

COMMITTEE ON WAYS AND MEANS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1147  
(Reference to Senate engrossed bill)

1 Page 1, line 5, after "election" insert ";report"

2 Line 13, after "ELECTION" insert "HELD ON A REGULARLY SCHEDULED COUNTYWIDE  
3 GENERAL ELECTION DATE PURSUANT TO SECTION 16-211"

4 Line 30, strike the period insert "FOR:

5 (a) FREEWAYS AND OTHER ROUTES IN THE STATE HIGHWAY SYSTEM, INCLUDING  
6 CAPITAL EXPENSE AND MAINTENANCE.

7 (b) MAJOR ARTERIAL STREET AND INTERSECTION IMPROVEMENTS, INCLUDING  
8 CAPITAL EXPENSES."

9 Between lines 37 and 38, insert:

10 "(e) SHALL ALLOCATE AT LEAST SIXTY PERCENT OF THE MONIES ON FREEWAY  
11 OR HIGHWAY ROAD PROJECTS, INCLUDING CAPITAL EXPENSE AND MAINTENANCE.

12 (f) MAY NOT INCLUDE ANY PROJECT THAT WILL RESULT IN A REDUCTION OF  
13 EXISTING LANE MILES ON A ROAD OR STREET."

14 Line 39, strike the first "A" insert "MARICOPA"; after "COUNTY" strike  
15 remainder of line

16 Line 40, strike "42-6105"

17 Page 2, line 6, after "4." insert "NOTWITHSTANDING SECTION 28-6303, SUBSECTION D,  
18 SECTION 42-6105, SUBSECTION D AND SECTION 48-5103, SUBSECTION A,  
19 PARAGRAPH 3,"

20 Line 14, strike "AND IMPLEMENTATION STUDIES"

21 Between lines 18 and 19, insert:

22 "5. THE PLAN SHALL ALLOCATE AT LEAST SIXTY PERCENT OF THE MONIES FOR  
23 FREEWAYS AND OTHER ROUTES IN THE STATE HIGHWAY SYSTEM, INCLUDING CAPITAL  
24 EXPENSE AND MAINTENANCE.

25 6. THE PLAN MAY NOT INCLUDE ANY PROJECT THAT WILL RESULT IN A  
26 REDUCTION IN EXISTING LANE MILES ON A ROAD OR STREET."

1 Page 2, line 22, strike the second "THE" insert "PIMA"; after "COUNTY" insert  
2 ", ON A UNANIMOUS VOTE,"

3 Line 28, after "ON" strike remainder of line

4 Strike line 29, insert "A REGULARLY SCHEDULED COUNTYWIDE GENERAL ELECTION DATE  
5 PURSUANT TO SECTION 16-211."

6 Lines 34 and 38, strike "TWENTY" insert "TEN"

7 Page 3, line 11, after the second "THE" insert "EXCLUSIVE"

8 Line 13, after the period insert "MONIES IN THE REGIONAL TRANSPORTATION FUND  
9 ARE NOT SUBJECT TO APPROPRIATION BY THE COUNTY BOARD OF SUPERVISORS OR  
10 SUBJECT TO USE FOR ANY PURPOSE EXCEPT AS AUTHORIZED PURSUANT TO THE  
11 REGIONAL TRANSPORTATION PLAN. THE PLAN:

12 (a) SHALL ALLOCATE AT LEAST SIXTY PERCENT OF THE MONIES FOR FREEWAY  
13 OR HIGHWAY ROAD PROJECTS, INCLUDING CAPITAL EXPENSE AND MAINTENANCE.

14 (b) MAY NOT INCLUDE ANY PROJECT THAT WILL RESULT IN A REDUCTION IN  
15 EXISTING LANE MILES ON A ROAD OR STREET.

16 D. ON OR BEFORE JANUARY 31 OF EACH YEAR THE BOARD OF SUPERVISORS OF  
17 ANY COUNTY THAT LEVIES A TRANSPORTATION TAX PURSUANT TO THIS SECTION AND  
18 SECTION 42-6105, 42-6106 OR 42-6107 SHALL SUBMIT A REPORT TO THE PRESIDENT  
19 OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PROVIDE A  
20 COPY OF THIS REPORT TO THE SECRETARY OF STATE THAT INCLUDES THE FOLLOWING  
21 INFORMATION:

22 1. THE DATE THE TAX WAS FIRST LEVIED UNDER THIS SECTION AND THE DATE  
23 THE TAX WILL EXPIRE.

