

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1157*

Short Title: Military Base Support.

(Public)

Sponsors: Senators Hargett; Dorsett, Kerr, Lucas, Moore, and Thomas.

Referred to: Finance.

May 19, 2004

A BILL TO BE ENTITLED

1 AN ACT TO WAIVE AN AMOUNT EQUAL TO ONE-THIRD OF THE FUEL TAX
2 COLLECTED ON MILITARY INSTALLATIONS EACH YEAR TO ENABLE
3 THE ARMED FORCES TO IMPROVE QUALITY-OF-LIFE PROGRAMS FOR
4 MILITARY MEMBERS AND THEIR FAMILIES IN NORTH CAROLINA.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 2 of Chapter 136 of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 136-41.9. Appropriation for military installations.**

10 There is annually appropriated from the State Highway Fund to the United States
11 Department of Defense a sum equal to the estimated net amount after refunds that was
12 produced during the preceding fiscal year by an eight-cent (8¢) tax on each gallon of
13 motor fuel and alternative fuel taxed under Article 36C or 36D of Chapter 105 of the
14 General Statutes and sold within a military installation. The Department of Defense
15 shall use these funds only for community services and other expenditures to improve
16 quality-of-life programs for military members and their families in North Carolina."

17 **SECTION 2.** G.S. 105-449.62 reads as rewritten:

18 "**§ 105-449.62. Nature of tax.**

19 This Article imposes a tax on motor fuel to provide revenue for the State's
20 transportation ~~needs~~ ~~and~~ ~~needs~~, for the other purposes listed in Part 7 of this
21 ~~Article~~ ~~Article~~, and for the purposes provided in G.S. 136-41.9. The tax is collected
22 from the supplier or importer of the fuel because this method is the most efficient way
23 to collect the tax. The tax is designed, however, to be paid ultimately by the person who
24 consumes the fuel. The tax becomes a part of the cost of the fuel and is consequently
25 paid by those who subsequently purchase and consume the fuel."

26 **SECTION 3.** This act becomes effective July 1, 2005.