

# Memorandum

To: Chair and Commissioners

Date: October 31, 2007

From: John F. Barna, Jr.  
Executive Director

File No: Reference # 4.1  
TAB 58  
ACTION

Ref: **STATE AND FEDERAL LEGISLATIVE MATTERS**

**Issue:** Staff has prepared a final report on bills that the Governor signed or vetoed, as well as the disposition of bills that the Commission supported. Attached to this memo is a chart showing:

- Assembly bills that the Governor signed.
- Senate bills that the Governor signed.
- Assembly bills that the Governor vetoed.
- Senate bills that the Governor vetoed.
- The status of Assembly and Senate bills that the Commission supported and may come back next legislative session.

## **Key Bills Signed by Governor:**

Three bills that become law January 1, 2008 bear mention.

**AB 1672 (Nunez)** affects the Commission directly. The bill:

- Adds two additional members to the Commission, thereby increasing the voting members from nine to eleven. The Speaker of the Assembly shall appoint one member and the Senate Committee on Rules shall appoint one member, neither of these members are subject to confirmation by the Senate. A member appointed pursuant to this subdivision shall not simultaneously hold an elected public office, or serve on any local or regional public board or commission with business before the Commission.
- Requires the Commission to provide written notification to the chairs of the appropriate policy committees of the Legislature not less than 30 days prior to adopting changes to any guidelines for the expenditure of funds pursuant to the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006.

**SB 264 (Alquist)** was supported in concept by the Commission. Although specific to the Santa Clara Valley Transportation Authority, the bill could be broadened during next year's legislative session to be used statewide. The bill:

- Revises the Santa Clara Valley Transportation Authority Act to conform to the voter approval requirements set forth in the state Constitution.
- Authorizes the Authority to adopt an ordinance to impose a transaction and use tax at a rate of 0.125%.

**SB 717 (Perata)** impacts the funding available in the State Transportation Improvement Program. It reduces programming capacity by about \$85 million per year.

SB 717 continues the existence of the Transportation Investment Fund (TIF) and specifies the use of revenues deposited in that fund from gasoline sales tax revenues subject to Article XIX B beginning in FY 2008 — 09. Article XIX B requires these revenues to be allocated to broad categories of transportation purposes, including 20% for programs funded by the Public Transportation Account, 40% for transportation capital improvement projects in the State Transportation Improvement Program, and 40% for apportionment to cities and counties pursuant to certain formulas for road maintenance and construction purposes. Moneys in the TIF would be continuously appropriated without regard to fiscal year.

SB 717 changes how the 20% transferred from the TIF to the Public Transportation Account is divided. Originally, the funds were split 50%/25%/25% as follows:

- 50% for purposes of subdivision (a) or (b) of Public Utilities Code (PUC) Section 99315 (transit capital improvements in STIP and bus and rail service.)
- 25% to the Controller for allocation pursuant to PUC Section 99314 (transit operations based on farebox revenues).
- 25% to the Controller for allocation pursuant to PUC Section 99313 (transit operations and capital).

Under SB 717, the funds will be split 25%/37.5%/37.5% as follows:

- 25% for purposes of subdivision (a) and (b) of PUC Section 99315 (transit capital improvements in STIP and bus and rail service.)
- 37.5% to the Controller for allocation subject to all of the provisions governing funds allocated under PUC Section 99314 (transit operations based on farebox revenues).
- 37.5% to the Controller for allocation subject to all of the provisions governing funds allocated under PUC Section 99313 (transit operations and capital).

Attachment

**CALIFORNIA TRANSPORTATION COMMISSION  
STATUS OF LEGISLATION**

Bill #	Author	Bill Title	Subject	Current Status	CTC Position
<b>ASSEMBLY BILLS SIGNED BY GOVERNOR</b>					
AB 57	Soto	Safe Routes to School	Authorizes state and local entities to secure and expend federal funds appropriated under the federal act known as SAFETEA-LU for programs relating to highway safety improvements that can reduce the number of fatal and serious injury accidents. The bill would declare the Legislature's intent that these federal funds be allocated in approximately equal amounts between state highways and local roads. Extends Caltrans authority to administer the Safe Routes to School program indefinitely.	10/14/2007 Signed by GOVERNOR. 09/26/2007 *****To GOVERNOR. 09/20/2007 Enrolled. 09/12/2007 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment. 09/11/2007 In SENATE. Read third time. Passed SENATE. 08/30/2007 From SENATE Committee on APPROPRIATIONS: Do pass as amended. 06/05/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. 12/04/2006 INTRODUCED.	Staff Monitoring
AB 957	Spitzer	State Property: Transportation Records	Amends existing law which requires Caltrans to furnish to the Department of General Services an updated record of each parcel of real property that it possesses to include in that record, among other information, the parcels location, size, purchase price, and description of current use. Proposed bill would delete the exclusion for existing highways, airspace, excess lands, and properties acquired for highway projects from this recording requirement.	07/12/2007 Signed by GOVERNOR. Chaptered by Secretary of State. 07/02/2007 To GOVERNOR. 06/30/2007 Enrolled 06/28/2007 In SENATE. Read third time. Passed SENATE. To enrollment. 06/25/2007 From SENATE Committee on APPROPRIATIONS: 06/12/2007 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS. 05/03/07 Read third time in Assembly, do pass. To Senate 02/22/2007: INTRODUCED.	Staff Monitoring
AB 1055	Blakeslee	Transportation: Programs	Bill authorizes Caltrans to communicate, coordinate, and consult with the Resources Agency, Wildlife Conservation Board, Department of Fish and Game, Department of Conservation, and other appropriate federal, state, or local governments, to consider and implement mitigation requirements on a regional basis for the projects covered by that master environmental impact report. The bill would authorize Caltrans to execute an agreement, memorandum of understanding, or other similar instrument to memorialize its understanding of any communication, coordination, or implementation activities with other state agencies for the purpose of meeting mitigation requirements on a regional basis.	10/11/2007 Signed by GOVERNOR. 09/17/2007 *****To GOVERNOR. 09/10/2007 Enrolled. 09/04/2007 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment. 08/21/2007 In SENATE. Read second time. To third reading. 08/20/2007 From SENATE Committee on APPROPRIATIONS. 07/02/2007 From SENATE Cmte on ENVIRONMENTAL QUALITY: Do pass as amended. 06/05/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. 02/23/2007: INTRODUCED.	Staff Monitoring
AB 1672	Nunez	California Transportation Commission	Makes findings regarding transportation infrastructure in California and states the Legislature's intent to advance certain goals and policies related to the purposes for these moneys in the Highway, Traffic Reduction, Air Quality and Port Security Fund of 2006. This bill would require the commission to consult with the chairs of the appropriate policy committees of the Legislature not less than 60 days prior to adopting changes to any guidelines for the expenditure of funds pursuant to the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006. This bill would expand the commission to 13 members, with one additional voting member each appointed by the Speaker of the Assembly and the Senate Committee on Rules, who would not be subject to Senate confirmation.	10/14/2007 Signed by GOVERNOR. 09/25/2007 Enrolled. 09/11/2007 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. 09/07/2007 In SENATE. Read third time. Passed SENATE. 09/06/2007 In SENATE. Read second time. To third reading. 08/22/2007 From SENATE Committee on APPROPRIATIONS: Do pass. 07/16/2007 In SENATE. Read second time and amended. Re-referred to Cmte on RULES. 07/10/2007 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass as amended. 06/06/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. 02/23/2007: INTRODUCED.	Watch

