

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 10
PROPOSED SENATE COMMITTEE SUBSTITUTE H10-PCS70098-RW-4

Short Title: Remove Route Restriction for NC 540 Loop.

(Public)

Sponsors:

Referred to:

January 31, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO REMOVE THE RESTRICTION ON THE TURNPIKE AUTHORITY'S
3 SELECTION OF A CORRIDOR LOCATION FOR THE SOUTHEAST EXTENSION
4 PROJECT OF N.C. 540; AND TO REMOVE AUTHORIZATION AND FUNDING
5 FROM THREE PROJECTS OF THE TURNPIKE AUTHORITY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 136-89.183(a)(2) reads as rewritten:

8 **"§ 136-89.183. Powers of the Authority.**

9 (a) The Authority shall have all of the powers necessary to execute the provisions of
10 this Article, including the following:

- 11 ...
- 12 (2) To study, plan, develop, and undertake preliminary design work on up to
13 ~~eight~~ five Turnpike Projects. At the conclusion of these activities, the
14 Turnpike Authority is authorized to design, establish, purchase, construct,
15 operate, and maintain the following projects:
- 16 a. Triangle Expressway, including segments also known as N.C. 540,
17 Triangle Parkway, Western Wake Freeway in Wake and Durham
18 Counties, and Southeast Extension in Wake and Johnston ~~Counties,~~
19 ~~except that no portion of the Southeast Extension shall be located~~
20 ~~north of an existing protected corridor established by the Department~~
21 ~~of Transportation circa 1995, except in the area of Interstate 40 East-~~
22 ~~Counties.~~
 - 23 b. ~~Gaston East West Connector, also known as the Garden Parkway.~~
 - 24 c. Monroe Connector/Bypass.
 - 25 d. ~~Cape Fear Skyway.~~
 - 26 e. ~~A bridge of more than two miles in length going from the mainland~~
27 ~~to a peninsula bordering the State of Virginia, pursuant to~~
28 ~~G.S. 136-89.183A."~~

29 **SECTION 2.** The Department of Transportation shall strive to expedite the federal
30 environmental impact statement process to define the route for the Southeast Extension of the
31 Triangle Expressway Turnpike Project by promptly garnering input from local officials and
32 other stakeholders, accelerating any required State studies, promptly submitting permit
33 applications to the federal government, working closely with the federal government during the
34 permitting process, and taking any other appropriate actions to accelerate the environmental
35 permitting process.



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1 **SECTION 3.** As part of its oversight of the Department of Transportation, the Joint
2 Legislative Transportation Oversight Committee shall closely monitor the progress of the
3 Southeast Extension of the Triangle Expressway Turnpike Project.

4 **SECTION 4.** G.S. 136-176(b2) reads as rewritten:

5 "(b2) There is annually appropriated to the North Carolina Turnpike Authority from the
6 Highway Trust Fund the sum of ~~one hundred twelve million dollars (\$112,000,000).~~ Forty-nine
7 million dollars (\$49,000,000). Of the amount allocated by this subsection, twenty-five million
8 dollars (\$25,000,000) shall be used to pay debt service or related financing costs and expenses
9 on revenue bonds or notes issued for the construction of the Triangle Expressway, and
10 twenty-four million dollars (\$24,000,000) shall be used to pay debt service or related financing
11 expenses on revenue bonds or notes issued for the construction of the Monroe
12 ~~Connector/Bypass, Connector/Bypass.~~ twenty-eight million dollars (\$28,000,000) shall be used
13 to pay debt service or related financing expenses on revenue bonds or notes issued for the
14 construction of the Mid-Currituck Bridge, and thirty-five million dollars (\$35,000,000) shall be
15 used to pay debt service or related financing expenses on revenue bonds or notes issued for the
16 construction of the Garden Parkway. The amounts appropriated to the Authority pursuant to this
17 subsection shall be used by the Authority to pay debt service or related financing costs and
18 expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more
19 Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating
20 reserves, and similar reserves in connection therewith. The appropriations established by this
21 subsection constitute an agreement by the State to pay the funds appropriated hereby to the
22 Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the
23 intention of the General Assembly that the enactment of this provision and the issuance of
24 bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge
25 of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit
26 the General Assembly from amending the appropriations made in this subsection at any time to
27 decrease or eliminate the amount annually appropriated to the Authority. Funds transferred
28 from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the
29 equity formula in G.S. 136-17.2A."

30 **SECTION 5.** G.S. 105-187.9 reads as rewritten:

31 "**§ 105-187.9. Disposition of tax proceeds.**

32 ...

33 (c) Mobility Fund Transfer. – In each fiscal year, the State Treasurer shall transfer
34 ~~fifty-eight million dollars (\$58,000,000)~~ one hundred twenty-one million dollars
35 (\$121,000,000) from the taxes deposited in the Trust Fund to the Mobility Fund. The transfer of
36 funds authorized by this section may be made by transferring one-fourth of the amount at the
37 end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of
38 each fiscal year, subject to the availability of revenue."

39 **SECTION 6.** This act is effective when it becomes law.