

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1438

Short Title: New Hanover ABC Board Membership. (Local)

Sponsors: Senator Boseman.

Referred to: State and Local Government.

May 27, 2010

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE NEW HANOVER COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD MEMBERSHIP FROM THREE MEMBERS TO FIVE MEMBERS AND TO ALLOW FOR MEMBERS OF THE ABC BOARD TO SERVE AT THE PLEASURE OF THE BOARD OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4 of Chapter 418 of the 1935 Session Laws reads as rewritten:

"Sec. 4. There is hereby created a County Liquor Commission to be known and designated as the New Hanover County Alcoholic Beverage Control Board. The Board shall consist of ~~three~~ five members, one of whom shall be chairman. The Board shall be appointed by the County Commissioners of New Hanover County, and shall have the power to fill vacancies or remove from office any member for misconduct, incompetency or fraud. The members of this Board shall give bond for the faithful performance of their duties to the County of New Hanover in ~~the sum of ten thousand dollars each, and which bond, as to form and execution, shall be approved by the County Attorney.~~ Each member of the Board shall devote his full time to the performance of his official duties. The main office of the Board shall be located in the City of Wilmington, an amount not less than five thousand dollars (\$5,000), secured by a corporate surety, for the faithful performance of the Board member's duties. A public employees' blanket position bond in the required amount satisfies this requirement. The bond shall be made payable to the Board and shall be approved by the County Commissioners. The County Commissioners may exempt from this bond requirement any Board member who does not handle Board monies, and it may increase the amount of the required bond for any Board member who does handle Board monies."

SECTION 2. Section 7 of Chapter 418 of the 1935 Session Laws reads as rewritten:

"Sec. 7. The County Commissioners of New Hanover County in naming the Board shall designate the Chairman. The Chairman, when present, shall preside at all meetings and in his absence a member designated by the Chairman shall preside.

~~Two~~ Three members of the Board shall constitute a quorum and any action or order of the Board shall require the approval of at least ~~two~~ three members."

SECTION 3. This act is effective when it becomes law.

