

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 81

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S81-ARB-25 [v.2]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Fourth Edition

Date _____, 2013

Senator Rucho

1 moves to amend the bill on page 5, line 50 through page 6, line 9, by rewriting the lines to read:
2 "SECTION 7.(c) Property needed by the Authority for any airport, landing field,
3 or facility may be acquired by the Authority by gift, devise, or purchase. Aviation easements
4 needed by the Authority for any airport, landing field, or facility may likewise be acquired by
5 gift, devise, or purchase.

6 The power of eminent domain may be used by the Authority, pursuant to Article 3
7 of Chapter 40A of the General Statutes, but only for public use for an airport purpose. For
8 purposes of Chapter 40A of the General Statutes, the authority is a public condemnor under
9 G.S. 40A-3(c). In the exercise of its authority of eminent domain for the acquisition of property
10 to be used for airports, the authority is authorized to use the procedure and authority prescribed
11 in Article 9 of Chapter 136 of the General Statutes, as now or hereafter amended. For purposes
12 of this subsection, whenever a reference is made in Article 9 of Chapter 136 of the General
13 Statutes to the State of North Carolina or any agency thereof the reference includes the
14 Authority and whenever a reference is made in Article 9 of Chapter 136 of the General Statutes
15 to an official of the State of North Carolina, the reference includes the airport director. The
16 Authority's power of eminent domain is restricted as follows:

- 17 (1) Any eminent domain proceeding must be authorized by a majority of the
18 local government appointee members of the Authority, as provided in
19 Sections 4(a)(1) through (8) of this act.
- 20 (2) The power of eminent domain may not be used for a purpose that is not
21 necessary for the operation of the airport, and more specifically no property
22 may be acquired by eminent domain for such uses as hotels, motels,
23 restaurants, or industrial parks.
- 24 (3) The power of eminent domain may not be used to condemn property already
25 devoted to public use."



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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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