

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1102

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 9, chapter 4, article 6.1, Arizona Revised
3 Statutes, is amended by adding section 9-462.10, to read:

4 9-462.10. Zoning; height; density; high-capacity transit
5 route; grants

6 A. A MUNICIPALITY MAY ALLOW MAXIMUM HEIGHT AND DENSITY RESTRICTIONS
7 IN AREAS ZONED FOR RESIDENTIAL AND COMMERCIAL MIXED USE FOR ALL PROPERTIES
8 THAT ARE ADJACENT TO OR COMBINED ADJACENT TO HIGH-CAPACITY TRANSIT ROUTES.

9 B. IF A MUNICIPALITY ALLOWS MAXIMUM HEIGHT AND DENSITY RESTRICTIONS
10 AS DESCRIBED IN SUBSECTION A OF THIS SECTION, THE MUNICIPALITY IS ELIGIBLE
11 FOR GRANT MONIES COLLECTED PURSUANT TO SECTION 42-6105.01 TO BE USED TO
12 ACQUIRE LAND FOR RESIDENTIAL AND COMMERCIAL MIXED-USE PROPERTIES.

13 Sec. 2. Title 9, chapter 4, article 8, Arizona Revised Statutes, is
14 amended by adding section 9-500.40, to read:

15 9-500.40. Pocket shelters; religious, nonprofit or low-income
16 housing organizations; definitions

17 A. A CITY OR TOWN MAY NOT PROHIBIT A RELIGIOUS ORGANIZATION, A
18 NONPROFIT ORGANIZATION OR A LOW-INCOME HOUSING ORGANIZATION FROM PROVIDING
19 A POCKET SHELTER IF ALL OF THE FOLLOWING APPLY:

20 1. THE ORGANIZATION PROVIDES ONLY ONE POCKET SHELTER.

21 2. THE POCKET SHELTER HOUSES NOT MORE THAN TWELVE UNRELATED PERSONS
22 EXCEPT THAT THE POCKET SHELTER MAY HOUSE UP TO TWENTY UNRELATED MINORS WHO
23 ARE ACCOMPANIED BY A PARENT OR GUARDIAN. FOR THE PURPOSES OF THIS

1 PARAGRAPH, MINORS WHO ARE ACCOMPANIED BY A PARENT OR GUARDIAN SHALL NOT BE
2 COUNTED IN THE NUMBER OF UNRELATED PERSONS.

3 3. THE ORGANIZATION PROVIDES ON-SITE SUPERVISION OF POCKET SHELTER
4 RESIDENTS AT ALL TIMES IF TWO OR MORE UNRELATED RESIDENTS ARE AT THE POCKET
5 SHELTER.

6 4. POCKET SHELTER RESIDENTS DO NOT POSSESS ALCOHOL, ILLEGAL DRUGS OR
7 WEAPONS AT THE POCKET SHELTER.

8 5. DRUG, ALCOHOL OR OTHER SUBSTANCE ABUSE OR MENTAL HEALTH
9 REHABILITATION PROGRAMS ARE NOT ALLOWED AS PART OF THE POCKET SHELTER
10 SERVICES. THIS PARAGRAPH DOES NOT PREVENT THE ORGANIZATION FROM REFERRING
11 POCKET SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS PROVIDED BY THE
12 ORGANIZATION OR BY OTHERS.

13 6. OPEN AREAS SURROUNDING THE POCKET SHELTER STRUCTURE ARE SCREENED
14 AND THE POCKET SHELTER STRUCTURE IS SCREENED FROM VIEW FROM ANY ADJOINING
15 PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING OR WALLS.

16 7. THE POCKET SHELTER DOES NOT HAVE DIRECT ACCESS TO ADJOINING
17 PROPERTIES.

18 8. THE POCKET SHELTER IS HOUSED IN A PERMANENT STRUCTURE AND NOT IN
19 A TEMPORARY STRUCTURE.

20 B. FOR THE PURPOSES OF THIS SECTION:

21 1. "POCKET SHELTER" MEANS A NONCONGREGATE HOUSING SHELTER THAT IS AN
22 ACCESSORY TO A RELIGIOUS ORGANIZATION, A NONPROFIT ORGANIZATION OR A
23 LOW-INCOME HOUSING ORGANIZATION AND THAT HOUSES THIRTY-TWO OR FEWER
24 PERSONS.

25 2. "RELIGIOUS ORGANIZATION" MEANS A HOUSE OF WORSHIP, CHURCH,
26 SYNAGOGUE, SHRINE, MOSQUE OR TEMPLE.

1 Sec. 3. Title 11, chapter 2, article 4, Arizona Revised Statutes, is
2 amended by adding section 11-269.06, to read:

3 11-269.06. Pocket shelters; religious, nonprofit or low-income
4 housing organizations; definitions

5 A. A COUNTY MAY NOT PROHIBIT A RELIGIOUS ORGANIZATION, A NONPROFIT
6 ORGANIZATION OR A LOW-INCOME HOUSING ORGANIZATION FROM PROVIDING A POCKET
7 SHELTER IF ALL OF THE FOLLOWING APPLY:

8 1. THE ORGANIZATION PROVIDES ONLY ONE POCKET SHELTER.

9 2. THE POCKET SHELTER HOUSES MORE THAN TWELVE UNRELATED PERSONS
10 EXCEPT THAT A POCKET SHELTER MAY HOUSE UP TO TWENTY UNRELATED MINORS WHO
11 ARE ACCOMPANIED BY A PARENT OR GUARDIAN. FOR THE PURPOSES OF THIS
12 PARAGRAPH, MINORS WHO ARE ACCOMPANIED BY A PARENT OR GUARDIAN SHALL NOT BE
13 COUNTED IN THE NUMBER OF UNRELATED PERSONS.

14 3. THE ORGANIZATION PROVIDES ON-SITE SUPERVISION OF POCKET SHELTER
15 RESIDENTS AT ALL TIMES IF TWO OR MORE UNRELATED RESIDENTS ARE AT THE POCKET
16 SHELTER.

17 4. POCKET SHELTER RESIDENTS DO NOT POSSESS ALCOHOL, ILLEGAL DRUGS OR
18 WEAPONS AT THE POCKET SHELTER.

19 5. DRUG, ALCOHOL OR OTHER SUBSTANCE ABUSE OR MENTAL HEALTH
20 REHABILITATION PROGRAMS ARE NOT ALLOWED AS PART OF THE POCKET SHELTER
21 SERVICES. THIS PARAGRAPH DOES NOT PREVENT THE ORGANIZATION FROM REFERRING
22 POCKET SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS PROVIDED BY THE
23 ORGANIZATION OR BY OTHERS.

24 6. OPEN AREAS SURROUNDING THE POCKET SHELTER STRUCTURE ARE SCREENED
25 AND THE POCKET SHELTER STRUCTURE IS SCREENED FROM VIEW FROM ANY ADJOINING
26 PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING OR WALLS.

27 7. THE POCKET SHELTER DOES NOT HAVE DIRECT ACCESS TO ADJOINING
28 PROPERTIES.

29 8. THE POCKET SHELTER IS HOUSED IN A PERMANENT STRUCTURE AND NOT IN
30 A TEMPORARY STRUCTURE.

1 B. FOR THE PURPOSES OF THIS SECTION:

2 1. "POCKET SHELTER" MEANS A NONCONGREGATE HOUSING SHELTER THAT IS AN
3 ACCESSORY TO A RELIGIOUS ORGANIZATION, A NONPROFIT ORGANIZATION OR A
4 LOW-INCOME HOUSING ORGANIZATION AND THAT HOUSES THIRTY-TWO OR FEWER
5 PERSONS.

6 2. "RELIGIOUS ORGANIZATION" MEANS A HOUSE OF WORSHIP, CHURCH,
7 SYNAGOGUE, SHRINE, MOSQUE OR TEMPLE.

8 Sec. 4. Title 11, chapter 6, article 2, Arizona Revised Statutes, is
9 amended by adding section 11-820.04, to read:

10 11-820.04. Zoning; height; density; high-capacity transit
11 route

12 A COUNTY SHALL ALLOW MAXIMUM HEIGHT AND DENSITY RESTRICTIONS IN AREAS
13 ZONED FOR RESIDENTIAL AND COMMERCIAL MIXED USE FOR ALL PROPERTIES THAT ARE
14 ADJACENT TO OR COMBINED ADJACENT TO HIGH-CAPACITY TRANSIT ROUTES.

15 Sec. 5. Section 28-304, Arizona Revised Statutes, is amended to
16 read:

17 28-304. Powers and duties of the board; transportation
18 facilities

19 A. The board shall:

20 1. Develop and adopt a statewide transportation policy statement.
21 The policy statement shall be adopted as described in section 28-306.

22 2. Adopt a long-range statewide transportation plan. The plan shall
23 be adopted as described in section 28-307.

24 3. Adopt uniform transportation planning practices and ~~performance~~
25 ~~based~~ PERFORMANCE-BASED planning processes for use by the department. The
26 practices and processes shall be developed as described in sections 28-502
27 and 28-503.

28 4. Adopt transportation system performance measures and factors and
29 data collection standards to be used by the department. The performance
30 measures, factors and standards shall be developed as described in sections
31 28-504 and 28-505.

1 B. With respect to highways, the board shall:

2 1. Establish a complete system of state highway routes.

3 2. Determine which state highway routes or portions of the routes
4 are accepted into the state highway system and which state highway routes
5 to improve.

6 3. Establish, open, relocate or alter a portion of a state route or
7 state highway.