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Bill #	Author	Bill Title	Subject	Current Status	CTC Position
<b>SENATE BILLS SIGNED BY GOVERNOR</b>					
SB 163	Migden	Yerba Buena Island Ramp Connections	Requires Caltrans to work with the Treasure Island Development Authority on the design and engineering of replacement ramps connecting Yerba Buena Island to the San Francisco-Oakland Bay Bridge and to work in cooperation with the authority and the SF County Transportation Authority to ensure that the design of the ramps is compatible with the design of the new eastern span of the bridge. Bill authorizes Caltrans, upon the transfer to the authority from the federal government of the ramp connections, to accept from the authority title, easements, and other interests in land necessary for the state to own and operate one or more of the ramps. Bill makes transfer of a ramp from the state contingent upon completion of work on the ramp in accordance with specified standards and upon the Commission making findings and approving the transfer agreement. Project study report on the reconstruction of the ramps must be finalized by December 31, 2008. SF County Transportation Authority will be the lead agency for the development of the project study report, coordinated with the aforementioned local agencies.	10/13/2007 Signed by GOVERNOR. 09/11/2007 *****To GOVERNOR. 09/04/2007 In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment. 08/30/2007 In ASSEMBLY. Read 3rd time. Passed ASSEMBLY. To SENATE for concurrence. 07/11/2007 From ASSEMBLY Committee on APPROPS: Do pass as amended. 06/28/2007 In ASSEMBLY. Read 2nd time and amended. Re-referred to Cmte on APPROPS. 06/25/2007 From ASSEMBLY Committee on TRANSPORTATION: Do pass as amended to Committee on APPROPS. 05/29/2007 In SENATE. Read third time. Passed SENATE. To ASSEMBLY 01/30/2007 INTRODUCED	\$ 40.00
SB 184	Alquist	Transportation Projects	Limits provisions of existing law that authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program and would require the regional or local entity to request an allocation from the Commission no later than the time of the first expenditure for the project.	10/11/2007 Signed by GOVERNOR. 09/06/2007 In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment. 09/05/2007 In ASSEMBLY. Read third time. Passed. To SENATE for concurrence. 08/31/2007 In ASSEMBLY. Read second time. To third reading. 08/30/2007 From ASSEMBLY Cmte on APPROPS: Do pass. 07/18/2007 In ASSEMBLY Cmte on APPROPS: To Suspend File. 07/02/2007 From ASSEMBLY Cmte on TRANS: Do pass as amended to Cmte on APPROPS 06/11/2007 To ASSEMBLY Cmte on TRANS. 06/06/2007 In SENATE. Read third time. Passed SENATE. To ASSEMBLY. 02/06/2007 INTRODUCED	Neutral
SB 264	Alquist	Transactions and use taxes: Santa Clara Valley Transportation Authority.	Revises the Santa Clara Valley Transportation Authority Act to conform to the voter approval requirements set forth in the state Constitution. Authorizes the authority to adopt an ordinance to impose a transactions and use tax for specified purposes, if certain conditions are met. Use tax would be for 0.125%, which requires legislation.	10/10/2007 Signed by GOVERNOR. 09/11/2007 *****To GOVERNOR. 09/04/2007 SENATE concurred in ASSEMBLY amendments. To enrollment. 08/30/2007 Read third time. Passed ASSEMBLY. To SENATE for concurrence. 07/05/2007 In ASSEMBLY. Read second time. To third reading 07/03/2007 From ASSEMBLY Cmte on LOCAL GOVT: Do pass. 06/25/2007 From ASSEMBLY Cmte on REVENUE AND TAXATION: Do pass to Cmte on LOCAL GOVT. 06/04/2007 To ASSEMBLY Cmtes on REV AND TAXATION and LOCAL GOVT. 05/24/2007 In SENATE. Read third time. Passed SENATE. To ASSEMBLY. 02/14/2007 INTRODUCED.	Support concept for use by other self help counties and those seeking to implement a transactions and use tax for their county.
SB 717	Perata	Transportation Investment Fund	Continues the existence of the Transportation Investment Fund and specifies the use of revenues deposited in that fund from gasoline sales tax revenues subject to Article XIX B beginning in FY 2008-09. Moneys in the TIF would be continuously appropriated without regard to fiscal year. To the Public Transportation Account, 20 percent of the revenues deposited in the fund. Funds shall be allocated as follows: (A) 25% for purposes of subdivision (a) and (b) of Sect. 99315 of the Public Utilities Code (transit capital improvements in STIP and bus and rail service). (B) 37.5% to the Controller. Funds allocated shall be subject to all of the provisions governing funds allocated under Sect. 99314 of the Public Utilities Code (transit operations based on farebox revenues). (C) 37.5% to the Controller. Funds allocated shall be subject to all of the provisions governing funds allocated under Sect. 99313 of the Public Utilities Code (transit operations and capital).	10/14/2007 Signed by GOVERNOR. 09/20/2007 *****To GOVERNOR. 09/12/2007 In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment. 09/10/2007 From ASSEMBLY Committee on TRANSPORTATION: Do pass. 09/05/2007 In ASSEMBLY. From Inactive File. To third reading. 08/30/2007 In ASSEMBLY. To Inactive File. 08/29/2007 In ASSEMBLY. Read second time. To third reading. 08/22/2007 From ASSEMBLY Cmte on APPROPS: Do pass as amended. 07/09/2007 From ASSEMBLY Cmte on TRANS: Do pass to Cmte on APPROPS. 05/24/07 to Assembly Cmte on Trans 05/14/07 Read third time, passed Senate to Assembly 02/23/2007 INTRODUCED:	Staff Monitoring

