



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 552

AMENDMENT NO. 2
(to be filled in by
Principal Clerk)

H552-ALB-104 [v.3]

Page 1 of 2

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

Date 6/6, 2011

Representative McGrady

1 moves to amend the bill on page 6, lines 40 through page 7, line 2, by rewriting those lines to
2 read:

3 "SECTION 11. The powers of the Authority created by this act shall be construed
4 liberally in favor of the Authority. No listing of powers included in this act is intended to be
5 exclusive or restrictive, and the specific mention of, or failure to mention, particular powers in
6 this act shall not be construed as limiting in any way the general powers of the Authority as
7 stated in Section 6 of this act. It is the intent of this act to grant the Authority full power and
8 right to exercise all authority necessary for the effective operation and conduct of the
9 Authority. It is further intended that the Authority should have all implied powers necessary or
10 incidental to carrying out the expressed powers and the expressed purposes for which the
11 Authority is created. The fact that this act specifically states that the Authority possesses a
12 certain power does not mean that the Authority must exercise such power unless this act
13 specifically so requires."
14

15 further moves to amend the bill on page 6, line 16, by adding the following at the end of the
16 line:

17 "In no case, however, may the power of eminent domain be used for purposes not necessary for
18 the operation of the airport, and more specifically no property may be acquired by eminent
19 domain for such uses as hotels, motels, restaurants, or industrial parks. The power of eminent
20 domain may not be used to acquire any interest in the Ferncliff Industrial Park as it existed on
21 June 1, 2011, except for an aviation need required by a federal agency."
22

23 further moves to amend the bill on page 6, line 20, by adding the following between lines 20
24 and 21:

25 "SECTION 7.(f) Any claim by Henderson County against the City of Asheville or
26 the current airport authority on account of acquisition of property by either or both of them in
27 Henderson County is extinguished."
28

ADOPTED



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