin	208 E. Main St., Rose Hill

12th	(2) Bladen Sampson	James C. Green C. Graham Tart	Bladen Sampson	Clarkton 709 Cutchin St., Clinton
13th	(2) Brunswick Columbus	R. C. Soles, Jr. Arthur W. Williamson	Columbus Columbus	Tabor City Chadbourn
14th	(3) Edgecombe Nash	Allen C. Barbee Joe E. Eagles Julian B. Fenner	Nash Edgecombe Nash	Spring Hope Crisp Rural Station, Macclesfield 1604 Waverly Dr., Rocky Mount
15th	(3) Johnston Wilson	William R. Britt A. Hartwell Campbell J. Ernest Paschall	Johnston Wilson Wilson	408 Hancock St., Smithfield 1709 Wilshire Blvd., Wilson 113 E. Nash St., Wilson
16th	(2) Franklin Vance Warren	John T. Church James D. Speed	Vance Franklin	420 Woodland Rd., Henderson Rt. 3, Louisburg
17th	(2) Caswell Granville Person	James E. Ramsey William T. Watkins	Person Granville	Box 194, Roxboro 213 W. Thorndale, Oxford
18th	(3) Durham	W. Hance Hoffer Wade H. Penny, Jr. Kenneth C. Royall, Jr.	Durham Durham Durham	1532 Hermitage Ct., Durham 3937 Nottaway Rd., Durham 64 Beverly Dr., Durham
19th	(4) Wake	Samuel H. Johnson A. A. McMillan H. W. (Pop) Taylor Howard Twiggs	Wake Wake Wake Wake	4816 Morehead Dr., Raleigh 3309 Felton Pl., Raleigh 2820 Bedford Ave., Raleigh 525 Marlowe Rd., Raleigh
20th	(2) Chatham Orange	Ike F. Andrews Donald M. Stanford	Chatham Orange	P. O. Box 271, Siler City Whitehead Cir., Chapel Hill
21st	(2) Alamance	Jack M. Euliss W. S. (Sandy) Harris, Jr.	Alamance Alamance	Box 913, Burlington Rt. 1, Box 581, Graham
22nd	(2) Harnett Lee	Jimmy L. Love James F. Penny, Jr.	Lee Harnett	713 Lawrence St., Sanford Lillington
23rd	(4) Cumberland	Norwood E. Brvan, Jr. Lester G. Carter, Jr. Joe B. Raynor, Jr. Charles G. Rose, Jr.	Cumberland Cumberland Cumberland Cumberland	Box 24, Fayetteville 2527 Huntington Rd., Fayetteville 345 Winslow St., Fayetteville 215 Hillside Ave., Fayetteville
24th	(4) Hoke Robeson Scotland	R. L. Campbell Neill L. McFadyen R. D. McMillan, Jr. Gus Speros	Robeson Hoke Robeson Robeson	Box 6, Rowland 111 S. Highland St., Raeford Box 352, Red Springs 322 Shoeheel St., Maxton

