

NORTH CAROLINA GENERAL ASSEMBLY  
1965 SESSION

CHAPTER 60  
HOUSE BILL 61

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF FORSYTH COUNTY, SUBJECT TO THE APPROVAL OF THE VOTERS OF SAID COUNTY, TO ESTABLISH AND OPERATE A COUNTY LIBRARY SYSTEM AND TO LEVY A SPECIAL TAX THEREFOR.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Forsyth County is hereby authorized to submit to the voters of Forsyth County, at an election to be called for that purpose, the question of whether or not a special tax may be levied for support of a Forsyth County Library System.

Such question shall be submitted to the voters at the same time as any primary or general election for county or municipal officers. Such election shall be conducted according to the laws governing general elections for county or municipal officers in Forsyth County or the City of Winston-Salem.

The form of the question as stated on the ballot shall be in substantially the words: "For authority to levy a special library tax of not more than five cents (5¢)."; and "Against authority to levy a special library tax of not more than five cents (5¢)." Such affirmative and negative forms shall be printed on one ballot, containing squares opposite the affirmative and the negative forms in one of which squares the voter may make a mark (X): Provided, that the maximum tax levy to be submitted to the voters shall be determined by the Board of County Commissioners, which maximum shall in no event exceed five cents (5¢) on the one hundred dollars (\$100.00) valuation of property.

If a majority of the qualified voters in such election favor the levy of the tax, the governing body of the county may levy and cause to be collected, as other general taxes are collected, a special library tax within the limits approved by the voters in an amount which will, when taken with other revenues made available for the Forsyth County Library System, be sufficient to meet annual appropriations for library purposes (including operating expenses, capital outlay, purchase of books, supplies and materials, and all other expenses related to the providing of library services) approved by the Board of County Commissioners of Forsyth County.

Sec. 2. Upon approval of the levy of a tax for library purposes in Forsyth County, pursuant to the provisions of Section 1 of this Act, the Board of County Commissioners of Forsyth County is authorized to establish and support a public library system which shall be known as the "Forsyth County Library System." The Library

System shall consist of such main library buildings and such branch library buildings as may be acquired for library purposes by the Board through purchase, construction, gift, devise, or in such other manner as the Board of County Commissioners may deem appropriate. The municipalities within Forsyth County are hereby authorized to donate, transfer and convey to Forsyth County any property, real, personal, or mixed, that will aid the County in establishing and operating the Forsyth County Library System; and the City of Winston-Salem is to transfer all of its library property to Forsyth County if the special library tax, authorized herein, is approved by the voters of Forsyth County. In addition, all municipalities in Forsyth County are expressly authorized to make appropriations of non-tax funds to aid in the support of the Forsyth County Library System.

The annual budget of the Forsyth County Library System shall be submitted to the Forsyth County Board of Commissioners for consideration and approval.

Sec. 3. The use of the Forsyth County Library System established pursuant to this Act shall be forever free to the inhabitants of Forsyth County, subject to such reasonable rules and regulations as may be adopted by the Board of Trustees of the Library and approved by the governing body of the County. The governing body of the County may enter into agreements with other governmental units with respect to joint operation of library facilities or with respect to providing library services to all of the contracting governmental units.

Sec. 4. If the Forsyth County Library System shall be established by the Board of County Commissioners of Forsyth County, as herein provided, the same shall be governed by a Board of Trustees appointed by the Board of County Commissioners of Forsyth County, chosen from the citizens at large with reference to their fitness for such office. For the initial term, two members shall be appointed for a term of one year, two members for terms of two years, and two members for terms of three years, and until their successors are appointed and qualified. Thereafter the terms of members shall be for three years and until their successors are appointed and qualified. The Board of County Commissioners of Forsyth County may, in its discretion, designate one or more of its own members to serve ex officio as one of the six members of the Library Board in addition to his other duties. Such governing body member shall serve on the Library Board for the duration of his term of office and shall have full rights, duties, and responsibilities as a member of the Board. Service on the Library Board by a member of the Board of County Commissioners shall be deemed to be an additional duty of his office as a member of the Board of County Commissioners. The Trustees shall elect a chairman, vice chairman, secretary, and such other officers as it may deem necessary, either from the membership of the Board or from the employees of the library. Each vacancy on the Board of Trustees shall be immediately reported by the Trustees to the Board of County Commissioners so that the Board of County Commissioners may fill such vacancy for the unexpired term. The Board of County Commissioners may remove any Trustee for incapacity, unfitness, misconduct, or for neglect of duty. Members of the Board of Trustees shall serve without compensation.

Sec. 5. If the Forsyth County Library System shall be established by the Board of County Commissioners, as herein provided, all of the provisions of Article 8

of Chapter 160 of the General Statutes of North Carolina not inconsistent with this Act shall be applicable to said Library System. To that end, this Act shall be deemed to provide an additional and alternate method for doing the things authorized hereby and shall be regarded as supplemental and additional to the powers conferred by other laws, and shall not be regarded as in derogation of or as repealing any powers existing under any other law, either general, special or local, except to the extent that a direct conflict exists in which case the provisions of this Act shall prevail.

Sec. 6. The establishment of the Forsyth County Library System shall be conditioned upon the approval of the expenditure of tax funds for the support of such library in accordance with the provisions of this Act; provided, however, that a failure of the voters to approve the levy of a tax to support library services for Forsyth County shall not be construed to deprive the County and the municipalities therein from continuing to contribute non-tax funds to the support of the library services of such County or municipalities.

Sec. 7. This Act shall apply to Forsyth County only.

Sec. 8. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 9. This Act shall be in full force and effect from and after ratification.

In the General Assembly read three times and ratified, this the 10th day of March, 1965.