



Government Relations & Public Affairs Committee

July 31, 2015

State Advocacy Update

Issue: Update on state advocacy issues.

Recommendation: None; this item is for information only.

Discussion:

Since the Government Relations & Public Affairs Committee met in June, the Governor has signed the 2015-16 budget. In signing the budget, the Governor also called for a special session on transportation and infrastructure. The Legislature is on summer recess until August 17, at which point it will have to conclude all business by September 11. The Governor must sign or veto all legislation passed by the Legislature by October 11. Below is a summary of the transportation-related cap and trade issues, as well as an overview of the special session on transportation.

Cap and Trade

The Legislature punted some of the difficult budget discussions in the budget, including how to allocate up to \$2.7 billion in cap and trade funding (the remainder of what is not in the 60% continuous appropriation). The issue of cap and trade funding may be debated when the Legislature reconvenes in August, but there is not a deadline for spending the revenues collected. Of the continuously appropriated funds, the Governor added over \$1.2 billion for Cap-and-Trade expenditures from his January Budget Proposal (\$992 million), for a total 2015-16 proposal of \$2.237 billion. Of the total, \$1.6 billion will go to sustainable communities and transportation.

Transportation-related Cap and Trade Expenditures			
	Enacted Budget 2014-15	Proposed (January) Budget 2015-16	Enacted Budget 2015-16
Affordable Housing and Sustainable Communities	\$130 million	\$200 million	\$400 million
Transit/Intercity Rail Capital	\$25 million	\$100 million	\$265 million
High-Speed Rail	\$250 million	\$250 million	\$500 million
Low Carbon Transit Operations	\$25 million	\$50 million	\$100 million
Low Carbon Transportation Programs (ARB)	\$200 million	\$200 million	\$350 million
Total	\$850 million	\$1 billion	\$1.6 million

Special Session

In calling a special session on Transportation and Infrastructure, the Governor is asking the Legislature to deliver a permanent and sustainable funding for transportation and other infrastructure. The Governor’s spending priorities are maintaining and repairing the state’s transportation and critical infrastructure, improving the state’s key trade corridors, and complementing local infrastructure investments. According to Secretary of Transportation Brian Kelly, the Governor wants transportation funding legislation delivered to him this calendar year. Next year, he will move onto other issues.

The Assembly and Senate have both appointed policy and fiscal committees to deal with special session issues. The respective policy committees met in early July. Since then, over 20 bills have been introduced, although most are either placeholder bills or single issue bills. The one comprehensive piece of legislation is SB X1-1 (Beall). The original version of SB X1-1 was nearly identical to SB 16, which the SACOG Board voted to support if amended in June. On July 14, SB X1-1 was significantly amended to 1) remove the sunset, 2) modify the funding sources and increase the revenue raised by several hundred million dollars, and 3) adjust the excise tax every three years based on inflation. Attached is a policy brief from the California Association of Councils of Governments (CALCOG) that provides an excellent comparison between SB 16 and SB X1-1. It also summarizes the other special session legislation introduced to date.

The priorities of the SACOG Board regarding SB 16, to add additional protections to any new funds and to extend the period covered by new funding beyond the five years proposed, are shared by other transportation stakeholders. CALCOG, the California State Association of Counties, the League of California Cities and other transportation stakeholders are working with the special session policy and fiscal committees to ensure that a viable funding proposal, which requires bipartisan support, is able to be worked out.

Senate Republicans are interested in additional Constitutional protections for revenues, expanding CEQA exemptions for road rehabilitation and maintenance, expanding the use of public-private partnerships, and administrative reforms at Caltrans. The Assembly Democratic leaders have yet to introduce a comprehensive proposal, so it is unknown whether they will have a proposal significantly different than SB X1-1. It is also unknown which, if any, of the Republican proposals will be incorporated into a final package to secure two-thirds votes in both chambers.

Given that Legislature will only have 19 working days before it must pass legislation, staff will communicate with the Committee Chair and Board Chair if it is in the interest of SACOG to take any legislative positions prior to September 11, and then will communicate any actions taken to the full SACOG Board.

Legislative Update

Attached is a report on legislation SACOG is tracking.

