

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

HOUSE BILL 2057

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. FOR PURPOSES OF THIS PARAGRAPH, "UTILITY"**
18 **INCLUDES THE OWNER OF THE UTILITY FACILITIES AND ANY PERSON OTHER THAN THE**
19 **OWNER WHO IS RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIR OR REPLACEMENT**
20 **OF THE FACILITIES.**

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