

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-342
HOUSE BILL 1030**

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

"Article 14.

"Borrowing by Airport Authorities.

"§ 159-201. Borrowing authority.

Whenever an airport authority is authorized by general or local act to erect and construct improvements and facilities and to lease these improvements and facilities, the authority may borrow money for use in making and paying for these improvements and facilities, secured by and on the credit only of the lease agreements in respect to these

improvements and facilities, and to pledge and assign the leases and lease agreements as security for the authorized loans. The airport authority's power to borrow money under this section is subject to the approval of the Commission. To the extent this section conflicts with any local act, then this section shall control."

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

In the General Assembly read three times and ratified this the 16th day of August, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

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

s/ Michael F. Easley
Governor

Approved 10:51 a.m. this 27th day of August, 2005