

# Memorandum

**To:** Chair and Commissioners

**Date:** June 29, 2009

**From:** BIMLA G. RHINEHART  
Executive Director

**File No:** Reference # 4.1

ACTION

**Ref: State and Federal Legislation**

## **Update:**

The Legislature will start their summer recess on July 17, 2009 and will reconvene on August 17, 2009. However, since the budget has not passed, both houses remain on call, meaning leadership can order them to meet at any time to take further action. This will continue until a budget is passed.

At the June 10, 2009 California Transportation Commission (Commission) meeting, staff presented information on pending Legislation staff is tracking. The Commission voted in support of Assembly Bill (AB) 1175 (Torlakson) and directed staff to mail a letter of support to the author. Staff mailed letter of support on AB 1175 to Assembly Member Torlakson.

## **Discussion:**

Staff continues to track and provide updates as the legislative process continues. Information of pending legislation as of June 29, 2009 is included in the attached report.

Below is a list of pending legislation Commission has supported:

**AB 672 (Bass & Eng): Transportation: Bond-Funded Projects (Position: Support in concept)** – This bill will authorize a regional or local agency that is a lead agency for a project, or project component for which bond funding has been programmed, allocated, or otherwise approved by the administrative agency to apply for a letter of no prejudice and be eligible for reimbursement for local funds expended up front on such projects.

Bill Status: Moved to the Senate on 6/3/09; Referred to Transportation & Housing Committee.

**AB 744 (Torrico): Toll Lanes Express Lane Network (Position: Support)** – This bill authorizes the Bay Area Toll Authority to acquire, construct, administer, and operate the Bay area express Lane Network on the highway within the nine bay Area counties pursuant to development plan recommended by the Bay Area Express Lane Network Project Oversight Committee, which the authority would require to establish.

Bill Status: Moved to the Senate on 6/3/09; Referred to Transportation & Housing Committee.

**AB 1175 (Torlakson): Toll Facilities (Position: Support)** – This bill incorporates the Antioch and Dumbarton Bridge seismic retrofit projects into the Toll Bridge Seismic Retrofit Program (TBSRP). It authorizes the use of TBSRP savings on these two seismic retrofit projects and requires the Bay Area Toll Authority (BATA) to provide all other funds needed to complete these seismic retrofit projects. In addition, this bill authorizes BATA to submit for voter approval regional measures containing toll increase to fund infrastructure projects, transit vehicle acquisitions, transit operating assistance and other improvements projects intended to reduce congestion and improve travel options in the Bay Area.

Bill Status: Moved to the Senate on 6/3/09; Referred to Transportation & Housing Committee

**SB 481 (Cox): Airports: Wildlife (Position: Support)** – This bill would provide that, notwithstanding any other provision of state law, a public use airport certificated by FAA operating in the state that takes (e.g. removes, captures, or kills), wildlife to protect public safety pursuant to federal law, including a federal depredation permit, does not violate state fish and game laws.

Bill Status: Moved to the Senate on 5/18/09; Passed Water, Parks & Wildlife Committee on 6/16/09; Referred to Appropriations Committee.

**SB 737: (Negrete McLeod) Airport Land Use Commissions (Support)** – This bill will change the airport land use planning laws as they relate to the authority of airport land use commissions.

Bill Status: Bill not heard in Appropriations Committee became two-year bill.

## STATUS ON BILLS OF INTEREST TO COMMISSIONERS

**AB 1375: (Galgiani) High Speed Rail (Monitor)** – This bill would create the Department of High Speed Trains within the Business Transportation and Housing Agency to implement the policies of the High-Speed Rail Authority and perform the daily tasks of building the high-speed train project and implementing the high speed train system.

Bill Status: Referred to Appropriations Committee on 4/27/09. No action taken.

**SB 409: (Ducheny) Department of Railroads (Monitor)** – Creates the Department of Railroads in the Business Transportation and Housing Agency, responsible for several current state rail programs.

Bill Status: Pass Transportation and Housing Committee on 6/10/09; Referred to Appropriations Committee

**SB 455: (Lowenthal) High Speed Rail (Monitor)** – This bill will make numerous conforming changes to statutory provisions and adds specific references to the High Speed Rail Authority in statute governing property acquisitions activities and eminent domain.

Bill Status: Passed to the Assembly on 6/2/09; Referred to Transportation Committee

Chair and Commissioners

June 29, 2009

Page 3

**SB 575 (Steinberg): Local Planning: Housing Element (Commission Position: Staff is working with other stakeholders to determine proposed legislative technical changes)**

This bill makes minor changes and clarifications to last year's SB 375, as well as clarifying the open meeting law requirements for the Strategic Growth Council.

