

Memorandum

To: CHAIR AND COMMISSIONERS

Date: June 15, 2010

From: BIMLA G. RHINEHART
Executive Director

File No: Reference No. 4.1
ACTION

Ref: State and Federal Legislation

Commission staff continues to monitor proposed legislation based on the over-arching criterion approved by the Commission on December 9, 2009. An update on these bills is provided in Attachment A.

RECOMMENDATION

Staff recommends that the Commission accept the staff report.

Legislative Calendar through December 2010

July 2	Last day for policy committees to hear and report bills to the Floor Summer Recess begins on adjournment provided Budget Bill has been passed
August 2	Legislature reconvenes from Summer Recess
August 13	Last day for fiscal committees to hear and report bills to the Floor
August 16 – 31	Floor session only
August 20	Last day to amend on the Floor
August 31	Last day for any bills to be passed Final Recess begins on adjournment
September 30	Last day for Governor to sign or veto bills passed by the Legislation before September 1 and in the Governor's possession on or after September 1
December 6	2011-12 Regular Session convenes for Organizational Session

CALIFORNIA TRANSPORTATION COMMISSION

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RELATED TO BOND FUNDS

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
SB 901	ASHBURN	Transportation: Bond Funded Projects: No Prejudice	Amends existing law that authorizes a regional or local agency that is a lead agency for certain transportation projects or project components for which bond funding has been programmed or approved by the administrative agency to apply for a letter of no prejudice that makes the regional or local agency eligible to be reimbursed from bonds funds for project expenditures. Authorizes those regional and local agencies to apply for such letter for funding of grade separation and railroad crossing projects.	1/26/10 - Introduced 2/11/10 - To Senate Committee on Transportation and Housing <u>Current Location</u> Senate Committee on Transportation and Housing	Staff Monitor

RELATED TO FEDERAL STIMULUS

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 2703	SOLORIO	Federal transportation economic stimulus funds: 2nd round	Provides the authority to advance certain transportation projects with loans of federal funds awarded to the state in 2010 under the 2nd round of federal transportation economic stimulus funds. Provides the requirements to be determined eligible for an advance. Provides that upon repayment of these loans, these funds would be available for appropriation for the State Highway Operation and Protection Program.	5/20/10 - In Assembly. Read third time, urgency clause adopted. Passed Assembly. 4/20/10 - In Senate. Read first time. 6/3/10 - Referred to Senate Committee on Transportation & Housing. <u>Current Location</u> Senate Committee on Transportation & Housing	Staff Monitor
SB 1371	LOWENTHAL and CORREA	Federal transportation economic stimulus funds	Requires the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. Requires the department to submit a monthly status report to the Legislature with respect to certain milestones for expenditure of these funds.	5/10/10 - In Senate. Read third time, urgency clause adopted. Passed Senate. 5/10/10 - In Assembly. Read first time. Held at Desk. 5/28/10 - To Assembly Committee on Transportation. 6/14/10 - From Assembly Committee on Transportation. Do pass as amended to Assembly Committee on Appropriations. <u>Current Location</u> Assembly Committee on Appropriations	Staff Monitor

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RELATED TO DIRECT IMPACT TO COMMISSION

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
SB 1348	STEINBERG	California Transportation Commission	Establishes specified procedures that the State Transportation Commission would be required to utilize when it adopts guidelines pursuant to a statutory authorization or mandate. Exempts the adoption of those guidelines from the requirements of the Administrative Procedure Act.	6/1/10 - In Senate. Read third time. Passed Senate. 6/3/10 - To Assembly Committee on Transportation. 6/14/10 - From Assembly Committee on Transportation. Do pass as amended to Assembly Committee on Appropriations. <u>Current Location</u> Assembly Committee on Appropriations	Staff Monitor

RELATED TO DESIGN-BUILD

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 2098	MILLER	Public Contracts: Design-Build Contracts	Provides that a project of a local transportation entity may be approved by the State Transportation Commission under these provisions for the design-build method of procurement if the project is consistent with the Policy Guidance for Project Authorizations under the Design-Build Demonstration Program adopted by the commission as a specified resolution.	4/19/10 – In Assembly Committee on Transportation. 4/21/10 In Assembly. Read second time. Re-referred to Assembly Committee on Transportation. <u>Current Location</u> Assembly Committee on Transportation	Staff Monitor

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RELATED TO RAIL

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 289	GALGIANI	High Speed Rail	States the intent of the Legislature to appropriate funds to the High-speed Rail Authority from the Safe, Reliable High-speed Passenger Train Bond Act for the 21st Century in the Budget Act of 2010-11, to be used to provide a dollar-for-dollar match for federal ARRA funds received by the state for high-speed rail purposes. Identifies the corridors eligible for ARRA funds. Authorizes the Governor to appoint civil service exempt staff to oversee the work of the authority in implementing the project.	4/21/10 – In Senate. Read second time and amended. Re-referred to Senate Committee on Transportation and Housing. 5/28/10 - From Senate Committee on Transportation and Housing with author's amendments. 5/28/10 - In Senate. Read second time and amended. Re-referred to Senate Committee on Transportation and Housing. <u>Current Location</u> Senate Committee on Transportation and Housing	Staff Monitor
AB 1375	GALGIANI	High-speed Rail	Revises and recasts provisions by repealing and reenacting the California High-Speed Train Act. Continues the High-Speed Rail Authority to perform specified duties. Creates the Department of Railroads with responsibility for implementing the high-speed train project. Authorizes the department to acquire rights-of-way for the high-speed rail projects. Limits the department's authority to use eminent domain to the powers previously granted to the authority in that regard.	4/21/10 - In Senate. Read second time and amended. Re-referred to Senate Committee on Transportation and Housing. 5/24/10 - From Senate Committee on Transportation and Housing with author's amendments. 5/24/10 - In Senate. Read second time and amended. Re-referred to Senate Committee on Transportation and Housing. <u>Current Location</u> Senate Committee on Transportation and Housing Hearing Scheduled: June 22	Staff Monitor

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RELATED TO RAIL (Continued)

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 1747	GALGIANI	High-Speed Rail Authority	Authorizes the High Speed Rail Authority to consider, to the extent permitted by federal and state law, the creation of jobs in the state when awarding major contracts including purchasing high-speed trains.	5/10/10 - In Assembly. Read third time. Passed Assembly. 6/3/10 - To Senate Committee on Rules. <u>Current Location</u> Senate Committee on Rules	Staff Monitor
AB 2121	HARKEY	High Speed Rail	Require the High-Speed Rail Authority to annually adopt a 6-year high-speed train program, as specified, for submission to the chairs of the appropriate policy and budget committees of the Legislature. Requires the authority to annually prepare and submit to the chairs of those committees of the Legislature a report including, among other things, a description of the progress made on the program and a detailed financial plan to pay for construction of the high-speed train network.	06/2/10 - In Assembly Read third time. Passed Assembly. 6/10/10 - To Senate Committee on Rules. <u>Current Location</u> Senate Committee on Rules	Staff Monitor
SB 409	DUCHENY	Passenger rail programs; strategic planning	This bill would place the High Speed Rail Authority within Business, Transportation and Housing Agency. The bill would require the 5 members of the Authority appointed by the Governor be appointed w/advice and consent of the Senate. Would require the Authority to annually submit a funding plan to the CTC for approval, identifying the need for investment during the FY and the amts of bond sales necessary to accommodate those investments.	1/28/10 - In Senate. Read third time. Passed Senate. 2/11/10 - To Assembly Committee on Transportation. <u>Current Location</u> Assembly Committee on Transportation Hearing Scheduled: June 28	Staff Monitor
SB 455	LOWENTHAL	High-Speed Rail	Relates to membership and duties of the High-Speed Rail Authority. Requires the Authority to ensure that projects undertaken pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, including projects for acquisition of right-of-way, are consistent with specified criteria. Provides that property acquired by the Authority and leased back for commercial or business uses to the former owner may be insured for loss by fire, with the premium included in the rent.	7/24/09 - In Assembly. To Inactive File. <u>Current Location</u> Assembly Inactive File	Staff Monitor
SB 965	DESAULIER	Public Utilities: Transportation: Federal Funds	Authorizes the High-Speed Rail Authority to expend federal funds made available by the federal ARRA for high-speed rail purposes. Requires the authority to take various actions in that regard. Requires the authority to submit to the Legislature an expenditure plan for the federal funds. Exempts the Transbay Terminal project in San Francisco from the provisions if ARRA funds are made available to the authority for that project.	4/29/10 - In Senate. Read third time. Passed Senate. 5/13/10 - To Assembly Committee on Transportation. <u>Current Location</u> Assembly Committee on Transportation Hearing Scheduled: June 28	Staff Monitor