Attachments

A - SACOG State Bill Report

B - CALCOG Policy Brief: Transportation Funding Update: Extraordinary Session

Approved by:

Mike McKeever
Chief Executive Officer

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Attachments

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#	Author	Title	Disposition	Summary	Position
AB 2	Alejo (D)	Community Revitalization Authority	Pending	Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and to provide for the issuance of bonds serviced by tax increment revenues. Requires the authority to adopt a community revitalization and investment plan. Provides for audits. Requires funds in a specified fund to be for housing needs.	
AB 21	Perea (D)	Global Warming Solutions Act of 2006: Scoping Plan	Pending	Requires the State Air Resources Board in preparing its scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas reduction, to consult with specified State agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector.	
AB 22	Rodriguez (D)	Office of Emergency Services: Oil-by-Rail Spills	Pending	Requires the Curriculum Development Advisory Committee to review the curriculum and courses of instruction offered by public and private programs that train firefighters in response methods for oil-by-rail spills. Requires the Office of Emergency Services to compile a list of those curriculum and courses of instruction.	
AB 28	Chu (D)	Bicycle Safety: Rear Lights	Pending	Requires that a bicycle operated during darkness upon a highway or a sidewalk be equipped with a red reflector, a solid red light, or a flashing red light on the rear that is visible for a specified distance to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.	
AB 33	Quirk (D)	Global Warming Solutions Act: Energy Council	Pending	Establishes the Energy Sector Emissions Reduction Advisory Council to recommend strategies for the electricity sector for incorporation into the scoping plan prepared by the State Air Resources Board, based on specified analysis including various strategies that could be implemented to reduce emissions of greenhouse gases from the electricity sector and integrate increasing amounts of renewable energy into the grid.	
AB 35	Chiu (D)	Income tax: Credit: Low-Income Housing: Allocation	Pending	Amends existing law that establishes a low-income housing tax credit program to which the State Tax Credit Allocation Committee provides procedures and requirements for the allocation of State insurance, income, and corporation tax credits amount among low-income housing projects. Increases the aggregate housing credit dollar amount that may be allocated among such projects. Modifies the definition of percentage relating to qualified low-income buildings in all listed tax laws.	
AB 95	Budget Cmt	Transportation	Enacted	Provides for transportation-related matters to include the suspension of restrictions related to the State Transit Assistance Program, the High-Speed Rail peer review group membership and project updates and reporting requirements, the relinquishment of a specified State highway bridge, reports regarding fish passage barriers and funding therefor, funding to build a sound wall around a specified local park, transportation funds and funding, intercity rail service, and an increase in HOV identifiers.	
AB 156	Perea (D)	Global Warming Solutions Act: Disadvantaged Communities	Pending	Requires the State Air Resources Board, pursuant to the Global Warming Solutions Act of 2006, to post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities. Requires the Board to establish and accomplish a comprehensive technical assistance program, upon appropriation from the Greenhouse Gas Reduction Fund, for eligible applicants assisting defined disadvantaged communities. Requires an allocation to the Board for the program.	
AB 194	Frazier (D)	High-Occupancy Toll Lanes	Pending	Deletes the requirement that high occupancy toll (HOT) lanes facilities be consistent with the established standards, requirements and limitations that apply to specified facilities. Requires the State Transportation Commission to establish guidelines for the development and operation of the facilities approved by the Commission subject to specified minimum requirements. Prohibits conversion of non-toll lanes, except for HOT lanes. Authorizes related bonds. Relates to local transportation authorities.	

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AB 313	Atkins (D)	Enhanced Infrastructure Financing Districts	Pending	Requires, after the adoption of a resolution of intention to establish the proposed infrastructure district, the legislative body to send a copy of the resolution to the public financing authority. Revises the duties of the public financing authority after the resolution of intention to establish the proposed district has been adopted, so that the public financing authority, instead of the legislative body, will perform the specified duties related to the Infrastructure financing plan.	
AB 323	Olsen (R)	Environmental Quality Act: Exemption	Enacted	Amends the California Environmental Quality Act that exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, if the project of activity is carried out by a city or county with a specified population to improve public safety and meets other specified requirements, to extend that exemption to a specified date.	
AB 422	McCarty (D)	Sacramento Regional Transit District: Line of Credit	Pending	Authorizes the Sacramento Regional Transit District to seek and receive a short-term revolving line of credit for operating purposes in anticipation of receipt of federal operating grants, with the extension of credit to the district evidenced by a note, in addition to and as an alternative to temporary borrowing. Authorizes the district to pledge anticipated federal grants and other available funds as security for repayment of the note and prescribes other terms.	
AB 448	Brown (D)	Local Government Finance: Vehicle License Fee	Pending	Relates to county vehicle license fee property tax compensation funds and the funding of additional allocations from ad valorem property tax revenues otherwise required to be allocated to educational entities. Modifies certain reduction and transfer provisions, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.	
AB 464	Mullin (D)	Transactions and Use taxes: Maximum Combined Rate	To Governor	Amends existing law that authorizes cities and counties, and if specifically authorized, other local government entities, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in the county to not exceed a specified percentage. Increases the maximum combined rate.	
AB 652	Cooley (D)	State Highway Route 16: Relinquishment	Pending	Extends to the California Transportation Commission on authorization to relinquish certain state highway segments to local agencies of the portion between South Watt Avenue and Grant Line Road. Authorizes the commission to relinquish to the City of Rancho Cordova a specified portion of State Highway Route 16, under certain conditions.	Support
AB 738	Gaines B (R)	Sacramento Regional Transit District	Pending	Provides that the boundaries of the Sacramento Regional Transit District shall consist of specified areas. Requires an annexation to be subject to an agreement between the annexing city or county and the District board specifying the terms and conditions of annexation, and deletes the requirement for approval of annexation by the Sacramento Area Council of Governments. Provides procedures for the detachment of territory by a vote of the District board and the governing body of the detached territory.	
AB 744	Chau (D)	Planning and Zoning: Density Bonuses	Pending	Relates to housing development-related density bonuses and incentives for the production of lower income housing units or donation of certain land. Prohibits at the request of the developer, a city, county, or city and county from imposing a vehicular parking ratio for a development that includes the maximum percentage of low- or very low income units, and is located near a major transit stop. Requires certain developments to have paratransit services or located near specified fixed bus route service.	
AB 747	Eggman (D)	Planning and Land Use: Sacramento-San Joaquin Valley	To Governor	Prohibits a city or county within the Sacramento-San Joaquin Valley from approving a discretionary permit or entitlement that would result in the construction of a new building or construction that would result in an increase in allowed occupancy for an existing building for a project that is located within a flood hazard zone unless the city or county finds that the construction meets specified criteria.	