Bill Status: Passed to the Assembly on 6/2/09; Referred to Local Government Committee.

Attachment

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
<b>ASSEMBLY</b>							
1	AB 153	MA	High Speed Rail Authority	Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law authorizes the authority to prepare a plan for the construction and operation of that system and to enter into contracts, acquire rights-of-way through purchase or eminent domain, and take other actions, subject to specified contingencies. Under existing law, a public entity may not commence an eminent domain proceeding until its governing body has adopted a resolution of necessity that meets certain requirements. Existing law generally prohibits a state agency from employing legal counsel other than the Attorney General unless there is a specific statute authorizing that employment. This bill would eliminate those contingencies to the exercise of the authority's authority and would specify that the authority constitutes a "governing body" for the purpose of adopting a resolution of necessity. The bill would authorize the authority to employ its own legal staff or contract with other state agencies for legal services, or both. This bill contains other related provisions and other existing laws.	6/23/09 Hearing Postponed 5/21/09 to T&H Cmte 5/11/09 Passed Assembly; to <b>Senate</b> ; to Rls Cmte 5/4/09 2nd Read to 3rd Read 4/29/09 Passed 4/14/09 - passed Jud Cmte to Appr Cmte 3/24/09 - passed Trans cite 2/26/09 to Trans and Jud Cmte's 01/23/09 - INTRO	Staff Monitoring	Rail
2	AB231	HUFFMAN	California Global Warming Solutions Act of 2006	Requires the State Air Resources Board to adopt a schedule of fees to be paid by the sources of greenhouse emissions which would be deposited in the Climate Protection Trust Fund, for purposes of carrying out the Global Warming Solutions Act of 2006. <i>This bill would require federal climate change funds to be deposited into the fund, as provided.</i>	6/26/09 2nd Read-Amend 6/18/09 to E&Q Cmte; 2nd Read-Amend 6/2/09 3rd Read-Pass; to <b>Senate</b> 5/29/09 2nd Read; to 3rd Read 5/28/09 Passed Appr Cmte 5/13/09 to Suspense File 4/20/09 Pass - AMEND to Appr Cmte 4/13/09 - Nat Res Cmte Hrg - Postpone 03/04/09 to Nat Res Cmte 2/05/09 - INTRO	Staff Monitoring	Environmental

CALIFORNIA TRANSPORTATION COMMISSION  
Status of Legislation  
Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
3	AB 266	CARTER	Transportation needs assessment.	Requires the Transportation Commission to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis. Requires the Dept of Transp to assist in conducting the assessment. Require the Commission to submit the 1st assessment report to the Legislature by March 1, 2011.	6/11/09 to Rls Cmte 6/1/09 3rd Read-Pass; to <b>Senate</b> 5/29/09 2nd Read; to 3rd Read 5/28/09 Passed Appr Cmte 4/29/09 - Hearing set in Suspense File 4/21/09 - to Appr Cmte 4/20/09 - Read 2nd time, Amend 4/13/09 - Trans Cmte Hearing 3/04/092 to Trans Cmte 2/11/09 - INTRO	Staff Monitoring	Programming
4	AB 311	MA	Property taxation: certificated aircraft assessment	<del>Deletes</del> <i>Extends</i> the termination date of existing tax law to <del>the 2015-2016 2014-2015 FY and the 12/31/10 date to 12/31/15</del> 16 that requires the personal property of an air carrier be taxed at its fair market value, and the Constitution requires property subject to ad valorem property taxation to be assessed in the county in which it is situated and specifies the formula to determine the fair market value of certificated aircraft of a carrier.	6/4/09 to Rev&Tax Cmte 5/28/09 3rd Read-Pass; to <b>Senate</b> 5/26/09 2nd Read; to 3rd Read 5/20/09 Pass 5/4/09 2nd Read: AMEND; Re-Refer to Appr Cmte 4/27/09 Passed as Amend to Appr Cmte 4/13/09 - Rev & Tax Cmte Hearing-Postponed 4/2/09 Amend 3/4/09 to Rev & Tax Cmte 2/17/09 - INTRO	Staff Monitoring	Aeronautics
5	AB 499	HILL	Environment: Determination: Dispute	Requires that a petitioner or plaintiff name, as a real party in interest, a recipient of an approval, as identified by the public agency in its notice of determination or notice of exemption, that is subject of an action or proceeding challenging the determination, finding, or decision of a public agency pursuant to CEQA. Requires that a petition or complaint be subject to dismissal if a petitioner or plaintiff fails to serve any recipient of an approval within the statute of limitations period.	6/22/09 Pass EQ; to Appr Cmte 6/18/09 2nd Read at EQ Cmte-Amend 6/11/09 to EQ & Jud Cmte 5/28/09 3rd Read-Pass- to <b>Senate</b> 5/21/09 3rd Read; Amend to 3rd Read 5/4/09 2nd Read to 3rd Read 4/21/09 Hearing-PASS to Appr Cmte 4/13/09 Nat Res Hearing - pass to Jud Cmte 2/16/09 to Nat Res	Staff Monitoring	Environmental

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
6	AB 619	BLUMENFIELD	Transportation Projects: Federal Funds	Requires the Department of Transportation to notify the Legislature when it is determined that a project, including a project designated in the National Corridor Infrastructure Improvement Program, will be delayed beyond its scheduled completion date due to state cashflow or other funding issues, if the places at risk federal funds	6/17/09 Hearing Cancelled 5/21/09 to T&H Cmte 5/14/09 3rd Read-Pass; to <b>Senate</b> 5/11/09 2nd Read;to consent 5/6/09 Hearing-Do Pass to Consent 4/27/09 Hearing-PASS; to Appr Cmte 3/23/09 to Trans Cmte 2/25/09 - INTRO	Staff Monitoring;	Federal
7	AB 672	BASS	Economic Stimulus-Transportation: bond-funded projects: letter of no prejudice.	<del>States the intent of the Legislature to enact legislation to ensure that any economic stimulus moneys received from the federal governments are directed to programs and projects that provide the greatest economic benefits to the state, while maintaining and advancing the state's long term policy goals. Authorize a regional or local agency that is a lead agency for a project that has been approved is programmed on or after July 1, 2008 or project component for which bond funding has been programmed, allocated, or otherwise approved by the admin agency to apply to the administrative agency for a letter of no prejudice that would allow make the regional or local agency eligible to expend its-own funds for any bond-funded component of the project or project component, subject to later reimbursement from bond proceeds under certain conditions, as specified. Require the CTC prior to a funding cycle to calculate the amount of bond funds deposited but not appropriated would authorize the CTC to establish targets for allocation for planning purposes for which letters of no prejudice may be issued.</del>	6/18/09 to T&H Cmte 6/3/09 3rd Read-Pass; to <b>Senate</b> 6/2/09 3rd Read-Amend; to 3rd Rd 5/29/09 2nd Read; to Consent Cal 5/28/09 Pass Appr Cmte; to Consent C 5/19/09 2nd Read; Amend. 5/4/09 2nd Read; Amend; Re-refer to Appr Cmte 4/27/09 Hearing-PASS; to Appr Cmte 4/14/09 Read 2nd Time Amend	Staff Monitoring	Bond
8	AB726	NIELSEN	Transportation Capital Improvement	States that local road rehabilitation projects are eligible for transportation capital improvement funds pursuant to the State Transportation Improvement Program.	6/16/09 Hearing Cancelled 5/14/09 to T & H Cmte 4/27/09 to RIs Cmte 4/27/09 3rd Read-Pass; to <b>Senate</b> 4/22/09 2nd Read to Consent Calendar4/20/09 Pass 3/23/09 to Trans Cmte	Staff Monitoring	Programming

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
9	AB 729	EVANS	Transit Design Build Contracts	Existing law authorizes transit operators to enter into a design build contract ... It requires certain information submitted under these provision to sbe submitted under penalty of perjury. Existing law repeals these provisions on January 1, 2011. This bill would delete the January 1, 2011, repeal date of these provisions instead repeal these provisions on January 1, 2015.	6/23/09 Pass with Amend T&H; to Appr 5/21/09 to T&H Cmte 5/14/09 3rd Read-Pass; to <b>Senate</b> 5/11/09 2nd Read; to consent 5/6/09 - Hearing Pass; to Consent 4/23/09 2nd Read; referred to Appr Cmte 4/20/09 Amend: Pass 3/26/09 to Trans Comte 2/26/09 - INTRO	Staff Monitoring	Design Build
10	AB 732	JEFFRIES	Transportation Projects	Extends the operative date of existing law <i>until July1, 2010</i> which authorizes the Department of Transportation to conduct phase 2 of a pilot project through the utilization of design sequencing contracts for the design and construction of transportation projects, taking into consideration specified geographical consideration. Would instead specify that the pilot project consist of not more than 9 transportation projects.	6/16/09 2nd Read-Amend 6/9/09 Pass as Amend; to Appr Cmte 5/21/09 to T&H Cmte 5/11/09 1rst Read; to Rls Cmte 5/11/09 3rd Read;Passed; to <b>Senate</b> 5/4/09 2nd Read to Consent 4/29/09 PASS 4/14/09 to Appr Cmte 4/13/09 - Trans Cmte Hearing-Pass 3/23/09 to Trans Cmte	Staff Monitoring	Other
11	AB 733	GALGIANI	High Speed Rail Authority	Authorizes the High Speed Rail Authority to consider the creation of jobs in the state when awarding major contracts or purchasing high speed trains, as specified.	6/18/09 Hearing Postponed 5/21/09 to T&H Cmte 5/14/09 3rd Read-Pass; to <b>Senate</b> 5/4/09 2nd Read to 3rd Read 4/29/09 Hearing-PASS 4/20/09 Hearing - PASS; to Appr Cmte 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Rail