8 4. Vacate or abandon a portion of a state route or state highway as
9 prescribed in section 28-7209.

10 5. Sell board funding obligations to the state treasurer as provided
11 in section 28-7678.

12 C. The board shall:

13 1. Establish policies to guide the development or modification of
14 the five year transportation facilities construction program that are
15 consistent with the principles of ~~performance-based~~ PERFORMANCE-BASED
16 planning developed pursuant to article 7 of this chapter. The percentage
17 of department discretionary monies allocated to the region in the ~~regional~~
18 ~~transportation~~ plan approved pursuant to chapter 17, article 1 of this
19 title shall not increase or decrease unless the board, in cooperation with
20 the regional planning agency, agrees to change the percentage of the
21 discretionary monies.

22 2. Award all construction contracts for transportation facilities.

23 3. Monitor the status of these construction projects.

24 D. The board shall determine priority program planning with respect
25 to transportation facilities using the ~~performance-based~~ PERFORMANCE-BASED
26 methods developed pursuant to article 7 of this chapter.

27 E. With respect to transportation facilities other than highways,
28 the board shall establish, open, relocate, alter, vacate or abandon all or
29 portions of the facilities.

30 F. With respect to aeronautics, the board shall perform the
31 functions prescribed in chapter 25 of this title.

1 ~~D.~~ E. A violation of this section is a civil traffic violation, and
2 the person is subject to a civil penalty that does not exceed the amount
3 provided by section 28-1598.

4 ~~E.~~ F. For the purposes of this section, "urbanized area" means an
5 urbanized area as defined in the decennial census by the United States
6 bureau of the census.

7 Sec. 7. Section 28-6301, Arizona Revised Statutes, is amended to
8 read:

9 28-6301. Definitions

10 In this article, unless the context otherwise requires:

11 1. "~~Bond-related~~ BOND-RELATED expenses" means:

12 (a) Printing, publication or advertising expenses with respect to
13 the sale and issuance of any bonds.

14 (b) Fees, expenses and costs of registrars, paying agents and
15 transfer agents retained by the board.

16 (c) Fees, expenses and costs of attorneys, accountants, actuaries,
17 feasibility consultants, computer programmers or other experts employed to
18 aid in the sale and issuance of the bonds.

19 (d) Other costs, fees and expenses incurred or reasonably related to
20 the issuance, sale and administration of the bonds.

21 2. "~~Bond-related~~ BOND-RELATED obligation" means any agreement or
22 contractual relationship between the board and any bank, trust company,
23 insurance company, surety bonding company, pension fund or other financial
24 institution providing increased credit on, or security for, the bonds or
25 liquidity for secondary market transactions.

26 3. "Bonds" means any bonds that are payable from the regional area
27 road fund as provided in chapter 21, article 2 of this title.

28 4. "Construction interest" means a company whose primary function
29 consists of building freeways, highways or major arterial streets.

30 5. "Controlled access highway" has the same meaning prescribed in
31 section 28-601.

1 6. "Freight interest" means a company that derives a substantial
2 portion of its revenue from transporting goods.

3 ~~7. "Major amendment" means either:~~

4 ~~(a) The addition or deletion of a freeway, route on the state~~
5 ~~highway system or a fixed guideway transit system.~~

6 ~~(b) The addition or deletion of a portion of a freeway, route on the~~
7 ~~state highway system or a fixed guideway transit system that either exceeds~~
8 ~~one mile in length or exceeds an estimated cost of forty million dollars as~~
9 ~~provided in the regional transportation plan.~~

10 ~~(c) The modification of a transportation project in a manner that~~
11 ~~eliminates a connection between freeway facilities or fixed guideway~~
12 ~~facilities.~~

13 7. "MAJOR ARTERIAL" MEANS AN INTERCONNECTED THOROUGHFARE WHOSE
14 PRIMARY FUNCTION IS TO LINK AREAS IN THE REGION AND TO DISTRIBUTE TRAFFIC
15 TO AND FROM CONTROLLED ACCESS HIGHWAYS, GENERALLY OF REGIONWIDE
16 SIGNIFICANCE AND OF VARYING CAPACITY DEPENDING ON THE TRAVEL DEMAND FOR THE
17 SPECIFIC DIRECTION AND ADJACENT LAND USES.

18 8. "PERFORMANCE-BASED" MEANS REGIONAL PLANNING AGENCY PROCESSES AND
19 PRACTICES THAT ARE CONSISTENT WITH FEDERAL LAW, INCLUDING:

20 (a) REQUIREMENTS PRESCRIBED IN 23 UNITED STATES CODE SECTION 134 AND
21 49 UNITED STATES CODE SECTION 5303.

22 (b) SYSTEM PERFORMANCE FACTORS SET FORTH IN SECTION 28-505, AS
23 APPLICABLE.

24 9. "PLAN" HAS THE SAME MEANING PRESCRIBED IN SECTION 28-6351.

25 ~~8.~~ 10. "Population" means the population determined in the most
26 recent United States decennial census or the most recent special census as
27 provided in section 28-6532 and revisions to the decennial or special
28 census certified by the United States bureau of the census.

29 ~~9.~~ 11. "Public transportation" means moving passengers by means of
30 a conveyance operated by or for a political subdivision of this state,
31 including dial-a-ride transportation, special needs transportation and van
32 pool transportation but excluding school buses.

1 ~~10.~~ 12. "Public transportation system" means the combination of
2 individuals, vehicles, physical facilities, structures and equipment that
3 together provide, or facilitate providing, public transportation, including
4 buses, high occupancy vehicle roadway lanes and ramps, bus pull-out lanes,
5 bus and light rail waiting facilities, park and ride parking lots,
6 intelligent transportation systems and ridesharing promotion.

7 13. "REGIONAL PROGRAMS" MEANS TRANSPORTATION PROJECTS THAT ARE
8 SELECTED THROUGH A PERFORMANCE-BASED PROCESS FOR ARTERIAL IMPROVEMENTS,
9 ACTIVE TRANSPORTATION, AIR QUALITY, EMERGING TECHNOLOGIES, INTELLIGENT
10 TRANSPORTATION SYSTEMS, SAFETY AND TRANSPORTATION DEMAND MANAGEMENT.

11 ~~11.~~ 14. "Regionwide business" means a company that provides goods
12 or services throughout the county.

13 ~~12.~~ 15. "Transit interest" means an individual with demonstrated
14 interest and experience with public transportation.

15 Sec. 8. Section 28-6302, Arizona Revised Statutes, is amended to
16 read:

17 28-6302. Transportation excise tax distribution; counties with
18 three million or more persons; regional area road
19 fund

20 A. In a county with a population of ~~one~~ THREE million ~~two hundred~~
21 ~~thousand~~ or more persons, the officer collecting transportation excise tax
22 monies pursuant to section 42-6105 OR 42-6105.01 that are designated for
23 deposit in the regional area road fund shall immediately transfer the
24 monies to the state treasurer. The state treasurer shall deposit the
25 monies in a fund designated for the county as the regional area road
26 fund. The state treasurer shall hold monies in the regional area road fund
27 as a trustee for the county.

28 B. Except as provided in this article, the county in which the
29 transportation excise taxes are levied has the beneficial interest in the
30 regional area road fund. This state has no beneficial interest in the
31 regional area road fund except as an obligee for reimbursement of state

1 monies that are advanced as salaries or expenses by this state or the
2 department and that are to be repaid by the regional area road fund.

3 C. Monies and investments within the regional area road fund may be
4 used and spent only as provided in this chapter. An appropriation of any
5 nature shall not be required before the expenditure of monies from the
6 regional area road fund. Monies in the bond proceeds account or
7 construction account of a regional area road fund may be obligated for
8 payment in future years for the purpose of right-of-way acquisition subject
9 to the limitations prescribed in sections 28-7001 and 28-7002, ~~and~~ section
10 42-6105, subsection D, paragraphs 1 and 2 **AND SECTION 42-6105.01,**
11 **SUBSECTION D, PARAGRAPHS 1 AND 2.** The state treasurer shall make payments
12 from the regional area road fund by check, and a warrant or voucher is not
13 necessary. Subject to the powers granted to the board in chapter 21,
14 article 2 of this title, the director shall administer monies deposited in
15 the regional area road fund.

16 Sec. 9. Section 28-6303, Arizona Revised Statutes, is amended to
17 read:

18 **28-6303. Regional area road fund; separate accounts**

19 A. The regional area road fund is divided into three separate
20 accounts designated as the bond account, the construction account and the
21 bond proceeds account.

22 B. The state treasurer shall:

23 1. Account separately for each account.

24 2. Make transfers between accounts only as provided in this article
25 or chapter 21, article 2 of this title.

26 3. Before any bonds are issued, deposit transportation excise tax
27 revenues transferred to the state treasurer in the construction account.
28 These revenues shall be expended as provided in this article.

29 4. After any bonds are issued, deposit transportation excise tax
30 revenues transferred to the state treasurer in the bond account first until
31 the bond account contains monies sufficient to meet all principal, interest

1 or redemption requirements for the current period as required by any
2 resolution of the board pertaining to the issuance of bonds.

3 5. After all current period requirements for all of the bonds are
4 deposited in the bond account, deposit the balance of transportation excise
5 tax revenues transferred to the state treasurer for the current period in
6 the construction account.

7 C. The state treasurer may:

8 1. Invest monies in any account of the regional area road fund in
9 any securities or obligations authorized by title 35, chapter 2, article 2.

