

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

SENATE BILL 1211

AN ACT

AMENDING SECTIONS 28-332, 28-334, 28-3001 AND 28-6540, ARIZONA REVISED STATUTES; REPEALING SECTIONS 28-6543 AND 28-6544, ARIZONA REVISED STATUTES; AMENDING SECTION 28-9203, ARIZONA REVISED STATUTES; REPEALING SECTION 41-2501, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 341, SECTION 4; AMENDING SECTION 41-2501, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 214, SECTION 2 AND CHAPTER 312, SECTION 7; RELATING TO THE DEPARTMENT OF TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-332, Arizona Revised Statutes, is amended to
3 read:

4 28-332. Department of transportation jurisdiction: duties:
5 divisions

6 A. The exclusive control and jurisdiction over state highways,
7 state routes, ~~state-owned~~ STATE-OWNED airports and all ~~state-owned~~
8 STATE-OWNED transportation systems or modes are vested in the department
9 of transportation.

10 B. The department shall:

11 1. Register motor vehicles and aircraft, license drivers, collect
12 revenues, enforce motor vehicle and aviation statutes and perform related
13 functions.

14 2. Do multimodal state transportation planning, cooperate and
15 coordinate transportation planning with local governments and establish an
16 annually updated priority program of capital improvements for all
17 transportation modes.

18 3. Design and construct transportation facilities in accordance
19 with a priority plan and maintain and operate state highways, ~~state-owned~~
20 STATE-OWNED airports and state public transportation systems.

21 4. Investigate new transportation systems and cooperate with and
22 advise local governments concerning the development and operation of
23 public transit systems.

24 5. Have administrative jurisdiction of transportation safety
25 programs and implement them in accordance with applicable law.

26 C. In order to carry out the responsibilities enumerated in
27 subsection B of this section, the department is organized into the
28 following divisions:

- 29 1. Motor vehicle.
- 30 2. Transportation planning.
- 31 3. Highways.
- 32 4. Aeronautics.
- 33 5. Public transit.
- 34 6. Administrative services.

35 D. The director may do any of the following:

36 1. Establish divisions in addition to those prescribed in
37 subsection C of this section.

38 2. Reorganize the department.

39 3. Consolidate the department.

40 4. EXCEPT AS PROVIDED IN CHAPTER 13 OF THIS TITLE AND SUBJECT TO
41 TITLE 41, CHAPTERS 6 AND 23, ESTABLISH ALTERNATIVE METHODS AND USE
42 CONTRACTED PRIVATE PERSONS FOR THE ADMINISTRATION OR DELIVERY OF PROGRAMS
43 OR FUNCTIONS UNDER THIS TITLE.

1 Sec. 2. Section 28-334, Arizona Revised Statutes, is amended to
2 read:

3 28-334. Acceptance and expenditure of federal monies;
4 limitations

5 A. The department may accept and expend grants, donations, aid or
6 other monies received from the federal government or any agency of the
7 federal government for any transportation purpose.

8 B. The department may contract and do all things necessary to
9 secure the full benefits available to this state for transportation
10 purposes under federal law and, in doing so, may cooperate with federal,
11 state and local government agencies, Indian tribes, private and public
12 organizations and private individuals. The department may exchange
13 federal funds with local governments in order to receive local funds and
14 may include additional federal funds in the exchange to offset matching
15 costs required of local governments.

16 C. THE DEPARTMENT MAY:

17 1. ASSUME THE RESPONSIBILITY OF THE UNITED STATES DEPARTMENT OF
18 TRANSPORTATION WITH RESPECT TO HIGHWAY PROJECTS WITH THIS STATE UNDER THE
19 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (P.L. 91-190; 83 STAT. 852; 42
20 UNITED STATES CODE SECTIONS 4321 THROUGH 4347) AND WITH RESPECT TO RELATED
21 RESPONSIBILITY FOR ENVIRONMENT REVIEW, CONSULTATION OR OTHER ACTION
22 REQUIRED UNDER ANY FEDERAL ENVIRONMENTAL LAW PERTAINING TO REVIEW OR
23 APPROVAL OF A HIGHWAY PROJECT IN THIS STATE.