25th	(2) Rockingham	Earl W. Vaughn Jule McMichael	Rockingham Rockingham	Fieldcrest Rd., Eden 1601 Country Club Rd., Reidsville
26th	(6) Guilford	J. Howard Coble (R) Henry E. Frye Robert Odell Payne (R) C. W. Phillips John L. Ridenour, III W. Marcus Short	Guilford Guilford Guilford Guilford Guilford Guilford	Rt. 10, Box 165, Greensboro 1920 Drexmore Ave., Greensboro Rt. 2, Gibsonville 210 S. Tremont Dr., Greensboro 305 Elmwood Dr., Greensboro 2004 Kylemore Dr., Greensboro
27th	(2) Montgomery Randolph	Colon Blake (R) C. Roby Garner, Sr. (R)	Montgomery Randolph	Candor 509 E. Salisbury St., Asheboro
28th	(1) Moore	T. Clyde Auman	Moore	West End
29th	(1) Richmond	John W. Covington, Jr.	Richmond	515 Fayetteville Rd., Rockingham
30th	(5) Forsyth	Hamilton C. Horton, Jr. (R) Howard A. Jemison (R) C. Dempsey McDaniel (R) Ed M. McKnight (R) Marshall T. Wills (R)	Forsyth Forsyth Forsyth Forsyth Forsyth	Box 2836, Winston-Salem Rt. 8, Robinhood Rd., Winston-Salem Rt. 1, Kernersville Rt. 2, Keithgayle Dr., Clemmons 4144 Robinhood Rd., Winston-Salem
31st	(2) Davidson	Joe H. Hege, Jr. (R) J. Eugene Snyder (R)	Davidson Davidson	1526 Greensboro St., Lexington 402 Park St., Lexington
32nd	(1) Stanly	Clyde Hampton Whitley (R)	Stanly	2310 Charlotte Rd., Albemarle
33rd	(2) Anson Union	Richard S. Clark Fred M. Mills, Jr.	Union Anson	702 Kintyre Dr., Monroe 607 Camden Rd., Wadesboro
34th	(2) Rowan	Austin A. Mitchell (R) Samuel A. Troxell (R)	Rowan Rowan	1302 W. A St., Kannapolis Rockwell
35th	(2) Cabarrus	James C. Johnson, Jr. (R) Dwight W. Quinn	Cabarrus Cabarrus	602 Sedgefield St., Concord Box 314, Kannapolis
36th	(7) Mecklenburg	Jack Baugh Jim Beatty Hugh B. Campbell, Jr. James H. Carson, Jr. (R) Ernest L. Hicks Arthur H. Jones James B. Vogler	Mecklenburg Mecklenburg Mecklenburg Mecklenburg Mecklenburg Mecklenburg Mecklenburg	2018 Sharon Rd., Charlotte 3716 Rhodes Ave., Charlotte 1428 Scotland Ave., Charlotte 419 Ellsworth Rd., Charlotte 500 Clement Ave., Charlotte 6510 Sharon Hill Rd., Charlotte 2011 Randolph Rd., Charlotte

37th	(3) Alleghany Ashe Stokes Surry	Basil D. Barr P. C. Collins, Jr. J. Worth Gentry	Ashe Alleghany Stokes	West Jefferson Laurel Springs King
38th	(2) Wilkes Yadkin	Claude Billings (R) Jeter L. Haynes (R)	Wilkes Yadkin	Rt. 1, Traphill 112 Williams St., Jonesville
39th	(2) Davie Iredell	Gilbert Lee Boger (R) Homer B. Tolbert (R)	Davie Iredell	Rt. 3, Mocksville Rt. 2, Cleveland
40th	(2) Catawba	Robert Q. Beard (R) Hunter Warlick (R)	Catawba Catawba	Rt. 3, Box 416, Newton 227 31st Ave., N.W., Hickory
41st	(4) Gaston Lincoln	David W. Bumgardner, Jr. C. E. Leatherman Jack L. Rhyne Carl J. Stewart, Jr.	Gaston Lincoln Gaston Gaston	209 Peachtree St., Belmont 307 N. Roberta Ave., Lincolnton 114 Lee St., Belmont 1855 Westbrook Cir., Gastonia
42nd	(3) Alexander Burke Caldwell	Teral Thomas Bostian (R) William M. Fulton (R) Donald R. Kineaid (R)	Alexander Burke Caldwell	Rt. 1, Box 829, Taylorsville 207 Myrtle St., Morganton P. O. Box 331, Lenoir
43rd	(3) Cleveland Polk Rutherford	Robert Z. Falls R. A. (Bob) Jones W. K. Mauney, Jr.	Cleveland Rutherford Cleveland	1308 Wesson Rd., Shelby 122 Woodland Ave., Forest City Box 628, Kings Mountain
44th	(1) Avery Mitchell Watauga	James E. Holshouser, Jr. (R)	Watauga	Westbrook Ext., Boone
45th	(4) Buncombe McDowell	Hugh Beam Claude DeBruhl Herschel S. Harkins John S. Stevens	McDowell Buncombe Buncombe Buncombe	204 Crescent Dr., Marion Rt. 1, Box 480, Candler Box 7266, Asheville S Pine Tree Rd., Asheville
46th	(1) Henderson	J. T. Mayfield (R)	Henderson	Rt. 1, Box 26, Flat Rock
47th	(2) Haywood Madison Yancey	Ernest B. Messer Liston B. Ramsey	Haywood Madison	15 Forest View Cir., Canton Marshall
48th	(1) Jackson Swain Transylvania	Charles H. Taylor (R)	Transylvania	Box 66, Brevard
49th	(1) Cherokee Clay Graham Macon	W. P. (Bill) Bradley (R)	Clay	Hayesville