10 2. For the purpose of investments, commingle monies within the
11 regional area road fund with state monies if all interest earned on the
12 monies in the regional area road fund of a county is credited to the
13 respective account of the regional area road fund in which the investment
14 was made.

15 D. The department shall separately account for the uses of
16 transportation excise tax revenues deposited into the bond account and the
17 construction account in order to identify how the transportation excise tax
18 revenues are used pursuant to section 42-6105, subsection D, paragraphs 1
19 and 2, for:

20 1. Freeways and other routes in the state highway system.

21 2. Major arterial streets and ~~intersection improvements~~ REGIONAL
22 PROGRAMS IDENTIFIED IN THE PLAN, INCLUDING CAPITAL EXPENSE AND
23 IMPLEMENTATION STUDIES.

24 E. THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR THE USES OF
25 TRANSPORTATION EXCISE TAX REVENUES DEPOSITED IN THE BOND ACCOUNT AND THE
26 CONSTRUCTION ACCOUNT IN ORDER TO IDENTIFY HOW THE TRANSPORTATION EXCISE TAX
27 REVENUES ARE USED PURSUANT TO SECTION 42-6105.01, SUBSECTION D, PARAGRAPHS
28 1 AND 2 FOR:

29 1. FREEWAYS AND OTHER ROUTES IN THE STATE HIGHWAY SYSTEM.

30 2. MAJOR ARTERIAL STREETS AND REGIONAL PROGRAMS IDENTIFIED IN THE
31 PLAN, INCLUDING CAPITAL EXPENSE AND IMPLEMENTATION STUDIES.

1 Sec. 10. Section 28-6304, Arizona Revised Statutes, is amended to
2 read:

3 28-6304. Bond account; expenditures

4 A. The state treasurer shall:

5 1. Hold monies in the bond account in trust for the owners of the
6 bonds.

7 2. Pay monies in the bond account to the county, to paying agents or
8 to the owners of the bonds directly in accordance with a resolution of the
9 board authorizing the issuance of the bonds.

10 B. Monies in the bond account may be used:

11 1. To pay ~~bond related~~ BOND-RELATED expenses or recurring expenses
12 pertaining to administration and payment of the bonds.

13 2. For funding reserves for the payment of the bonds.

14 3. For payment of fees, charges and expenses incurred with respect
15 to ~~bond related~~ BOND-RELATED obligations.

16 C. Monies in the bond proceeds account may be obligated or spent as
17 directed by the board, ACCORDING TO THE PLAN, for the:

18 1. Payment of all ~~bond related~~ BOND-RELATED expenses.

19 2. Establishment and funding of reserve monies or to pay interest on
20 bonds during the expected period of construction.

21 3. Payment of fees, charges and expenses incurred with respect to
22 ~~bond related~~ BOND-RELATED obligations.

23 4. Design, right-of-way purchase or construction related to new, or
24 improvements to, freeways and other routes in the state highway system that
25 are included in the ~~regional transportation~~ plan ~~of the county~~ and that are
26 accepted into the state highway system.

27 5. Design, right-of-way purchase or construction related to new, or
28 improvements to, major arterial streets and ~~intersections~~ REGIONAL PROGRAMS
29 that are included in the ~~regional transportation~~ plan ~~of the county~~. ~~For~~
30 ~~the purposes of this paragraph, "major arterial" means an interconnected~~
31 ~~thoroughfare whose primary function is to link areas in the region and to~~
32 ~~distribute traffic to and from controlled access highways, generally of~~

1 ~~regionwide significance and of varying capacity depending on the travel~~
2 ~~demand for the specific direction and adjacent land uses.~~

3 ~~6. Design and construction of interim roadways within the adopted~~
4 ~~corridors of the regional transportation plan of the county pursuant to~~
5 ~~section 28-6309.~~

6 ~~7. Right-of-way costs associated with the construction of interim~~
7 ~~roadways pursuant to section 28-6310.~~

8 ~~8.~~ 6. Payment of principal and interest on the bonds.

9 Sec. 11. Section 28-6305, Arizona Revised Statutes, is amended to
10 read:

11 28-6305. Construction account; expenditures; construction
12 contracts

13 A. Except as provided in subsection B of this section, monies in the
14 construction account of the regional area road fund shall be spent, pledged
15 or accumulated for the purposes provided in section 28-6304, subsection C,
16 paragraphs 4 and 5, including payment of interest on and repayment of bonds
17 and obligations issued pursuant to chapter 21 of this title if the proceeds
18 of the bonds or obligations are used for the purposes provided in section
19 28-6304, subsection C, paragraphs 4 and 5.

20 B. Of the monies deposited in the construction account of the
21 regional area road fund under section 28-6303, the state treasurer shall:

22 1. In each fiscal year, divide and equally distribute ~~five million~~
23 ~~dollars~~ \$5,000,000 to:

24 (a) The public transportation fund established in that county under
25 section 48-5103.

26 (b) The regional planning agency in that county for planning and
27 ~~administration of~~ ADMINISTERING the ~~regional transportation~~ plan approved
28 pursuant to section 28-6308. The state treasurer shall distribute monies
29 under this subdivision through the department on or before June 30 of each
30 year.

31 2. Beginning with fiscal year 1987-1988, adjust the monies
32 distributed under paragraph 1 OF THIS SUBSECTION by the annual percentage

1 change for the previous calendar year in the GDP price deflator as defined
2 in section 41-563.

3 C. The monies distributed under subsection B of this section shall
4 only be spent for planning and administering the ~~regional transportation~~
5 plan approved pursuant to section 28-6308 and the costs incurred by the
6 auditor general relating to performance audits under section 28-6313.
7 Before the beginning of each fiscal year, the respective governing bodies
8 of the members of the regional planning agency and the board of directors
9 of the regional public transportation authority shall explicitly identify
10 and approve in ~~the annual~~ budgets the monies to be spent under subsection B
11 of this section for the purposes allowed under this subsection. These
12 expenditures are subject to the annual audit of the governing bodies'
13 financial transactions.

14 D. The director may enter into construction contracts or contracts
15 incidental to construction contracts payable from monies in either the bond
16 proceeds account or the construction account or both the bond proceeds and
17 construction accounts.

18 Sec. 12. Section 28-6306, Arizona Revised Statutes, is amended to
19 read:

20 28-6306. Account expenditures; elections

21 A. Except as provided in subsection B **OF THIS SECTION**, monies from
22 any account in the regional area road fund shall not be spent to promote or
23 advocate a position, alternative or outcome of an election, to influence
24 public opinion or to pay or contract for consultants or advisors to
25 influence public opinion with respect to an election regarding taxes or
26 other sources of revenue for the fund or regarding the ~~regional~~
27 ~~transportation~~ plan.

28 B. Monies from any account in the regional area road fund may be
29 spent:

30 1. As authorized by this article to determine public opinion before
31 the election is called.

1 4. BEGINNING FISCAL YEAR 2024-2025, ONE MEMBER WHO REPRESENTS A
2 TAXPAYER ORGANIZATION AND WHO IS APPOINTED JOINTLY BY THE PRESIDENT OF THE
3 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE MEMBER WHO IS
4 APPOINTED PURSUANT TO THIS PARAGRAPH SERVES A SIX-YEAR TERM.

5 5. BEGINNING FISCAL YEAR 2024-2025, ONE MEMBER WHO REPRESENTS
6 HOUSING INTERESTS AND WHO IS APPOINTED JOINTLY BY THE PRESIDENT OF THE
7 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE MEMBER WHO IS
8 APPOINTED PURSUANT TO THIS PARAGRAPH SERVES A SIX-YEAR TERM.

9 B. Through the regional planning agency, the transportation policy
10 committee BY A MAJORITY VOTE OF THE MEMBERS shall DO ALL OF THE FOLLOWING:

11 ~~2.~~ 1. Develop the plan in cooperation with the regional public
12 transportation authority in the county and the department ~~of transportation~~
13 and in consultation with the county board of supervisors, Indian
14 communities and cities and towns in the county.

15 ~~1.~~ 2. ~~By a majority vote of the members,~~ Recommend approval,
16 DISAPPROVAL OR MODIFICATION of ~~a twenty-year comprehensive,~~
17 ~~performance-based, multimodal and coordinated regional transportation plan~~
18 ~~in the county, including transportation corridors by priority and a~~
19 ~~schedule indicating the dates that construction will commence for projects~~
20 ~~contained in the plan.~~

21 ~~3.~~ ~~Submit the plan for review by the regional public transportation~~
22 ~~authority in the county, the state board of transportation, the county~~
23 ~~board of supervisors, Indian communities and cities and towns in the county~~
24 ~~at the alternatives stage of the plan and the final draft stage of the~~
25 ~~plan. After reviewing the plan, the regional public transportation~~
26 ~~authority in the county, the county board of supervisors and the state~~
27 ~~board of transportation, by majority vote of the members of each entity~~
28 ~~within thirty days after receiving the plan, shall submit a written~~
29 ~~recommendation to the transportation policy committee that the plan be~~
30 ~~approved, modified or disapproved. Within thirty days after receiving the~~
31 ~~plan, Indian communities and cities and towns in the county may submit a~~

1 ~~written recommendation to the transportation policy committee that the plan~~
2 ~~be approved, modified or disapproved.~~

3 ~~4. Consider plan modifications proposed by any of the entities as~~
4 ~~prescribed in paragraph 3 of this subsection.~~

5 ~~5. By majority vote, approve, disapprove or further modify each~~
6 ~~proposed plan modification.~~

7 ~~6. Provide a written response to the regional public transportation~~
8 ~~authority, the state board of transportation, the county board of~~
9 ~~supervisors and the entity that submitted the proposed modification within~~
10 ~~thirty days after the vote on the proposed modification explaining the~~
11 ~~affirmation, rejection or further modification of each proposed~~
12 ~~modification.~~

13 ~~7. Recommend the plan to the regional planning agency for approval~~
14 ~~for an air quality conformity analysis.~~

15 ~~6. The regional transportation plan:~~

16 ~~1. Shall include the following transportation mode classifications~~
17 ~~with a revenue allocation to each classification consistent with section~~
18 ~~42-6105, subsection D:~~

- 19 ~~(a) Freeways and other routes in the state highway system.~~
20 ~~(b) Major arterial streets and intersection improvements.~~
21 ~~(c) Public transportation systems.~~

22 ~~2. Shall provide a suggested construction schedule for the~~
23 ~~transportation projects contained in the plan.~~

24 ~~3. May be annually updated to introduce new controlled access~~
25 ~~highways, related grade separations and transportation projects or to~~
26 ~~modify the existing plan.~~

27 ~~4. Shall be developed to meet federal air quality requirements~~
28 ~~established for the region in which it is located.~~

29 ~~D. Transportation excise tax revenues that are distributed pursuant~~
30 ~~to section 42-6105, subsection D shall not be redistributed or used for~~
31 ~~other transportation modes. Except as provided by section 28-6353,~~
32 ~~subsections D, E and F, transportation excise tax revenues that are~~

~~dedicated in the plan to a specific project or transportation system may only be redistributed to or otherwise used for another project within the same transportation mode if approved by a majority vote of the transportation policy committee.~~

3. RECOMMEND APPROVAL, DISAPPROVAL OR MODIFICATION OF CHANGES TO THE ALLOCATIONS OF TRANSPORTATION EXCISE TAX REVENUES BETWEEN SECTION 28-6352, SUBSECTION B, PARAGRAPHS 1, 2 AND 3, INCLUDING MAJOR INVESTMENT CHANGES AS DESCRIBED IN SECTION 28-6352, SUBSECTION H.

4. RECOMMEND APPROVAL, DISAPPROVAL OR MODIFICATION OF THE BUDGET PROCESSES IDENTIFIED BY SECTION 28-6352, SUBSECTION D.

5. RECOMMEND APPROVAL, DISAPPROVAL OR MODIFICATION OF FUNDING AWARDED THROUGH THE REGIONAL PROGRAMS PROCESS.

Sec. 15. Repeal

Sections 28-6309, 28-6310, 28-6311 and 28-6312, Arizona Revised Statutes, are repealed.

Sec. 16. Section 28-6313, Arizona Revised Statutes, is amended to read:

28-6313. Performance audits of proposed transportation projects and systems

A. Beginning in 2010 and every fifth year thereafter, the auditor general shall ~~contract with a nationally recognized independent auditor with expertise in evaluating multimodal transportation systems and in regional transportation planning to~~ conduct a performance audit, as defined in section 41-1278, of the ~~regional transportation~~ plan and projects scheduled for funding during the next five years.

B. With respect to light rail systems, the audit shall consider the criteria used by the federal transit administration pursuant to 49 United States Code section 5309(e)(1)(B) and the interrelationship among the criteria to provide federal funding for light rail systems. For light rail systems, the audit shall also consider:

1. Service levels.
2. Capital costs.

1 3. Operation and maintenance costs.

2 4. Transit ridership.

3 5. Farebox revenues.

4 C. The audit shall:

5 1. Examine the ~~regional transportation~~ plan and projects scheduled
6 for funding within each transportation mode based on the performance
7 factors established in section 28-505, subsection A, in the context of the
8 transportation system.

9 2. Review past expenditures of the ~~regional transportation~~ plan and
10 examine the performance of the system in relieving congestion and improving
11 mobility.

12 3. Make recommendations regarding whether further implementation of
13 a project or transportation system is warranted, warranted with
14 modifications or not warranted.

15 D. The auditor general or the auditors contracted to conduct the
16 audit shall periodically update the transportation policy committee
17 regarding the progress of the audit.

18 E. Within forty-five days after the release of the audit, the
19 regional public transportation authority, the state transportation board
20 and the county board of supervisors, by a majority vote of each entity,
21 shall submit written recommendations to the transportation policy committee
22 that the findings are agreed to or disagreed with and the recommendations
23 should be implemented, be implemented with modification or not be
24 implemented.

25 F. Within forty-five days after the audit's release, the regional
26 planning agency shall hold a public hearing on the audit findings and
27 recommendations.

28 G. The auditor general shall distribute copies of the audit to:

29 1. The regional planning agency.

30 2. The transportation policy committee.

31 3. The regional public transportation authority in the county.

32 4. The county board of supervisors.

1 5. The state transportation board.

2 6. The governor, secretary of state, president of the senate and
3 speaker of the house of representatives.

4 ~~7. The Arizona state library, archives and public records.~~

5 ~~8.~~ 7. Any other person who requests a copy pursuant to title 39,
6 chapter 1, article 2.

7 H. The state transportation board, regional planning agency,
8 regional public transportation authority and county board of supervisors
9 shall cooperate with and submit to the auditor general and the auditors
10 contracted to conduct the audit information necessary to conduct the audits
11 under this section.

12 I. The cost incurred by the auditor general in contracting with
13 independent auditors for conducting performance audits under subsection A
14 of this section shall be paid from revenues of the county transportation
15 excise tax under ~~section~~ SECTIONS 42-6105 AND 42-6105.01. When due, the
16 payments have priority over any other distribution authorized by section
17 42-6105 OR 42-6105.01. The auditor general shall deposit the payments in
18 the audit services revolving fund established by section 41-1279.06.

19 Sec. 17. Heading change

20 The article heading of title 28, chapter 17, article 2, Arizona
21 Revised Statutes, is changed from "REGIONAL TRANSPORTATION PLAN" to "COUNTY
22 TRANSPORTATION EXCISE TAX PLAN".

23 Sec. 18. Section 28-6351, Arizona Revised Statutes, is amended to
24 read:

25 28-6351. Definitions

26 In this article, unless the context otherwise requires:

27 ~~1. "Controlled access highway" has the same meaning prescribed in~~
28 ~~section 28-601.~~

29 ~~2.~~ 1. "Enhancement" means an addition that exceeds generally
30 accepted engineering or design standards for the specific type of facility.

1 ~~3.~~ 2. "~~Regional transportation~~ Plan" means the ~~twenty year~~
2 comprehensive, ~~performance based~~ PERFORMANCE-BASED, multimodal and
3 coordinated regional STRATEGIC transportation INFRASTRUCTURE INVESTMENT
4 plan approved for the county pursuant to section 28-6308, as amended or
5 otherwise modified.

6 Sec. 19. Repeal

7 Section 28-6352, Arizona Revised Statutes, is repealed.

8 Sec. 20. Title 28, chapter 17, article 2, Arizona Revised Statutes,
9 is amended by adding a new section 28-6352, to read:

10 28-6352. County transportation excise tax; budget process

11 A. THE REGIONAL PLANNING AGENCY IN THE COUNTY SHALL DEVELOP AND
12 ADOPT A PLAN. THE PLAN SHALL BE MULTIMODAL AND SHALL BE DEVELOPED IN
13 COOPERATION WITH STATE AND LOCAL PUBLIC TRANSPORTATION AUTHORITIES AND
14 OPERATORS AND IN COORDINATION WITH THE DEPARTMENT. THE REGIONAL PLANNING
15 AGENCY SHALL CONSIDER TRUCK PARKING AVAILABILITY WHEN CONSIDERING THE
16 CONSTRUCTION, EXPANSION OR MODIFICATION OF FREEWAYS OR OTHER ROUTES IN THE
17 STATE HIGHWAY SYSTEM. ON OR BEFORE DECEMBER 31, 2050, THE REGIONAL
18 PLANNING AGENCY SHALL ALLOCATE AT LEAST \$90,000,000 FOR THE IMPLEMENTATION
19 OF COMMERCIAL MOTOR VEHICLE PARKING THAT IS CONSISTENT WITH A REGIONALLY
20 ADOPTED TRUCK PARKING PLAN, INCLUDING FUNDING FOR CONSTRUCTION, LAND
21 ACQUISITION, LEASE, MAINTENANCE OR OPERATIONS OR ENTRY INTO A
22 PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.

23 B. THE PLAN SHALL ALLOCATE REVENUE COLLECTED UNDER SECTION
24 42-6105.01 AS FOLLOWS:

25 1. IN THE REGIONAL AREA ROAD FUND FOR FREEWAYS AND OTHER ROUTES IN
26 THE STATE HIGHWAY SYSTEM, INCLUDING CAPITAL EXPENSE AND MAINTENANCE.

27 2. IN THE REGIONAL AREA ROAD FUND FOR MAJOR ARTERIAL STREETS AND
28 REGIONAL PROGRAMS, INCLUDING CAPITAL EXPENSE AND IMPLEMENTATION STUDIES.

29 3. IN THE PUBLIC TRANSPORTATION FUND ESTABLISHED BY SECTION 48-5103
30 FOR BOTH:

31 (a) CAPITAL COSTS, MAINTENANCE AND OPERATION OF PUBLIC
32 TRANSPORTATION MODE CLASSIFICATIONS.

1 (b) CAPITAL COSTS AND UTILITY RELOCATION COSTS ASSOCIATED WITH THE
2 LIGHT RAIL SYSTEM.

3 C. TRANSPORTATION EXCISE TAX REVENUES THAT ARE ALLOCATED PURSUANT TO
4 SUBSECTION B, PARAGRAPH 1, 2 OR 3 OF THIS SECTION MAY ONLY BE REALLOCATED
5 TO ANOTHER PARAGRAPH UNDER SUBSECTION B OF THIS SECTION IF THE REALLOCATION
6 IS RECOMMENDED FOR APPROVAL BY THE TRANSPORTATION POLICY COMMITTEE AND
7 APPROVED BY THE REGIONAL PLANNING AGENCY BOARD. NOT MORE THAN TWO AND
8 ONE-HALF PERCENT OF THE REVENUES COLLECTED UNDER SECTION 42-6105.01 MAY BE
9 TRANSFERRED ANNUALLY BETWEEN SUBSECTION B, PARAGRAPHS 1, 2 AND 3 OF THIS
10 SECTION WITHOUT GOING THROUGH THE MAJOR INVESTMENT CHANGE PROCESS AS
11 PRESCRIBED IN SUBSECTION H OF THIS SECTION.

12 D. BEGINNING FISCAL YEAR 2023-2024, THE REGIONAL PLANNING AGENCY
13 SHALL ADOPT A BUDGET PROCESS THAT ENSURES:

14 1. THE ESTIMATED COST OF THE FREEWAYS AND OTHER ROUTES IN THE
15 REGION'S STATE HIGHWAY SYSTEM DOES NOT EXCEED THE TOTAL AMOUNT OF REVENUES
16 ESTIMATED TO BE AVAILABLE OVER THE TERM OF THE TRANSPORTATION EXCISE TAX AS
17 PRESCRIBED BY SECTION 42-6105, SUBSECTION C AND SECTION 42-6105.01,
18 SUBSECTION C.

19 2. THE ESTIMATED COST OF THE PUBLIC TRANSPORTATION SYSTEM DOES NOT
20 EXCEED THE TOTAL AMOUNT OF REVENUES ESTIMATED TO BE AVAILABLE OVER THE TERM
21 OF THE TRANSPORTATION EXCISE TAX AS PRESCRIBED BY SECTION 42-6105,
22 SUBSECTION C AND SECTION 42-6105.01, SUBSECTION C.

23 3. THE ESTIMATED COST OF MAJOR ARTERIAL STREETS AND REGIONAL
24 PROGRAMS DOES NOT EXCEED THE TOTAL AMOUNT OF REVENUES ESTIMATED TO BE
25 AVAILABLE OVER THE TERM OF THE TRANSPORTATION EXCISE TAX AS PRESCRIBED BY
26 SECTION 42-6105, SUBSECTION C AND SECTION 42-6105.01, SUBSECTION C.

27 E. THE REGIONAL PLANNING AGENCY SHALL COORDINATE WITH IMPLEMENTING
28 PARTNERS ON THE BUDGET PROCESS PRESCRIBED IN SUBSECTION D OF THIS SECTION,
29 INCLUDING THE DEPARTMENT FOR FREEWAYS AND OTHER ROUTES IN THE STATE HIGHWAY
30 SYSTEM AND THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY IN THE COUNTY FOR
31 THE PUBLIC TRANSPORTATION SYSTEM.

1 F. THE REGIONAL PLANNING AGENCY SHALL DETERMINE THE USE OF THE
2 REVENUES COLLECTED UNDER SECTIONS 42-6105 AND 42-6105.01 FOR CAPITAL
3 PROJECTS THROUGH THE TRANSPORTATION IMPROVEMENT PROGRAM.

4 G. ANY BONDS ISSUED AGAINST PROCEEDS COLLECTED PURSUANT TO SECTIONS
5 42-6105 AND 42-6105.01 REQUIRE CONSULTATION WITH THE REGIONAL PLANNING
6 AGENCY.

7 H. THE MAJOR INVESTMENT CHANGE PROCESS REQUIRES THE FOLLOWING:

8 1. CONSIDERATION BY THE TRANSPORTATION POLICY COMMITTEE.

9 2. IDENTIFICATION OF THE PROJECTS AND PROGRAMS THAT WOULD BE
10 IMPACTED BY THE FUNDING TRANSFER.

11 3. A DETAILED, PERFORMANCE-BASED ASSESSMENT OF THE IMPACTED PROJECTS
12 AND PROGRAMS. THE PERFORMANCE-BASED ASSESSMENT MUST SUPPORT THE PROPOSED
13 MAJOR INVESTMENT CHANGE. THE ASSESSMENT SHALL ALSO SEEK, CONSIDER AND
14 DOCUMENT PUBLIC INPUT ON THE PROPOSED MAJOR INVESTMENT CHANGE.

15 4. A ONE HUNDRED EIGHTY-DAY PUBLIC COMMENT PERIOD.

16 5. SUBMISSION OF THE PROPOSED MAJOR INVESTMENT CHANGE FOR REVIEW BY
17 THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY IN THE COUNTY, THE STATE BOARD
18 OF TRANSPORTATION AND THE COUNTY BOARD OF SUPERVISORS. AFTER REVIEW, THE
19 REGIONAL PUBLIC TRANSPORTATION AUTHORITY IN THE COUNTY, THE STATE BOARD OF
20 TRANSPORTATION AND THE COUNTY BOARD OF SUPERVISORS, BY A MAJORITY VOTE OF
21 THE MEMBERS OF EACH BOARD AND WITHIN THIRTY DAYS AFTER RECEIVING THE
22 PROPOSED MAJOR INVESTMENT CHANGE, SHALL SUBMIT A WRITTEN RECOMMENDATION TO
23 THE REGIONAL PLANNING AGENCY THAT THE PROPOSED MAJOR INVESTMENT CHANGE BE
24 APPROVED, MODIFIED OR DISAPPROVED. IF THE REGIONAL PUBLIC TRANSPORTATION
25 AUTHORITY IN THE COUNTY, THE STATE BOARD OF TRANSPORTATION OR THE COUNTY
26 BOARD OF SUPERVISORS FAILS TO APPROVE THE PROPOSED MAJOR INVESTMENT CHANGE,
27 AN AFFIRMATIVE VOTE OF AT LEAST SEVENTEEN MEMBERS OF THE TRANSPORTATION
28 POLICY COMMITTEE IS REQUIRED TO RECOMMEND APPROVAL AND PROCEED WITH THE
29 MAJOR INVESTMENT CHANGE.

30 I. THE REGIONAL PLANNING AGENCY SHALL ANNUALLY REPORT ON THE STATUS
31 OF THE PROJECTS FUNDED PURSUANT TO SECTION 42-6105 OR 42-6105.01 AND SHALL
32 POST THE REPORT ON ITS WEBSITE.

1 J. REQUESTS FOR CHANGES TO TRANSPORTATION PROJECTS FUNDED IN THE
2 PLAN THAT WOULD MATERIALLY INCREASE COSTS SHALL BE SUBMITTED TO THE
3 REGIONAL PLANNING AGENCY FOR APPROVAL AND SUBMITTED BY THE REGIONAL
4 PLANNING AGENCY TO THE TRANSPORTATION POLICY COMMITTEE AND THE BOARD FOR
5 CONSIDERATION AND APPROVAL.

6 K. IF A LOCAL AUTHORITY REQUESTS AN ENHANCEMENT TO A TRANSPORTATION
7 PROJECT FUNDED IN THE PLAN, THE LOCAL AUTHORITY SHALL PAY ALL COSTS
8 ASSOCIATED WITH THE ENHANCEMENT.

9 L. THE PLAN SHALL REFLECT THE ALLOCATION OF REVENUES COLLECTED UNDER
10 SECTION 42-6105, SUBSECTION D THROUGH DECEMBER 31, 2025.

11 M. THE BUDGET PROCESS PRESCRIBED IN SUBSECTION D OF THIS SECTION
12 DOES NOT APPLY TO THE ANNUAL OPERATING BUDGET OF THE REGIONAL PUBLIC
13 TRANSPORTATION AUTHORITY IN THE COUNTY.

14 N. IF MONIES ARE APPROPRIATED BY THE LEGISLATURE FOR A PROJECT THAT
15 IS IDENTIFIED IN THE PLAN, THE USE OF THE MONIES FOR CONSTRUCTION REQUIRES
16 BOTH OF THE FOLLOWING:

17 1. THE PROJECT MUST BE ADVANCED AS APPROPRIATE TO REFLECT THE
18 ESTIMATED CONSTRUCTION START DATE.

19 2. THE MONIES MUST BE USED IN THE SAME MODAL CLASSIFICATION
20 SPECIFIED IN SUBSECTION B OF THIS SECTION.

21 O. IF A MUNICIPALITY PAYS FOR PUBLIC TRANSPORTATION SERVICE IN AN
22 ADJACENT MUNICIPALITY OR UNINCORPORATED AREA OF A COUNTY, THE COST OF THE
23 SERVICE SHALL BE ELIGIBLE FOR REIMBURSEMENT FROM MONIES COLLECTED UNDER
24 SECTION 42-6105 OR 42-6105.01. FOR THE PURPOSES OF THIS SUBSECTION:

25 1. "MUNICIPALITY" MEANS A CITY OR TOWN.

26 2. "PUBLIC TRANSPORTATION SERVICE" INCLUDES CIRCULATOR SERVICE.

