

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1030
Committee Substitute Favorable 5/4/05**

Short Title: Increase Airport Authority Powers.

(Public)

Sponsors:

Referred to:

March 31, 2005

A BILL TO BE ENTITLED

1
2 AN ACT TO CLARIFY THE POWERS OF THE BRUNSWICK AIRPORT
3 COMMISSION AND TO AUTHORIZE LOCAL AIRPORT AUTHORITIES TO
4 BORROW MONEY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** In addition to all other powers authorized by law, the
7 Brunswick County Airport Commission shall have the following powers:

- 8 (1) To sell, lease, or otherwise dispose of any property, real or personal,
9 belonging to the Airport Commission, according to the procedures
10 described in Article 12 of Chapter 160A of the General Statutes, but no
11 sale of real property shall be made without the approval of the
12 Brunswick County Board of County Commissioners.
- 13 (2) To contract with persons, firms, or corporations for terms not to
14 exceed 20 years, for the operation of airline-scheduled passenger and
15 freight flights, nonscheduled flights, and any other airplane activities
16 not inconsistent with the grant agreements under which the airport
17 property is held.
- 18 (3) To erect and construct buildings, hangars, shops, and other
19 improvements and facilities, not inconsistent with or in violation of the
20 agreements applicable to and the grants under which the real property
21 of the airport is held; and to lease these improvements and facilities for
22 a term or terms not to exceed 20 years.

23 **SECTION 2.** The Brunswick County Airport Commission shall be exempt
24 from any beach renourishment fees imposed by the Town of Oak Island.

25 **SECTION 3.** The Brunswick County Airport Commission is considered to
26 be an airport authority for the purpose of any general law pertaining to airport
27 authorities.

28 **SECTION 4.** Subchapter IV of Chapter 159 of the General Statutes is
29 amended by adding a new article to read:

1 "Article 14.

2 "Borrowing by Airport Authorities.

3 "**§ 159-201. Borrowing authority.**

4 Whenever an airport authority is authorized by general or local act to erect and
5 construct improvements and facilities and to lease these improvements and facilities, the
6 authority may borrow money for use in making and paying for these improvements and
7 facilities, secured by and on the credit only of the lease agreements in respect to these
8 improvements and facilities, and to pledge and assign the leases and lease agreements as
9 security for the authorized loans. The airport authority's power to borrow money under
10 this section is subject to the approval of the Commission. To the extent this section
11 conflicts with any local act, then this section shall control."

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