North Carolina General Election Results

November 5, 1968

State Administrative Offices

Governor

Robert W. (Bob) Scott
Rt. 1
Haw River (D)

Lieutenant-Governor

H. Pat Taylor, Jr.
Wadesboro (D)

Secretary of State

Thad Eure
State Capitol
Raleigh (D)

State Auditor

Henry L. Bridges
P. O. Box 870, 2618 Grant Ave.
Raleigh (D)

State Treasurer

Edwin Gill
P. O. Box 871
Raleigh (D)

Supt. of Public Instruction

Craig Phillips
1710 Granville Rd.
Greensboro (D)

Attorney General

Robert Morgan
Lillington (D)

Commissioner of Agriculture

James A. (Jim) Graham
1810 Sutton Dr.
Raleigh (D)

Commissioner of Labor

Frank Crane
2608 Hazelwood Dr.
Raleigh (D)

Commissioner of Insurance

Edwin S. Lanier
2436 Oxford Road
Raleigh (D)

State Supreme Court

Associate Justice of Supreme Court

Joseph Branch
421 Transylvania Ave.
Raleigh (D)

J. Frank Huskins
3204 Beaufort St.
Raleigh (D)

Court of Appeals

Raymond B. Mallard
Tabor City (D)

Hugh B. Campbell
Charlotte (D)

Walter E. Broek
Wadesboro (D)

David M. Britt
3939 Glenwood Avenue
Raleigh (D)

Naomi E. Morris
Wilson (D)

Frank M. Parker
244 Country Club Road
Asheville (D)

Superior Court

12th District

Coy E. Brewer
2606 Morganton Road
Fayetteville (D)

13th District

Edward B. Clark
P. O. Box 1026
Elizabethtown (D)

18th District

James G. Exum, Jr.
521 Woodland Drive
Greensboro (D)

19th District

Thomas W. Seay, Jr.
400 Carolina Avenue
Spencer (D)

22nd District

Robert A. Collier, Jr.
306 Valley Stream Road
Statesville (D)

25th District

Sam J. Ervin, III
4 Woodside Place, Box 69
Morganton (D)

26th District

(Campbell's unexpired term ending Dec. 31, 1970)

Fred H. Hasty
6524 Folger Drive
Charlotte (D)

(Term ending Dec. 31, 1974)

Frank W. Snapp
2229 Roswell Avenue
Charlotte (D)

(Clarkson's unexpired term ending Dec. 31, 1970)

William T. Grist
Charlotte (D)

28th District

Harry C. Martin
P. O. Box 7152
Asheville (D)

U. S. Senator

Sam J. Ervin, Jr.
Morganton (D)

U. S. Congress

First District

Walter B. Jones
Farmville (D)

Second District

L. H. Fountain
1102 Panola St.
Tarboro (D)

Third District

David N. Henderson
503 E. Murphy
Wallace (D)

Fourth District

Nick Galifianakis
2648 University Drive
Durham (D)

Fifth District

Wilmer (Vinegar Bend) Mizell
Rt. 5
Winston-Salem (R)

Sixth District

Richardson Preyer
605 Sunset Drive
Greensboro (D)

Seventh District

Alton A. Lennon
156 Colonial Dr.
Wilmington (D)

Eighth District

Earl B. Ruth
308 Summit Ave.
Salisbury (R)

Ninth District

Charles Raper Jonas
301 W. Main St.
Lincolnton (R)