27 Sec. 21. Repeal

28 Sections 28-6353, 28-6354 and 28-6355, Arizona Revised Statutes, are
29 repealed.

1 Sec. 22. Section 28-6538, Arizona Revised Statutes, is amended to
2 read:

3 28-6538. Arizona highway user revenue fund distribution;
4 remaining monies; highway fund distribution;
5 contract authorization; plan requirements

6 A. Each fiscal year the department shall allocate and the state
7 treasurer shall distribute revenues of the Arizona highway user revenue
8 fund remaining after the distribution provided in sections 28-6534 and
9 28-6537 as follows:

- 10 1. To the state highway fund, fifty and one-half ~~per cent~~ PERCENT.
11 2. To the counties, nineteen ~~per cent~~ PERCENT.
12 3. To the incorporated cities and towns, twenty-seven and one-half
13 ~~per cent~~ PERCENT.
14 4. To incorporated cities with a population of three hundred
15 thousand or more persons, three ~~per cent~~ PERCENT.

16 B. At least twelve and six-tenths ~~per cent~~ PERCENT of the revenues
17 allocated each year to the state highway fund pursuant to subsection A of
18 this section shall be further distributed in the following proportions and
19 for the following purposes:

20 1. Seventy-five ~~per cent~~ PERCENT of the revenues shall be spent,
21 pledged or accumulated in counties with a population of one million five
22 hundred thousand or more persons for the design, right-of-way purchase or
23 construction of controlled access highways that are included in the
24 ~~regional transportation~~ plan ~~of the county~~ AS DEFINED IN SECTION 28-6351
25 and that are accepted into the state highway system either as a state route
26 or as a state highway.

27 2. Twenty-five ~~per cent~~ PERCENT of the revenues shall be spent,
28 pledged or accumulated in counties with a population of more than eight
29 hundred thousand but less than one million five hundred thousand persons
30 for:

31 (a) The design, right-of-way purchase or construction of controlled
32 access highways that are included in the ~~regional transportation~~ plan ~~of~~

1 ~~the county~~ AS DEFINED IN SECTION 28-6351 and that are accepted into the
2 state highway system either as a state route or as a state highway or
3 related grade separations of controlled access highways that are included
4 in the ~~regional transportation~~ plan ~~of the county~~ AS DEFINED IN SECTION
5 28-6351.

6 (b) Notwithstanding sections 28-6993 and 28-6995, the design,
7 right-of-way purchase, construction, standard and reduced clearance grade
8 separation, extension and widening of arterial streets and highways that
9 are included in the ~~regional transportation~~ plan ~~of the county~~ AS DEFINED
10 IN SECTION 28-6351.

11 C. Of the monies allocated to the state highway fund pursuant to
12 subsection A of this section, not more than ~~five million dollars~~ \$5,000,000
13 annually shall be spent for the acquisition, construction or improvement of
14 entry roads to state parks or roads in state parks.

15 D. Expenditures for state matching monies for the federal interstate
16 system shall be in addition to the amount provided in subsection B of this
17 section.

18 E. The department may contract with a county, city or town to allow
19 the county, city or town to construct the streets or highways prescribed in
20 subsection B of this section.

21 F. A county described in subsection B of this section and the cities
22 and towns in the county, through their regional planning agency, shall list
23 transportation corridors by priority in the ~~regional transportation~~ plan AS
24 DEFINED IN SECTION 28-6351. The ~~regional transportation~~ plan AS DEFINED IN
25 SECTION 28-6351 may also provide a suggested construction schedule for the
26 transportation corridors contained in the plan.

27 Sec. 23. Section 28-6954, Arizona Revised Statutes, is amended to
28 read:

29 28-6954. Program requirements

30 A. The five year transportation facilities construction program
31 shall:

1 1. Set forth estimated expenditures by project for engineering,
2 rights-of-way and construction.

3 2. Include detailed information by project as to location,
4 description and the reasons for the project's assigned priority.

5 3. List projects by priority and group them in the fiscal year
6 during which it is estimated construction can begin.

7 4. For the first year of the program, consist of projects that can
8 with reasonable certainty be advertised for public bidding.

9 5. Include a plan for the use of monies expected to be deposited in
10 a county's regional area road fund as provided in chapter 17, article 1 of
11 this title **THAT IS ALL OF THE FOLLOWING:**

12 (a) **CONSISTENT WITH THE PLAN AS DEFINED IN SECTION 28-6351.**

13 (b) **CONSISTENT WITH THE PROJECT BUDGET PROCESS SPECIFIED IN SECTION**
14 **28-6352, SUBSECTION D, PARAGRAPH 1.**

15 (c) **ANNUALLY UPDATED.**

16 6. Include a plan for the use of monies that are expected to accrue
17 in a county's regional transportation fund as provided in section 48-5310,
18 that are dedicated for street and highway purposes and that are in the
19 state highway system.

20 B. The department shall develop and use detailed criteria designed
21 to meet the transportation system performance measures adopted by the board
22 pursuant to section 28-304 in identifying projects for the five year
23 transportation facilities construction program. The project selection
24 process shall also conform to state and regional growth policies.

25 Sec. 24. Section 28-7671, Arizona Revised Statutes, is amended to
26 read:

27 **28-7671. Definitions**

28 In this article, unless the context otherwise requires:

29 1. "Eligible highway project" means a highway project that is both:

30 (a) On the federal aid system, national highway system or state
31 route or state highway system.

1 (b) Included in either:

2 (i) The department's state highway construction plan.

3 (ii) The transportation improvement plan of a regional association
4 of governments.

5 2. "Eligible transit capital project" means land, buildings or motor
6 vehicles or a combination of land, buildings and motor vehicles that is
7 included in the transportation improvement plan of a regional association
8 of governments and that is part of the federal transit administration's
9 rural public transportation program for entities that are eligible pursuant
10 to section 28-7676 and that have populations of less than fifty thousand
11 persons.

12 3. "Eligible transportation project" means a transportation project
13 that is eligible pursuant to section 28-7676.

14 4. "Federal SIB act" means section 350 of the national highway
15 system designation act of 1995 (P.L. 104-59; 109 Stat. 618), any
16 regulations adopted pursuant to that section and any other provisions of
17 federal law providing for state infrastructure banks, infrastructure credit
18 programs and other grant programs for highway purposes and any regulations
19 adopted pursuant to those laws.

20 5. "Fund" means the highway expansion and extension loan program
21 fund established by section 28-7674.

22 6. "Indian tribe" means any Indian tribe, band, group or community
23 that is recognized by the United States secretary of the interior and that
24 exercises governmental authority within the limits of any Indian
25 reservation under the jurisdiction of the United States government,
26 notwithstanding the issuance of any patent and including rights-of-way
27 running through the reservation.

28 7. "Loan repayment agreement" means one or more loan agreements,
29 instruments or other agreements providing for repayment of a loan or other
30 financial assistance and entered into by this state or its agencies,
31 including the department, or a political subdivision or Indian tribe.

1 8. "Political subdivision" means a county, city, town or special
2 taxing district authorized by law to construct or assist in the
3 construction of an eligible highway project or a county, city, town or
4 special taxing district established pursuant to section 48-5102 to
5 construct or assist in the construction of a transportation project.

6 9. "SIB cooperative agreement" means a cooperative agreement or
7 agreements entered into by the Arizona department of transportation with
8 the United States department of transportation pursuant to this article and
9 the federal SIB act.

10 10. "Transportation project" means all or a portion of a project
11 that is included in the state's transportation improvement program or a
12 ~~regional transportation~~ plan, as defined in section 28-6351, including the
13 project planning, environmental work, design, right-of-way acquisition or
14 construction for the transportation project and associated rolling stock
15 and operating systems but not including an eligible highway project.

16 Sec. 25. Section 28-7691, Arizona Revised Statutes, is amended to
17 read:

18 28-7691. Definitions

19 In this article, unless the context otherwise requires:

20 1. "Excise taxes" means all unrestricted excise, transaction,
21 franchise, privilege and business taxes, state shared ~~sales~~ TRANSACTION
22 PRIVILEGE and income taxes, fees for licenses and permits and state revenue
23 sharing that are levied and paid by a political subdivision or contributed,
24 levied or paid to the political subdivision and not earmarked by the
25 contributor or the political subdivision for a contrary or inconsistent
26 purpose.

27 2. "Political subdivision" means a county, city, town or special
28 taxing district established pursuant to section 48-5102 to construct or
29 assist in the construction of a transportation project.

30 3. "Transportation project" means all or a portion of a project that
31 is included in the state's transportation improvement program or a ~~regional~~
32 ~~transportation~~ plan, as defined in section 28-6351, including the project

1 planning, environmental work, design, right-of-way acquisition or
2 construction for the transportation project and associated rolling stock
3 and operating systems.

4 4. "Transportation project advance agreement" means a written
5 agreement, entered into in accordance with section 28-7677 and section
6 9-500.17, 11-269.03 or 48-5122, between one or more political subdivisions
7 and the department, a regional planning agency, metropolitan planning
8 organization or council of governments or a designated grant recipient
9 under which the political subdivision advances monies to the department,
10 the regional planning agency, metropolitan planning organization or council
11 of governments or the designated grant recipient to accelerate a
12 transportation project and under which the recipient of the advanced monies
13 repays the advance.

14 5. "Transportation project advance revenues" means any revenues a
15 political subdivision receives under a transportation project advance
16 agreement, or as proceeds of transportation project advancement notes,
17 together with any earnings from the investment of the revenues.

18 6. "Transportation project advancement notes" means notes authorized
19 by this article.

20 Sec. 26. Section 28-7695, Arizona Revised Statutes, is amended to
21 read:

22 28-7695. Use of proceeds

23 A political subdivision shall use the proceeds from the sale of
24 transportation project advancement notes for payment of any of the
25 following:

26 1. Advances for a transportation project included in the state's
27 transportation improvement program or a ~~regional transportation~~ plan, as
28 defined in section 28-6351, under the transportation project advance
29 agreement that relates to the transportation project advancement notes.