24 2. ASSUME RESPONSIBILITY UNDER 23 UNITED STATES CODE SECTIONS 326
25 AND 327 AND ENTER INTO ONE OR MORE AGREEMENTS, INCLUDING MEMORANDA OF
26 UNDERSTANDING WITH THE UNITED STATES SECRETARY OF TRANSPORTATION RELATED
27 TO THE STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS AS
28 PROVIDED BY 23 UNITED STATES CODE SECTION 326 AND THE FEDERAL SURFACE
29 TRANSPORTATION PROJECT DELIVERY PROGRAM FOR THE DELIVERY OF HIGHWAY
30 PROJECTS AS PROVIDED BY 23 UNITED STATES CODE SECTION 327. SOVEREIGN
31 IMMUNITY FROM CIVIL SUIT IN FEDERAL COURT IS WAIVED CONSISTENT WITH 23
32 UNITED STATES CODE SECTIONS 326 AND 327 AND LIMITED TO THE COMPLIANCE,
33 DISCHARGE OR ENFORCEMENT OF A RESPONSIBILITY ASSUMED BY THE DEPARTMENT
34 UNDER THIS PARAGRAPH.

35 ~~C.~~ D. This chapter ~~shall~~ DOES not ~~be construed to~~ affect the
36 authority of other agencies or boards of this state or political
37 subdivisions from accepting, receiving or expending grants or other monies
38 from the federal government or any agency of the federal government for
39 transportation purposes pursuant to other provisions of law or charter.

40 Sec. 3. Section 28-3001, Arizona Revised Statutes, is amended to
41 read:

42 28-3001. Definitions

43 In this chapter, unless the context otherwise requires:

1 1. "Cancellation" means the annulment or termination of a driver
2 license because of an error or defect or because the licensee is no longer
3 entitled to the license.

4 2. "Commercial driver license" means a license that is issued to an
5 individual and that authorizes the individual to operate a class of
6 commercial motor vehicles.

7 3. "Commercial motor vehicle" means a motor vehicle or combination
8 of motor vehicles that is used in commerce to transport passengers or
9 property and that includes any of the following:

10 (a) A motor vehicle or combination of motor vehicles that has a
11 gross combined weight rating of twenty-six thousand one or more pounds
12 inclusive of a towed unit with a gross vehicle weight rating of more than
13 ten thousand pounds.

14 (b) A motor vehicle that has a gross vehicle weight rating of
15 twenty-six thousand one or more pounds.

16 (c) A bus.

17 (d) A motor vehicle or combination of motor vehicles that is used
18 in the transportation of materials found to be hazardous for the purposes
19 of the hazardous materials transportation authorization act of 1994 (49
20 United States Code sections 5101 through 5128) and is required to be
21 placarded under 49 Code of Federal Regulations section 172.504, as adopted
22 by the department pursuant to chapter 14 of this title.

23 4. "Conviction" has the same meaning prescribed in section 28-101
24 and also means a final conviction or judgment, including an order of a
25 juvenile court finding that a juvenile has violated a provision of this
26 title or has committed a delinquent act that if committed by an adult
27 constitutes any of the following:

28 (a) Criminal damage to property pursuant to section 13-1602,
29 subsection A, paragraph 1.

30 (b) A felony offense in the commission of which a motor vehicle was
31 used, including theft of a motor vehicle pursuant to section 13-1802,
32 unlawful use of means of transportation pursuant to section 13-1803 or
33 theft of means of transportation pursuant to section 13-1814.

34 (c) A forfeiture of bail or collateral deposited to secure a
35 defendant's appearance in court that has not been vacated.

36 5. "Disqualification" means a prohibition from obtaining a
37 commercial driver license or driving a commercial motor vehicle.

38 6. "Employer" means a person, including the United States, a state
39 or a political subdivision of a state, that owns or leases a commercial
40 motor vehicle or that assigns a person to operate a commercial motor
41 vehicle.

42 7. "Endorsement" means an authorization that is added to an
43 individual's driver license and that is required to permit the individual
44 to operate certain types of vehicles.

45 8. "Foreign" means outside the United States.

1 9. "Gross vehicle weight rating" means the weight that is assigned
2 by the vehicle manufacturer to a vehicle and that represents the maximum
3 recommended total weight including the vehicle and the load for the
4 vehicle.

5 10. "Judgment" means a final judgment and any of the following:

6 (a) The finding by a court that an individual is responsible for a
7 civil traffic violation.

8 (b) An individual's admission of responsibility for a civil traffic
9 violation.

10 (c) The voluntary or involuntary forfeiture of deposit in
11 connection with a civil traffic violation.

12 (d) A default judgment entered by a court pursuant to section
13 28-1596.