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
12	AB 744	TORRICO	Bay Area High-occupancy-Transportation-Network toll lanes: Express Lane Network	Authorizes the Bay Area Toll Authority to acquire, construct, administer, and operate the Bay area express Lane Network on the highway with in the 9 Bay Area counties pursuant to a development plan recommended by the Bay Area Express Lane Network Project Oversight Committee, which the authority would be required to establish. a value pricing high occupancy vehicle network program on state highways within the geographic jurisdiction of the metropolitan commission. Authorizes capital expenditures for this program to be funded from program revenues, revenue bonds, and revenue derived from tolls on state owned toll bridges.	6/23/09 2nd Read-Amend 6/18/09 to T&H Cmte 6/3/09 3rd Read-Pass; to <b>Senate</b> 6/2/09 to 3rd Read 6/1/09 2nd Read-Amend; to 2nd Read 5/28/09 Pass as Amend Appr Cmte 5/13/09 to Suspense File 4/27/09 Hearing-PASS; to Appr Cmte 4/21/09 2nd Read: Amend 4/20/09 Hearing - Cancelled 3/23/09 to Trans Cmte 2/26/09 - INTRO	Support	HOV
13	AB 798	NAVA	Transportation Financing Authority Toll Facilities	Creates the Transportation Financing Authority with specified powers and duties relative to issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds and toll revenues in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals	6/24/09 2nd Read-Amend 6/18/09 to T&H Cmte 6/2/09 3rd Read-Pass; to <b>Senate</b> 5/29/09 2nd Read; to 3rd Read 5/28/09 Pass Appr Cmte 4/14/09 to Appr Cmte 4/13/09 Hearing-Pass 3/23/09 to Trans Cmte 2/26/09 - INTRO	Staff Monitoring	Finance

CALIFORNIA TRANSPORTATION COMMISSION  
Status of Legislation  
Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
14	AB 1175	TORLAKSON	Toll Bridges: Seismic Safety Retrofit Program Toll Facilities	<i>Would require SCO to the extent feasible to offset amts overdue and unpaid for nonpayment of a bridge toll or HOT lane fee by a person or entity against state income</i> This bill would add seismic safety improvement projects on the Antioch and Dumbarton Bridges to the toll bridge seismic safety program. The bill would provide that surplus cost overrun revenues to be shared between the state and the Bay Area Toll Authority be redirected to the authority for the Antioch and Dumbarton seismic safety projects, and would appropriate those funds for that purpose. The bill would require the authority to provide all-remaining <i>other</i> funds necessary to complete those seismic safety projects. The bill would provide for the authority to increase tolls on all Bay Area state-owned toll bridges in that regard. <i>This bill will enact other related provisions.</i>	6/18/09 to T&H Cmte 6/4/09 to Rules Cmte 6/3/09 3rd Read-Pass; to <b>Senate</b> 6/2/09 3rd Read 6/1/09 2nd Read-Amend; to 2nd Read 5/28/09 Pass as Amend Appr Cmte 5/6/09 to Suspend File 4/20/09 Hearing PASS; to Appr Cmte 4/14/09 2nd Read - Amend 3/26/09 to Trans Cmte 2/27/09 - INTRO	Support	Seismic Retrofit
15	AB 1364	EVANS	Public Contracts	Provides that any state agency that has entered into a <del>contract</del> <i>grant agreement for the expedite of state bond funds</i> where the agency has or may be unable to comply with the terms of that <del>contract agreement</del> because of the suspension of programs by the Pooled Money Investment Board shall <i>with the consent of the grant recipient, have the authority to amend the terms of the contract to address contract either renegotiate the deadlines and a timetable and deliverables with the grant agreement</i> that may not be met because of the suspension	6/11/09 to Gov Org Cmte 5/28/09 3rd Read-Urgency Adopt-Pass; to <b>Senate</b> 5/26/09 2nd Read; to consent Calend. 5/20/09 Pass Appr; to Consent 5/12/09 Hearing-Pass; referred to Appr Cmte 4/29/09 - 2nd Read; AMEND 3/31/09 to B&P Cmte 02/27/09 - INTRO	Staff Monitoring	Contracts
16	AB 1375	GALGIANI	High-speed Rail	The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A. The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies. The bill would transfer certain of the existing powers and responsibilities of the authority to the department, and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature. The director of the department would be appointed by the authority, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 executive employees of the department who would be exempt from civil service and serve at the pleasure of the director. The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. Includes other related provisions.	4/27/09 - Hearing-PASS; to Appr Cmte; 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	Rail