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AB 779	Garcia (D)	Environmental Quality: Transit Priority Areas	Pending	Relates to the California Environmental Quality Act that requires a lead agency to prepare, or cause to be prepared, an environmental impact on a project that it proposes to carry out or approve that may or may not have a significant effect on the environment. Authorizes the Office of Planning and Research to determine that transportation impacts for residential and mixed-use projects in transit priority areas do not meet the threshold of significance.	
AB 806	Dodd (D)	Planning: Strand-Mounted Antenna	Pending	Requires State and local agencies to encourage the installation of broadband by eliminating barriers that restrict broadband deployment. Requires that strand-mounted antennas that were previously in accordance with State and local permitting requirements be exempt from additional permit requirements.	
AB 828	Low (D)	Vehicles: Transportation Network Services	Pending	Excludes from the definition of commercial vehicle, for purposes of the Vehicle Code, any motor vehicle operated in connection with a transportation network company, if specified conditions are satisfied.	
AB 851	Mayes (R)	Local Government: Organization: Disincorporations	Pending	Provides that, in the case of a local government disincorporation or reorganization that includes a disincorporation, requires a plan for services to include specific provisions, including, an enumeration and description of current services, and a special tax proposal. Adds disincorporation requirements to the petitioning process of a petitioner or local legislative body. Updates annexation requirements. Relates to indebtedness. Relates to assignment of property tax revenues, and the levying of fees.	
AB 852	Burke (D)	Public Works: Prevailing Wages	Pending	Expands the definition of public works for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a general acute care hospital, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds. Provides an exception for a specified hospital.	
AB 869	Cooper (D)	Public Transportation Agencies: Fare Evasion	Pending	Relates to prohibited conduct on public transit. Provides a person who fails to pay the administrative penalty when due or successfully complete the administrative process to dismiss the notice of fare evasion or passenger conduct violation may be subject to criminal penalties. Requires the notice of fare contain a printed statement that the person may be charged with an infraction or misdemeanor if the penalty is not paid or dismissed. Requires dismissal of collection if the person is criminally charged.	
AB 906	Cooper (D)	Sacramento Regional Transit District	Pending	Amends existing law that provides for the proportionate share of the City of Elk Grove to be determined pursuant to a specified agreement between the City and the Sacramento Regional Transit District.	
AB 1015	Bloom (D)	Parking: Car Share Vehicles	Enacted	Authorizes a local authority to, by ordinance or resolution, designate certain streets or portions of streets for the nonexclusive parking privilege of motor vehicles participating in a car share vehicle program or ridesharing program.	
AB 1030	Ridley-Thomas S (D)	Global Warming Solutions Act of 2006: Greenhouse Gas	Pending	Amends existing law that relates to the Greenhouse Gas Reduction Fund. Requires priority be given to projects involving hiring that support the targeted training and hiring of workers from disadvantaged communities for career-track jobs.	
AB 1119	Rendon (D)	Public Utilities: Rights of Way	Pending	Requires a municipal corporation, before using any right of way within any other municipal corporation or county, to request the entity that has control of such right of way to agree with it upon the location of the use and the terms and conditions to which the use shall be subject. Authorizes the proposing municipal corporation to bring an action against the county if they are unable to agree on the terms and conditions and location of the use. Repeals related provisions.	