Tenth District

James T. (Jim) Broyhill
Hillhaven Dr.
Lenoir (R)

Eleventh District

Roy A. Taylor
Black Mountain (D)

Local Government Bond Sales by the North Carolina Local Government Commission

by T. Gregory Morton

Beginning this month, each issue of *Popular Government* will include a chart showing current municipal bond indices, municipal bond indices, municipal bond sales results for the past month in North Carolina, and tentative sales for the next six weeks. This information will be provided by the North Carolina Local Government Commission, which conducts the sales. Several of the terms used in these charts need defining since they may not be commonly understood.

Under the heading "The Bond Buyers Index" are the terms twenty bonds and eleven bonds. *The Weekly Bond Buyer* states that "the average rating of the twenty bonds used in this index falls midway between the four top groups as classified by Moody's Investors Service. The composite rating of the eleven bonds is equivalent to the second-best rating of the rating agency."¹

Since the rating of Moody's Investors Service will be used, some explanation of its rating symbols is in order. The rating symbols, which range from "Aaa," the highest, to "C," the lowest, are explained as follows.²

Aaa bonds, which are rated Aaa, are judged to be of the best quality. They carry the smallest degree of investment risk and are generally referred to as "gilt edge."

Aa bonds, which are rated Aa, are judged to be of high quality by all standards. Together with the Aaa group, they comprise what are generally known as high-grade bonds.

A bonds, which are rated A, possess many favorable investment attributes and are to be considered

as higher medium-grade obligations. Factors giving security to principal and interest are considered adequate, but elements may be present which suggest a susceptibility to impairment sometime in the future.

Baa bonds, which are rated Baa, are considered as lower medium-grade obligations—i.e., they are neither highly protected nor poorly secured. Such bonds lack outstanding investment characteristics and, in fact, have speculative characteristics as well.

Ba bonds, which are rated Ba, are judged to have speculative elements; their future cannot be considered as well assured.

B bonds, which are rated B, generally lack characteristics of the desirable investment. Assurance of interest and principal payments or of maintenance of other terms of the contract over any long period of time may be small.

Those bonds in A and Baa groups which Moody's considers to have the strongest investment attributes are designated by the symbols A-1 and Baa-1.

Caa bonds, which are rated Caa, are of poor standing. Such issues may be in default or there may be present elements of danger with respect to principal or interest.

Ca bonds, which are rated Ca, represent obligations which are speculative in a high degree. Such issues are often in default or have other marked shortcomings.

C bonds, which are rated C, are the lowest-rated class of bonds and issues so rated can be regarded as having extremely poor prospects of ever attaining any real investment standing.

Moody's does not rate the bonds of all local governmental units. Un-

rated issues will have the symbol "NR," standing for "not rated." Since 1949, Moody's has followed the "policy of rating no class of debt of any corporation or governmental subdivision where such class of debt is outstanding in an amount less than \$600,000." Moody's also does not rate bonds where essential information about the issues is not available.³

Under the heading "Volume Outlook" are two terms that need explaining. "Blue List Supply" is the amount of municipal bonds that are currently being offered for sale in *The Blue List*.⁴ "Thirty-day visible" is the amount of municipal bonds which will come to market in the next thirty days, as reported by *The Bond Buyer*.⁵

When bonds are offered for sale by a unit, syndicates are usually formed to bid for the bonds. The syndicates consist of investment banking firms. The "winning manager" is the firm that managed the account which was the successful bidder on a bond issue. Occasionally, one firm will bid independently. This chart will use the term "winning manager" in both cases.

NCMC Ratings.—These ratings are numerical to show a sharper distinction between credits and in order to afford a more flexible use of the ratings. By using Council ratings, investors may determine for themselves the minimum ratings which will meet their requirements and can maintain a fixed average on their investment. Units with ratings of 75 or more are considered eligible for bank investment.

3. *Op. cit.*, p. 2.

4. *The Blue List of Current Municipal Offerings*, published by The Blue List Publishing Company, Incorporated, New York, New York.