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
17	AB 1381	PEREZ	High-occupancy Toll Lanes	Requires the Los Angeles County Metropolitan Transportation Authority HOT Lanes program to be implemented with the active participation of the Department of the California Highway patrol. Establishes appropriate performance measures for the purpose of ensuring optimal use of the HOT Lanes without adversely affecting other traffic on the state highway system. The demonstration program on ST10 in addition to SR110.	6/16/09 Pass T&H Cmte; to Appr 5/21/09 to T&H Cmte 5/14/09 3rd Read-Pass; to <b>Senate</b> 5/4/09 2nd Read; to 3rd Read 4/29/09 Hearing Pass 4/16/09 to Appr Cmte 4/14/09 Pass as Amend 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	HOT
18	AB 1386	HAYASHI	State Highway Route 238 State Highways	<del>Relates to existing law that authorizes a city or county in which a planned transportation facility was to be located on State Highway Route 238 in Alameda County to develop and file with the Transportation Commission a local alternative transportation program that address transportation problems and opportunities.</del> <del>Modifies the restriction limiting use of revenues from excess property sales to state highway purposes by authorizing those revenues to be used for any highway purpose.</del> Modify the restriction limiting use of revenues from excess property sales to state highway purposes applicable to State Highway Route 238 by authorizing those revenues to be used for any highway purpose. This bill would require revenues from excess property sales for State Highway Route 238 and State Highway Route 84 to be deposited into separate accounts in the Special Deposit Fund, a continuously appropriated fund, to be available for expenditure by local agencies for purposes of an approved local alternative transportation program for the applicable corridor route. This bill would authorize the CTC to relinquish portions of State Highway Routes 92, 185, and 238 in the City of Hayward to that city subject to various conditions	6/23/09 2nd Read-Amend 6/11/09 to T&H Cmte 6/1/09 3rd Read-Pass; to <b>Senate</b> 5/29/09 2nd Read; to 3rd Read 5/28/09 Pass Appr Cmte 5/6/09 to Suspend File 4/23/09 to Appr Cmte 4/20/09 - Pass 4/13/09 Read 2nd time - AMEND 3/31/09 to Trans Cmte 02/27/09 - INTRO	Staff Monitoring	Programming

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
<b>SENATE</b>							
19	SB 391	LIU	California Transportation Plan	Requires updating of the California Transportation Plan; requires the plan to address how the state will achieve maximum feasible emissions reductions to order to attain a statewide reduction of greenhouse gas emission to 1990 levels by 2020 and 80 percent below 1990 levels by 2050 and to identify the statewide integrated multimodal transportation system needed to achieve these results. <i>Would require to submit to the CTC and specified legislative cite chairs an interim report providing specified information regarding sustainable communities strategies and alternative planning strategies, including an assessment of how their implementation will influence the configuration of the statewide integrated multimodal transportation system.</i>	6/18/09 to Trans Cmte 6/1/09 3rd Read-Pass; to <b>Assembly</b> 5/20/09 2nd Read; to 3rd Read 5/18/09 Hearing-Pass 5/4/09 2nd Read; Amend; to Appr Cmte 4/27/09 Hearing-PASS; to Appr Cmte 4/23/09 Re-fer'd to EQ Cmte 4/22/09 Hearing; Pass as AMEND 3/12/09 to Transp and E.Q. Cmte's 2/25/09 - INTRO	Staff Monitoring	Environmental
20	SB 406	DESAULNIER	Land Use: Environmental Quality	Changes the membership of the Planning Advisory and Assistance Council. Requires that the council work with the Strategic Growth Council, <i>regional agencies, and cities and counties to facilitate the development and implementation sustainable-community strategies or regional blueprint projects plans.</i> Require the council to develop and propose recommendations to specified state agencies to facilitate coordination between regional blueprint plans and state growth and infrastructure funding plans and programs taht favilitate the implementation of regional blueprint plans Authorizes a municipal planning organization as <i>defined, or</i> council of governments <i>as defined, or a county transp commission and a subregional council of governments jointly preparing a subregional sustainable communities strategy to impose a surcharge of up \$1 or \$2 motor vehicle registration surcharge on motor vehicles registered to an owner with an address</i> be expended to develop and implement a regional blueprint plan specify that of the surcharge revenue be transmitted to the council for performance of its <i>specified</i> functions. Includes other pro	6/23/09 Loc Govt 2nd Read-Amend 6/15/09 to Loc Gov & Trans Cmtes 6/2/09 3rd Read-Pass; to <b>Assembly</b> 5/28/09 Pass as Amend Appr Cmte; 2nd Read to 3rd 5/18/09 Hearing 4/30/09 2nd Read; Amend; to Appr Cmte 4/28/09 Hearing; PASS; to Appr Cmte 4/23/09 to T&H Cmte 4/15/09 Pass; re-referred to RLS 4/13/09 2nd Read; AMEND 3/16/09 to L.Gov & Rls Cmte's 2/25/09 - INTRO	Staff Monitoring	Environmental

