

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH70547-MDz-129 (05/04)

Short Title: Sell Underutilized State Aircraft.

(Public)

Sponsors: Representatives Crawford and Cole (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE SALE OF CERTAIN UNDERUTILIZED STATE AIRCRAFT,  
3 AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION  
4 OVERSIGHT COMMITTEE OF THE NORTH CAROLINA GENERAL ASSEMBLY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** State agencies that own aircraft proposed for elimination in Exhibit  
7 15 of the Program Evaluation Division's report entitled "Selling 25 Underutilized Aircraft May  
8 Yield Up to \$8.1 Million and Save \$1.5 Million Annually" (Report 2010-04), shall eliminate  
9 those aircraft as soon as practicable and shall reduce personnel accordingly. Affected agencies  
10 may designate the particular aircraft to be eliminated so long as the number of aircraft proposed  
11 for elimination by the report are in fact eliminated.

12 Aircraft to be eliminated pursuant to this section that can be sold shall be sold by the  
13 affected agency as soon as practicable. The net proceeds from the sales and reductions required  
14 by this section shall be remitted to the State Treasurer for deposit into the General Fund.

15 Aircraft to be eliminated pursuant to this section that cannot be sold because of  
16 restrictions contained in federal law or agreements with the federal government shall cease to  
17 be used by the State agency, which shall arrange for their disposal in the most economically  
18 beneficial manner available to the State that satisfies any applicable restrictions.

19 **SECTION 2.** The Division of Forest Resources of the Department of Environment  
20 and Natural Resources shall terminate leases for, or appraise and sell, the five hangars selected  
21 for elimination in Exhibit 17 of the Program Evaluation Division's report entitled "Selling 25  
22 Underutilized Aircraft May Yield Up to \$8.1 Million and Save \$1.5 Million Annually" (Report  
23 2010-04) as the sale of aircraft required by Section 1 of this section makes the termination of  
24 leases for those facilities feasible. For purposes of this subsection, a lease is terminated if it is  
25 allowed to expire and not renewed. Nothing in this subsection requires the termination of a  
26 contract existing on the effective date of this subsection unless that contract provides a  
27 mechanism for termination that does not constitute a breach of contract.

28 **SECTION 3.** There is appropriated from the General Fund to the Division of  
29 Forest Resources of the Department of Environment and Natural Resources the sum of  
30 fifty-one thousand dollars (\$51,000) for the 2010-2011 fiscal year to contract for additional  
31 aircraft support for fire protection as needed. It is the intent of the General Assembly that these  
32 funds be recurring.

33 **SECTION 4.** Section 3 of this act becomes effective October 1, 2011. The  
34 remainder of this act is effective when it becomes law.

