

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1095
HOUSE BILL 1368

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BUNCOMBE COUNTY TO CALL A SPECIAL OR GENERAL ELECTION TO AUTHORIZE THE LEVY OF AN ADDITIONAL SUPPLEMENTAL TAX NOT TO EXCEED THIRTY CENTS ON EACH ONE HUNDRED DOLLARS VALUATION OF TAXABLE PROPERTY IN BUNCOMBE COUNTY TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, SUPPORT AND OPERATION OF THE PUBLIC SCHOOLS OF THE CITY OF ASHEVILLE AND COUNTY OF BUNCOMBE.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Buncombe County is authorized and empowered to call a special or general election to be held on or before June 1, 1971, to submit to a vote of the qualified registered voters of each of the various public school districts within Buncombe County the question of levying and collecting annually an ad valorem tax which shall be an additional supplemental tax not to exceed thirty cents (30¢) on each one hundred dollars (\$100.00) valuation of taxable property within each of the various public school districts within Buncombe County to provide for the construction, maintenance, support and operation of the public schools of the City of Asheville and the County of Buncombe. Solely for the purpose of this tax election and for that purpose only, the Asheville City Administrative School Units shall be deemed to be one of the public school districts within the contemplation and meaning of this Act.

Sec. 2. There shall be a special registration of voters within each of the various public school districts within Buncombe County for such election. The registration books shall be open for the purpose of the registration of voters in each of the various public school districts within Buncombe County as provided by the general election laws for the election of members of the General Assembly. If the additional tax levy be approved by a majority of all the qualified voters in Buncombe County who shall vote on such question, the Board of County Commissioners of Buncombe County is authorized to levy and collect such additional supplemental tax not to exceed thirty cents (30¢) on each one hundred dollars (\$100.00) valuation of taxable property in Buncombe County. If the additional tax levy be not approved by a majority of all the qualified voters in Buncombe County who shall vote on such question, the Board of County Commissioners of Buncombe County is authorized to levy and collect such additional supplemental tax not to exceed thirty cents (30¢) on each one hundred dollars

(\$100.00) valuation of taxable property within each of the said public school districts within which the additional tax levy is approved by a majority of the qualified voters who shall vote on such question within said public school district. The amount of said tax to be levied and collected annually shall be decided by the Board of County Commissioners of Buncombe County and included in each year's budget, but the amount of said tax to be levied and collected shall be the same amount on each one hundred dollars (\$100.00) valuation of taxable property in each public school district in which a majority of the voters in said election approve said levy. The General Assembly does hereby give its special approval to the levy of the tax for the purpose referred to in this Act.

Sec. 3. If the approval by a majority of all the qualified voters within Buncombe County who shall vote on such question is obtained, the levy may be made for the taxable year next beginning after such election and the supplemental tax so collected shall be apportioned between the Buncombe County Board of Education and the Asheville City Board of Education on a per capita enrollment basis which shall be determined by the State Board of Education and certified to each administrative unit involved. In the event the approval of a majority of all the qualified voters within Buncombe County who shall vote on such question is obtained in such election, all taxes collected and apportioned shall be used to supplement any item of expenditure in the school budgets.

If the approval by a majority of all the qualified voters within Buncombe County who vote on such question is not obtained, the levy may be made for the taxable year next beginning after such election in each of the public school districts in which a majority of the qualified voters who vote on said question approve said additional tax levy and the supplemental tax so collected shall be used by the appropriate Board of Education solely within the public school district in which the tax is collected to supplement any item of expenditure in the school budgets.

Sec. 4. In the event the approval of a majority of the qualified voters within Buncombe County or within any public school district who shall vote on such question in said election is not obtained, the presently existing supplemental school taxes previously authorized for the benefit of any administrative unit, district or other school area shall not be impaired and the Board of County Commissioners of Buncombe County is hereby authorized in such event to continue to levy and collect such taxes; provided, however, that the levy of additional supplemental school taxes authorized hereunder, if approved, shall replace any existing supplemental school taxes previously authorized within the same administrative unit.

Sec. 5. The special or general election provided for in this Act shall be conducted by the Buncombe County Board of Elections under the applicable provisions of the general election of the State providing for the election of members of the General Assembly, and no other question shall be presented to the voters at said election.

The Buncombe County Board of Elections shall, solely for the purpose of the election authorized hereby, create new voting precincts to coincide with the separate school districts and shall appoint the requisite number of election officials for said election, including those necessary for new precincts, and shall establish such books and

records that may be necessary and shall establish all regulations and procedures for the proper conduct of said election, including the questions to be printed on the ballot and submitted to the voters.

Sec. 6. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed; however, the powers this Act are in addition to and not in substitution for existing powers heretofore granted to Buncombe County and the Board of County Commissioners thereof.

Sec. 7. 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 30th day of June, 1969.