

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-36
HOUSE BILL 1543**

**AN ACT TO INCREASE THE MEMBERSHIP OF THE CITY OF ASHEVILLE
BOARD OF ALCOHOLIC CONTROL.**

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 29th day of June, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives