

Memorandum

To: Chairman and Commissioners

Date: September 18, 2000

From: Robert I. Remen

File No: F 9
BOOK ITEM 4.1
ACTION

Ref: STATE LEGISLATION

The Legislature adjourned for its Final Recess on August 31, 2000 (actually the early hours of September 1, 2000). The Governor has until midnight September 30, 2000 to sign or veto bills passed by the Legislature. The following list summarizes the status of 33 bills sent to the Governor which deal with issues of interest to the Commission. Staff will update the status of these bills at the September Commission meeting. The 1999-2000 Legislative Session adjourns sine die at Midnight November 30, 2000.

(AS OF SEPTEMBER 19, 2000)

ENROLLED BILLS

AB 1066 (Cardenas) - Department of Transportation: Contracts

To enrollment (08/31/2000)

SUMMARY: Authorizes Caltrans to enter into a contract with a federally recognized Indian tribe (Shingle Springs Rancheria) for Caltrans to provide services related to the development and installation of freeway on-ramps and off-ramps and related access roads serving State Route 50.

AB 1093 (Strom-Martin) - Transportation Funding

To enrollment (08/31/2000)

SUMMARY: Creates in the State Transportation Fund the Short Line Railroad Improvement Account to be administered by the Caltrans. Authorizes the Caltrans to approve grants to short line railroads to be funded from the account. The funds may be used for the cost of capital improvement projects, state matching portion of federal grants for rail-highway grade crossing improvement projects, rehabilitation of track bed and structures, restoration of railroad facilities damaged or destroyed in circumstance declared as a state of emergency by the Governor, and purchase of railroad equipment necessary to maintain rail service.

AB 1703 (Florez) - High-speed Rail Service

To enrollment (08/31/2000)

SUMMARY: Extends the termination date of the High-Speed Rail Authority until 12/31/2003 and provides for the expiration of the terms of the members of the authority.

AB 1807 (Longville) - California Environmental Quality Act

To enrollment (08/29/2000)

SUMMARY: Relates to consultations under the California Environmental Quality Act. Requires the lead agency preparing an environmental impact report to send notice to the Office of Planning and Research, and requires that transportation information resulting from the report be submitted to Caltrans when the project has impacts that are of statewide, regional, or areawide significance.

AB 1951 (Longville) - Transportation: Public Transit: Funding

To enrollment (08/31/2000)

SUMMARY: the Southern California Regional Rail Authority consists of 5 member agencies, and the Altamont Commuter Express Authority consists of 3 member agencies. This bill requires each authority to report to the Controller, on an annual basis, the ratio that the fare box revenue of each member agency of the authority during the prior fiscal year bears to the total revenue of the authority during that fiscal year. Require the Controller to allocate to each member agency of the authority, State Transit Assistance funds an amount that is based on the ratio provided by the authority.

AB 2016 (Strom-Martin) - Humboldt Bay Harbor District

To enrollment (08/31/2000)

SUMMARY: Appropriates \$1,580,000 from the General Fund to the State Lands Commission for allocation in the 2000-01 fiscal year to the Humboldt Bay Harbor District for the purpose of meeting local matching share requirements for federal navigation projects.

AB 2091 (Pacheco Rod) - Transportation: State Highway Route 91

To enrollment (8/31/2000)

SUMMARY: Authorizes the Orange County Transportation Authority (OCTA) and the Riverside County Transportation Commission (RCTC), mutually, to recommend to the California Transportation Commission (CTC), the Legislature, and the Governor, not later than November 1, 2000, an independent appraiser to conduct an appraisal of the fair market value of the toll facility constructed on State Route 91. If the recommendation has not been made on or before November 1, 2000, the CTC shall make that recommendation to the Legislature and the Governor not later than December 1, 2000. The CTC shall appoint the appraiser recommended by OCTA and RCTC on November 6, 2000, or on December 4, 2000 if selected by the CTC. The sum of \$500,000 is appropriated from the State Highway Account to Caltrans for allocation to the appraiser for the purpose of completing the appraisal. The appraisal of the toll facility may not be funded with local funds.

AB 2140 (Keeley) - Regional Transportation Plans

To enrollment (08/31/2000)

SUMMARY: Revises the requirements for the policy and financial elements of the transportation plan and would limit those revised requirements to transportation planning agencies with populations that exceed 200,000 persons. Authorizes those agencies, except as specified, to prepare at least one alternative planning scenario, and would list the requirements for that alternative planning scenario. Does not apply to a transportation plan adopted on or before September 1, 2001, proposed by a transportation planning agency with a population of less than 1,000,000 persons.