5. *The Weekly Bond Buyer*, published every Monday by The Bond Buyer, New York, New York.

1. *The Weekly Bond Buyer*, October 14, p. 61.

2. *Moody's Bond Record*, August 5, 1966, Volume 33, Number 8, pp. 2-3.

STATE OF NORTH CAROLINA LOCAL GOVERNMENT COMMISSION

1 The Bond Buyers Index

Date	(20) bonds (%)	(11) bonds (%)	National Volume Outlook	Yields Currently Available on North Carolina Issues
11-21-68	4.62	4.50	Blue List Supply	Aa A
11-14-68	4.58	4.46	30 day visible	4.00% 4.10%
10-24-68	4.52	4.41	Total Supply	4.40% 4.50%
11- 2-67	4.27	4.16	Total Supply last week	

Recent Bond Issues in North Carolina

Issuer	Date of Sale	Purpose	Amount	No. of Bidders	Years Average Life	Range of Bids (%)	Winning Manager	Moody's Rating	NCMC ³ Rating
Town of Bryson City	11- 5-68	Sanitary Sewer	\$ 245,000	1 ²	18.08	4.125-	U.S. Dept. of Commerce	NR	69
Yanceyville Sanitary District,									
Caswell County	11-12-68	Sanitary Sewer	350,000	2	16.76	5.4522-5.5933	Interstate Sec.	NR	73
Town of Hamlet	11-19-68	Water Bonds	900,000	3	17.79	5.3510-5.3865	N.C. Nat'l Bank	NR	76
Guilford County	11-19-68	School Building	7,500,000	7	11.69	4.2663-4.3993	Wachovia		
City of Durham	11-19-68	Sanitary Sewer	1,500,000	10	15.29	4.4124-4.5482	Bk. & Tr.	Aa	93
Forsyth County	11-26-68	Water and Courthouse	5,800,000	9	16.95	4.4383-4.5875	First Boston Corp.	Aa	85
							Wachovia	Aa	95

Visible Bond Issues December 1, 1968-January 15, 1969

Cleveland County	12- 3-68	Hospital	\$ 500,000
Wake County	12 -3-68	Watershed Improvement	1,000,000
Pitt County	12-10-68	School Building	3,980,000
Town of Maxton	12-10-68	Sanitary Sewer	110,000
Alexander County	12-10-68	Courthouse & Jail	495,000
⁴ Town of Boiling Springs	12-17-68	Sanitary Sewer	475,000
⁵ Town of Franklinton	12-17-68	Water	450,000
Kannapolis Sanitary District	12-31-68	Water & Sewer	6,354,000
Elizabeth City	1- 7-69	Sewer Bonds	700,000
Southern Pines	1- 7-69	Water & Fire Truck	300,000
County of Hertford	1-14-69	School Building	2,000,000

1. The Weekly Bond Buyer, 11-25-68.
2. These bonds were awarded to the U.S. Department of Commerce, Economic Development Administration.
3. North Carolina Municipal Council.
4. Federal financing anticipated, Farmers Home Administration.
5. Federal financing anticipated, Department of Housing and Urban Development.

David S. Coltrane, Who Cared About People

David S. Coltrane was a man for all seasons in public life.

First he put his rural Randolph County background to work as a young man, studying agriculture at North Carolina State after attending Guilford College, working as a county agent and serving as the state's assistant commissioner of agriculture for ten years. When Kerr Scott resigned to run for Governor, Coltrane became Commissioner of Agriculture.

Next, Coltrane was named by Governor Scott to be chief of the state's Budget Bureau. In that post he also served Governors William B. Umstead and Luther H. Hodges. Again, his career expanded to new areas when, in 1960, Governor Hodges chose him to head the State Department of Administration and, the following year, Governor Sanford named him consultant on economy and efficiency in government and chairman of the State Advisory Budget Commission.

Finally, in 1963 Governor Sanford called on him to become chairman of the North Carolina Good Neighbor Council.

