

NORTH CAROLINA GENERAL ASSEMBLY
1959 SESSION

CHAPTER 924
HOUSE BILL 1105

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

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Beaufort County is authorized and empowered to call a special election upon the duly presented petition of any one hundred (100) qualified voters of Beaufort County 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 five cents (5¢) on each one hundred dollars (\$100.00) valuation of property in said Beaufort County, to be known as an Industrial Development Tax, the funds therefrom, if the levy be authorized by the voters of Beaufort County, to be used for the purpose of attracting new and diversified industries to Beaufort County, and for the encouragement of new business and industrial ventures by local as well as foreign capital, and for the purpose of aiding and encouraging the location of manufacturing enterprises, making industrial surveys and locating industrial plants in Beaufort County, and for the purpose of encouraging agricultural development in said county.

Sec. 2. There shall be no new registration of the voters of Beaufort County for such election. The registration books shall be open for the registration of new voters of Beaufort 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 such election. The Saturday immediately before the election day shall be "Challenge Day". The registrar of each precinct of Beaufort 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 Beaufort 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 a newspaper circulated in Beaufort County once, not less than thirty days before and not more than forty 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 Beaufort 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 election are directed to enter upon the registration books the names of any and all legal residents of Beaufort 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., Eastern Standard Time, on the first set Saturday of registration to and inclusive of five o'clock p. m., Eastern Standard Time on the fourth 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 Beaufort County, are fixed at seven o'clock a. m., Eastern Standard Time to seven o'clock p. m., Eastern Standard Time. The said special election, if called, shall be under the control and supervision of the Beaufort County Board of Elections, and at such special election said election board shall cause to be placed at each voting precinct in Beaufort County a ballot box marked "Industrial Development Tax Election". At said election all voters of Beaufort 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 Industrial Development Tax" and "Against Industrial 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 mark "X" to designate the voters' choice for or against such tax. Such ballots shall be printed on white paper, and each polling place in Beaufort 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 Beaufort County Board of Elections shall count the ballots so cast in such election and the results of the election shall be officially canvassed, certified and announced by the proper officials of the Beaufort 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 a majority of those voting in such election favor the levying of such a tax, the Board of Commissioners of Beaufort County is authorized to levy such a tax

at a rate not to exceed five cents (5¢) on each one hundred dollars (\$100.00) of assessed value of real and personal property taxable in Beaufort County, and the General Assembly does hereby give its special approval for the levy of such special tax.

Sec. 8. If the majority of the qualified voters voting in such election favor the levying of such a tax, then and in that event there is hereby created a commission to be known as the Industrial Development Commission for Beaufort County; such commission shall be composed of seven (7) members, all of whom shall be residents and freeholders of Beaufort County, to be named by the Beaufort County Board of Commissioners. The terms of office of the members of the commission shall be three (3) years with the exception of the first two years' existence of the commission, in which three shall be appointed to serve for a period of one year, two for a period of two years, and two for a period of three years; thereafter, all members shall be appointed for three years and they 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 Beaufort 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, and secretary, and shall draw up and ratify their own bylaws and procedural rules and policies. The County Accountant of Beaufort County shall have supervision of all funds administered by the commission in any way whatsoever. Checks drawn by the commission shall be signed by the chairman of the commission, the secretary of the commission, and countersigned by the County Accountant of Beaufort County who shall be custodian of the funds of the commission. 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. 9. Under the supervision and jurisdiction of the Industrial Development Commission for Beaufort County there shall be set up a bureau, the purpose of which shall be to encourage new business and industrial development based on either local or foreign capital, and for the purpose of aiding and encouraging the location of manufacturing enterprises, making industrial surveys and locating industrial plants in Beaufort County, and for the purpose of encouraging agricultural development in said county, 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. The commission shall be empowered 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 and industrial development and general economic welfare of Beaufort County, and shall have full power to exercise any and all other proper authority in connection with its duties and not expressly mentioned herein. Beaufort County shall provide suitable quarters and

furniture and fixtures for the commission herein created. Provided, that said commission shall provide the board of county commissioners thirty days prior to June 1 a proposed budget for the fiscal year commencing on July 1 and shall provide the board of county commissioners an audit by a certified public accountant within sixty days after the expiration of the fiscal year ending on June 30. Nothing herein shall prevent the board of county commissioners itself from functioning and carrying out the duties of the Industrial Development Commission as provided for herein.

Sec. 10. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 11. 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 11th day of June, 1959.