

REFERENCE TITLE: STAN account; interest payments

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2562

Introduced by
Representative Nelson, Senator Blendu

AN ACT

AMENDING SECTION 28-7009, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 20, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-7010; RELATING TO THE STATEWIDE TRANSPORTATION ACCELERATION NEEDS ACCOUNT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-7009, Arizona Revised Statutes, is amended to
3 read:
4 28-7009. Statewide transportation acceleration needs account;
5 establishment; definition
6 A. The statewide transportation acceleration needs account is
7 established as a separate account in the state highway fund. The account
8 consists of all of the following:
9 1. Monies appropriated by the legislature.
10 2. Monies designated for deposit in the account by the transportation
11 board, a state agency or a political subdivision.
12 3. Monies received from the United States government for the purpose
13 of accelerating transportation projects.
14 4. Monies received from political subdivisions, Indian tribes or this
15 state or its agencies for the purpose of accelerating transportation
16 projects.
17 5. Interest and other income received from investing monies in the
18 account.
19 6. Gifts, grants, donations or other amounts received from any public
20 or private source for deposit in the account for the purpose of accelerating
21 transportation projects.
22 B. On notice from the transportation board, the state treasurer shall
23 invest and divest monies in the statewide transportation acceleration needs
24 account as provided by section 35-313, and monies earned from investment
25 shall be credited to the account.
26 C. The transportation board may establish any subaccount in the
27 statewide transportation acceleration needs account that the board determines
28 is necessary or appropriate to carry out the purposes of this section.
29 D. If a governmental entity or a private person deposits monies in the
30 statewide transportation acceleration needs account for acceleration of a
31 specific project and the appropriate regional planning agency or council of
32 governments in cooperation with the transportation board approves the
33 project, the board shall designate the monies deposited by the governmental
34 entity or private person solely for the project for which the monies are
35 deposited.
36 E. Notwithstanding section 28-6993, and any other agreements entered
37 into by the department of transportation for the distribution and expenditure
38 of monies from the state highway fund, the transportation board shall not
39 approve any expenditures from the statewide transportation acceleration needs
40 account unless the expenditure is made in accordance with this section and is
41 for the construction or reconstruction of freeways, state highways, bridges
42 and interchanges that are contained in the regional transportation plan of a
43 county or the department's long-range statewide transportation plan pursuant
44 to section 28-506. For the purposes of this subsection, a regional
45 transportation plan is a twenty year comprehensive, performance based,

1 multimodal and coordinated regional transportation plan that is approved for
2 the county as provided by law and as amended or otherwise modified.

3 F. EXCEPT AS PROVIDED IN SECTION 28-7010, monies in the statewide
4 transportation acceleration needs account shall be used only to pay for the
5 following costs of a transportation project approved pursuant to this
6 section:

- 7 1. Materials and labor.
- 8 2. Acquisition of rights-of-way for highway needs.
- 9 3. Design and other engineering services that are within the scope of
10 engineering practice as provided in title 32, chapter 1.
- 11 4. Other directly related costs approved by the transportation board.

12 G. Monies in the statewide transportation acceleration needs account
13 that are appropriated by the legislature and any interest earnings shall be
14 allocated as follows:

- 15 1. For a county with a population of at least one million two hundred
16 thousand persons for the area included in the regional planning agency's
17 transportation improvement plan, sixty per cent.
- 18 2. For a county with a population of more than five hundred thousand
19 persons but less than one million two hundred thousand persons for the area
20 included in the regional planning agency's transportation improvement plan,
21 sixteen per cent.
- 22 3. For all other counties, twenty-four per cent.

23 H. The regional planning agency in a county designated as a
24 transportation management area shall establish a process for the review and
25 approval of transportation projects eligible to receive monies from the
26 statewide transportation acceleration needs account. As part of its request
27 to the transportation board for monies, the regional planning agency shall
28 ensure and submit evidence satisfactory to the board that any project costs
29 not eligible for monies from the statewide transportation acceleration needs
30 account are available and dedicated to the project. In all other counties,
31 the department, in cooperation with the metropolitan planning organization or
32 the council of governments that has the authority to approve transportation
33 projects for the county, shall develop requests for expenditure of monies
34 from the statewide transportation acceleration needs account. As part of the
35 request to the transportation board for monies, the metropolitan planning
36 organization or the council of governments for the department shall submit
37 evidence satisfactory to the board that any project costs not eligible for
38 monies from the statewide transportation acceleration needs account are
39 available and dedicated to the project.