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AB 1164	Gatto (D)	Water Conservation: Drought Tolerant Landscaping	Pending	Prohibits a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of synthetic grass or artificial turf on residential property. Appropriates a specified amount of funds to the State Department of Water Resources for specified fiscal years to provide matching funds to specified local agencies to provide incentives to residents to replace water inefficient landscaping with drought tolerant landscaping.	
AB 1236	Chiu (D)	Local Ordinances: Electric Vehicle Charging Stations	Pending	Relates to the Electric Vehicle Charging Stations Open Access Act. Requires a city, county or city and county to approve the installation of electric vehicle charging stations through the issuance of specified permits unless the proposed installation would have an adverse impact upon the public health or safety. Provides appeal of that decision. Creates an expedited and streamlined permitting process for electric vehicle charging stations for local entities with minimum populations.	
AB 1250	Bloom (D)	Vehicles: Buses: Axle Weight	Pending	Amends existing law that exempts from the axle gross weight requirements of a bus, a transit bus procured through a solicitation process pursuant to which a solicitation was issued prior to a specified date. Provides for an extension the the specified date for solicitation. Establishes certain weight limitations for transit buses procured through a solicitation process to which a solicitation was issued at a specified time. Provides these provisions do not authorize such bus to travel over certain bridges.	
AB 1412	Perea (D)	Redevelopment: Successor Agencies	Pending	Provides that upon application by the successor agency and approval by the oversight board, loan agreements entered into between a redevelopment agency and the City of San Joaquin, where the outstanding principal balance of the loan is a specified amount, are enforceable obligations if the oversight board finds that the loan was for legitimate redevelopment purposes.	
AB 1431	Gomez (D)	Local Agency Construction: Job Order Contracting	Pending	Repeals provisions relating to the Los Angeles Unified School District. Authorizes job order contracting for school districts. Restrict such contracting to school districts that have entered into a project labor agreement or agreements that will apply to public works in excess of a specified amount, undertaken by the district, regardless of what contracting procedure is used to award the work. Requires job order contractors to submit a questionnaire to the district containing specified information.	
AB 1482	Gordon (D)	Climate Adaptation	Pending	Requires the National Resources Agency to update climate adaptation strategy and to address the impacts of climate change and climate adaptation by reviewing and coordinating existing grants and programs to maximize specified objectives. Requires the Office of Planning and Research to update the State's Five-Year Infrastructure Plan to take current and future climate impacts into account in all infrastructure projects. Expands the duties of the Strategic Growth Council regarding adapting to climate change.	
SB 9	Beall (D)	Greenhouse Gas Reduction Fund: Transit/ Intercity Rail	Pending	Modifies the purpose of the Transit and Intercity Rail Capital Program. Provides for the funding of defined transformative capital improvements. Updates project selection criteria under the program to projects that reduce greenhouse emissions and expand transit service. Requires approval of a multi-year program of projects. Authorizes making multi-year funding commitment for a project. Authorizes the approval of related letters of no prejudice in allowing an applicant to expend its own moneys.	
SB 25	Roth (D)	Local Government Finance: Property Tax Revenue	Pending	Amends an existing law which requires that each city, county and city and county receive certain additional property tax revenues in the form of a vehicle license fee adjustment amount and which requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. Modifies certain reduction and transfer provisions.	

