

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-163
HOUSE BILL 2465**

AN ACT TO MAKE A TECHNICAL CORRECTION IN A LOCAL ACT TO CLARIFY THAT THE DISTRIBUTION PROCEDURE IS IN ACCORDANCE WITH 1977 LEGISLATION AS HAS BEEN THE CONTINUOUS PRACTICE SINCE THEN.

Whereas, Chapter 202 of the 1977 Session Laws provided for distribution of fifteen percent (15%) of the net profits remaining from the operation of the Dare County Alcoholic Beverage Control Board to incorporated municipalities within that county; and

Whereas, a completely separate local bill, Chapter 201 of the Session Laws of 1965 also provided for distribution of the profits, and that local act was not mentioned in the 1977 enactment; and

Whereas, Chapter 995 of the 1981 Session Laws amended the 1965 local act and changed the distribution procedures, and did not mention the 1977 law; and

Whereas, distributions continued under the 1977 law; and

Whereas, Chapter 679 of the 1995 Session Laws rewrote the 1977 law and repealed the other thread of local acts that had started in 1965; and

Whereas, the 1995 law inadvertently carried forward part of the 1981 law rather than the 1977 law; and

Whereas, Dare County is desirous of continuing to operate under the 1977 wording; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. Section 1(3) of Chapter 202 of the 1977 Session Laws, as rewritten by Chapter 679 of the 1995 Session Laws, reads as rewritten:

"Section 1. After making the distributions provided in subsections (b) and (c) of G.S. 18B-805, the Dare County Alcoholic Beverage Control Board shall determine and retain from the remaining gross receipts a sufficient and proper amount necessary to be retained as working capital, within the limits set by rules of the Commission.

The entire remaining gross receipts shall be paid over to the Dare County Board of County Commissioners to be allocated as follows:

- ...
- (3) fifteen percent (15%) of the net profits remaining shall be allocated to and divided among the incorporated towns within Dare County, such sums to go to the general fund of each of the incorporated towns to be

used for any governmental purpose deemed necessary by the governing body of each town; and
..."

SECTION 2. This act is effective when it becomes law, and any distributions heretofore made are validated.

In the General Assembly read three times and ratified this the 25th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives