

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

3

HOUSE BILL 1543
Committee Substitute Favorable 5/27/04
Senate State Government, Local Government, and Veterans' Affairs Committee
Substitute Adopted 6/17/04

Short Title: Asheville ABC Board Membership Increased.

(Local)

Sponsors:

Referred to:

May 20, 2004

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE
2 BOARD OF ALCOHOLIC CONTROL.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 4 of Chapter 1083 of the 1947 Session Laws reads as
6 rewritten:

7 "Sec. 4. If the operation of a city liquor control store is authorized under the
8 provisions of this Act, the Mayor and City Council of the City of Asheville shall
9 immediately create a city board of alcoholic control to be composed of a chairman and
10 ~~two~~four other members who shall be well-known for their character, ability, and
11 business acumen. Said board shall be known and designated as "The City of Asheville
12 Board of Alcoholic Control". The chairman of said board shall be designated by the
13 mayor and governing body of the city and shall serve ~~for his~~the first term for a period
14 of three years, and ~~one member~~two members shall serve for ~~his~~their first term a period
15 of two years, and the other ~~member~~members shall serve for a period of one year; and
16 all terms shall begin with the date of their appointment, and after the said terms shall
17 have expired, their successors in office shall serve for a period of three years. Their
18 successors, or any vacancy occurring in the board shall be named or filled by the mayor
19 and the governing body of the city."

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

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

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

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

4 **SECTION 4.** The Mayor and City Council shall appoint additional members
5 authorized by this act to serve one-year or two-year initial terms and then for three-year
6 terms thereafter. Members currently appointed to the board shall continue to serve
7 their term until it expires.

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