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
21	SB 409	DUCHENY	Department of Railroads	Creates the Department of Railroads in the Business, Transportation and Housing Agency. Transfers to the department responsibility for various state railroad programs currently administered by other agencies. Provides that the department shall be the only state agency eligible to apply for and receive grant and loan funds from the federal government for intercity rail, high-speed rail, or freight rail purposes. Director shall be appointed by the Governor <i>subject to Senate confirmation. BT&amp;H will convene a joint task force cochaired by Director of Transportation, Director of Railroads and a rep from the PUC to resolve overlapping jurisdictions with other agencies. This bill would revise the appointments of HSR by requiring one of the appointees to be the Director of Railroads and serve as chairperson for the authority. The authority would be the division of the Dept of Railroads with the Chief be nominated by the Director of Railroads and approved by the authority. Delete the provision for an Executive Director.</i>	6/9/09 Pass; to Appr Cmte 5/28/09 Joint Rules 6/1 Suspended 5/21/09 2nd Read-Amend; to T&H Cmte 4/14/09 - Hearing postponed 3/12/09 to Transp Cmte 2/25/09 - INTRO	Staff Monitoring	Rail
22	SB 455	LOWENTHAL	High-Speed Rail	Relates to a High-speed rail authority membership. Require the members of the authority at a scheduled board meeting, to cause to be prepared an overall project schedule with project delivery milestones on a quarterly basis, and to approve a quarterly contract status report beginning at the 1st brd mtg after 3/1/10. Require members of the authority to approve all contract amendments at a sched brd mtg. Requires the authority to ensure that projects undertaken including projects for acquisition of right-of-way, are consistent with specified criteria. Relates to real property obtained for high-speed rail purposes by the authority	6/18/09 to Trans Cmte 6/2/09 3rd Read-Pass; to Assembly 5/28/09 2nd Read; to 3rd Read 5/26/09 Pass Appr Cmte 5/4/09 Hearing Cancelled 4/21/09 Pass; re-refer'd to Appr cmte 4/16/09 2nd Read: AMEND 3/12/09 to T&A Cmte 2/26/09 - INTRO	Staff Monitoring	Rail
23	SB 474	DUCHENY	Transportation: Reporting Requirements pilot programs	Relates to authorization of the Department of Transportation to enter into agreements for transportation projects under pilot programs using public-private partnerships. Requires the department to provide an annual consolidated report to the Legislature on the progress of and savings resulting from such programs. <i>Will require the department to present to the California Transportation Commission for its review and comment, a draft of the methodology for determining those savings. Would also require the department lead agency for the project, prior to awarding any contract or entering into any agreement for a pilot prog. involving innovative contracting or financing authority to make a finding that the use of that authority will provide specified benefits.</i>	6/16/09 Hearing Postponed 6/9/09 Held in Cmte 6/3/09 2nd Read-Amend; re-refer to T&H Cmte 5/21/09 2nd Read-Amend; re-refer to T&H Cmte 4/30/09 Re-refer to T&H Cmte 4/27/09 2nd Read; AMEND; Re-refer to RLS 3/12/09 to Rules Cmte	Staff Monitoring	PPP

