

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1841
Committee Substitute Favorable 5/25/06**

Short Title: Increase Members on the Shelby ABC Board.

(Local)

Sponsors:

Referred to:

May 10, 2006

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE NUMBER OF MEMBERS ON THE SHELBY ABC
2 BOARD.
3

4 The General Assembly of North Carolina enacts:

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

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

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

24 "(a) Membership. – A local ABC board shall consist of ~~three~~-five members
25 appointed for three-year terms, unless a different membership or term is provided by a
26 local act enacted before the effective date of this Chapter, or unless the board is a board
27 for a merged ABC system under G.S. 18B-703 and a different size membership has
28 been provided for as part of the negotiated merger. One member of the initial board of a
29 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.** Notwithstanding Section 9 of Chapter 832 of the 1969 Session
6 Laws, as amended by Section 1 of this act, the governing body of the City of Shelby
7 shall appoint two additional members, as authorized by this act, to serve initial terms
8 that will be effective on or after July 1, 2006. One additional member's term shall expire
9 on April 1, 2007, and the other shall expire on April 1, 2008. At the expiration of these
10 terms, each new member's term shall be for three-year terms thereafter. Members
11 currently appointed to the board shall continue to serve their terms until the terms
12 expire. In the event a member is removed or leaves the Board for any reason, the new
13 member appointed to the Board shall fill the remainder of the unexpired term.

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