

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 2036\*  
Committee Substitute Favorable 7/7/94

Short Title: Pamlico in Global TransPark Zone.

(Local)

Sponsors:

Referred to:

June 6, 1994

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT PAMLICO COUNTY MAY JOIN THE GLOBAL  
3 TRANSPARK DEVELOPMENT ZONE.

4 Whereas, in 1993, the General Assembly authorized the following 14  
5 counties to create a regional economic development district to be known as the Global  
6 TransPark Development Zone: Carteret, Craven, Duplin, Edgecombe, Greene, Jones,  
7 Lenoir, Nash, New Hanover, Onslow, Pamlico, Pitt, Wayne, and Wilson; and

8 Whereas, in order to create the Zone, each county was required to adopt a  
9 resolution to that effect by October 1, 1993; and

10 Whereas, Pamlico County did not adopt a resolution by the October 1, 1993,  
11 deadline but has since adopted a resolution stating its desire to join the Zone; Now,  
12 therefore,

13 The General Assembly of North Carolina enacts:

14 Section 1. G.S. 158-31 reads as rewritten:

15 "§ 158-31. Purpose.

16 The purpose of this Article is to allow the following counties, which have the  
17 potential to derive direct economic benefits from the North Carolina Global TransPark,  
18 to create a special economic development district, to be known as the Global TransPark  
19 Development Zone: Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Nash,  
20 ~~New Hanover~~, Onslow, Pamlico, Pitt, Wayne, and Wilson.

21 The purpose of the Global TransPark Development Zone is to promote the  
22 development of the North Carolina Global TransPark and to promote and encourage  
23 economic development within the territorial jurisdiction of the Zone by fostering or

1 sponsoring development projects to provide land, buildings, facilities, programs,  
2 information and data systems, and infrastructure requirements for business and industry  
3 in the North Carolina Global TransPark outside of the Global TransPark Complex, and  
4 elsewhere in the Zone."

5 Sec. 2. Article 4 of Chapter 158 of the General Statutes is amended by  
6 adding a new section to read:

7 **"§ 158-33.1. Addition of counties to Zone.**

8 (a) Authority. – The Zone shall allow an eligible county to participate in the  
9 Zone as provided in this section. A county is eligible to participate in the Zone under  
10 this section if G.S. 158-31 authorizes the county to create the Zone, but the county  
11 failed to adopt a resolution stating its intent to create the Zone by the October 1, 1993,  
12 deadline set in G.S. 158-33(b).

13 (b) Application. – The governing body of an eligible county may apply to  
14 participate in the Zone under this section by adopting a resolution to participate in the  
15 Zone. The resolution must comply with all the requirements of G.S. 158-33(a) and (b)  
16 except that it may be adopted at any time before October 1, 1994. After adopting the  
17 resolution, the county shall file a certified copy of the resolution with the Global  
18 TransPark Development Commission.

19 (c) Approval of Application. – Within one month after receipt of an application  
20 to join the Zone pursuant to this section, the Commission shall meet to consider the  
21 application. At the meeting, the Commission shall approve the application if all of the  
22 following conditions are met:

- 23 (1) The applicant is an eligible county and has adopted a resolution that  
24 complies with subsection (b) of this section.
- 25 (2) The applicant agrees to pay a fee equal to the initiation fee paid by  
26 each of the counties that originally created the Zone.
- 27 (3) The applicant agrees to make monthly payments in lieu of taxes as  
28 provided in subsection (f) of this section.

29 (d) Commission Resolution. – After the Commission votes to add a county to the  
30 Zone, the Commission shall adopt a resolution that states its intent to add the county and  
31 includes amended articles of incorporation for the Zone which set forth the name of the  
32 county to be added to the Zone. The Commission shall file certified copies of this  
33 resolution with the Secretary of State.