Significantly, this dedicated man who had served so ably in many and varied public offices left his most brightly shining legacy in his work to advance race relations in the last five years of his life. Five years past the retirement age when he accepted the post heading up the North Carolina Good Neighbor Council, Coltrane declared that he had not accepted "the chairmanship of a do-nothing council." He covered the state, helping to solve and smooth racial tensions through finding more jobs in public and private employment for Negroes and, in Governor Dan Moore's

words, "establishing a climate which would allow the advancement of human dignity and opportunity."

When Dave Coltrane died at 75 on the last day of October, all who knew him could echo the words of Governor Moore that the state had lost "one of its most dedicated and distinguished citizens." Incoming Governor Robert Scott called him "a valuable public servant who had devoted his entire life to public service." And Governor Terry Sanford said: "In the face of radical and militant obstacles . . . Dave Coltrane never wavered in his determination for racial progress and peace in North Carolina . . . He leaves a legacy to all North Carolinians of respect for the law and, equally important, respect for the hopes and aspirations of all our neighbors."

Dave Coltrane himself eloquently spoke his mind in an article entitled "North Carolina and Community Crisis" published in *Popu-*

lar Government in June of this year, when he concluded:

"We must be concerned about what happens to people. We must be concerned about the man who lives in the slum, the man who does not have running hot and cold water. We must be concerned about the unemployed and the underemployed. We must be concerned about all the causes of riots—whether they be the fault of the white majority or the fault of the nonwhite community. . . . The opportunities for better race relations are all around us. If we do all we can to meet the needs of people and resolve the problems of frustration, I see no occasion for a long, hot summer in North Carolina."

That North Carolina remained cool this summer and continues in the main to evidence a climate and temper in which human relations can advance to the benefit of all is a tribute to Dave Coltrane and his brand of courage and leadership.



The Institute of Government's First Film

THE PIEDMONT CRESCENT

by Elmer Oettinger

A brand new motion picture is available for viewing by public officials and civic groups in North Carolina. Its title is *The Piedmont Crescent*. Its theme is the challenge and directions of the North Carolina industrial Piedmont. Its method is to treat the past, the present, and alternative futures of the region in terms of growth and governmental problems. Its purpose is to bring to the public official and private citizen of the Piedmont an awareness of the identity and promise of the region and of personal and group responsibility in helping to work out directions and solutions.

The film is twenty-eight minutes long and in color. It may be obtained from several sources (*see box*). It is suitable for showings at meetings of public officials and civic groups. It is designed to encourage after-showing discussion of the questions it raises and the insights it seeks.

Already city managers and boards, planning groups, personnel directors, and others are beginning to use the film. Likely, in the months ahead, it will be shown on educational and possibly commercial television. Its primary effectiveness, however, will come through use by small groups that can view it carefully and discuss it. If enough Piedmont people see it and think about it, *The Piedmont Crescent* can become a catalyst for general advancement of the section.

The history of the making of *The Piedmont Crescent* reflects the long and arduous nature of the task. The picture almost was never completed. Begun in the dying days of the North Carolina Film Board, it was shelved indefinitely. Some small footage, mostly graphs and charts, was put aside and forgotten for five long years. In 1967 the State Planning Task Force, backed by Governor Dan Moore, asked the Institute of Government for assistance in reviving the project and seeing it through to completion.

The first need was adequate financing. First-rate documentary motion pictures these days cost about \$1,500.00 per minute. The funds of the defunct Film Board had ended with the board's activities.

A second major undertaking was restaffing. The Film Board director, James Beveridge, now had his own motion picture producing firm in Connecticut, maintaining ties with the New York University School of Television. Ricky Wurman, who had designed the graphics as a member of the faculty of the North Carolina State University School of Design, now had his own architectural firm in Philadelphia.

Robert E. Stipe of the Institute of Government and Ronald Scott of the State Planning Task Force were assigned as consultants for the film. Wayne Corpening repre-

sented the Governor's office throughout the renewed endeavor. Beveridge and Wurman were brought back into the planning and production. Stipe prepared a proposal that brought to the film some Title I funds, authorized under the Federal Higher Education Act of 1965. Permission was obtained from the Ford Foundation to use a portion of funds already allocated to the Institute of Government for certain training programs to help complete the picture.

