

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 1118
HOUSE BILL 1180

AN ACT TO AMEND CHAPTER 206 OF THE SESSION LAWS OF 1961 RELATING TO THE ESTABLISHMENT AND OPERATION OF A COUNTY LIBRARY IN WAKE COUNTY AND THE AUTHORIZATION TO ESTABLISH LIBRARY BRANCHES WITHIN INCORPORATED CITIES OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Section 2 of Chapter 206 of the Session Laws of 1961 is hereby rewritten to read as follows: "The County Commissioners of Wake County are authorized to levy upon all property taxable by the county a special library tax of not more than seven cents (7¢) on each one hundred dollars (\$100.00) in value of real and personal property for the purpose of supporting the Wake County Library System, provided that a majority of the qualified voters of the county voting in a special election called as provided herein shall approve the levy of such tax. The board of county commissioners is hereby authorized to call a special election at any time within 6 months after the effective date hereof and may provide either of the following types of election:

"A – An election in which said proposed library tax levy must be approved on a county-wide basis by a majority vote of the qualified voters of the county voting at said election. The ballot for such special election shall contain only one proposition similar to Proposition A as set out in Section 2.3 below.

B – An election in which said proposed library tax may be approved either on a county-wide basis by a majority vote of the qualified voters of the county voting at said election, or in which as a separate proposition a municipal library tax may be approved by a majority of the qualified voters in any one or more municipalities within said county, if a majority of the voters of the entire county should disapprove said special county library tax. The Board of Wake County Commissioners shall call for an election under this subparagraph only if one or more municipalities shall, by duly adopted resolutions, request that the voters within such municipality be permitted to vote upon a separate municipal library tax. The ballot for such election for the voters of any municipality requesting such election upon a municipal library tax shall contain two propositions in manner and form as set out in Section 2.3 below.

In the event that a majority of the voters within one or more of such petitioning municipalities within said county shall approve the levy of a municipal tax, but a majority of the qualified voters of Wake County shall disapprove the levy of a county

library tax, then the governing board of such one or more municipalities shall be authorized to levy said special library tax for the support of a municipal library system, as provided in Article 8 of Chapter 160 of the General Statutes of North Carolina."

Sec. 2. At the end of Section 2 of Chapter 206 of the Session Laws of 1961, insert the following:

"Sec. 2.1. Any municipality within Wake County may also call a special election for the purpose of approving the levy of a library tax as provided in Article 8 of Chapter 160 of the General Statutes of North Carolina. Such election may be held on the same date as any county-wide election called by the County Commissioners of Wake County as provided above.

"Sec. 2.2. If either of the special elections provided hereinabove in Section 2 or Section 2.1 shall be called, such election or elections shall be held and notice thereof given and the result determined as provided in the County Finance Act for elections on bond orders.

"Sec. 2.3. The proposition, or propositions to be submitted to the voters under provisions of this Act should be substantially similar to the following:

PROPOSITION A

Shall the qualified voters of the county of Wake approve the levy annually of a special library tax of not more than seven cents (7¢) on each one hundred dollars (\$100.00) in value of real and personal property for the purpose of supporting the Wake County Library System in accordance with Chapter 206 of the Session Laws of 1961, as amended?

PROPOSITION B

If a majority of the voters of Wake County voting in this election shall disapprove PROPOSITION A, shall the qualified voters of the City of _____ approve the levy annually of a special library tax of not more than seven cents (7¢) on each one hundred dollars (\$100.00) in value of real and personal property for the purpose of supporting a municipal library system in accordance with the General Statutes of the State of North Carolina?"

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 21st day of June, 1961.