

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 294
SENATE BILL 561

AN ACT TO AMEND AND CLARIFY THE PROMOTION OF SALE AND USE OF
TOBACCO STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-568.20 is rewritten to read:

"§ 106-568.20. Referendum on assessment for next three years. – During the year 1988 or 1989 upon the exact date in such year as may be determined in the manner hereinafter set forth and under rules and regulations as established under the provisions of this Article, there shall be held in every county in North Carolina in which flue-cured tobacco is produced a referendum to be participated in by all farmers engaged in the production of flue-cured tobacco in which referendum said farmers shall vote upon the question of whether or not there shall be levied an annual assessment for a period of three years 1989, 1990 and 1991, such amount as may have been theretofore or as may be thereafter determined by the Board of Directors of Tobacco Associates, Inc., but not more than two dollars (\$2.00) per acre per year on all flue-cured tobacco acreage in the State of North Carolina. Those farmers entitled to share in the crop of flue-cured tobacco or in the proceeds of such crop because of sharing in the risk of production shall be deemed to be engaged in the production of such tobacco."

Sec. 2. G.S. 106-568.21 is amended by deleting "1961" in the heading thereof.

Sec. 3. G.S. 106-568.22 is amended as follows:

- (a) By deleting "1961" in the heading thereof; and
- (b) By deleting the words "one dollar (\$1.00)" and substituting "two dollars (\$2.00)".

Sec. 4. G.S. 106-568.23 is amended:

- (a) By deleting "1961" in the heading thereof and "in the said year 1961" in the first sentence thereof; and
- (b) By deleting the numeral "30" and inserting "15".

Sec. 5. G.S. 106-568.24 is amended by deleting "1961" in the heading thereof.

Sec. 6. G.S. 106-568.25 is amended as follows:

- (a) By deleting "1961" from the heading thereof;
- (b) By inserting after the word "assessment" in the first sentence the words "upon themselves";
- (c) By deleting "1962, 1963 and 1964" and inserting "1989, 1990 and 1991"; and

(d) By deleting "one dollar (\$1.00)" and inserting "two dollars (\$2.00)".

Sec. 7. G.S. 106-568.28 is amended by inserting the word "last" before the word "date" and deleting the words "said assessment" the second time they appear and substituting the words "such assessment".

Sec. 8. G.S. 106-568.30 is amended by deleting the phrase "during the last year of such period" and the word "ensuing" and inserting before the last word of the first sentence the words "tobacco marketing".

Sec. 9. G.S. 106-568.31 is amended by deleting "30" and inserting "60".

Sec. 10. G.S. 106-568.34 is amended by rewriting the second sentence to read: "No alternative assessment for any year after 1979 shall exceed ten cents (10¢) per 100 pounds of the flue-cured tobacco marketed by each farmer."

Sec. 11. G.S. 106-568.32 is repealed.

Sec. 12. G.S. 106-568.35(b) is amended:

(a) By deleting the word "produce" and substituting the words "are engaged in the production of"; and

(b) By deleting the numeral "30" the first time it appears therein and inserting the numeral "15".

Sec. 13. G.S. 106-568.36 is amended by deleting from the last phrase the words "effective farm quota of a member" and inserting "flue-cured tobacco marketed by each farmer".

Sec. 14. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of June, 1987.