MEMO

DATE: October 10, 2005

TO: The Regional Council
The Community, Economic and Human Development Committee
The Energy and Environment Committee
The Transportation and Communications Committee

FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov

SUBJECT: State and Federal Legislative Matrix

The State Legislature, which now turns its attention to the November special election, has adjourned for the year and will not reconvene until Wednesday, January 4, 2006. The attached matrix shows the end-of-session disposition of state bills and constitutional amendments upon which SCAG has taken a position. Bills that did not advance from their house of origin by May 30th are considered dead; those that did pass to the other house carry over into the second half of the session in 2006.

Only one bill, SB 575 (Torlakson) on housing development projects, passed the Legislature and awaits the Governor's signature. He must sign or veto bills by October 9th. Legislation enacted in 2005 becomes effective on January 1, 2006 in the absence of an urgency clause.

In Washington, Congress has returned from its August district work period and has focused on three subjects: the nomination of Judge Roberts for Chief Justice of the Supreme Court, Hurricane Katrina relief, and the passage of appropriations bills. Appropriations measures are due before the end of the federal fiscal year on September 30th, but delays are expected. The appropriation for the Department of Transportation and the Treasury was purposely delayed to permit the passage of SAFETEA-LU first. Now that the reauthorization has been enacted, the Congress can pass a Transportation appropriation that accounts for SAFETEA-LU's new provisions.

CP#107688v.6

CA AB 426

AUTHOR: Bogh (R)
TITLE: HOV Lanes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 04/20/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:
Requires the Department of Transportation to convert all high-occupancy vehicle (HOV) lanes on state highways in the County of Riverside that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.
STATUS:
05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
PRIVATE FILE: Transportation
COMMENTARY:
Support position extends only to Riverside County
Position: SCAG-Sup *05/05/2005*
Subject: Transport

CA AB 697

AUTHOR: Oropeza (D)
TITLE: Highway Users Tax Account: Appropriation of Funds
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:
Provides that all moneys in the HIghway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are on continuously appropriated and may be encumbered for certain purposes until the Budget Act is Enacted.
STATUS:
05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
PRIVATE FILE: Transportation
COMMENTARY:
Amendment requested relates to faciliating the CPG reimbursement process.
Position: SCAG-Sup&Amend *04/15/2005*
Subject: Revenue/Bond, Transport

CA AB 850

AUTHOR: Canciamilla (D)
TITLE: Toll Road Agreements
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 05/03/2005
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY:
Relates to the Department of Transportation. Authorizes the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects. Authorizes tolls to be collected after the termination of a franchise agreement period. Authorizes the department to construct and operate a high-occupancy vehicle and other preferential lanes as toll facilities.
STATUS:
05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
PRIVATE FILE: Transportation
Position: SCAG-Sup *05/05/2005*
Subject: Transport

CA AB 1090

AUTHOR: Matthews (D)
TITLE: Solid Waste: Diversion: Conversion
INTRODUCED: 02/22/2005
DISPOSITION: Pending

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LOCATION: Assembly Natural Resources Committee

SUMMARY:

Revises the waste management practices that the integrated Waste Management Board and local agencies are required to promote. Repeals the definition of the term gasification. Defines the terms conversion technology, beneficial use and recovery. Revises the definition of the term "transformation" to exclude pyrolysis, distillation or biological conversion other than composting from that definition. Specifies that transformation does not include conversion technology.

STATUS:

04/18/2005 In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee.

PRIVATE FILE: SolidWaste

Position: SCAG-Sup *04/07/2005*

Subject: SolidWaste

CA AB 1266

AUTHOR: Niello (R)

TITLE: State Highways: Design-Sequencing Contracts

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 02/22/2005

LAST AMEND: 05/04/2005

DISPOSITION: Pending

LOCATION: Assembly Appropriations Committee

SUMMARY:

Authorizes the Department of Transportation to award design-sequencing contracts for the design and construction of not more than 4 additional transportation projects, to be selected by the Director of Transportation.

STATUS:

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

PRIVATE FILE: Transportation

Position: SCAG-Sup *04/15/2005*

Subject: Transport

CA ACA 13

AUTHOR: Harman (R)

TITLE: Local Government: Assessments and Fees or Charges

FISCAL COMMITTEE: no

URGENCY CLAUSE: no

INTRODUCED: 02/22/2005

LAST AMEND: 04/21/2005

DISPOSITION: Pending

LOCATION: Assembly Local Government Committee

SUMMARY:

Proposes a Constitutional amendment that excludes a fee or charge related to flood control, stormwater drainage or surface water drainage from restrictions on the imposition or increase of a property-related fee or charge by a city, county or special district upon compliance with requirements for written notice to property owners, a public hearing, and an opportunity for majority protest, and upon the approval by a majority vote of the property owners of the property subject to the charge or fee.

STATUS:

04/21/2005 To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

04/21/2005 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.