The script was written and rewritten by Stipe and Scott. The Institute's Philip P. Green, Jr., Warren J. Wicker, and the author were brought in to consult and to help rework the script. Finally, Beveridge put his hand to the rewriting with a view toward film form. At one stage in the early going, the author's suggestions that the film goals and audience be clearly set forth as a prerequisite to script treatment and that live footage be added were adopted. One result was the enhancement of the visual beauty and authenticity of the film by means of aerial shots. Duke Power Company lent its helicopter for the aerial photography.

Finally, the author flew to New York to record a sound-track commentary for the documentary film.

On October 3, Governor Moore held a preview showing of the film for state officials and invited guests in Raleigh. Their reception was enthusiastic. In congratulating the

Institute of Government for "the very successful film project" Governor Moore wrote as follows:

... I had the opportunity recently to view the completed film, and I am most favorably impressed with the quality of its content and its effective presentation. This will undoubtedly prove to be a useful instrument for defining the

Piedmont, its past, present and its problems of the future.

There is no question that this film will be a rich source of background information for public officials and civic leaders as they work towards a common goal of further improving the quality of our environment in North Carolina. I intend to encourage its widespread use throughout the

State wherever interested groups may come together.

The effectiveness of this film on the Piedmont Crescent strongly suggests that considerations should be given to a series of similar productions. Quite probably they could treat other areas of the State from the standpoint of the problems and potentials for development.

Where THE PIEDMONT CRESCENT May Be Obtained

Organizations of local and state public officials and civic groups may obtain prints of *The Piedmont Crescent* for showing by writing one of the following sources: The Audio-Visual Bureau, Extension Division, University of North Carolina at Chapel Hill, Chapel Hill, N. C.; Dr. Landis Bennett, The Film Library, North Carolina State University, Box 5037, Raleigh, N. C.; Dr. Norman Shul, Department of Geography, University of North Carolina at Charlotte, Charlotte, N. C., or Dr. Elmer Oettinger, Institute of Government, University of North Carolina at Chapel Hill, Chapel Hill, N. C. Plans are under way to make additional prints available through the North Carolina Board of Education, the Charlotte-Mecklenburg County Public Library, and other suitable film depositories.



Book Review

THE FIELD OF SOCIAL WORK, by Arthur E. Fink, C. Wilson Anderson, and Merrill B. Conover. Holt, Rinehart, and Winston, Inc., New York, 1968.

Considering the dizzying speed of social change today, that a survey of the field of social work would have to be updated five years after its last edition is not surprising. It is extremely gratifying to find the updating to be so comprehensive. Dr. Fink's first book has been a popular text and reference work since the appearance of the first edition in 1942. Now the new, fifth edition incorpo-

rates material on all the social legislation since 1963 including the Economic Opportunity Act and the several civil rights measures, the Model Cities program, and the amendments to the Social Security Act through those of 1967.

The influence of legislation is not traced separately, but is dealt with in each relevant section. Much of the earlier material has been rewritten in the light of developments in both theory and practice which have occurred because of social work's involvement in carrying out the intent of new laws. New case material illustrates each section, making the historical, the theoretical, and the philosophical presentations preceding the illustrations come alive for the student plumbing for the first time the

range of activities and services social work encompasses.

Dean Anderson has provided the initial chapter in this edition, restating some of the groundwork of the profession. Dr. Conover has rewritten and updated his section on community organization, incorporating new concepts of community action, direct involvement of the client group and the reoriented role of the community organizer in achieving "maximum feasible participation." This section alone would warrant a new edition.

Dr. Fink has again provided social work students and all those in related and cooperating disciplines that have any interest in social work a comprehensive, readable, and extremely sound survey of a fast-changing and fast-growing profession.—D.J.K.

A FULL HOUSE

at the Institute of Government

You can lay your bets that no parking space was available on October 4, when some 800 people were attending one of the Institute schools and conferences.



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