24 2. THE AMOUNT OF NET REVENUES FROM THE TAX COLLECTED IN THE  
25 PRECEDING CALENDAR YEAR.

26 3. THE AGGREGATE AMOUNT OF NET REVENUES COLLECTED SINCE THE TAX WAS  
27 FIRST LEVIED UNDER THIS SECTION AND THE PROJECTED AMOUNT OF NET REVENUES  
28 THAT WILL BE COLLECTED WHEN THE TAX EXPIRES.

29 4. AN ITEMIZED LIST OF THE CONSTRUCTION PROJECTS IN PROCESS OR  
30 COMPLETED PURSUANT TO THE TRANSPORTATION PLAN UNDER THIS SECTION.

31 5. THE PERCENTAGE OF REVENUES SPENT UNDER EACH OF THE FOLLOWING  
32 CATEGORIES SINCE THE INCEPTION OF THE TAX:

1 (a) FREEWAY AND HIGHWAY ROAD PROJECTS, INCLUDING CAPITAL EXPENSE AND  
2 MAINTENANCE.

3 (b) TRANSIT, MULTIMODAL OR PUBLIC TRANSPORTATION SYSTEMS, INCLUDING  
4 CAPITAL EXPENSE AND MAINTENANCE.

5 (c) ARTERIAL OR COLLECTOR STREETS AND INTERSECTIONS, INCLUDING  
6 CAPITAL EXPENSE AND MAINTENANCE."

7 Reletter to conform

8 Page 3, after line 20, insert:

9 "Sec. 2. Section 28-6308, Arizona Revised Statutes, is amended to  
10 read:

11 28-6308. Regional planning agency transportation policy  
12 committee; regional transportation plan; plan  
13 review process; committee termination

14 A. The regional planning agency in the county shall establish a  
15 transportation policy committee consisting of twenty-three members as  
16 follows:

17 1. Seventeen members of the regional planning agency, including one  
18 member of the state transportation board who represents the county, one  
19 member of the county board of supervisors and one member representing  
20 Indian communities in the county.

21 2. Six members who represent regionwide business interests, one of  
22 whom must represent transit interests, one of whom must represent freight  
23 interests and one of whom must represent construction interests. The  
24 president of the senate and the speaker of the house of representatives  
25 shall each appoint three members to the committee pursuant to this  
26 paragraph. Members who are appointed pursuant to this paragraph serve  
27 six-year terms. The chairman of the regional planning agency may submit  
28 names to the president of the senate and the speaker of the house of  
29 representatives for consideration for appointment to the transportation  
30 policy committee.

31 B. Through the regional planning agency, the transportation policy  
32 committee shall:

1           1. By a majority vote of the members, recommend approval of a twenty  
2 year comprehensive, performance based, multimodal and coordinated regional  
3 transportation plan in the county, including transportation corridors by  
4 priority and a schedule indicating the dates that construction will  
5 commence for projects contained in the plan.

6           2. Develop the plan in cooperation with the regional public  
7 transportation authority in the county and the department of transportation  
8 and in consultation with the county board of supervisors, Indian  
9 communities and cities and towns in the county.

10           3. Submit the plan for review by the regional public transportation  
11 authority in the county, the state board of transportation, the county  
12 board of supervisors, Indian communities and cities and towns in the county  
13 at the alternatives stage of the plan and the final draft stage of the  
14 plan. After reviewing the plan, the regional public transportation  
15 authority in the county, the county board of supervisors and the state  
16 board of transportation, by majority vote of the members of each entity  
17 within thirty days after receiving the plan, shall submit a written  
18 recommendation to the transportation policy committee that the plan be  
19 approved, modified or disapproved. Within thirty days after receiving the  
20 plan, Indian communities and cities and towns in the county may submit a  
21 written recommendation to the transportation policy committee that the plan  
22 be approved, modified or disapproved.

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

25           5. By majority vote, approve, disapprove or further modify each  
26 proposed plan modification.