AB 2199 (Pescetti) - State Highway 99 Study

To enrollment (08/31/2000)

SUMMARY: Requires the County of Sacramento, in consultation with the Sacramento Area Council of Governments and Caltrans to conduct and submit the results of a study to the Legislature on or before January 1, 2002 of that portion of State Route 99 between the Grant Line Road exit in Elk Grove and the City of Sacramento to evaluate the (1) the factors that have contributed to an increase in vehicle collisions, (2) whether the high-occupancy vehicle configuration of the freeway is a significant contributor to congestion on the segment, (3) a forecast of the differing impacts on air quality, traffic congestion, and cost to taxpayers between no expansion of SR 99 and continuation of plans to provide alternatives to individual vehicle transportation, and expansion of SR 99 combined with an expansion of public transit and, other congestion reduction alternatives.

~~**AB 2448 (Scott) - Historic Resources: Funds**~~~~To enrollment (08/31/2000) Assembly Refused to Concur in Senate Amendments~~~~SUMMARY: Appropriates \$600,000 from the Historic Property Maintenance Fund to Caltrans for use on properties located in the I-710 (South Pasadena) freeway right of way corridor. Also deletes the authority for Caltrans to construct a segment of the I-710 without a freeway agreement with South Pasadena.~~**AB 2522 (Shelley) - Vehicles: Pedestrians: Bicyclists**

To enrollment (08/31/2000)

SUMMARY: Would establish the Pedestrian Safety Account in the State Transportation Fund to be available, upon appropriation, for allocation by Caltrans to local governmental agencies approved for grants to undertake pedestrian safety improvement projects, including projects designed to improve facilities for pedestrians and bicyclists in areas where need has been demonstrated by high pedestrian injuries or fatalities.

SB 1080 (Sher) - Toll Bridges

To enrollment (08/31/2000)

SUMMARY: If the Metropolitan Transportation Commission, serving as the Bay Area Toll Authority, grants toll-free and reduced-rate passage on toll bridges under its jurisdiction to any vehicle pursuant to law, this bill requires the commission to grant the same toll-free and reduced-rate passage to vehicles displaying a valid ULEV or SULEV identifier issued pursuant to existing law.

SB 1562 (Burton) - Mitigation of Projects through Restoration

To enrollment (08/31/2000)

SUMMARY: Relates to wetlands restoration as mitigation for expansion of San Francisco International Airport (SFO). Specifies the details to be discussed by the lead agency in evaluating restoration of salt ponds in south San Francisco Bay as mitigation for expanding the runways at SFO. Requires the lead agency, if the project requires more than 1 acre fill in San Francisco Bay, to include in the EIR analysis of joint management of SFO and the Oakland International Airport, as an alternative to the project.

SB 1629 (Sher) - Highways: Pedestrian and Bicycle Access

To enrollment (08/30/2000)

SUMMARY: Requires bicycle and pedestrian access to be included on all highways and toll bridges constructed, as defined, after a specified date unless the responsible agency determines that there are exceptions after an open and public meeting, as prescribed.

SB 1662 (Burton) - Transportation: Finance

To enrollment (08/31/2000)

SUMMARY: Clean-up of the Traffic Congestion Relief Program enacted July 7, 2000 by AB 2928 (Torlakson, CHAPTER 91 Statutes of 2000).

SB 1772 (Brulte) - Highways: Bicycle Transportation Account: Funds

To enrollment (08/30/2000)

SUMMARY: Existing law requires that the amount of \$1,000,000 during each of the calendar years 1998, 1999, and 2000, \$2,000,000 during each of the calendar years 2001 and 2002, \$3,000,000 during the calendar year 2003, and \$5,000,000 during the calendar year 2004, and annually thereafter, be transferred from the Highway Users Tax Account in the Transportation Tax Fund to the Bicycle Lane Account in the State Transportation Fund. This bill, commencing on July 31, 2001, and on the last day of each month after that date, to and including June 30, 2006, increases the amount required to be transferred to the Bicycle Lane Account to \$600,000 per month (\$7,200,000 per year). The bill would require that after June 30, 2006, the sum of \$416,667 per month (\$5,000,004 per year) be transferred to the account, on the last day of each month after that date.

