

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 268
HOUSE BILL 282

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BRUNSWICK COUNTY TO CALL A SPECIAL ELECTION FOR THE AUTHORIZATION OF A RESOURCES DEVELOPMENT TAX FOR BRUNSWICK COUNTY AND TO CREATE AND FIX THE POWERS OF A RESOURCES DEVELOPMENT COMMISSION FOR BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Brunswick County shall call a special election upon the duly presented petition of five hundred (500) qualified voters of Brunswick County, within sixty (60) days following the presenting of said petition, to determine whether it be the will of the qualified voters of said county that they levy and cause to be collected annually, at the same time and in the same manner as the general county taxes are levied and collected, a special tax at a rate not to exceed ten cents (100) on each one hundred dollars (\$100.00) valuation of property in said Brunswick County to be known as a Resources Development Tax, the funds therefrom, if the levy be authorized by the voters of Brunswick County to be used for the purpose of attracting new and diversified industries to Brunswick County, for the processing of agricultural and seafood products, for the encouragement and promotion of new business, industrial ventures, tourist trade, and for the promotion and development of recreational and retirement areas in said county, by use of local as well as foreign capital.

Sec. 2. There shall be no new registration of the voters of Brunswick County for such election. The registration books shall be open for the registration of new voters of Brunswick County at nine o'clock A.M. Eastern Standard Time, on the fourth Saturday before such election, and the said books shall be closed at sunset on the second Saturday before election. The Saturday immediately before the election day shall be "Challenge Day". The registrar of each precinct of Brunswick County shall be furnished with a registration book and it shall be his duty between the hours of nine o'clock A.M. Eastern Standard Time and sunset on each day during the period when the registration books are open, to keep open said books for the registration of new voters of Brunswick County residing within such precinct and entitled to registration. On each Saturday during the period of registration, the registrar shall attend with his registration books at the polling place of his precinct between the hours of nine o'clock A.M. Eastern Standard Time and sunset, for the registration of voters.

Sec. 3. A notice of such registration of new voters shall be published in the newspaper circulated in Brunswick County, once, not less than thirty (30) days before and not more than forty (40) days before the closing of the registration books, stating the hours and days for registration. It shall not be necessary to specify in said notice the places of said registration, except that the said notice shall state that on each Saturday during the period of registration, each registrar of Brunswick County will attend with his registration books at the polling place of his precinct, between the hours of nine A.M. Eastern Standard Time, and sunset for the registration of voters.

Sec. 4. The registrars appointed for such elections are directed to enter upon the registration books the names of any and all legal residents of Brunswick County, who are or could legally be enfranchised as qualified voters for regular general elections, not heretofore registered, and who may present themselves to be registered. In addition to registering such qualified persons who so present themselves during the specified hours of registration, the said registrars are authorized and empowered during any interim period from nine o'clock A.M. on the first set Saturday of registration to and inclusive of sunset on the third such Saturday, to see and contact at their homes or elsewhere any such duly qualified persons and to register them upon the registration books.

Sec. 5. The hours of such an election, on a date to be designated by the Board of County Commissioners of Brunswick County, are fixed at seven o'clock A.M. to seven o'clock P.M. The said special election, if called, shall be under the control and supervision of the Brunswick County Board of Elections, and at such special election, said election board shall cause to be placed at each voting precinct in Brunswick County a ballot box marked "Resources Development Tax Election". At said election, all voters of Brunswick County who are duly qualified electors and who are duly registered may vote in said election. Each of said voters, when he or she comes to the polling place to vote, shall be supplied by the election officials with a ballot. The form of the question shall be in substantially the words "For Resources Development Tax" and "Against Resources Development Tax", which alternates shall appear separated from each other on one ballot containing opposite and to the left of each alternate, squares of appropriate size in one of which squares the voters may make a mark "X" to designate the voter's choice for or against such tax. Such ballots shall be printed on white paper, and each polling place in Brunswick County shall be supplied with a sufficient number of ballots not later than the day before the election.

Sec. 6. The duly appointed judges and other election officials who are named and fixed by the Brunswick County Board of Elections shall count the ballots so cast in such election and the results of the elections shall be officially canvassed, certified, and announced by the proper officials of the Brunswick County Board of Elections, according to the manner of canvassing, certifying, and announcing the elections held under the general election laws of the State. Except as herein otherwise provided, the registration and election herein provided for shall be conducted in accordance with the general election laws of the State as provided for local elections.

