

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 825

Short Title: Increase Kenansville ABC Board Members.

(Local)

Sponsors: Representative Tucker.

Referred to: Local Government I.

March 21, 2005

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE MEMBERSHIP OF THE TOWN OF KENANSVILLE
2 ALCOHOLIC BEVERAGE CONTROL BOARD.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 4 in Chapter 1169 of the 1947 Session Laws reads as
6 rewritten:

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

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

1 **SECTION 3.** Section 2 of this act applies to the Town of Kenansville only.

2 **SECTION 4.** The Mayor and Board of Commissioners shall appoint
3 additional members authorized by this act to serve two-year or three-year initial terms
4 and then for three-year terms thereafter. Members currently appointed to the board shall
5 continue to serve their term until December 31, 2005. All new appointments and
6 re-appointments to the Board will be effective on January 1, 2006. In the event a
7 member is removed or leaves the Board for any reason, the new member appointed to
8 the Board shall fill the remainder of the unexpired term.

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