14 11. "License class" means, for the purpose of determining the
15 appropriate class of driver license required for the type of motor vehicle
16 or vehicle combination a driver intends to operate or is operating, the
17 class of driver license prescribed in section 28-3101.

18 12. "Nondomiciled commercial driver license" means a commercial
19 driver license issued to an individual domiciled in a foreign country or
20 to an individual domiciled in another state if that state is prohibited
21 from issuing commercial driver licenses.

22 13. "Original applicant" means any of the following:

23 (a) An applicant who has never been licensed or cannot provide
24 evidence of licensing.

25 (b) An applicant who is applying for a higher class of driver
26 license than the license currently held by the applicant.

27 (c) An applicant who has a license from a foreign country.

28 14. "Revocation" means that the driver license and driver's
29 privilege to drive a motor vehicle on the public highways of this state
30 are terminated and shall not be renewed or restored, except that an
31 application for a new license may be presented and acted on by the
32 department after one year from the date of revocation.

33 15. "State of domicile" means the state or jurisdiction where a
34 person has the person's true, fixed and permanent home and principal
35 residence and to which the person has the intention of returning after an
36 absence.

37 16. "Suspension" means that the driver license and driver's
38 privilege to drive a motor vehicle on the public highways of this state
39 are temporarily withdrawn during the period of the suspension ~~and until~~
40 ~~application for reinstatement is made.~~

41 17. "Vehicle combination" means a motor vehicle and a vehicle in
42 excess of ten thousand pounds gross vehicle weight that it tows, if the
43 combined gross vehicle weight rating is more than twenty-six thousand
44 pounds.

1 Sec. 4. Section 28-6540, Arizona Revised Statutes, is amended to
2 read:

3 28-6540. Arizona highway user revenue fund distribution;
4 county, city and town proportions

5 Each month the state treasurer shall distribute all revenues
6 credited to the Arizona highway user revenue fund pursuant to the
7 proportions prescribed in section 28-6538, subsection A as follows:

8 1. Revenues allocated to the counties shall be further distributed
9 to each individual county, ~~the distribution to which was not restricted~~
10 ~~pursuant to section 28-6543, subsection A,~~ as follows:

11 (a) Seventy-two ~~per cent~~ PERCENT based on the proportion that all
12 reported sales of motor vehicle fuel subject to sections 28-5619 and
13 28-5620 and the estimated consumption of use fuel in the county bear to
14 the total sales of motor vehicle fuel and the estimated consumption of use
15 fuel throughout this state during the preceding calendar month.

16 (b) Twenty-eight ~~per cent~~ PERCENT based on the proportion that the
17 population of the unincorporated area of each county bears to the
18 population of the unincorporated areas of all counties in this state.

19 2. Revenues allocated to the incorporated cities and towns pursuant
20 to section 28-6538, subsection A, paragraph 3 shall be distributed on the
21 basis of the following apportionments:

22 (a) One-half shall be apportioned to each city or town, ~~the~~
23 ~~distribution to which was not restricted pursuant to section 28-6543,~~
24 ~~subsection A,~~ on the basis that the population of each bears to the
25 population of all cities and towns in this state.

26 (b) ~~Subject to section 28-6543, subsection A,~~ The remaining
27 one-half shall be apportioned first on the basis of the county origin of
28 all reported sales of motor vehicle fuels in this state subject to
29 sections 28-5619 and 28-5620, which amount shall be further apportioned
30 among the several incorporated cities and towns in each county in the
31 proportion that the population of each city or town bears to the total
32 population of all cities and towns in the county.

33 3. Revenues allocated to incorporated cities with a population of
34 three hundred thousand or more persons shall be apportioned among the
35 cities, ~~the distribution to which was not restricted pursuant to section~~
36 ~~28-6543, subsection A,~~ for the acquisition of rights-of-way or
37 construction of streets or highways based on population.

38 Sec. 5. Repeal

39 Sections 28-6543 and 28-6544, Arizona Revised Statutes, are
40 repealed.

41 Sec. 6. Section 28-9203, Arizona Revised Statutes, is amended to
42 read:

43 28-9203. Risk management; payment of costs

44 The organization that operates a light rail transit system shall:

1 1. Pay for any risk management costs the department incurs
2 resulting from the department's safety oversight of light rail transit
3 systems pursuant to this chapter.

4 2. Pay for judgments against this state resulting from the
5 department's safety oversight of light rail transit systems pursuant to
6 this chapter.

