

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 134

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

Sponsors: Representative Bumgardner (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Transportation, if favorable, Appropriations, if favorable, Finance.

February 21, 2013

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



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

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

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