SB 1809 (Johnston) - Transportation Enhancement Activities (TEA) Funding

To enrollment (08/31/2000)

SUMMARY: Would add a state requirement, where there is no federal requirement, to spend 10% of federal "Minimum Guarantee with Special Limitations" funds for transportation enhancement activities, and would specify that the state's 25% share of the additional funds be used in the statewide competitive portion of the enhancements program. This would redirect about \$15 million per year now used for transportation projects to increase funding for enhancements, with \$3.75 million programmed by the state and \$11.25 million by the regions. Federal law currently requires that 10% of federal Surface Transportation Program funds (about \$63 million per year in California) be spent for enhancements, broadly defined as bicycle and pedestrian facilities, scenic beautification, historic renovation, and water quality and habitat improvements.

SB 1813 (Speier) - CalTrans: Contract Disputes

To enrollment (08/31/2000)

SUMMARY: Provides that a claimant against the state seeking payment on a contract is entitled to arbitration if more than 240 days have elapsed since the acceptance of the work by the contracting department, and the claimant has not initiated arbitration under any other provision of law. Establishes procedures affecting Caltrans for the administrative review of disputes involving contractors and subcontractors.

SB 2019 (Polanco) - Transportation: High-Speed Rail Authority

To enrollment (08/30/2000)

SUMMARY: Requires the High-Speed Rail Authority to prepare a plan for the construction and operation of a maglev high-speed train to connect Los Angeles International Airport with downtown Los Angeles, the San Gabriel Valley, Ontario International Airport, March Field in Riverside County, and Palmdale International Airport, and to submit the plan to the Legislature and Governor for review.

SB 2036 (Alarcon) - Airports: Temporary Project

To enrollment (08/28/2000)

SUMMARY: Requires Caltrans to establish before 07/01/2001 and through 07/01/2004, a program at the general aviation airport in the state with the largest total number of operations per year (Van Nuys), for the purpose of determining the estimated number of acres, residents, and dwelling units within a certain range of Community Noise Equivalent Level (CNEL), in the immediate vicinity of the airport.

SCR 96 (Karnette) - Intermodal Freight Access

To enrollment (08/31/2000)

SUMMARY: Requests Caltrans, in cooperation with the Business, Transportation and Housing Agency, the Trade and Commerce Agency, the California Transportation Commission, lead transportation agencies, ports and airports, and other appropriate parties, prepare a proposal for a "Global Gateways Development Program" to improve major freight gateways in California to enhance overall mobility, including increased access at and through international ports of entry, international airports, seaports, other major intermodal transfer facilities and goods movement distribution centers, and trade corridors in California. The Program shall identify high-priority airport and seaport access and intrastate transportation projects which serve to facilitate the movement of intrastate, interstate, and international trade beneficial to the state's economy. Caltrans is requested to prepare and submit to the Legislature a report on the progress in preparing the Global Gateways Development Program, on or before March 1, 2001, and to submit a final report on that program to the Legislature on or before July 1, 2001.

BILLS ENACTED IN 2000**AB 769 (Margett) - Vehicles: Preferential Vehicle Lanes**

CHAPTER 63 Statutes of 2000 (07/03/2000)

SUMMARY: Sets the minimum occupancy level on highway lanes for high-occupancy vehicles at 3 persons, including the driver, during the peak commuting hours of 5:00-9:00 a.m. and 4:00-7:00 p.m., Monday through Friday, inclusive, and 2 persons, including the driver, at all other times.

AB 1419 (Davis) - Highways: Relinquishment: State Highway Route 209

CHAPTER 523 Statutes of 2000 (09/019/2000)

SUMMARY: Authorizes the commission to relinquish State Highway Route 209 to the City of San Diego upon terms and conditions the commission finds to be in the best interests of the state, if the commission and the city enter into an agreement providing for that relinquishment.

AB 1871 (Runner) - Highways: High-Occupancy Vehicle Lanes

CHAPTER 337 Statutes of 2000 (09/08/2000)

SUMMARY: Prohibits, This bill prohibits until 06/01/02 any high-occupancy vehicle (HOV) lane from being established on State Highway Route 14 between the City of Santa Clarita and the City of Palmdale unless the lane is authorized as an HOV-lane only during the hours of heavy commuter traffic. The bill also requires any existing HOV lane established at the specified location to be modified to conform to those requirements. In addition, the bill requires the Legislative Analyst to report to the Legislature on the impact to traffic by limiting the use of HOV lanes as provided in the bill.