CALIFORNIA TRANSPORTATION COMMISSION  
Status of Legislation  
Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
24	SB 476	CORREA	Environmental Quality Act and Noncompliance	Allows an action or proceeding to be brought based on alleged grounds of noncompliance with CEQA raised after the public comment period if the person can demonstrate that the alleged grounds were not known and could not have been known with reasonable diligence at the time the EIR, negative declaration, or mitigated negative declaration was made available for public view, and therefore could not have been presented prior to the close of the comment period. Will prohibit an action or proceeding from being brought based on alleged ground of noncompliance with CEQA unless the alleged grounds for noncompliance were presented to the public agency orally or in writing by any person during the public comment period provided under CEQA. Prohibits a person from maintaing an action or proceeding unless the person objected to the approval of the project orally or in writing...and prohibits a person from maintaining an action or proceeding unless the person objected to the approval of the project orally or in writing.	6/22/09 Hearing Postponed 5/28/09 to Nat Res & Jud Cmte 5/11/09 Pass Senate to Assembly 5/6/09 to Special Consent calendar 4/30/09 2nd Read; Amend 4/27/09 Hearing - PASS; to Appr Cmte 4/23/09 2nd Read; AMEND 3/12/09 to EQ Cmte 2/26/09 - INTRO	Staff Monitoring	Environmental
25	SB 481	COX	Airports: Wildlife	This bill would provide that, notwithstanding any other provision of law, a public use airport certificated by the Federal Aviation Administration operating in the state that takes wildlife to protect public safety pursuant to federal law, including a federal depredation permit, does not violate state fish and game laws, <u>provided that if the taking occurs on land owned or leased by the airport that is not habitat mitigation land, or conservation land, and there is no taking of endangered species or a fully protected candidate threatened or endangered species. Would specify that a taking is only authorized to relieve or prevent injurious situations affecting public safety and can only be performed as part of an integrated wildlife mgmt prog that emphasizes nonlethal mgmt techniques.</u> Will required the airports to provide to the department all federal reports required pursuant to a federal depredation permit or Wildlife Hazard Managment Plan, or both, a nd that the department to provide the department reasonable access to airport land to	6/18/09 2nd Read- Amend 6/16/09 Pass as Amend; to Appr 6/11/09 2nd Read Amend 6/2/09 to W,P&WL Cmte 5/18/09 - 3rd Read- Pass; to Assembly 5/14/08 2nd Read- Amend; to 3rd Read 5/13/09 2nd Read; pursuant to SR28.8; be Amend 4/28/09 Hearing - PASS; Re-refer'd to Appr Cmte	Support	Aeronautics
26	SB 485	WRIGHT	Highway Operation and Protection Program	Enacts the State Highway Operation and Protection Program Emergency Funding Act and states the intent of the Legislature to provide adequate funding to meet the needs of the program	4/28/09 Hearing Cancelled 4/21/09 Hearing Cancelled 3/12/09 to Transp and Appr Cmte's 2/26/09 - INTRO	Staff Monitoring	SHOPP

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
27	SB 532	CODGILL	State Highway Routes 108 and 201	This bill would authorize the California Transportation Commission to relinquish to the City of Kingsburg the portion of State Highway Routes 201 that located within the city limits of that city under certain conditions. <i>This bill revise the authorized route description for State Highway Route 108 in Stanislaus County. Bill would include additional portion of SHR 108 in the system of interregional and intercounty routes eligible to be funded as interregional improvements.</i>	6/22/09 2nd Read-Amend 5/18/09 3rd Read-Pass; to Assembly-1sr Rd; Heldon Desk 5/14/09 to Special Consent Calend. 5/13/09 2nd Read; to 3rd Read 4/28/09 Hearing-PASS to Appr Cmte 4/23/09 Re-refer'd to T&H Cmte 4/16/09 2nd Read; AMEND 3/12/09 to L.Gov Cmte 2/27/09 - INTRO	Staff Monitoring	Hwy
28	SB 545	CEDILLO	Freeway Construction	<del>Authorizes the Department of Transportation to construct a freeway, without an agreement with a county or city, on the route determined by the Transportation Commission, if specified requirements have been met, including that an agreement with one or more counties and cities is not possible because an impasse has existed for 20 or more years after an initial route was adopted. Will limit this exception to construction of a segment of a freeway to consists solely of a subsurface transp facility. Would require as a condition for the exception to apply that an agreement with one or more counties and cities is not possible because an impasse has existed for 20 or more years after a initial route was adopted. Will provide that SHR 710 between Valley Blvd in the City of LA and Del Mar Blvd in the City of Pasadena may not be a surface or above-grade hwy.</del>	6/23/09 Hearing Postponed 6/8/09 to Trans Cmte 5/26/09 3rd Read-Pass; to Assembly 5/13/09 2nd Read; to 3rd Read 5/11/09 Hearing-Pass 4/28/09 Hearing-PASS; to Appr Cmte 4/20/09 2nd Read; AMEND 3/12/09 to Transp Cmte 2/27/09 - INTRO	Staff Monitoring	Hwy

