

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 665
HOUSE BILL 1031

1 AN ACT TO AMEND CHAPTER 136 OF THE GENERAL STATUTES TO REVISE AND
2 CLARIFY CERTAIN PROVISIONS OF SECTIONS 41.1 AND 41.3, RELATING TO
3 MUNICIPAL STREET AID FUNDS.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** The first paragraph of G.S. 136-41.1, as appears in 1964 Replacement
8 Volume 3B of the North Carolina General Statutes, is amended to read:

9 "There is hereby annually appropriated out of the State Highway Fund a sum equal to the
10 amount that was produced during the fiscal year by 1/2 of one-cent tax on each gallon of motor
11 fuel taxed by Sections 105-434 and 105-435, to be allocated in cash on or before October first
12 each year after March 15, 1951, to the cities and towns of the State in accordance with the
13 following formula:"

14 **Sec. 2.** The fifth paragraph of G.S. 136-41.1, as appears in 1964 Replacement
15 Volume 3B of the North Carolina General Statutes, is amended to read:

16 "No allocation to cities and towns shall be made under the provisions of this Section from
17 the one-cent per gallon additional tax on gasoline imposed by Chapter 1250 of the Session
18 Laws of 1949 and by Chapter 46 of the Session Laws of 1965, unless and until said additional
19 one-cent per gallon gasoline tax produces funds which are not needed for or committed by said
20 Chapter 1250 of the Session Laws of 1949 and said Chapter 46 of the Session Laws of 1965, to
21 the payment of the principal of or the interest on the secondary road bonds issued pursuant to
22 the provisions of said Chapter 1250 of the Session Laws of 1949 and said Chapter 46 of the
23 Session Laws of 1965. The State Highway Commission is hereby authorized to withhold each
24 year an amount not to exceed one percent (1%) of the total amount appropriated in Section 136-
25 41.1 for the purpose of correcting errors in allocations: Provided, that the amount so withheld
26 and not used for correcting errors will be carried over and added to the amount to be allocated
27 for the following year."

28 **Sec. 3.** The fourth paragraph of G.S. 136-41.3, as appears in 1964 Replacement
29 Volume 3B of the North Carolina General Statutes, is amended to read:

30 "In the case of each eligible municipality, as defined in G.S. 136-41.2, having a population
31 of less than 5,000, the State Highway Commission shall upon the request of such municipality
32 made by official action of its governing body, on or prior to June 1, 1953, or June 1 in any year
33 thereafter, for the fiscal year beginning July 1, 1953, and for the years thereafter do such street
34 construction, maintenance, or improvement on non-system streets as the municipality may
35 request within the limits of the current or accrued payments made to the municipality under the
36 provisions of G.S. 136-41.1."

37 **Sec. 4.** The words "G.S. 136-41.2" appearing immediately following the words
38 "allocation under" and immediately preceding the words "to this account" in the tenth line of
39 the sixth paragraph of G.S. 136-41.3, as appears in 1964 Replacement Volume 3B of the North
40 Carolina General Statutes, is amended to read "G.S. 136-41.1".

41 **Sec. 5.** All laws and clauses of laws in conflict with the provisions of this Act are
42 hereby repealed.

43 **Sec. 6.** This Act shall become effective upon ratification.

1 In the General Assembly read three times and ratified, this the 30th day of May,
2 1969.