40 I. On receipt of a request for monies from the statewide
41 transportation acceleration needs account, the transportation board shall
42 place the request on the agenda for the next regular business meeting of the
43 board. The board shall review the request and, in cooperation with the
44 regional planning agency, the metropolitan planning organization or the
45 council of governments, approve the request or further modify the request
46 before approval.

1 J. The transportation board shall not approve the release of any
2 monies from the statewide transportation acceleration needs account for a
3 transportation project unless the board verifies that all costs related to
4 construction of the project are covered.

5 K. Monies in the statewide transportation acceleration needs account
6 shall be used to supplement, not supplant, funding that would otherwise be
7 made available for projects.

8 L. On or before July 1 of each year, the transportation board shall
9 submit a report of its activities pursuant to this section to the governor,
10 the president of the senate and the speaker of the house of representatives
11 and shall provide a copy of this report to the secretary of state, the
12 director of the joint legislative budget committee and the director of the
13 Arizona state library, archives and public records.

14 M. A regional planning agency that receives monies from the statewide
15 transportation acceleration needs account shall report on or before December
16 15 of each year to the senate and house of representatives transportation
17 committees on approved projects and amounts expended for those projects.

18 N. For the purposes of this section, "project" means the construction
19 or reconstruction of a specific portion of a freeway or state highway or a
20 bridge or interchange or a portion of a bridge or interchange that is
21 constructed at a single location.

22 Sec. 2. Title 28, chapter 20, article 4, Arizona Revised Statutes, is
23 amended by adding section 28-7010, to read:

24 28-7010. Statewide transportation acceleration needs account;
25 reimbursement of interest costs

26 A. THE BOARD MAY APPROVE THE REIMBURSEMENT OF INTEREST COSTS FOR THE
27 ACCELERATION OF A TRANSPORTATION PROJECT AS PRESCRIBED IN THIS SECTION.

28 B. THE REGIONAL PLANNING AGENCY IN A COUNTY THAT IS DESIGNATED AS A
29 TRANSPORTATION MANAGEMENT AREA SHALL ESTABLISH A PROCESS FOR THE REVIEW AND
30 APPROVAL OF REIMBURSEMENT OF INTEREST COSTS FROM THE STATEWIDE TRANSPORTATION
31 ACCELERATION NEEDS ACCOUNT. IN ALL OTHER COUNTIES, THE DEPARTMENT, IN
32 COOPERATION WITH THE METROPOLITAN PLANNING ORGANIZATION OR THE COUNCIL OF
33 GOVERNMENT THAT HAS THE AUTHORITY TO APPROVE TRANSPORTATION PROJECTS FOR THE
34 COUNTY, SHALL ESTABLISH A PROCESS FOR THE REVIEW AND APPROVAL OF
35 REIMBURSEMENT OF INTEREST COSTS FROM THE STATEWIDE TRANSPORTATION
36 ACCELERATION NEEDS ACCOUNT.

37 C. THE BOARD SHALL REVIEW AND APPROVE THE REQUEST AS PRESCRIBED IN
38 SECTION 28-7009, SUBSECTIONS I AND J.

39 D. TO BE ELIGIBLE FOR REIMBURSEMENT OF INTEREST COSTS PURSUANT TO THIS
40 SECTION, THE INTEREST COSTS MUST RESULT FROM BONDS, LOANS OR ADVANCES ISSUED
41 TO A CITY OR COUNTY THAT ENTERS INTO AN AGREEMENT WITH AT LEAST ONE OTHER
42 CITY OR COUNTY, THE DEPARTMENT AND THE REGIONAL PLANNING AGENCY AFTER JANUARY
43 1, 2007 FOR THE ACCELERATION OF A TRANSPORTATION PROJECT THAT IS CONTAINED IN
44 THE REGIONAL TRANSPORTATION PLAN OF A COUNTY OR THE DEPARTMENT'S LONG-RANGE
45 STATEWIDE TRANSPORTATION PLAN PURSUANT TO SECTION 28-506.