30 2. Legal and financial costs and expenses incurred in issuing and
31 administering the notes.

1 3. Reimbursement to the political subdivision for monies previously
2 advanced to the department, a regional planning agency, metropolitan
3 planning organization or council of governments, a regional public
4 transportation authority or a designated grant recipient under the
5 transportation project advance agreement that relates to the transportation
6 project advancement notes.

7 4. If authorized by the political subdivision, payment of interest
8 that accrues on the notes before maturity.

9 5. Payment of the principal, premium or interest on other
10 obligations of the political subdivision to the extent that proceeds of
11 those obligations are applied to the financing of the transportation
12 project that relates to the transportation project advance agreement.

13 Sec. 27. Section 42-6105, Arizona Revised Statutes, is amended to
14 read:

15 42-6105. County transportation excise tax; counties with
16 population of one million two hundred thousand or
17 more persons

18 A. If approved by the qualified electors voting at a countywide
19 election, a county with a population of one million two hundred thousand or
20 more persons shall levy and the department shall collect a tax as provided
21 by this section, in addition to all other taxes.

22 B. The tax shall be levied and collected:

23 1. At a rate of not more than ten ~~per cent~~ PERCENT of the
24 transaction privilege tax rate prescribed by section 42-5010, subsection A
25 applying, as of January 1, 1990, to each person engaging or continuing in
26 the county in a business taxed under chapter 5, article 1 of this title.

27 2. At a rate of not more than ten ~~per cent~~ PERCENT of the rate
28 prescribed by section 42-5352, subsection A.

29 3. On the use or consumption of electricity or natural gas by retail
30 electric or natural gas customers in the county who are subject to use tax
31 under section 42-5155, at a rate equal to the transaction privilege tax
32 rate under paragraph 1 of this subsection applying to persons engaging or

1 continuing in the county in the utilities transaction privilege tax
2 classification.

3 C. The tax levied under this section shall be in effect for a term
4 of twenty years.

5 D. The net revenues collected under this section shall be
6 distributed and deposited as follows for use consistent with the ~~regional~~
7 ~~transportation~~ plan adopted under title 28, chapter 17, article ~~1~~ 2:

8 1. 56.2 ~~per cent~~ PERCENT to the regional area road fund pursuant to
9 section 28-6303 for freeways and other routes in the state highway system,
10 including capital expense and maintenance.

11 2. 10.5 ~~per cent~~ PERCENT to the regional area road fund pursuant to
12 section 28-6303 for major arterial streets and ~~intersection improvements~~
13 REGIONAL PROGRAMS, including capital expense and implementation studies.

14 3. 33.3 ~~per cent~~ PERCENT to the public transportation fund pursuant
15 to section 48-5103 for:

16 (a) Capital costs, maintenance and operation of public
17 transportation classifications.

18 (b) Capital costs and utility relocation costs associated with a
19 light rail public transit system.

20 Sec. 28. Title 42, chapter 6, article 3, Arizona Revised Statutes,
21 is amended by adding section 42-6105.01, to read:

22 42-6105.01. County transportation excise tax; counties with
23 population of three million or more persons;
24 conditional enactment

25 A. IF APPROVED BY THE QUALIFIED ELECTORS VOTING AT A COUNTYWIDE
26 ELECTION, FROM AND AFTER DECEMBER 31, 2025, A COUNTY WITH A POPULATION OF
27 THREE MILLION OR MORE PERSONS SHALL LEVY AND THE DEPARTMENT SHALL COLLECT A
28 TAX AS PROVIDED BY THIS SECTION, IN ADDITION TO ALL OTHER TAXES.

29 B. THE TAX SHALL BE LEVIED AND COLLECTED:

30 1. AT A RATE OF NOT MORE THAN TEN PERCENT OF THE TRANSACTION
31 PRIVILEGE TAX RATE PRESCRIBED BY SECTION 42-5010, SUBSECTION A THAT

1 APPLIES, AS OF JANUARY 1, 1990, TO EACH PERSON ENGAGING OR CONTINUING IN
2 THE COUNTY IN A BUSINESS TAXED UNDER CHAPTER 5, ARTICLE 1 OF THIS TITLE.

3 2. AT A RATE OF NOT MORE THAN TEN PERCENT OF THE RATE PRESCRIBED BY
4 SECTION 42-5352, SUBSECTION A.

5 3. ON THE USE OR CONSUMPTION OF ELECTRICITY OR NATURAL GAS BY RETAIL
6 ELECTRIC OR NATURAL GAS CUSTOMERS IN THE COUNTY WHO ARE SUBJECT TO USE TAX
7 UNDER SECTION 42-5155, AT A RATE EQUAL TO THE TRANSACTION PRIVILEGE TAX
8 RATE UNDER PARAGRAPH 1 OF THIS SUBSECTION THAT APPLIES TO PERSONS ENGAGING
9 OR CONTINUING IN THE COUNTY IN THE UTILITIES TRANSACTION PRIVILEGE TAX
10 CLASSIFICATION.

11 C. THE TAX LEVIED UNDER THIS SECTION SHALL BE IN EFFECT FOR A TERM
12 OF TWENTY YEARS.

13 D. THE PLAN ADOPTED UNDER TITLE 28, CHAPTER 17, ARTICLE 2 SHALL
14 SPECIFY THE DISTRIBUTION OF MONIES COLLECTED UNDER THIS SECTION IN THE
15 REGIONAL AREA ROAD FUND ESTABLISHED PURSUANT TO SECTION 28-6302 OR THE
16 PUBLIC TRANSPORTATION FUND ESTABLISHED BY SECTION 48-5103. EXCEPT AS
17 PROVIDED IN SUBSECTION E OF THIS SECTION, THE PLAN SHALL DISTRIBUTE:

18 1. FORTY PERCENT TO THE REGIONAL AREA ROAD FUND FOR FREEWAYS AND
19 OTHER ROUTES IN THE STATE HIGHWAY SYSTEM, INCLUDING CAPITAL EXPENSE AND
20 MAINTENANCE.

21 2. TWENTY-ONE PERCENT TO THE REGIONAL AREA ROAD FUND FOR MAJOR
22 ARTERIAL STREETS AND REGIONAL PROGRAMS, INCLUDING CAPITAL EXPENSE AND
23 IMPLEMENTATION STUDIES.

24 3. THIRTY-NINE PERCENT TO THE PUBLIC TRANSPORTATION FUND FOR BOTH:

25 (a) CAPITAL COSTS, MAINTENANCE AND OPERATION OF PUBLIC
26 TRANSPORTATION MODE CLASSIFICATIONS.

27 (b) CAPITAL COSTS AND UTILITY RELOCATION COSTS ASSOCIATED WITH THE
28 LIGHT RAIL SYSTEM.

29 E. SALES TAX REVENUES COLLECTED UNDER THIS SECTION MAY NOT BE USED
30 FOR ANY NEW LIGHT RAIL EXTENSION.

31 F. THE DISTRIBUTION SPECIFIED IN SUBSECTION D, PARAGRAPH 1 OF THIS
32 SECTION MAY NOT BE DECREASED.

1 G. MONIES COLLECTED PURSUANT TO THIS SECTION MAY NOT BE USED TO
2 INFLUENCE THE OUTCOME OF AN ELECTION.

3 H. THIS SECTION BECOMES EFFECTIVE ONLY IF THE QUALIFIED ELECTORS
4 APPROVE AN EXTENSION OF A COUNTY TRANSPORTATION EXCISE TAX.

5 I. NOT MORE THAN 3.4 PERCENT OF THE MONIES THAT ARE DISTRIBUTED
6 PURSUANT TO SUBSECTION D, PARAGRAPH 3 OF THIS SECTION MAY BE USED FOR LIGHT
7 RAIL MAINTENANCE AND OPERATIONS.

8 J. NOT MORE THAN ONE PERCENT OF THE MONIES THAT ARE DISTRIBUTED
9 PURSUANT TO SUBSECTION D, PARAGRAPH 3 OF THIS SECTION MAY BE USED TO
10 ACQUIRE LAND FOR RELIGIOUS ORGANIZATIONS, NONPROFIT ORGANIZATIONS AND
11 LOW-INCOME HOUSING ORGANIZATIONS.

12 K. NOT MORE THAN .06 PERCENT OF THE MONIES THAT ARE DISTRIBUTED
13 PURSUANT TO SUBSECTION D, PARAGRAPH 3 OF THIS SECTION MAY BE USED FOR
14 GRANTS PRESCRIBED IN SECTION 9-462.10.

15 L. NOT MORE THAN FIVE PERCENT OF THE REVENUES COLLECTED PURSUANT TO
16 THIS SECTION MAY BE TRANSFERRED ANNUALLY BETWEEN SUBSECTION D, PARAGRAPHS
17 1, 2 AND 3 OF THIS SECTION. MONIES TRANSFERRED PURSUANT TO THIS SUBSECTION
18 MAY NOT BE USED FOR LIGHT RAIL MAINTENANCE AND OPERATIONS.