27           6. Provide a written response to the regional public transportation  
28 authority, the state board of transportation, the county board of  
29 supervisors and the entity that submitted the proposed modification within  
30 thirty days after the vote on the proposed modification explaining the  
31 affirmation, rejection or further modification of each proposed  
32 modification.

1           7. Recommend the plan to the regional planning agency for approval  
2 for an air quality conformity analysis.

3           C. The regional transportation plan:

4           1. Shall include the following transportation mode classifications  
5 with a revenue allocation to each classification consistent with section  
6 42-6105, subsection D:

7           (a) Freeways and other routes in the state highway system.

8           (b) Major arterial streets and intersection improvements.

9           (c) Public transportation systems.

10          2. Shall provide a suggested construction schedule for the  
11 transportation projects contained in the plan.

12          3. May be annually updated to introduce new controlled access  
13 highways, related grade separations and transportation projects or to  
14 modify the existing plan.

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

17          D. BEGINNING IN 2023 AND EVERY FIFTH YEAR THEREAFTER, THE  
18 TRANSPORTATION POLICY COMMITTEE SHALL:

19          1. CONDUCT A FORMAL EVALUATION OF THE ALLOCATION OF ASSETS AND  
20 RESOURCES WITHIN THE REGIONAL TRANSPORTATION PLAN. THE EVALUATION  
21 PROCEEDING SHALL INCLUDE MEETINGS AND HEARINGS WITH:

22          (a) THE PUBLIC.

23          (b) THE GOVERNING BODIES OF THE COUNTY AND THE MUNICIPALITIES IN THE  
24 REGIONAL PUBLIC TRANSPORTATION AUTHORITY.

25          (c) THE REGIONAL PLANNING AGENCY AND THE REGIONAL PUBLIC  
26 TRANSPORTATION AUTHORITY.

27          2. IF NECESSARY, RECOMMEND TO THE REGIONAL PLANNING AGENCY  
28 MODIFICATIONS TO THE REGIONAL TRANSPORTATION PLAN TO ACCOMMODATE UNSERVED  
29 AND UNDERSERVED AREAS AND OTHER PRIORITIES OF THE REGIONAL TRANSPORTATION  
30 PLAN.

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

1 28-6353, subsections D, E and F, transportation excise tax revenues that  
2 are dedicated in the plan to a specific project or transportation system  
3 may only be redistributed to or otherwise used for another project within  
4 the same transportation mode if approved by a majority vote of the  
5 transportation policy committee.

6 ~~E.~~ F. The committee established pursuant to this section ends on  
7 July 1, 2024 pursuant to section 41-3103.

8 Sec. 3. Section 42-6105, Arizona Revised Statutes, is amended to  
9 read:

10 42-6105. County transportation excise tax; counties with  
11 population of one million two hundred thousand or  
12 more persons

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

17 B. The tax shall be levied and collected:

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

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

24 3. On the use or consumption of electricity or natural gas by retail  
25 electric or natural gas customers in the county who are subject to use tax  
26 under section 42-5155, at a rate equal to the transaction privilege tax  
27 rate under paragraph 1 of this subsection applying to persons engaging or  
28 continuing in the county in the utilities transaction privilege tax  
29 classification.

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

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

4           1. 56.2 ~~per cent~~ PERCENT to the regional area road fund pursuant to  
5 section 28-6303 for freeways and other routes in the state highway system,  
6 including capital expense and maintenance.

7           2. 10.5 ~~per cent~~ PERCENT to the regional area road fund pursuant to  
8 section 28-6303 for major arterial streets and intersection improvements,  
9 including capital expense and implementation studies.

10           3. 33.3 ~~per cent~~ PERCENT to the public transportation fund pursuant  
11 to section 48-5103 for:

12           (a) Capital costs, maintenance and operation of public  
13 transportation classifications.

14           (b) Capital costs and utility relocation costs associated with a  
15 light rail public transit system. FROM AND AFTER DECEMBER 31, 2022, THE  
16 ALLOCATION OF MONIES UNDER THIS SUBDIVISION SHALL TERMINATE."

17 Amend title to conform

And, as so amended, it do pass

MICHELLE UGENTI-RITA  
CHAIRMAN

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H: jy