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SB 32	Pavley (D)	Global Warning Solutions Act of 2006: Emissions Limit	Pending	Requires the State Air Resources Board to approve a specified statewide greenhouse gas emission limits that are the equivalent to a specified percentage below the 1990 level to be achieved by 2030 and another percentage below the 1990 level by 2050. Authorizes the Board to adopt an interim emissions level target to be achieved by 2040. Makes conforming changes.	
SB 39	Pavley (D)	Vehicles: High-Occupancy Vehicle Lanes	Pending	Increases the number of vehicle identifiers that the Department of Motor Vehicle is authorized to issue for HOV lane usage.	
SB 64	Liu (D)	State Transportation Plan	Pending	Requires the State Transportation Commission to review recommendations in the update to the Transportation Plan prepared in 2015, and periodically thereafter, to prepare specific action-oriented and pragmatic recommendations for transportation system improvements, and to submit a report in that regard to the Legislature and the Governor. Requires an annual report on allocations for transportation capital outlay appropriations include specific, action-oriented, and pragmatic recommendations.	
SB 122	Jackson (D)	Environmental Quality Act: Record of Proceedings	Pending	Amends the Environmental Quality Act. Relates to a database for the collection, storage, retrieval, and dissemination of environmental documents, notices of exemption, notices of preparation, notices of determination, and notices of completion provided to the office that shall be available online to the public through the internet. Provides for the phase-in of electronic documents. Requires the lead agency to submit to the State Clearinghouse a sufficient number of environmental documents for review.	
SB 246	Wieckowski (D)	Climate Change Adaptation	Pending	Establishes the Climate Adaptation and Resiliency Program to coordinate State, regional, and local agency efforts to adopt the impacts of climate change. Requires the updating of the State Climate Adaptation Strategy, and the Adaptation Planning Guide. Establishes an advisory council to support program goals. Requires the establishment of a clearinghouse for climate adaptation information.	
SB 321	Beall (D)	Motor Vehicle Fuel Taxes: Rates: Adjustments	Pending	Relates to motor fuel tax rates. Requires the State Board of Equalization to adjust the rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to an exception that reflects the combined average of the actual fuel price over previous fiscal years and the estimated fuel price for the current fiscal year. Relates to revenue neutrality for each year.	Support
SB 331	Mendoza (D)	Public Contracts: Local Agencies: Negotiations	Pending	Enacts the Civic Reporting Openness in Negotiations Efficiency Act. Establishes specified procedures for the negotiation and approval of certain contracts with a specified minimum value, by cities, counties, or cities and counties, and special districts that have adopted a related ordinance. Requires a review and report on the cost of any contract. Requires the local entities to disclose prescribed information on the entities' Internet Web site. Relates to public meetings. Exempts certain contracts.	
SB 348	Galgiani (D)	California Environmental Quality Act: Railroad Crossing	To Governor	Relates to the California Environmental Quality Act. Requires a lead agency, if it determines that a certain exemption applies to a project that the agency approves or determines to carry out, to file a notice of exemption with the Office of Planning and Research and, in the case of a local agency, with the county clerk in each affected county. Extends the repeal date for certain provisions concerning railroad crossings.	
SB 350	De Leon (D)	Clean Energy and Pollution Reduction Act of 2015	Pending	Require the quantity of electricity products from eligible renewable energy resources be procured by each retail seller for specified periods. Requires local publicly owned electric utilities to ensure specified quantities of such products be procured. Excludes combustion from municipal waste as eligible energy sources. Requires submission of renewable energy procurement plans. Relates to regulatory disincentives regarding greenhouse emissions reduction. Relates to alternative fuel vehicles.	

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SB 367	Wolk (D)	Agricultural Lands: Greenhouse Gases	Pending	Authorizes the environmental farming program to provide loans, assistance, educational materials and outreach to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat, and reduce on-farm greenhouse gas emissions or increase carbon storage in agricultural soils and woody biomass, or both. Provides funds to support projects agricultural management practices and activities. Requires sustainable agricultural land grants.	
SB 379	Jackson (D)	Land Use: General Plan: Safety Element	Pending	Requires, upon the next revision of a local hazard mitigation plan, the element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county. Requires the update to include a set of goals, policies, and objectives based on the a vulnerability assessment identifying the risks that climate change poses to the local jurisdiction and the at risk geographic areas and specified information from federal, state, regional, and local agencies.	
SB 398	Leyva (D)	Green Assistance Program	Pending	Establishes the Green Assistance Program, to be administered by the Secretary for Environmental Protection that provides technical assistance to small businesses, small nonprofits, and disadvantaged communities in applying for an allocation of moneys from the Greenhouse Gas Reduction Fund.	
SB 400	Lara (D)	Greenhouse Gas Reduction Fund	Pending	Relates to the Greenhouse Gas Reduction Fund. Requires the High-Speed Rail Authority to allocate a minimum percentage of moneys continuously appropriated to the Authority from the fund to fund projects that either reduce or offset greenhouse gas emissions directly associated with the construction of the high-speed rail project and provide a co-benefit of improving air quality. Requires priority be given to measures and projects located in areas designated as extreme nonattainment.	
SB 413	Wieckowski (D)	Public Transit: Prohibited Conduct	Pending	Relates to certain acts on or in a facility or vehicle of a public transportation system. Makes it so the provision would apply to a person failing to comply with the warning of a transit official related to disturbing another person by loud and unreasonable noise, and to a person playing unreasonably loud sound equipment on or in a public transportation system facility or vehicle, and related administrative penalties. Provides an infraction for not yielding seating to elderly or handicapped.	
SB 433	Berryhill (R)	Motor Vehicle Fuel Taxes: Diesel Fuel Taxes: Rates	Pending	Requires, in specified fiscal years, the Department of Finance to adjust the motor vehicle and diesel fuel tax rates in a specified manner, and to notify the Board of Equalization of the rate adjustments.	
SB 491	Beall (D)	Transportation: Omnibus Bill	Pending	Provides provisions regarding transportation to include vehicle registration fees for air quality, transit security, hazardous materials license endorsement, commercial driver cargo security, commercial motor vehicle speedometers, use of flags and lighting on oversized loads, placing a lighted fusee to a vehicle, truck tractor wheel service breaks, use of saddle mounts or tow-bars, securing vehicles from fumes and hazards, earphones prohibition, bikeways, highway descriptions, and vehicle accident reports.	
SB 508	Beall (D)	Transportation Funds: Transit Operators: Pedestrians	Pending	Deletes the requirement that transit operators maintain higher farebox requirements based on a specified fiscal year. Exempts additional expenditures categories from definition of operating costs including fuel, insurance, and claims settlement costs. Reduces the public transit operator's operating allocation by a specified percentage, based on the percentage amount that the operator failed to meet efficiency standards. Relates to funding for pedestrian safety education programs.	Support if amended