19 Sec. 29. Section 48-5102, Arizona Revised Statutes, is amended to
20 read:

21 48-5102. Regional public transportation authority in counties
22 with population of three million or more persons:
23 establishment

24 ~~A. Beginning January 1, 1986, a regional public transportation~~
25 ~~authority is established in a county that has a population of one million~~
26 ~~two hundred thousand or more persons and that approves a transportation~~
27 ~~excise tax.~~

28 A. BEGINNING JANUARY 1, 2026, A REGIONAL PUBLIC TRANSPORTATION
29 AUTHORITY IS ESTABLISHED IN A COUNTY THAT HAS A POPULATION OF THREE MILLION
30 OR MORE PERSONS AND THAT APPROVES A COUNTY TRANSPORTATION EXCISE TAX.

31 B. An authority is a tax levying public improvement district for all
32 purposes of article XIII, section 7, Constitution of Arizona, and has the

1 powers, privileges and immunities specifically granted by law. The
2 authority's property, bonds, debts and other obligations and interest on
3 and transfer of its bonds and obligations are free from taxation.

4 C. The authority may operate both within and outside the corporate
5 limits of the member municipalities.

6 Sec. 30. Section 48-5103, Arizona Revised Statutes, is amended to
7 read:

8 48-5103. Public transportation fund

9 A. A public transportation fund is established for the authority.
10 The fund consists of:

11 1. Monies appropriated by each municipality that is a member of the
12 authority or the county, if it elected to enter into the authority. Each
13 member municipality and member county shall appropriate monies to the
14 public transportation fund in an amount determined by the board.

15 2. Monies appropriated by a county that has not elected to enter
16 into the authority in an amount determined by the county board of
17 supervisors.

18 3. Transportation excise tax revenues that are allocated to the fund
19 pursuant to ~~section~~ SECTIONS 42-6105 AND 42-6105.01. The board shall
20 separately account for monies from transportation excise tax revenues
21 allocated pursuant to section 42-6105, subsection D, paragraph 3 for:

22 (a) A light rail public transit system.

23 (b) Capital costs for other public transportation.

24 (c) Operation and maintenance costs for other public transportation.

25 4. Monies distributed under title 28, chapter 17, ~~article~~ ARTICLES 1
26 AND 2.

27 5. Grants, gifts or donations from public or private sources.

28 6. Monies granted by the federal government or appropriated by the
29 legislature.

30 7. Fares or other revenues collected in operating a public
31 transportation system.

1 B. On behalf of the authority, the fiscal agent shall administer
2 monies paid into the public transportation fund. Monies in the fund may be
3 spent pursuant to or to implement the public transportation element of the
4 ~~regional transportation~~ plan AS DEFINED IN SECTION 28-6351 developed and
5 approved by the regional planning agency, including reimbursement for
6 utility relocation costs as prescribed in section 48-5107, ~~adopted pursuant~~
7 ~~to section 48-5121~~ and for projects identified in the ~~regional~~
8 ~~transportation~~ plan adopted by the regional planning agency pursuant to
9 section ~~28-6308~~ 28-6352.

10 C. Monies in the fund shall not be spent to promote or advocate a
11 position, alternative or outcome of an election, to influence public
12 opinion or to pay or contract for consultants or advisors to influence
13 public opinion with respect to an election regarding taxes or other sources
14 of revenue for the fund or regarding the ~~regional transportation~~ plan AS
15 DEFINED IN SECTION 28-6351.

16 Sec. 31. Repeal

17 Sections 48-5106 and 48-5121, Arizona Revised Statutes, are repealed.

18 Sec. 32. Election on transportation excise tax

19 A. During the period beginning four years before the date on which
20 an existing county transportation excise tax would otherwise be
21 discontinued and ending two years before the date on which an existing
22 county transportation excise tax would be discontinued, the board of
23 supervisors of any county with a population of three million or more
24 persons shall call a countywide election for the continuation of the county
25 transportation excise tax as described in section 42-6105.01, Arizona
26 Revised Statutes, as added by this act. Notwithstanding any other law, the
27 county shall conduct an election on a consolidated election date at least
28 one year before the date on which an existing county excise tax would
29 otherwise be discontinued following the call of the election.

30 B. In addition to any other requirements prescribed by law, the
31 board of supervisors shall prepare and print an 8½" x 11" publicity
32 pamphlet concerning the ballot question and mail one copy of the pamphlet

1 to each household containing a registered voter in the county. The
2 mailings may be made over a period of days but shall be mailed for delivery
3 before the earliest date registered voters may receive early ballots for
4 the election. The publicity pamphlet shall contain:

5 1. A summary of the principal provisions of the issue presented to
6 the voters, including the rate of the transportation excise tax, the number
7 of years the tax will be in effect and the projected annual and cumulative
8 amount of revenues to be raised.

9 2. A statement describing the purposes for which the transportation
10 excise tax monies may be spent as provided by law, including:

11 (a) A summary of the regional strategic transportation
12 infrastructure investment plan adopted pursuant to section 28-6308, Arizona
13 Revised Statutes, as amended by this act.

14 (b) A map of proposed routes and transportation corridors of all
15 major transportation projects.

16 (c) The estimated amount of transportation excise tax revenues,
17 together with other identified revenues, dedicated for each transportation
18 mode.

19 (d) The county elections department website address for additional
20 information on the regional strategic transportation infrastructure
21 investment plan.

22 3. The form of the ballot.

23 4. Any arguments for or against the ballot measure. Affirmative
24 arguments, arranged in the order in which the elections director received
25 them, shall be placed before the negative arguments, also arranged in the
26 order in which they were received.

27 C. At a time determined by the county, a person may file with the
28 county elections director an argument, not more than three hundred words in
29 length, advocating or opposing the ballot measure. The person who files
30 the argument shall also pay to the elections director a publication fee
31 prescribed by the board of supervisors. If the argument is sponsored by
32 one or more individuals, the argument shall be signed by each sponsoring

1 individual. If the argument is sponsored by one or more organizations, the
2 argument shall be signed by two executive officers of each
3 organization. If the argument is sponsored by one or more political
4 committees, the argument shall be signed by each committee's chairperson or
5 treasurer. Payment of the fee required by this subsection, or
6 reimbursement of the payor, constitutes sponsorship of the argument. The
7 names of persons who have signed arguments and the names of sponsoring
8 organizations shall appear with the argument in the pamphlet. The person
9 or persons signing the argument shall also give their residence or post
10 office box address and a telephone number, which may not appear in the
11 pamphlet.

12 D. In addition to any other ballot requirements prescribed by law,
13 the elections director shall cause the following to be printed on the
14 official ballot:

15 1. The designation of the measure as follows: "Relating to county
16 transportation excise (sales) taxes".

17 2. The title: Regional Strategic Transportation Infrastructure
18 Investment Plan.

19 3. A description of the ballot measure, which shall read as follows:

20 A measure continuing the current transportation excise
21 (sales) tax to address the regional transportation system by
22 building new freeways, expanding existing freeways with
23 additional access and capacity, constructing streets and
24 intersections, expanding transit by increasing the frequency of
25 bus service and providing additional bus, dial-a-ride and
26 vanpool services.

27 4. Instructions directing the voter to the full text of the official
28 and descriptive titles containing the summary as printed in the sample
29 ballot and posted in the polling place. The ballot may include the summary
30 of the regional strategic transportation infrastructure investment plan.

1 5. The question submitted to the voters as follows:
2 Do you favor the continuation of a county transaction privilege
3 (sales) tax for regional transportation purposes in _____
4 county? YES _____ NO _____

5 (A "YES" vote has the effect of continuing the transaction
6 privilege (sales) tax in _____ county for twenty years to
7 provide funding for transportation projects as contained in the
8 regional strategic transportation infrastructure investment
9 plan.)

10 (A "NO" vote has the effect of rejecting the transaction
11 privilege (sales) tax for transportation purposes in _____
12 county.)

13 E. Except as otherwise provided by this section, the election under
14 this section shall be conducted as nearly as practicable in the manner
15 prescribed for general elections in title 16, Arizona Revised Statutes.
16 The county election officer shall account for costs specifically incurred
17 with respect to the ballot issue under this section. Regardless of the
18 outcome of the election, and notwithstanding any other law, the state
19 treasurer shall pay the costs listed in this subsection specifically
20 incurred with respect to the ballot issue under this section from monies
21 paid into the county's regional area road fund on submission of the bill by
22 the county election officer. Costs specifically incurred with respect to
23 the ballot issue under this section include the following:

24 1. Costs of mailing, publishing, posting and printing ballots,
25 publicity pamphlets, notices, election materials and other matters
26 concerning the election.

27 2. Legal and other consulting fees and costs relating to the
28 election.

29 3. Telecommunications costs.

30 4. Compensation of the election board, county election officers and
31 employees and other labor costs incurred to administer, hold, canvass and
32 announce the results of the election.

1 5. Any other costs attributable to the election.

2 F. This section does not constitute a submission of any provision of
3 law to the people for approval under the power of the referendum.

4 G. Except as specifically provided in this section, the general laws
5 relating to elections apply to the election prescribed by this section.

6 Sec. 33. Regional public transportation authority

7 This act does not invalidate an action by a regional public
8 transportation authority formed pursuant to law before the effective date
9 of this act.

10 Sec. 34. Legislative intent

11 The legislature intends that the development of State Route 30
12 between State Route 85 and Loop 303 will begin in the first phase of the
13 plan as defined in section 28-6351, Arizona Revised Statutes, as amended by
14 this act, to allow right-of-way acquisition and construction of the
15 facility to advance as monies become available.

16 Sec. 35. Severability

17 If a provision of this act or its application to any person or
18 circumstance is held invalid, the invalidity does not affect other
19 provisions or applications of the act that can be given effect without the
20 invalid provision or application, and to this end the provisions of this
21 act are severable."

22 Amend title to conform

DAVID LIVINGSTON

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