34 (e) Effect of Amendment. – If the Secretary of State finds that the resolution  
35 conforms to the requirements of this Article, the Secretary of State shall file the  
36 resolution, issue an amended certificate of incorporation for the Zone including the  
37 additional county, and record the amended certificate of incorporation. The amended  
38 certificate of incorporation for the Zone shall become effective on the first day of the  
39 second month after it is issued. Upon the effective date of the amended certificate of  
40 incorporation for the Zone, the new county becomes a fully participating member of the  
41 Zone. If the Commission has levied a tax in the Zone pursuant to G.S. 158-42, that tax  
42 applies within the new county beginning on the date the amended certificate of  
43 incorporation becomes effective.

1       (f) Payments in Lieu of Taxes. – A county that participates in the Zone under  
2 this section is required to make monthly payments in lieu of taxes to the Zone after the  
3 expiration of the tax levied pursuant to G.S. 158-42. Each payment shall be equal to the  
4 estimated net amount of tax that would have been collected in the county under G.S.  
5 158-42 for that month if the tax were still in effect. Each payment is due within 15 days  
6 after the end of the month in which it accrues. The county is required to make monthly  
7 payments for a period equal to the number of months that the county was not  
8 participating in the Zone while the tax was levied under G.S. 158-42. The requirement  
9 that a county make payments in lieu of taxes expires, however, on the effective date of a  
10 withdrawal from the Zone by the county. For the purposes of this Article, payments in  
11 lieu of taxes shall be considered proceeds of the tax levied in G.S. 158-42 collected in  
12 the county making the payment."

13           Sec. 3. G.S. 158-42(d) reads as rewritten:

14       "(d) Administration. – The Division of Motor Vehicles of the Department of  
15 Transportation shall collect and administer a tax levied under this section. Immediately  
16 after adopting a resolution levying or repealing a tax under this section, the Commission  
17 shall deliver a certified copy of the resolution to the Division of Motor Vehicles. If the  
18 Secretary of State issues an amended certificate of incorporation adding a county to the  
19 Zone pursuant to G.S. 158-33.1, the Commission shall deliver a certified copy of the  
20 amended certificate immediately to the Division of Motor Vehicles. If the Commission  
21 receives a resolution from a county withdrawing from the Zone pursuant to G.S. 158-41,  
22 the Commission shall deliver a certified copy of the resolution immediately to the  
23 Division of Motor Vehicles.

24       ~~The tax~~ A tax levied under this section is due at the same time and subject to the  
25 same restrictions as the tax levied in G.S. 20-87 and G.S. 20-88. The tax shall be  
26 prorated in accordance with G.S. 20-66 and G.S. 20-95, as applicable. The  
27 Commissioner of Motor Vehicles may adopt rules necessary to administer the tax."

28           Sec. 4. (a) G.S. 20-97(a) reads as rewritten:

29       "(a) All taxes levied under the provisions of this Article are intended as  
30 compensatory taxes for the use and privileges of the public highways of this State, and  
31 shall be paid by the Commissioner to the State Treasurer, to be credited by him to the  
32 State Highway Fund; and no county or municipality shall levy any license or privilege  
33 tax upon any motor vehicle licensed by the State of North Carolina, except that cities  
34 and towns may levy not more than five dollars (\$5.00) per year upon any vehicle  
35 resident therein. In addition, Pamlico County may levy a license or privilege tax of five  
36 dollars (\$5.00) per year upon any vehicle resident in the county. This tax may be levied  
37 only for a period of one year. Pamlico County shall use the net proceeds of the tax to  
38 make required payments in lieu of taxes to the Global TransPark Development Zone  
39 pursuant to G.S. 158-33.1. Pamlico County may use the remainder of the tax proceeds  
40 not needed for payments required pursuant to G.S. 158-33.1 for any public purpose.  
41 Provided, further, that cities and towns may levy, in addition to the amounts  
42 hereinabove provided for, a sum not to exceed fifteen dollars (\$15.00) per year upon  
43 each vehicle operated in such city or town as a taxicab."

44           (b) This section applies only to Pamlico County.

1           Sec. 5. This act is effective upon ratification.