

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1185
SENATE BILL 801

1 AN ACT TO AMEND SECTION 105-296.1 OF THE GENERAL STATUTES TO REQUIRE
2 FOUNDATIONS HOLDING TIMBERLAND FOR THE BENEFIT OF AN
3 EDUCATIONAL INSTITUTION TO PAY A PERCENTAGE OF GROSS RECEIPTS TO
4 COUNTY IN LIEU OF AD VALOREM TAXES OTHERWISE ASSESSED.
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6 The General Assembly of North Carolina do enact:
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8 **Section 1.** Chapter 105-296.1 of the General Statutes is hereby rewritten to read as
9 follows:

10 **"G.S. 105-296.1. Timberland owned by State.** (a) Any State department or agency owning
11 timberland or leasing, controlling or administering timberland owned by the State, shall pay to
12 each county in which said timberland is situated an amount equal to fifteen per cent (15%) of
13 proceeds of the gross sales of trees, timber, pulpwood, and any forest products from said
14 timberland, and said funds shall, when received, be placed in the account of the county general
15 fund. Where the said timberland consists of a tract situated in more than one county and the
16 timber, trees, pulpwood, or forest products are sold, or cut, removed and sold from the entire
17 tract, then the percentage of gross sales as herein prescribed shall be divided and paid to said
18 county boards on the basis of the acreage located in the respective counties.

19 "(b) Any other organization (corporation, trust, foundation, association or other entity)
20 owning timberland which is organized and operated exclusively to receive, hold, invest and
21 administer property and to make expenditures to or for the sole benefit of an educational
22 institution shall in lieu of paying the county taxes otherwise assessed against such timberland,
23 make the payments prescribed in subsection (a) above or ten cents (10¢) per acre per year,
24 whichever is greater.

25 "(c) This section shall not apply to the proceeds of sale of trees, timber, pulpwood, or
26 forest products directly paid to or received by the State Board of Education, or any other State
27 educational institution, or the North Carolina Department of Agriculture from its research
28 stations and experimental farm lands: Provided, that where State forests are held, leased, or
29 administered by the Prison Department, or as held, leased or administered by the Department of
30 Conservation and Development as provided by G.S. 113-34, or by the Wildlife Resources
31 Commission, said departments, instead of payment as above prescribed, may elect permanently
32 to subject such State forests to county taxes assessed on the same basis as are private lands, and
33 pay said taxes from the proceeds of revenue received and collected by said departments to the
34 board of county commissioners of the county in which said forest is situated, but all fire towers,
35 buildings and all other permanent improvements shall be exempt from assessment. Provided
36 that the provisions of this section shall not apply to lands under the control of the Hospitals
37 Board of Control."

38 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

39 **Sec. 3.** This Act shall become effective upon its ratification.

40 In the General Assembly read three times and ratified, this the 1st day of July, 1969.