7 ~~3. Pay the department's costs resulting from administering this~~
8 ~~chapter.~~

9 Sec. 7. Repeal

10 Section 41-2501, Arizona Revised Statutes, as amended by Laws 2016,
11 chapter 341, section 4, is repealed.

12 Sec. 8. Section 41-2501, Arizona Revised Statutes, as amended by
13 Laws 2016, chapter 214, section 2 and chapter 312, section 7, is amended
14 to read:

15 41-2501. Applicability

16 A. This chapter applies only to procurements initiated after
17 January 1, 1985 unless the parties agree to its application to
18 procurements initiated before that date.

19 B. This chapter applies to every expenditure of public monies,
20 including federal assistance monies except as otherwise specified in
21 section 41-2637, by this state, acting through a state governmental unit
22 as defined in this chapter, under any contract, except that this chapter
23 does not apply to either grants as defined in this chapter, or contracts
24 between this state and its political subdivisions or other governments,
25 except as provided in chapter 24 of this title and in article 10 of this
26 chapter. This chapter also applies to the disposal of state materials.
27 This chapter and rules adopted under this chapter do not prevent any state
28 governmental unit or political subdivision from complying with the terms
29 of any grant, gift, bequest or cooperative agreement.

30 C. All political subdivisions and other local public agencies of
31 this state may adopt all or any part of this chapter and the rules adopted
32 pursuant to this chapter.

33 D. Notwithstanding any other law, sections 41-2517 and 41-2546
34 apply to any agency as defined in section 41-1001, including the office of
35 the governor.

36 E. The Arizona board of regents and the legislative and judicial
37 branches of state government are not subject to this chapter except as
38 prescribed in subsection F of this section.

39 F. The Arizona board of regents and the judicial branch shall adopt
40 rules prescribing procurement policies and procedures for themselves and
41 institutions under their jurisdiction. The rules must be substantially
42 equivalent to the policies and procedures prescribed in this chapter.

43 G. The Arizona state lottery commission is exempt from this chapter
44 for procurement relating to the design and operation of the lottery or
45 purchase of lottery equipment, tickets and related materials. The

1 executive director of the Arizona state lottery commission shall adopt
2 rules substantially equivalent to the policies and procedures in this
3 chapter for procurement relating to the design and operation of the
4 lottery or purchase of lottery equipment, tickets or related materials.
5 All other procurement shall be as prescribed by this chapter.

6 H. The Arizona health care cost containment system administration
7 is exempt from this chapter for provider contracts pursuant to section
8 36-2904, subsection A and contracts for goods and services, including
9 program contractor contracts pursuant to title 36, chapter 29, articles 2
10 and 3 and contracts with regional behavioral health authorities pursuant
11 to title 36, chapter 34. All other procurement, including contracts for
12 the statewide administrator of the program pursuant to section 36-2903,
13 subsection B, shall be as prescribed by this chapter.

14 ~~I. Arizona industries for the blind is exempt from this chapter for~~
15 ~~purchases of finished goods from members of national industries for the~~
16 ~~blind and for purchases of raw materials for use in the manufacture of~~
17 ~~products for sale pursuant to section 41-1972. All other procurement~~
18 ~~shall be as prescribed by this chapter.~~

19 ~~J. I.~~ I. Arizona correctional industries is exempt from this chapter
20 for purchases of raw materials, components and supplies that are used in
21 the manufacture or production of goods or services for sale entered into
22 pursuant to section 41-1622. All other procurement shall be as prescribed
23 by this chapter.

24 ~~K. J.~~ J. The state transportation board and the director of the
25 department of transportation are exempt from this chapter other than
26 ~~section~~ SECTIONS 41-2517 AND 41-2586 AND ARE SUBJECT TO TITLE 28, CHAPTER
27 20 AND 2 CODE OF FEDERAL REGULATIONS SECTION 200.317 for the procurement
28 of ~~construction or reconstruction, including engineering services, of~~
29 ~~transportation facilities or highway facilities and any other services~~
30 ~~that are directly related to land titles, appraisals, real property~~
31 ~~acquisition, relocation, property management or building facility design~~
32 ~~and construction for highway development and that are required pursuant to~~
33 ~~title 28, chapter 20.~~ THE FOLLOWING:

34 1. ALL ITEMS OF CONSTRUCTION, RECONSTRUCTION, REHABILITATION,
35 PRESERVATION OR IMPROVEMENT UNDERTAKEN ON HIGHWAY INFRASTRUCTURE.