AB 2252 (Maldonado) - Aviation: Spaceports

CHAPTER 191 Statutes of 2000 (07/24/2000)

SUMMARY: Amends the California Airport District Act to additionally authorize airport districts to provide and maintain spaceports and landing places for space reentry traffic, and would define various terms. Makes related changes.

AB 2607 (Knox) - Highways: Pilot Project: Contracts

CHAPTER 340 Statutes of 2000 (09/08/2000)

SUMMARY: Increases the number of permissible transportation projects from 6 to 12 for the Caltrans demonstration program to let design-sequencing contracts for the design and construction of transportation projects, and extends the operative date of the program to 01/01/05.

AB 2848 (Firebaugh) - Environmental Impact Reports

CHAPTER 387 Statutes of 2000 (09/11/2000)

SUMMARY: (1) Existing law provides that if a project requires both an environmental impact report prepared pursuant to the California Environmental Quality Act and an environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969, the lead agency, whenever possible, shall use the statement as the report. In that situation, existing law requires the lead agency that will substitute the statement for the report to consult, as soon as possible, with the federal agency required to prepare the statement. This bill would also require the lead agency to notify the federal agency required to prepare the statement of any scoping meeting for the proposed project.

AB 2928 (Torlakson) - Traffic Congestion Relief Program

CHAPTER 91 Statutes of 2000 (07/07/2000)

SUMMARY: Extends the 4-year state transportation improvement program, including the 4-year fund estimation process, to 5 years. Establishes the Traffic Congestion Relief Fund in the State Treasury and would appropriate the money in the Fund to the commission for allocation to the department and certain regional and local transportation entities for transportation projects listed in the bill, to the Controller for allocation to cities and counties for street and road maintenance.

SB 406 (Ortiz) - Traffic Congestion Relief Program

CHAPTER 92 Statutes of 2000 (07/07/2000)

SUMMARY: Establishes a list of transportation projects eligible for funding with money from the Traffic Congestion Relief Fund, specifies the lead agency for each project, and establishes procedures for implementing the Traffic Congestion Relief Program.

SB 1584 (Schiff) - Highways: Route 110: Relinquishment

CHAPTER 270 Statutes of 2000 (08/31/2000)

SUMMARY: Authorizes the California Transportation Commission to relinquish to the City of Pasadena a specified portion of State Highway Route 110, upon terms and conditions the Commission finds to be in the best interests of the state. Requires the relinquishment would become effective immediately following the recordation by the county recorder of the relinquishment resolution containing the Commission's approval of the terms and conditions of the relinquishment.

SB 1645 (Perata) - Highways: State Highway Route 880: Relinquishment

CHAPTER 538 Statutes of 2000 (09/19/2000)

SUMMARY: Authorizes the California Transportation Commission to relinquish to the City of Oakland a specified portion of the former rights-of-way of State Highway Route 880, upon terms and conditions the commission finds to be in the best interests of the state, including a requirement that the Department of Transportation and the city enter into a cooperative agreement to improve the portion of right-of-way that is to be relinquished, as specified.

SB 1708 (Kelley) - Streets: Water or Sewer System Improvements

CHAPTER 253 Statutes of 2000 (08/28/2000)

SUMMARY: Authorizes a municipality that has entered into a contract with the state that includes a loan funded by the state for the purpose of financing the construction and installation of certain water or sewer system improvements in or along its streets to conduct proceedings for the formation of an assessment district for the purpose of levying an assessment to secure repayment of the loan. Requires that the assessments be collected in annual installments.

BILLS VETOED BY THE GOVERNOR**AB 2475 (Kuehl) - Sales and Use Tax: Exemptions**

VETOED (09/06/2000)

SUMMARY: Relates to existing law which provides various exemptions from the sales and use tax. Extends an exemption to the Museum of Flying.

Governor's veto message:

I am returning Assembly Bill 2475 without my signature.

This bill exempts the Museum of Flying from sales and use tax. Although I recognize that the revenue losses from this bill are minor, I am vetoing the bill based on my concern about the continued erosion of the sales and use tax base through the expansion of exemptions.