

WEEKLY LEGISLATIVE REPORT

Arizona Transit Association

February 8, 2008

Strike Everything Amendment on Transportation Mode Delineation Adopted in House Judiciary Committee

The House Committee on Judiciary adopted a strike everything amendment to HB 2092 that requires transportation elections to have separate ballot questions on each individual transportation mode.

This is the exact same language that was introduced on HB 2091, which was held last week in the House Committee on Transportation without discussion or debate.

Historically, the House has generally been requiring that the subject matter of a strike everything amendment be reassigned to the proper committee, if the amendment was heard in an unrelated committee. This procedure is not necessarily a rule, per se, but the general concept has been effectively used to stop proponents of bills from shopping for a supportive chairman as a means of going around the appropriate committee chairman.

Accordingly, an argument is being made by AzTA that HB 2092 be reassigned to the House Committee on Transportation, as that is the committee responsible for this specific subject matter, as evidenced by the assignment of HB 2091 to the Transportation Committee earlier this legislative session.

This issue will take some time to sort out, as a number of procedural and public notification issues are being raised and questioned. It is anticipated that more answers will be available in next week's legislative report.

FY 2008 Revenue Shortfall Increases

The revenue shortfall for FY 2008 has increased to approximately \$1.25 billion, nearly double the original projection at the beginning of the legislative session in January.

Executive and legislative budget offices are looking at all possible revenue opportunities, including fund transfers from non-general fund resources. Accordingly, all revenue streams are under a constant threat, as resources are becoming increasingly difficult to identify in order to successfully address the increasing revenue shortfall.

Both House and Senate Committees on Appropriations were cancelled this week, as there is no final agreement on the FY 2008 budget reductions. It is becoming increasingly apparent that the FY 2009 budget will not be addressed until an agreement is reached on the FY 2008 budget crisis.

There are no meetings scheduled for either the House or Senate Committee on Appropriations for the week of February 11th.

A Preview for the Week Ahead

Based on a review of the agendas for both the House and Senate Committees on Transportation, there is no public transportation related legislation scheduled for the week of February 11th.

Comments

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LEGISLATIVE TRACKING REPORT

Arizona Transit Association

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BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2043	air quality; idling; study committee	Robson	As introduced, establishes a 13 member Vehicle Idling Study Committee to consider the issues involved in developing a program to reduce the amount of pollution caused by unnecessary diesel engine idling. The Committee is required to examine possible measures relating to cars, buses, trucks and mobile equipment. The Committee is repealed on October 1, 2009.	Environment, Rules		committee assignment, 1/14
HB 2049	ADOT rule revisions	McClure	As introduced, removes the ability for the State Transportation Board to adopt rules relating to priority programs, construction contracts, revenue bonds and local government airport grants. Removes the ability for the director of ADOT to adopt rules for the application for and the expenditure of all public transit monies and rules for the expenditure of monies in the State Highway Fund. Repeals statutes relating to the Vehicle Equipment Safety Compact.	Transportation, Rules		passed, Transportation, 2/7
HB 2091	transportation plans; ballot; mode delineation	Biggs (8)	As introduced, requires any state or county transportation plan that appears on a ballot and that asks for voter approval of more than one mode of transportation, to be written to delineate the following: each proposed transportation mode, the cost for each of the proposed modes, and A "Yes" or "No" vote for each of the proposed modes.	Transportation, Rules		held, Transportation, 1/31



BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2092	motor vehicle accidents; death; injury	Biggs (4)	As introduced, adds two additional moving traffic violations to those with increased penalties if the violation results in an accident causing serious physical injury or death. In addition, it adds persons without a valid driver's license to the category of persons ineligible to operate a motor vehicle for sentencing purposes if death or serious physical injury results from the accident. STRIKE EVERYTHING AMENDMENT: Requires any state or county transportation plan that appears on a ballot and that asks for voter approval of more than one mode of transportation, to be written to delineate each proposed transportation mode, the cost for each of the proposed modes, and a "yes" or "no" vote for each of the proposed modes.	Transportation, Judiciary, Rules		passed, Judiciary, 2/7
HB 2094	highway project advancement notes	Biggs	As introduced, allows a county to issue highway project advancement notes (HPAN). Redefines "highway project" to include a highway project that is included in the transportation improvement plan of a regional association of governments. Allows a political subdivision to issue HPANs in excess of the aggregate of uncollected highway project advance revenues due to the political subdivision if the political subdivision has pledged another source of revenue to cover the excess amount. Raises the HPAN cap from \$100 million to \$300 million.	Transportation, CMMMA, Rules		passed, Transportation, 1/31
HB 2133	transportation districts	Rios P	As introduced, states if after January 1, 2009, a county attains a population of 500,000 or more, a new transportation district will be formed consisting of that county.	Transportation, Ways and Means, Rules		committee assignment, 1/22

BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2164	regional transportation authorities	Prezelski (2)	As introduced, allows a transportation authority to be established in any county that is a member of a regional council of governments. Allows a regional transportation authority to levy a transportation excise tax if approved in a county wide election.	Transportation, CMMA, Rules		committee assignment, 1/16
HB 2665	development fees; public transportation	Farley (7)	As introduced, allows a county or a municipality to assess development fees to offset the costs of public transportation.	CMMA, Transportation, Rules		committee assignment, 2/4
HCR 2001	highway user revenue fund uses	Chad Campbell	As introduced, subject to voter approval at the next general election, amends the state constitution to state that HURF revenues shall be used for "transportation" purposes instead of "highway and street" purposes.	Transportation, CMMA, Rules		committee assignment, 1/14
SB 1039	HOV lanes; restricted hours	Harper	As introduced, codifies in statute the HOV restricted times - between 5 and 9 am and between 3 and 7 pm.		Transportation, Rules	committee assignment, 1/14
SB 1041	HOV lane usage; hybrids	Harper	As introduced, allows hybrid vehicles in HOV lanes if the vehicle has at least 45% fuel efficiency in combined city-highway fuel economy.		Transportation, Rules	committee assignment, 1/14
SB 1042	toll roads; ADOT; private entity	Harper	As introduced, requires ADOT to issue an RFP for Construction of a toll road beginning at the Loop 303 and 75th avenue and ending in Prescott by December 31. 2009. ADOT must award the contract by the end of 2010. Removes the requirement that a reasonable alternative route must exist.		Transportation, Rules	committee assignment, 1/14
SB 1204	state transportation board; tribal representation	Hale (30)	As introduced, adds a representative of a tribal government to the State Transportation Board.			committee assignment, 1/28

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SB 1220	public transportation authorities	Johnson	As introduced, removes the requirement that the boards of intergovernmental public transportation authorities initiate proceedings to determine the application of federal voting laws to the authority and that the board take any necessary action to comply with the applicable federal law.			committee assignment, 1/28
SB 1276	transportation financing; revenue anticipation bonds	Huppenthal	As introduced, Establishes the transportation finance committee that may recommend to the state transportation board the source of taxation to secure payment of revenue anticipation bonds. Allows the Board to issue such bonds that are secured by the Board based on recommendation of the finance committee and may be authorized in an aggregate principal amount of not more than \$20 billion. States requirements for the bonds, their payment and their proceeds. States the proceeds shall be used for corridors with high traffic volume, improvements on highways, improvements on city streets, a mass transit method, and for a public bidding process in specified amounts for each.		Transportation, Finance, Rules	committee assignment, 1/31
SB 1415	transportation districts; transportation board members	Rios (6)	As introduced, expands the number of state transportation districts to 10, giving Coconino, Pinal, Yavapai, and Yuma counties their own district. Places Greenlee County in the Fourth district with Gila and Graham Counties. Expands the membership of the State Transportation Board accordingly.		Transportation, Rules	committee assignment, 2/7
SB 1420	toll roads; public highway authorities	Tibshraeny	As introduced, allows any combination of municipalities, counties or counties and municipalities that are located in the same metropolitan region to form an authority that can establish, collect and increase or decrease fees, tolls, rates and charges for traveling on any public		Transportation, FIN, Rules	committee assignment, 2/7

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			highway financed, constructed, operated or maintained by the authority. Stipulates requirements for an authority including: creation, board of directors, powers and duties, and issuance of bonds by the authority.			
SB 1465	transportation; innovative partnerships program	Gould (5)	As introduced, requires ADOT to establish the Innovative Partnership Program for the planning, acquisition, financing, development, design, construction, replacement, improvement, maintenance, management, repair, leasing and operation of transportation projects. ADOT may enter into agreements for the Program with any private entity or unit of government or a combination of the two. Establishes the State Transportation Enterprise Fund for the Program consisting of bond proceeds and revenues derived from a Program project. Allows ADOT to use monies in the Highway Expansion and Extension Loan Program Fund to ensure repayment of loan guarantees for the Program's projects. Stipulates requirements for the Program regarding agreements, evaluation of proposed agreements, eminent domain powers, advisory committees, financing, use of federal monies, and revenues within the district. Terminates the Program on July 1, 2018.			awaiting committee assignment
SB 1471	HOV lane conversion; toll lane	Gould (1)	As introduced, requires ADOT to issue an RFP by November 15, 2013 for the conversion of HOV lanes on SR51 into high occupancy toll lanes. ADOT may also issue an RFP for the conversation of HOV lanes on other state highways.			awaiting committee assignment
SB 1495	light rail performance audit	Gorman (9)	As introduced, states a separate performance audit will be conducted 12 months after the minimum operating system of the light rail system is opened if the minimum operating system is not completed by January 1, 2009.			awaiting committee assignment

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SB 1498	public-private partnerships in transportation	Gorman (2)	As introduced, stipulates requirements for ADOT to enter into public-private partnerships regarding: project delivery methods, procurements, agreements, funding and financing (allows for any lawful source of funding including tolls). Facilities eligible for public-private partnerships include any facility developed, operated or held, including existing or new facilities and may involve highways, railways, monorails, transit, bus systems, guided rapid transit, parking facilities, rail yards, and others.			awaiting committee assignment
SB 1503	FAST lanes	Gorman (2)	As introduced, requires ADOT, prior to July 1, 2009, to issue an RFP for private entities to bid on the construction of new freeway acceleration and sensible transportation lanes (FAST lanes). FAST lanes are to be used by drivers of vehicles carrying less than two persons in an HOV lane that have paid a specified fee. Requires ADOT to structure a variable fee for the FAST lanes to ensure unrestricted access for eligible vehicles. ADOT is also required to develop and adopt functional specifications and standards for an automatic vehicle identification system for use on HOV lanes, FAST lanes and any other toll roads.			awaiting committee assignment