36 2. ENGINEERING SERVICES AND ANY OTHER WORK OR ACTIVITY TO CARRY OUT
37 ENGINEERING SERVICES RELATED TO HIGHWAY INFRASTRUCTURE.

38 3. RIGHT-OF-WAY SERVICES RELATED TO LAND TITLES, APPRAISALS, REAL
39 PROPERTY ACQUISITIONS, RELOCATION SERVICES, PROPERTY MANAGEMENT AND
40 FACILITY DESIGN.

41 4. ANY OTHER CONSTRUCTION, RECONSTRUCTION, REHABILITATION,
42 PRESERVATION OR IMPROVEMENT WORK OR ACTIVITY THAT IS REQUIRED PURSUANT TO
43 TITLE 28, CHAPTER 20.

44 ~~L. K.~~ K. The Arizona highways magazine is exempt from this chapter
45 for contracts for the production, promotion, distribution and sale of the

1 magazine and related products and for contracts for sole source creative
2 works entered into pursuant to section 28-7314, subsection A, paragraph 5.
3 All other procurement shall be as prescribed by this chapter.

4 ~~M.~~ L. The secretary of state is exempt from this chapter for
5 contracts entered into pursuant to section 41-1012 to publish and sell the
6 administrative code. All other procurement shall be as prescribed by this
7 chapter.

8 ~~N.~~ M. This chapter is not applicable to contracts for professional
9 witnesses if the purpose of such contracts is to provide for professional
10 services or testimony relating to an existing or probable judicial
11 proceeding in which this state is or may become a party or to contract for
12 special investigative services for law enforcement purposes.

13 ~~O.~~ N. The head of any state governmental unit, in relation to any
14 contract exempted by this section from this chapter, has the same
15 authority to adopt rules, procedures or policies as is delegated to the
16 director pursuant to this chapter.

17 ~~P.~~ O. Agreements negotiated by legal counsel representing this
18 state in settlement of litigation or threatened litigation are exempt from
19 this chapter.

20 ~~Q.~~ P. This chapter is not applicable to contracts entered into by
21 the department of economic security:

22 1. With a provider licensed or certified by an agency of this state
23 to provide child day care services.

24 2. With area agencies on aging created pursuant to the older
25 Americans act of 1965 (P.L. 89-73; 79 Stat. 218; 42 United States Code
26 sections 3001 through 3058ff).

27 3. For services pursuant to title 36, chapter 29, article 2.

28 4. With an eligible entity as defined by Public Law 105-285,
29 section 673(1)(A)(i), as amended, for designated community services block
30 grant program monies and any other monies given to the eligible entity
31 that accomplishes the purpose of Public Law 105-285, section 672.

32 ~~R.~~ Q. The Arizona health care cost containment system may not
33 require that persons with whom it contracts follow this chapter for the
34 purposes of subcontracts entered into for the provision of the following:

35 1. Mental health services pursuant to section 36-189, subsection B.

36 2. Services for the seriously mentally ill pursuant to title 36,
37 chapter 5, article 10.

38 3. Drug and alcohol services pursuant to section 36-141.

39 ~~S.~~ R. The department of health services may not require that
40 persons with whom it contracts follow this chapter for the purpose of
41 subcontracts entered into for the provision of domestic violence services
42 pursuant to title 36, chapter 30, article 1.

43 ~~T.~~ S. The department of health services is exempt from this
44 chapter for contracts for services of physicians at the Arizona state
45 hospital.

1 ~~U.~~ T. Contracts for goods and services approved by the board of
2 trustees of the public safety personnel retirement system are exempt from
3 this chapter.

4 ~~V.~~ U. The Arizona department of agriculture is exempt from this
5 chapter with respect to contracts for private labor and equipment to
6 effect cotton or cotton stubble plow-up pursuant to rules adopted under
7 title 3, chapter 2, article 1.

8 ~~W.~~ V. The Arizona state parks board is exempt from this chapter
9 for purchases of guest supplies and items for resale such as food, linens,
10 gift items, sundries, furniture, china, glassware and utensils for the
11 facilities located in the Tonto natural bridge state park.

12 ~~X.~~ W. The Arizona state parks board is exempt from this chapter
13 for the purchase, production, promotion, distribution and sale of
14 publications, souvenirs and sundry items obtained and produced for resale.