Sec. 7. If the majority of the qualified voters in such election does not favor the levying of such tax, no other election pursuant to the provisions of this Act may be

held until the expiration of a period of one year from the date of the preceding election pursuant to the provisions of this Act. New elections may be held under the provisions of this Act, if, in the previous election, a majority of the qualified electors in the county voted against said tax levy; provided, however, said board of county commissioners shall call a subsequent election only upon the duly presented petition of one thousand (1,000) qualified voters of Brunswick County.

Sec. 8. If a majority of those voting in such election favors the levying of such a tax, the Board of Commissioners of Brunswick County is authorized to levy such a tax at a rate not to exceed ten cents (100) on each one hundred dollars (\$100.00) of assessed value of real and personal property taxable in Brunswick County.

Sec. 9. The Board of Commissioners of Brunswick County is authorized to reduce or increase the rate of the tax levy provided herein, from year to year, upon recommendation therefor made to said board by the Resources Development Commission, and said Development Commission is authorized to make such recommendation to said county commissioners if two-thirds of the members of the Resources Development Commission vote in favor of such reduction or increase; provided, however, no increase in the rate of such tax levy shall result in a total tax rate of more than ten cents (100) on each one hundred dollars (\$100.00) **of assessed value** of real and personal property taxable in Brunswick County.

Sec. 10. If the majority of the qualified voters voting in such election favors the levying of such a tax, then and in that event, there is hereby created a commission to be known as the Resources Development Commission for Brunswick County; such commission shall be composed of nine bipartisan members, to be named by the Brunswick County Board of Commissioners as follows: One member from Northwest Township, one member from Town Creek Township, one member from Smithville Township, one member from Lockwoods Folly Township, one member from Shallotte Township, one member from Waccamaw Township; three remaining members to be named at large from any part of Brunswick County. The terms of office of the members of the commission shall be three years, with the exception of the first two years of the existence of the commission, in which three shall be appointed to serve for a period of one year, three for a period of two years, and three for a period of three years; thereafter, all members shall be appointed for three years, and shall serve until their successors have been appointed and qualified. All appointments for unexpired terms resulting from resignation, death, or other causes shall be made by the Brunswick County Board of Commissioners. The commission shall hold its first meeting within thirty (30) days after its appointment as provided for in this Act, and the beginning date of all terms of office of the commissioners shall be the date on which the commission holds its first meeting. After the members of the commission shall have been appointed and at the time of the holding of the first meeting, they shall, by a majority vote, name and select from their membership their own chairman, vice chairman, secretary, and treasurer, and shall draw up and ratify their own bylaws and procedural rules and policies. The commission member who shall be named treasurer shall have supervision of all funds administered by the commission in any way whatsoever; shall sign, or countersign, all checks, drafts, bills of exchange, or any and all other negotiable instruments which shall

properly be issued under his supervision; and shall furnish such surety bond as shall be designated by the Board of Commissioners of Brunswick County. No money, property, or funds of the commission herein created shall be used directly or indirectly as a subsidy or investment in capital stock or capital assets in any business, industry, or business venture.

Sec. 11. Under the supervision and jurisdiction of the Resources Development Commission for Brunswick County, there shall be set up a bureau, the purpose of which shall be to encourage and promote the development of new business and industry of all types, including the processing of agricultural and seafood products, the development of recreational and retirement areas, and to attract tourists, in all parts of the county, based on either local or foreign capital, in any and all ways which may be deemed advisable by the commission; that the commission shall have charge of the activities of this bureau, full supervision of its operation, and full responsibility for its actions; that this jurisdiction shall include employment of personnel for the bureau, supervision of its purchase and expense accounts, and administration and responsibility for all the tax funds which shall be turned over to the commission by county authorities from the Resources Development tax and any and all other funds which may come into its hands; the commission shall be empowered to lease, rent, or purchase, or otherwise obtain suitable quarters and office space for the Resources Development Bureau, to lease, rent, or purchase necessary furniture, fixtures, and other machinery and equipment for the proper operation of the bureau, to purchase advertising space in periodicals which may be selected for that purpose, and to otherwise engage in any and all activities which shall, in its discretion, promote the business, tourist, recreational, and industrial development and general economic welfare of Brunswick County, and shall have full power to exercise any and all other proper authority necessary in connection with its duties not expressly mentioned herein.

Sec. 12. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 13. 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 25th day of April, 1961.