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SB 530	Pan (D)	Pedicabs	Pending	Expands the definition of a pedicab to include a specified device that is primarily or exclusively pedal-powered, has a specified maximum seating capacity, cannot travel in excess of a specified speed, and is being used for is being used to transport passengers for hire. Imposes specified requirements on these pedicabs regarding maximum seating capacity, authorization to operate, operator qualifications and training, safety equipment, financial responsibility, and passenger alcohol consumption.	
SB 599	Mendoza (D)	Employment: Public Transit Service Contracts	Pending	Relates to a local government agency giving a preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days. Expands these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.	
SB 710	Galgiani (D)	Joint Exercise of Powers	Pending	Amends the Joint Exercise of Powers Act. Authorizes a joint powers authority to issue bonds and enter into a loan agreement for the financing or refinancing of a project situated in another State, including working capital related to that project, if the project and its financing meets certain conditions. Requires an authority to inform the Legislative Analyst of information and the Analyst to report to the Legislature. Relates to meeting and records requirements. Makes bond interest income tax free.	
SB 730	Wolk (D)	Railroads: Movement of Freight: Trains or Light Engines	Pending	Prohibits a train or light engine used in connection with the movement of freight from being operated unless it has a specified minimum-sized crew. Authorizes the Public Utilities Commission to assess civil penalties against a person who willfully violates this provision.	
SB 762	Wolk (D)	Competitive Bidding: Pilot Program: Design- Build	Pending	Establishes a pilot program to allow counties to select the lowest responsible bidder on the basis of best value for construction projects that are in excess of a specified amount. Establishes procedures and criteria for the selection of the best value contractor. Requires that bidders verify specified information. Requires the board of supervisors of a participating county to submit a report to specified legislative committees. Amends the term best value to have the objective criteria evaluated.	
AB X1-1	Alejo (D)	Transportation Funding	Pending	Provides that any loans made to the General Fund from specified transportation funds and accounts with a specified repayment date are to be repaid by a specified date. Repeals specified provisions of existing law, retaining the weight fee revenues in the State Highway Account. Deletes the provisions relating to the reimbursement of the State Highway Account for weight fee revenues and relating to the making of loans to the General Fund, and providing for the portion of fuel excise tax revenues.	
AB X1-2	Perea (D)	Transportation Projects: Comprehensive Lease Agreements	Pending	Amends existing law that authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities for certain transportation projects. Extends this authorization indefinitely and includes within the definition of regional transportation agency the Santa Clara Valley Transportation Authority.	
AB X1-3	Frazier (D)	Transportation Funding	Pending	Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical infrastructure.	
AB X1-4	Frazier (D)	Transportation Funding	Pending	Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.	

