

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH10523-LB-314 (5/11)

Short Title: Dare ABC Profits Technical Correction. (Local)

Sponsors: Representative Spear.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO MAKE A TECHNICAL CORRECTION IN A LOCAL ACT TO
3 CLARIFY THAT THE DISTRIBUTION PROCEDURE IS IN ACCORDANCE
4 WITH 1977 LEGISLATION AS HAS BEEN THE CONTINUOUS PRACTICE
5 SINCE THEN.

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

10 Whereas, a completely separate local bill, Chapter 201 of the Session Laws of
11 1965 also provided for distribution of the profits, and that local act was not mentioned
12 in the 1977 enactment; and

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

15 Whereas, distributions continued under the 1977 law; and

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17 repealed the other thread of local acts that had started in 1965; and

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

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

22 The General Assembly of North Carolina enacts:

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

25 "Section 1. After making the distributions provided in subsections (b) and (c) of
26 G.S. 18B-805, the Dare County Alcoholic Beverage Control Board shall determine and

1 retain from the remaining gross receipts a sufficient and proper amount necessary to be
2 retained as working capital, within the limits set by rules of the Commission.

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

5 ...
6 (3) fifteen percent (15%) of the net profits remaining shall be allocated to
7 and divided among the incorporated towns within Dare County, such
8 sums to go to the general fund of each of the incorporated towns to be
9 used for any governmental purpose deemed necessary by the
10 governing body of each town; and

11 ..."

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