

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1029

A2

H1029-AMW-6 [v.11]

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

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date JUNE 14, 2018

Senator JEFF TARTÉ

1 moves to amend the bill on page 11, lines 8-40, by rewriting the lines to read:

2 **"FUNDS TO PAY FOR ANY COSTS RELATED TO**
3 **CANCELLATION/MODIFICATION OF I-77 COMPREHENSIVE AGREEMENT**

4 **SECTION 16.8.(a)** No later than October 15, 2018, the Governor may authorize the
5 Department of Transportation to cancel or modify the Comprehensive Agreement.

6 **SECTION 16.8(b)** If the Governor exercises the authority in subsection (a) of this
7 section, the Governor shall direct the Department of Transportation to allocate from the sources
8 set forth in the subdivisions of this subsection an amount necessary, not to exceed six hundred
9 twenty million dollars (\$620,000,000), to cover any costs, damages, or monetary penalties
10 determined to be owed by the State from the cancellation or modification of the Comprehensive
11 Agreement. Funds allocated under this subsection shall be placed in a nonreverting account in
12 the Highway Trust Fund, and the funds allocated are hereby appropriated for that purpose.

13 (1) Funds programmed to be distributed under G.S. 136-189.11(d) for all projects
14 from the current and future State Transportation Improvement Program and
15 located wholly in Mecklenburg County, Iredell County, or in both that (i) are
16 included in the five-year delivery program, (ii) are not subject to
17 reprioritization, and (iii) are not solely federally funded projects. Projects
18 under contract are not eligible for allocation under this subdivision. Projects
19 unfunded under this subdivision shall be removed from the State
20 Transportation Improvement Program. Nothing in this subdivision shall
21 prohibit projects from being resubmitted for future prioritization.

22 (2) Seventy five percent (75%) of the funds allocated under G.S. 136-41.1 and
23 G.S. 136-41.2 to any municipality in Mecklenburg County and to any
24 municipality located south of the intersection of Houston Road and I-77 in
25 Iredell County.

26 **SECTION 16.8.(c)** The funds allocated in subsection (b) of this section shall only
27 be used for the payment of any costs, damages, or monetary penalties determined to be owed by
28 the State from the cancellation or modification of the Comprehensive Agreement. No other use
29 of these funds are authorized by this section.

30 **SECTION 16.8.(d)** For purposes of this section, the term "Comprehensive
31 Agreement" means the Comprehensive Agreement for the I-77 HOT Lanes project in



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LINA GENERAL ASSEMBLY
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Page 2 of 2

- 1 Mecklenburg and Iredell Counties, dated June 26, 2014, including any amendments made to the
2 Comprehensive Agreement.
3 **SECTION 16.8.(e)** This section becomes effective June 30, 2018. Subsection (a) of
4 this section expires on October 15, 2018. The remainder of this section expires when all costs,
5 damages, or monetary penalties determined to be owed by the State from the cancellation or
6 modification of the Comprehensive Agreement are fully paid, and any remaining unexpended or
7 unencumbered funds in the nonreverting account are returned to the source from which the funds
8 came."; and
9
10 on page 11, line 42, through page 12, line 2, by deleting the lines; and
11
12 on page 5, lines 9-21, by deleting the lines.
13

SIGNED _____



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**