**CALIFORNIA TRANSPORTATION COMMISSION  
STATUS OF LEGISLATION**

Bill #	Author	Bill Title	Subject	Current Status	CTC Position
<b>ASSEMBLY BILLS VETOED BY GOVERNOR</b>					
AB 89	Garcia	California and Mexico Border Infrastructure: Study	Requires the Secretary of Business, Transportation, and Housing, by January 2010, to conduct a study on the infrastructure development along the border between California and Mexico and any needs for alternative financing mechanisms suited to the challenges of the border region.	10/11/2007 Vetoed by GOVERNOR. 09/13/2007 *****To GOVERNOR. 09/10/2007 Enrolled. 09/05/2007 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment. 09/04/2007 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence. 06/04/07 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. 12/4/2006 INTRODUCED.	Staff Monitoring
AB 945	Carter	Transportation Needs Assessment	Requires the Commission, on a five-year cycle, 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. First submittal is July 1, 2008.	10/11/2007 Vetoed by GOVERNOR. 09/25/2007 *****To GOVERNOR. 09/18/2007 Enrolled. 09/11/2007 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment. 09/10/2007 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence. 09/06/2007 In SENATE. Read third time and amended. Senate Rule 29.3 suspended. To third reading. 06/05/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE. 02/22/2007: INTRODUCED.	Staff Monitoring
<b>SENATE BILLS VETOED BY GOVERNOR</b>					
SB 803	Lowenthal	Transportation Enhancement Funds	Requires transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria to give priority in the selection of transportation enhancement projects to the sponsors of eligible projects that partner with a community conservation corps or the California Conservation Corps to construct or undertake the project. Requires the Commission, when developing guidelines for the state transportation improvement program and the state highway operations and protection program, to include guidance to encourage the allocation of funds for transportation enhancement projects to community conservation corps and the California Conservation Corps.	10/11/2007 Vetoed by GOVERNOR. 09/12/2007 *****To GOVERNOR. 09/07/2007 In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment. 09/05/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. 09/04/2007 In ASSEMBLY. Read second time. To third reading 08/30/2007 From ASSEMBLY Cmte on APPROPS: Do pass as amended. 07/11/2007 In ASSEMBLY Cmte on APPROPS: To Suspend File. 06/25/2007 From ASSEMBLY Cmte on TRANS: Do pass to Cmte on APPROPS. 06/07/2007 To ASSEMBLY Cmte on TRANS. 05/29/2007 In SENATE. Read third time. Passed SENATE. To ASSEMBLY. 02/23/2007 INTRODUCED:	Staff Monitoring
SB 861	Wiggins	North Coast Railroad Authority	Bill would allow reallocation of the \$5.5 million reserved for loan repayment to other purposes, with 3.5 million allocated to environmental cleanup, \$1 million allocated to administrative expenses related to environmental remediation and remediation of hazardous and dangerous conditions along the right-of-way, and the remainder allocated to establish quiet zones and associated upgraded rail-highway crossings in the City of Novato and other locations, as appropriate. Require the authority to open an account with the Sonoma County Auditor and to deposit all TCRP funds received by the authority in account. The bill would also impose various requirements on the authority relative to resumption of rail service north of milepost 142.5, such as a feasibility report to the Legislaure, Caltrans and the Commission. (The report is comprised of an EIR for the rail service, a multi-year financial plan, analysis of permits required to operate, economic analysis of long-term viability. No state funds shall be expended until CTC authorize those expenditures once it determines that resumption of rail service is economically and enviro	10/11/2007 Vetoed by GOVERNOR. 09/14/2007 *****To GOVERNOR. 09/11/2007 In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment. 09/07/2007 In ASSEMBLY. Read third time. Passed ASSEMBLY. To SENATE for concurrence. 09/06/2007 In ASSEMBLY. Read second time. To third reading. 08/30/2007 From ASSEMBLY Cmte on APPROPS: Do pass as amended. 06/25/2007 From ASSEMBLY Cmte on TRANS: Do pass to Cmte on APPROPS. 06/19/2007 From ASSEMBLY Cmte on TRANS with author's amendments. 05/29/2007 In SENATE. Read third time. Passed SENATE. To ASSEMBLY. 02/23/2007 INTRODUCED:	Staff Monitoring

**CALIFORNIA TRANSPORTATION COMMISSION  
STATUS OF LEGISLATION**

<b>Bill #</b>	<b>Author</b>	<b>Bill Title</b>	<b>Subject</b>	<b>Current Status</b>	<b>CTC Position</b>
<b>STATUS OF ASSEMBLY BILL SUPPORTED BY CTC</b>					
AB 1306	Huff	Sales Tax on Gasoline	Reduces the portion of gasoline sales tax revenues that are deposited in the Public Transportation Account by eliminating what is commonly known as the spillover formula. Bill states that increased revenues from the sales tax on gasoline would be deposited in the General Fund. Requires those revenues to be transferred to the Transportation Investment Fund.	Bill Died. 04/23/2007 In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.04/23/2007 ASSEMBLY TRANS Committee, FAILED PASSAGE 02/23/2007: INTRODUCED.	Support
<b>STATUS OF SENATE BILLS SUPPORTED BY CTC</b>					
SB 204	Dutton	Transportation Funds	Requires revenues from taxes imposed by the state on motor vehicle fuels and from the sale of excess real property originally acquired by the state for highways to be paid into the State Treasury to the credit of the State Highway Account and to be available to the Department of Transportation.	03/27/2007 Senate Transportation & Housing Committee. <b>Hearing cancelled at author's request</b> 02/20/2007 To SENATE Committee on TRANSP & HOUSING. 02/08/2007: INTRODUCED.	Support
2/22/2007 3/8/2007 4/6/2007 05/29/07 07/20/07 09/06/07 10/29/07					