

REFERENCE TITLE: ADOT; utility damage agreements

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

HB 2057

Introduced by
Representatives Cooley: Carruthers, Farnsworth, Gullett, Hanson, Hatch-
Miller, Huppenthal, Marsh, McClure, O'Halleran, Sedillo, Senators Brown,
Martin, Petersen

AN ACT

AMENDING SECTION 28-7000, ARIZONA REVISED STATUTES; RELATING TO DEPARTMENT OF
TRANSPORTATION AGREEMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-7000, Arizona Revised Statutes, is amended to
3 read:

4 28-7000. Contracts; exceptions

5 A. Notwithstanding section 28-6999, the department may enter into:

6 1. Construction contracts the performance of which may extend beyond
7 the close of the fiscal year.

8 2. Contracts or agreements for the purpose of right-of-way
9 acquisitions that may obligate state monies for payment up to ten years
10 before the estimated completion date of construction.

11 3. **CONTRACTS OR AGREEMENTS FOR THE PURPOSE OF COMPENSATING A UTILITY
12 FOR DAMAGES TO THE UTILITY'S FACILITIES IF THE DAMAGES RESULT FROM AN
13 INCREASE IN THE COST OF MAINTENANCE, REPAIR OR REPLACEMENT OF THE FACILITIES
14 DUE TO CHANGES IN THE CONFIGURATION OR LOCATION OF THE UTILITY'S FACILITIES
15 THAT ARE REQUIRED TO ACCOMMODATE A TRANSPORTATION FACILITY. THIS PARAGRAPH
16 APPLIES TO ANY CONTRACT OR AGREEMENT IN EFFECT ON THE EFFECTIVE DATE OF THIS
17 AMENDMENT TO THIS SECTION.**

18 B. Notwithstanding subsection A, paragraph 2 of this section, the
19 department may purchase rights-of-way for projects identified in the twenty
20 year transportation facilities construction plan established pursuant to
21 section 28-6956.