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
29	SB 575	STEINBERG	Local Planning: Housing Element-Transportation-Housing Element	<del>Would specify that nothing in the Planning and Zoning Law provisions requires projects that are funded solely by local sales tax measure to be subject to the provisions if those projects were specifically listed in a ballot measure prior to 12/31/08 approving a sale tax increase for transp projects. This bill would require that all local governments within the regional jurisdiction of the San Diego Association of Governments adopt their 5th revision no later than an unspecified period of time 18 mths after the adopt of the next rpt to be adopted after 9/30/10. This bill would provide that the planning period for the 5th revision would be from 7/31/10 until 18 mths of adoption of the report in 2019. This bill would change the Planning and Zoning Law by requiring all other local governments to adopt the 5th revision of the housing element 5 years after June 30, 2006 and would specify the scheudle for all local govts to adopt subsequen revisions of the housing elements after the 5th revisio. This bill includes other provisions</del>	6/22/09 to Loc Gvt Cmte 6/3/09 3rd Read-Pass; to <b>Assembly</b> 5/20/09 2nd Read; to 3rd Read 5/18/09 Hearing-2nd read w/out further hearing per SR28.8 5/4/09 2nd Read; Amend; to Appr Cmte 4/28/09 Hearing-PASS; to Appr Cmte 4/21/09 Hearing Cancelled 4/15/09 2nd Read; AMEND 3/19/09 to Transp and Appr Cmte's 2/27/09 - INTRO	Staff Monitoring	Environmental
30	SB 632	LOWENTHAL	Ports: Congestion Relief: Air Pollution Mitigation	Requires the Ports of Long Beach, Los Angeles, and Oakland to assess their infrastructure and air quality improvement needs including projects that improve the efficiency of the movement of cargo, reduce congestion impacts associated with the movement of cargo, and reduce pollution associated with the movement of cargo. Requires each port to provide the assessment to the Legislature and to include an assessment of the cost of such improvements, possible funding options, and timelines for implementation.	6/23/09 Pass; to Appr Cmte 6/8/09 to Trans Cmte 5/21/09 3rd Read-Pass; to <b>Assembly</b> 5/20/09 2nd Read; to 3rd Read 5/18/09 Hearing 4/27/09 Hearing-PASS w/AMEND; to Appr Cmte 4/1/09 to EQ Cmte 3/31/09 Trans Hearing - PASS w/amend's 3/19/09 to Transp and EQ Cmte's 2/27/09 - INTRO	Staff Monitoring	Ports - Environmental

CALIFORNIA TRANSPORTATION COMMISSION  
 Status of Legislation  
 Commission Meeting July 8, 2009

	Bill #	Author	Bill Title	Subject	Current Status	CTC Position	Program
31	SB 734	LOWENTHAL	Transportation	This would require any interest or other return earned by a city or county from investment of bond funds received under these provisions to be expended or reimbursed under the same conditions as are applicable to the bond funds themselves. It includes other related provisions.	6/22/09 2nd Red-Amend 6/2/09 to Trans Cmte 5/18/09 3rd Read-Pass; to <b>Assembly</b> 5/14/09 to Consent Calendar 5/13/09 to 3rd Read 5/11/09 2nd Read w/out further hearing per SR28.8 4/28/09 Hearing-PASS; to Appr Cmte w/ comments 3/19/09 to T&H Cmte 02/27/09 - INTRO	Staff Monitoring	Bond
32	SB 737	NEGRETE MCLEOD	Airports and Airport Land Use Commissions	This bill changes the airport land use planning laws as they relate to the authority of airport land use commissions.	5/28/09 Not Heard 5/4/09 Hearing; on Suspense File 4/20/09 Hearing-PASS to Appr Cmte 4/13/09 - 2nd Read: AMEND 3/19/09 to Loc Govt Cmte 2/27/09 - INTRO	Support	Aeronautics
33	SB 783	ASHBURN	High Speed Rail	<del>This bill would require the authority to prepare an expanded <i>publish, adopt, and submit to the Legislature</i> a business plan addressing specified elements prior to seeking bond funding for the 2009-10 FY pursuant to Proposition 1A no later than an <i>March 1, 2010 January 1, 2012</i>, and every 2 yrs thereafter, with a draft of the bus plan to be available at least 60 days in advance for public review and comment, following a public hearing. Would require the authority to submit a draft of the expanded business plan to the Legislature by Sept 1, 2009, and to adopt the plan at its January 2010 regularly scheduled meeting following at least one public hearing.</del>	6/23/09 2nd Read-Amend 6/1/09 3rd Read-Pass; to Assembly 5/28/09 2nd Read-Amend; to 3rd Read 5/18/09 Hearing 4/30/09 2nd Read; Amend; to Appr Cmte 4/28/09 Hearing-PASS; to Appr Cmte 4/16/09 Re-referred to T&H Cmte 4/13/09 - 2nd Read: AMEND 3/19/09 to RLS Cmte 2/27/09 - INTRO	Staff Monitoring	Rail