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AB X1-6	Hernandez R (D)	Affordable Housing and Sustainable Communities Program	Pending	Requires a specified percentage of moneys available for allocation under the Affordable Housing and Sustainable Communities Program to be allocated to eligible projects in rural areas. Requires a percentage of those moneys to be allocated to eligible affordable housing projects.	
AB X1-7	Nazarian (D)	Public Transit Funding	Pending	Continuously appropriates a percentage of the annual proceeds of the Greenhouse Gas Reduction Fund to the Transit and Intercity Rail Capital Program, and a percentage of the proceeds to the Low Carbon Transit Operations Program.	
AB X1-8	Chiu (D)	Diesel Sales and Use Tax	Pending	Increases the additional sales and use tax rate on diesel fuel from 1.75% to 5.25%.	
SB X1-1	Beall (D)	Transportation Funding	Pending	Creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Provides for an increase the motor vehicle fuel and diesel fuel excise tax, vehicle registration fees, a new road access charge, the breakout of road maintenance funds, an increase in the vehicle license fee for bond debt service, and funding for state highways, and general fund loan repayment. Relates to gasoline and diesel excise tax neutrality.	
SB X1-2	Huff (R)	Greenhouse Gas Reduction Fund	Pending	Excludes from allocation under the Greenhouse Gas Reduction Fund provisions the annual proceeds of the fund generated from the transportation fuels sector. Provides that those annual proceeds shall be appropriated by the Legislature for transportation infrastructure, including public streets and highways, but excluding high-speed rail.	
SB X1-3	Vidak (R)	Transportation Bonds: Highway and Road Projects	Pending	Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.	
SB X1-4	Beall (D)	Transportation Funding	Pending	Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical transportation infrastructure.	
SB X1-5	Beall (D)	Transportation Funding	Pending	Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.	
SB X1-6	Runner (R)	Greenhouse Gas Reduction Fund: Transportation	Pending	Deletes the continuous appropriations from the Greenhouse Gas Reduction Fund for the high-speed rail project, and prohibits any of the proceeds from the fund from being used for that project. Continuously appropriates the remaining 65% of the annual proceeds of the fund to the Transportation Commission for allocation to high-priority transportation projects.	
SB X1-7	Hill (D)	Diesel Sales and Use Tax	Pending	Increases the additional sales and use tax rate on diesel fuel from 1.75% to 5.25%.	
SB X1-8	Hill (D)	Public Transit: Funding	Pending	Appropriates a specified percentage of proceeds of the Greenhouse Gas Reduction Fund to the Transit and Intercity Rail Capital Program, and a percentage to the Low Carbon Transit Operations Program.	
SB X1-9	Moorlach (R)	Department of Transportation	Pending	Prohibits the Department of Transportation from using any nonrecurring funds, including, but not limited to, loan repayments, bond funds, or grant funds, to pay the salaries or benefits of any permanent civil service position within the department. Requires the Department to contract for architectural and engineering services with respect to public works of improvement, with a minimum of percentage of total value of these services to be contracted by a specified date and increasing to a new minimum.	

#	Author	Title	Disposition	Summary	Position
SB X1-10	Bates (R)	Regional Transportation Capital Improvement Funds	Pending	Revises the process for programming and allocating the share of State and federal funds available for regional transportation improvement projects. Requires an annual apportion. Provides that transportation capital improvement funds, and capital outlay support funds would be appropriated annual the the Budget Act to regional agencies. Requires identification of which program will be funded with these funds.	
SB X1-11	Berryhill (R)	Environmental Quality Act: Exemption	Pending	Deletes the limitation of the exemption under the California Environmental Quality Act to projects or activities in cities and counties with a population of less than 100,000 persons. Expands the exemption to include state roadways.	
SB X1-12	Runner (R)	Transportation Commission	Pending	Excludes the Transportation Commission from the Transportation Agency, establishes it as an entity in state government, and requires it to act in an independent oversight role. Requires the Commission to program transportation projects to be contained the the State highway operation and protection program, and to program capital outlay support resources for each program project. Authorizes the Commission to program certain projects. Requires the submission of any project change.	
SB X1-13	Vidak (R)	Office of the Transportation Inspector General	Pending	Creates the Office of the Transportation Inspector General in state government as an independent office that would not be a subdivision of any other government entity, to ensure that all state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.	
SB X1-14	Cannella (R)	Transportation Projects: Comprehensive Lease Agreements	Pending	Includes within the definition of regional transportation agency the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships under these provisions.	
SCA X1-1	Huff (R)	Motor Vehicles Fees and Taxes: Expenditure Restrictions	Pending	Proposes an amendment to the Constitution to prohibit the Legislature from borrowing revenues from fees and taxes imposed by the State on vehicles or their use or operation, and from using those revenues other than as specifically permitted by the Constitution. Prohibits using such revenues for interest on mass transit voter-approved bonds. Relates to the use a motor vehicle fuels tax revenues and vehicle license fee revenues.	



POLICY BRIEF

TRANSPORTATION FUNDING UPDATE: EXTRAORDINARY SESSION

California Association of Councils of Governments

July 21, 2015

Attachment B

I. SB 16 and SBX1-1 (Beall) Transportation Funding

Senator Beall introduced SB 16 earlier this year. CALCOG took a “support” position on the version in print on April 15. Then, SB 16 was re-introduced in the Extraordinary Session as SB 1X-1. Significant new amendments went into print on July 14. See below.