15 ~~Y.~~ X. The Arizona state schools for the deaf and the blind are
16 exempt from this chapter for the purchase of textbooks and when purchasing
17 products through a cooperative that is organized and operates in
18 accordance with state law if such products are not available on a
19 statewide contract and are related to the operation of the schools or are
20 products for which special discounts are offered for educational
21 institutions.

22 ~~Z.~~ Y. Expenditures of monies in the morale, welfare and
23 recreational fund established by section 26-153 are exempt from this
24 chapter.

25 ~~AA.~~ Z. Notwithstanding section 41-2534, the director of the state
26 department of corrections may contract with local medical providers in
27 counties with a population of less than four hundred thousand persons for
28 the following purposes:

29 1. To acquire hospital and professional medical services for
30 inmates who are incarcerated in state department of corrections facilities
31 that are located in those counties.

32 2. To ensure the availability of emergency medical services to
33 inmates in all counties by contracting with the closest medical facility
34 that offers emergency treatment and stabilization.

35 ~~BB.~~ AA. The department of environmental quality is exempt from
36 this chapter for contracting for procurements relating to the water
37 quality assurance revolving fund program established pursuant to title 49,
38 chapter 2, article 5. The department shall engage in a source selection
39 process that is similar to the procedures prescribed by this chapter. The
40 department may contract for remedial actions with a single selection
41 process. The exclusive remedy for disputes or claims relating to
42 contracting pursuant to this subsection is as prescribed by article 9 of
43 this chapter and the rules adopted pursuant to that article. All other
44 procurement by the department shall be as prescribed by this chapter.

1 ~~CC~~ BB. The motor vehicle division of the department of
2 transportation is exempt from this chapter for third-party authorizations
3 pursuant to title 28, chapter 13, only if all of the following conditions
4 exist:
5 1. The division does not pay any public monies to an authorized
6 third party.
7 2. Exclusivity is not granted to an authorized third party.
8 3. The director has complied with the requirements prescribed in
9 title 28, chapter 13 in selecting an authorized third party.
10 ~~DD~~ CC. This section does not exempt third-party authorizations
11 pursuant to title 28, chapter 13 from any other applicable law.
12 ~~EE~~ DD. The state forester is exempt from this chapter for
13 purchases and contracts relating to wildland fire suppression and
14 pre-positioning equipment resources and for other activities related to
15 combating wildland fires and other unplanned risk activities, including
16 fire, flood, earthquake, wind and hazardous material responses. All other
17 procurement by the state forester shall be as prescribed by this chapter.
18 ~~FF~~ EE. The cotton research and protection council is exempt from
19 this chapter for procurements.
20 ~~GG~~ FF. Expenditures of monies in the Arizona agricultural
21 protection fund established by section 3-3304 are exempt from this
22 chapter.
23 ~~HH~~ GG. The Arizona commerce authority is exempt from this
24 chapter, except article 10 for the purpose of cooperative purchases. The
25 authority shall adopt policies, procedures and practices, in consultation
26 with the department of administration, that are similar to and based on
27 the policies and procedures prescribed by this chapter for the purpose of
28 increased public confidence, fair and equitable treatment of all persons
29 engaged in the process and fostering broad competition while accomplishing
30 flexibility to achieve the authority's statutory requirements. The
31 authority shall make its policies, procedures and practices available to
32 the public. The authority may exempt specific expenditures from the
33 policies, procedures and practices.
34 ~~II~~ HH. The Arizona exposition and state fair board is exempt from
35 this chapter for contracts for professional entertainment.
36 ~~JJ~~ II. This chapter does not apply to the purchase of water, gas
37 or electric utilities.
38 ~~KK~~ JJ. This chapter does not apply to professional
39 certifications, professional memberships and conference registrations.
40 ~~LL~~ KK. The department of gaming is exempt from this chapter for
41 problem gambling treatment services contracts with licensed behavioral
42 health professionals.
43 ~~MM~~ LL. This chapter does not apply to contracts for credit
44 reporting services.

1 ~~NN.~~ MM. This chapter does not apply to contracts entered into by
2 the department of child safety:
3 1. With a provider of family foster care pursuant to section 8-503.
4 2. With an eligible entity as defined by Public Law 105-285,
5 section 673(1)(A)(i), as amended, for designated community services block
6 grant program monies and any other monies given to the eligible entity
7 that accomplishes the purpose of Public Law 105-285, section 672.
8 ~~OO.~~ NN. This chapter does not apply to contracts entered into by
9 the department of economic security with a financial institution to serve
10 as a program manager and depository under section 46-903.