

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1841

Short Title: Increase Members on the Shelby ABC Board.

(Local)

Sponsors: Representative Moore.

Referred to: Local Government I.

May 10, 2006

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE NUMBER OF MEMBERS ON THE SHELBY ABC BOARD.

The General Assembly of North Carolina enacts:

SECTION 1. Section 9 of Chapter 832 of the 1969 Session Laws reads as rewritten:

"**Sec. 9.** In the event that a majority of the votes cast shall be for municipal liquor stores, the governing body of said municipality shall certify the results immediately to the State Board of Alcoholic Control and shall immediately create a municipal board of alcoholic control, to be composed of a chairman and two members who shall be well known for their character, ability, and business acumen. The members of the board shall be appointed by the governing body. At the time of the original appointments, one of said members shall be appointed for three years, one for two years, and one for one year, and as their terms expire their successors shall be appointed for terms of three years each. In the event any of the cities covered by this local act is allowed to increase the size of its Board, the governing body shall appoint the new members. The new members' terms shall begin on the same date, and their terms shall expire at the same time. Vacancies shall be filled by the governing body for the unexpired term. The board shall be known as the "~~(name of city) Board of Alcoholic Control~~". "(name of city) Alcoholic Beverage Control Board". The governing body of the municipality shall designate one of the members of the Board to serve as chairman, and the compensation of the chairman and all members of the Board shall be fixed by the governing body."

SECTION 2. G.S. 18B-700(a) reads as rewritten:

"(a) Membership. – A local ABC board shall consist of ~~three~~-five members appointed for three-year terms, unless a different membership or term is provided by a local act enacted before the effective date of this Chapter, or unless the board is a board for a merged ABC system under G.S. 18B-703 and a different size membership has been provided for as part of the negotiated merger. One member of the initial board of a newly created ABC system shall be appointed for a three-year term, one member for a

1 two-year term, and one member for a one-year term. As the terms of initial board
2 members expire, their successors shall each be appointed for three-year terms. The
3 appointing authority shall designate one member of the local board as chairman."

4 **SECTION 3.** Section 2 of this act applies to the City of Shelby only.

5 **SECTION 4.** The governing body of the City of Shelby shall appoint two
6 additional members, as authorized by this act, to serve initial terms that will be effective
7 on or after July 1, 2006. One additional member's term shall expire on April 1, 2007,
8 and the other shall expire on April 1, 2008. At the expiration of these terms, each new
9 member's term shall be for three-year terms thereafter. Members currently appointed to
10 the board shall continue to serve their terms until the terms expire. In the event a
11 member is removed or leaves the Board for any reason, the new member appointed to
12 the Board shall fill the remainder of the unexpired term.

13 **SECTION 5.** This act is effective when it becomes law.