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RELATED TO PLANNING

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
SB 1445	DESAULNIER	Planning	Modifies the membership of the duties of the Planning Advisory and Assistance Council. This bill would delete the reference to regional planning districts and instead require seven of the council's members to be appointed from the governing boards of specified regional planning organizations. The bill would also provide for the appointment of one member each from the California Transportation Commission, the State Air Resources Board, the State Energy Conservation and Development Commission, the Speaker of the Assembly, and the Senate Committee on Rules. The bill would expand the duties of the council by requiring it to work with the Strategic Growth Council and various regional and local agencies to facilitate the implementation of regional blueprint plans, and to develop and propose recommendations to the Strategic Growth Council and certain state agencies in order to facilitate coordination between regional blueprint plans, state growth and infrastructure plans, and programs that facilitate the implementation of regional blueprint plans. The bill would also require reports by the council to the Legislature on specified matters.	6/3/10-- In Senate. Read third time. Passed Senate. 6/10/10 - To Assembly Committees on Local Government and Transportation. <u>Current Location</u> Assembly Committees on Local Government and Transportation Hearing Scheduled: June 28 Assembly Committee on Local Government	Staff Monitor

RELATED TO AIRPORTS

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
SB 1141	NEGRETE MCLEOD	Airports: Airport Land Use Commission	Amends existing law that requires members of an airport land use commission to have expertise in aviation. Requires that, if the board of supervisors and city selection committee determine proper land use can be accomplished through the actions of a designated body, the body be a countywide body. States the conditions in which a city in which an airport is located to assume land use operations. Exempts Marin County. Relates to airport subaccounts to fund an airport land use entity.	6/2/10 - In Senate. Read third time. Passed Senate. 6/10/10 - To Assembly Committee on Local Government. <u>Current Location</u> Assembly Committee on Local Government Hearing Scheduled: June 30	Support

RELATED TO PROPOSITION 116

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 2520	SOLORIO	Transportation: general obligation bonds	Enacts similar provisions to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 applicable to regional or local agencies relative to projects to be funded by Clean Air and Transportation Improvement Act of 1990 - letter of no prejudice.	2/19/10 - Introduced 3/18/10 - To Assembly Committee on Transportation. <u>Current Location</u> Assembly Committee on Transportation	Staff Monitor

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OTHER

Bill #	Author	Bill Title	Subject	Status/Current Location	CTC Position
AB 1760	BLUMENFIELD	Design-Sequencing Contracts	Amends existing law that authorizes the Department of Transportation to conduct a pilot project to let design-sequencing contracts for design and construction of not more than 12 transportation projects. Reenacts similar provisions, applicable to up to 10 transportation projects. Requires a report to the Legislature describing and evaluating the outcome of the contracts undertaken pursuant to these provisions. The bill would require the department to prepare a status report to the Legislature each year during which design-sequencing contracts are underway, as specified.	5/6/10 - In Assembly. Read third time. Passed Assembly. 5/20/10 - To Senate Committee on Transportation and Housing. <u>Current Location</u> Senate Committee on Transportation and Housing Hearing Scheduled: June 22	Staff Monitor
AB 2316	ENG	State Highway Route 710: alternative transportation improvement program	Requires proceeds from the sale of the excess properties within a specified portion of the State Highway Route 710 corridor, less any reimbursements due to the federal government and all costs incurred in the sale of those properties, to be allocated to fund a transportation improvement program approved by the Los Angeles County Metropolitan Transportation Authority.	4/5/10 - In Assembly. Amended. 4/19/10 - In Assembly Committee on Transportation. <u>Current Location</u> Assembly Committee on Transportation	Staff Monitor
AB 2663	LOWENTHAL	Local Government: Federal Fiscal Year	Makes several legislative findings and declarations relating to cities, counties, and cities and counties that observe the federal fiscal year calendar. Provides that if the Legislature transfers, borrows from, or suspends allocated revenues from the Transportation Investment Fund, the respective transaction would be suspended during the months of July, August and September.	6/2/10 – In Assembly. Read third time. Passed Assembly. 6/10/10 – To Senate Committee on Local Government. <u>Current Location</u> Senate Committee on Local Government Hearing Scheduled: June 30	Staff Monitor
SCR 54	COGDILL	Kirk Lindsey Memorial Highway	Designates a specified portion of State Highway Route 108 in Modesto as the R. Kirk Lindsey Memorial Highway.	5/25/10 –In Assembly. Read second time. Re-referred to Assembly Committee on Transportation. 6/7/10 – From Assembly Committee on Transportation. Be adopted. To Assembly Committee on Appropriations. <u>Current Location</u> Assembly Committee on Appropriations	Staff Monitor