

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 134
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HOUSE PRINCIPAL CLERK

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HOUSE DRH80048-MH-48 (02/19)

Short Title: Repeal Garden Parkway Authorization/Funding. (Public)

Sponsors: Representative Bumgardner.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REMOVE THE GARDEN PARKWAY IN GASTON COUNTY FROM THE
3 LIST OF TURNPIKE AUTHORITY PROJECTS AND TO PREVENT THE
4 EXPENDITURE OF ANY FURTHER STATE FUNDS ON THE PROJECT.

5 The General Assembly of North Carolina enacts:

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

7 **"§ 136-89.183. Powers of the Authority.**

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

- 10 ...
- 11 (2) To study, plan, develop, and undertake preliminary design work on up to
12 ~~eight-seven~~ Turnpike Projects. At the conclusion of these activities, the
13 Turnpike Authority is authorized to design, establish, purchase, construct,
14 operate, and maintain the following projects:
- 15 a. Triangle Expressway, including segments also known as N.C. 540,
16 Triangle Parkway, Western Wake Freeway in Wake and Durham
17 Counties, and Southeast Extension in Wake and Johnston Counties,
18 except that no portion of the Southeast Extension shall be located
19 north of an existing protected corridor established by the Department
20 of Transportation circa 1995, except in the area of Interstate 40 East.
 - 21 b. ~~Gaston East-West Connector, also known as the Garden Parkway.~~
 - 22 c. Monroe Connector/Bypass.
 - 23 d. Cape Fear Skyway.
 - 24 e. A bridge of more than two miles in length going from the mainland
25 to a peninsula bordering the State of Virginia, pursuant to
26 G.S. 136-89.183A.

27"

28 **SECTION 2.** G.S. 136-176(b2) reads as rewritten:

29 "(b2) There is annually appropriated to the North Carolina Turnpike Authority from the
30 Highway Trust Fund the sum of ~~one hundred twelve million dollars (\$112,000,000)-~~
31 seventy-seven million dollars (\$77,000,000). Of the amount allocated by this subsection,
32 twenty-five million dollars (\$25,000,000) shall be used to pay debt service or related financing
33 costs and expenses on revenue bonds or notes issued for the construction of the Triangle
34 Expressway, twenty-four million dollars (\$24,000,000) shall be used to pay debt service or
35 related financing expenses on revenue bonds or notes issued for the construction of the Monroe
36 Connector/Bypass, and twenty-eight million dollars (\$28,000,000) shall be used to pay debt



1 service or related financing expenses on revenue bonds or notes issued for the construction of
2 the Mid-Currituck Bridge, and thirty five million dollars (\$35,000,000) shall be used to pay
3 ~~debt service or related financing expenses on revenue bonds or notes issued for the construction~~
4 ~~of the Garden Parkway Bridge.~~ The amounts appropriated to the Authority pursuant to this
5 subsection shall be used by the Authority to pay debt service or related financing costs and
6 expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more
7 Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating
8 reserves, and similar reserves in connection therewith. The appropriations established by this
9 subsection constitute an agreement by the State to pay the funds appropriated hereby to the
10 Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the
11 intention of the General Assembly that the enactment of this provision and the issuance of
12 bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge
13 of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit
14 the General Assembly from amending the appropriations made in this subsection at any time to
15 decrease or eliminate the amount annually appropriated to the Authority. Funds transferred
16 from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the
17 equity formula in G.S. 136-17.2A."

18 **SECTION 3.** No additional funds shall be expended by the North Carolina
19 Department of Transportation for planning, design, financing, or construction of the Garden
20 Parkway project during the 2013-2015 fiscal biennium.

21 **SECTION 4.** Section 3 of this act is effective when it becomes law. The remainder
22 of this act becomes effective July 1, 2013.