SB 16—SB X1-1 COMPARISON TABLE		
Key Element	SB 16 (June 1)	SBX1-1 (July 14)
Effective Term	5 years	Unlimited
Revenue	\$3.4 to \$3.9 Billion/Yr.	\$4.3 to \$4.6 Billion/Yr.
Sources	<ul style="list-style-type: none"> • 10¢/gal. tax increase on gasoline • 12¢/gal increase on diesel fuel • \$35 vehicle registration fee • \$100 zero emission vehicle fee • Loan repayments over 3 years • .65% vehicle license fee increase 	<ul style="list-style-type: none"> • 12¢/gal. tax increase on gasoline • 22¢/gal. Increase on diesel fuel • \$35 vehicle registration fee • \$100 zero emission vehicle fee • Loan repayments over 3 years • \$35 road access fee
Truck Weight Fees	Transferred and backfilled with VLF	Not affected
Goods Movement (TCIF)	2¢/gal. on diesel to TCIF (approx. \$50 million/yr.)	12¢/gal. on diesel to TCIF (approx. \$300 million/yr.)
Self Help Incentive	5% off-the top allocation	5% of the top allocation-ongoing
Distribution of Remainder	<ul style="list-style-type: none"> • 50% to SHOPP • 50% to Local Streets & Roads 	<ul style="list-style-type: none"> • 50% to SHOPP • 50% to Local Streets & Roads
Inflation Adjustment (CPI)	N/A	Excise tax adjusted every three years beginning 2019
Local Streets and Road Fund Flexibility	N/A	“Other transportation priorities” allowed if PMI exceeds 85
STIP	N/A	<ul style="list-style-type: none"> • Excise tax reset to 17.3 ¢/gal. • CPI applies to all excise tax
Active Transportation Eligibility	N/A	Pedestrian and bike safety in conjunction with other projects
Caltrans Accountability	CTC allocation required for SHOPP; Department plan to improve efficiency by 30%	CTC allocation required for SHOPP; Department plan to improve efficiency by 30%
Local Street and Roads Accountability	CTC estimates fund amount, develop performance criteria	CTC develops performance criteria

II. Other Key Bills In the First Extraordinary Session

Assembly Bills:

- **AB X1-1 (Alejo). Weight fees.** Returns weight fees to the State Highway Fund; repays outstanding transportation loans over three years
- **AB X1-2 (Perea) Public Private Partnerships.** Extends P3 authority indefinitely; includes Santa Clara VTA in definition of regional agency.
- **AB X1-3 and ABX1-4 (Frazier, Atkins) Spot language.** Spot bills to establish permanent, sustainable sources of funding for highways, local roads, bridges, etc.
- **AB X1-6 (Hernandez) AHSC program.** Creates a 20% rural set aside in AHSC Program.
- **AB X1-7 (Nazarian). Public transit funding.** Doubles cap and trade appropriation for Transit and Intercity Rail Program (to 20%) and Local Carbon Transit Program (to 10%).
- **AB X1-8 (Chiu & Bloom) Diesel sales tax.** Increases sales and use tax on diesel from 1.75% to 5.25%. These revenues are appropriated by formula to public transit agencies.

Senate Bills:

- **SB X1-1 (Beall) Transportation Funding.** See previous page.
- **SB X1-2 (Huff) GHG reduction fund.** Dedicates cap and trade taxes paid from gasoline production to improving infrastructure, including streets and roads.
- **SB X1-3 (Vidak) HSR Bonds.** Amends HSR bond funding initiative (and requires a general vote) to redirect HSR Bone funds to repair or construct highways and local streets and roads.
- **SB X1-6 (Runner) GHG reduction fund; transportation.** Prohibits use of cap and trade proceeds on HSR and redirects funds to highways, local street and roads, and public transit.
- **SB X1-7 (Allen) Diesel sales tax.** Increases sales and use tax on diesel from 1.75% to 5.25%. These revenues are appropriated by formula to public transit agencies.
- **SB X1-8 (Hill) Public transit funding.** Doubles cap and trade appropriation for Transit and Intercity Rail Program (to 20%) and Local Carbon Transit Program (to 10%).
- **SB X1 9 (Moorlach) Department of Transportation.** Prohibits Caltrans from using temporary funding (e.g., bonds) to support permanent positions; encourages contracting.
- **SB X1 10 (Bates) Regional Capital Improvements.** Converts STIP to block grants based on county shares; eliminates CTC retains some oversight, but programming role discontinued
- **SB X1 11 (Berryhill) CEQA exemption, road improvements.** Exempts road repair and maintenance on existing rights of way from CEQA, including for areas over 100,000.
- **SB X1-12 (Runner) Transportation Commission.** Makes the CTC independent and authorizes CTC to approve the Department's individual repair and maintenance projects.
- **SB X1-13 (Vidak) Inspector General.** Creates an Inspector to assure that Caltrans and HSRA operates efficiently, effectively, and in compliance with federal and state laws.
- **SB X1 14 (Canella) Public Private Partnerships.** Eliminates the sunset provision that allowed RTPAs and Caltrans to enter into PPPs.

Senate Constitutional Amendments:

- **SCA X1-1 (Huff).** Guarantees that transportation taxes are used for transportation purposes.