04/21/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA SB 44

AUTHOR: Kehoe (D)

TITLE: General Plans: Air Quality Element

FISCAL COMMITTEE: yes

URGENCY CLAUSE: no

INTRODUCED: 01/04/2005

LAST AMEND: 05/17/2005

DISPOSITION: Pending

LOCATION: Assembly Unfinished Business

SUMMARY:

Requires the legislative body of each city and county located in specified areas to either adopt an air quality element as part of its general plan or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements that occurs after a specified date. Requires cities and counties to comply by a certain date.

STATUS:

09/08/2005	In ASSEMBLY. Read third time. Failed to pass ASSEMBLY.
09/08/2005	In ASSEMBLY. Motion to reconsider.
PRIVATE FILE:	AirQuality
Position:	SCAG-Opp *06/02/2005*
Subject:	AirQuality, LandUse
PRIVATE FILE:	LandUse
Subject:	AirQuality, LandUse

CA SB 172

AUTHOR:	Torlakson (D)
TITLE:	Bay Area State-Owned Toll Bridge: Financing
FISCAL COMMITTEE:	yes
URGENCY CLAUSE:	no
INTRODUCED:	02/09/2005
LAST AMEND:	05/27/2005
DISPOSITION:	Pending
LOCATION:	Assembly Transportation Committee

SUMMARY:

Requires the seismic retrofit surcharge on bay area toll bridges to be paid into the Bay Area Toll Account. Requires the Bay Area Toll Authority to amend its agreement with the Department of Transportation to specify the respective duties of each agency with respect to the seismic retrofit and other bridge construction projects. Requires the authority and department to form a Toll Bridge Program Board of Control to review those projects.

STATUS:

06/13/2005	To ASSEMBLY Committee on TRANSPORTATION.
PRIVATE FILE:	Transportation
Position:	SCAG-Watch *05/05/2005*
Subject:	Revenue/Bond, Transport

CA SB 371

AUTHOR:	Torlakson (D)
TITLE:	Public Contracts: Design-Build: Transportation
INTRODUCED:	02/17/2005
LAST AMEND:	04/26/2005
DISPOSITION:	Pending
LOCATION:	Senate Appropriations Committee

SUMMARY:

Authorizes, until January 1, 2011, certain state and local transportation entities to use a design-build process for bidding on highway construction projects. Establishes a procedure for submitting bids that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation entity that is verified under oath. States the intent of the Legislature that a transportation entity implement a labor compliance program for such projects.

STATUS:

05/26/2005	In SENATE Committee on APPROPRIATIONS: Heard, remains in Committee.
PRIVATE FILE:	Transportation
Position:	SCAG-Sup *04/15/2005*
Subject:	Transport

CA SB 521

AUTHOR:	Torlakson (D)
TITLE:	Local Planning: Transit Village Plans
FISCAL COMMITTEE:	no
URGENCY CLAUSE:	no
INTRODUCED:	02/18/2005
LAST AMEND:	09/02/2005
DISPOSITION:	Pending
LOCATION:	Assembly Housing and Community Development Committee

SUMMARY:

Requires a transit village plan to include a transit station and a parcel, at least 1/2 of which is

with no more than 1/4 mile of the exterior boundary of the parcel on which the transit station is located or parcels located in an area equal to the area encompassed by a 1/4 mile radius from the exterior boundary of the parcel on which the station is located. Defines blight under the Community Redevelopment Law to include the lack of high density development within a transit village development district.

STATUS:

09/02/2005	From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.
09/02/2005	In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
PRIVATE FILE:	LandUse
Position:	NARC-Sup *06/02/2005*
Subject:	Housing, Transit

CA SB 575

AUTHOR:	Torlakson (D)
TITLE:	Housing Development Projects
FISCAL COMMITTEE:	no
URGENCY CLAUSE:	no
INTRODUCED:	02/18/2005
LAST AMEND:	08/18/2005
DISPOSITION:	To Governor
LOCATION:	To Governor

SUMMARY:

Amends Planning and Zoning Law provisions relating to approval or disapproval of projects for farmworker housing, very low, low-, or moderate-income households. Revises conditions regarding disapproval or a conditional approval of a housing development project. Authorizes an applicant for a project or a person who would be eligible to apply for residency to bring an action in court. Authorizes the court to vacate the decision, deem the application complete, and impose fines upon determination of bad faith.

STATUS:

09/02/2005	*****To GOVERNOR.
PRIVATE FILE:	LandUse
Position:	SCAG-Sup *06/02/2005*
Subject:	Housing, LandUse

CA SB 705

AUTHOR:	Runner G (R)
TITLE:	Design-Build Contracts
INTRODUCED:	02/22/2005
DISPOSITION:	Pending
LOCATION:	Senate Transportation and Housing Committee

SUMMARY:

Authorizes the Department of Transportation to contractor using the design-build process for the design and construction of transportation projects. Requires the director of the department to establish a prequalification and selection process.

STATUS:

04/19/2005	In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

CA SB 760

AUTHOR:	Lowenthal (D)
TITLE:	Ports: Congestion Relief: Security Enhancement
FISCAL COMMITTEE:	yes
URGENCY CLAUSE:	no
INTRODUCED:	02/22/2005
LAST AMEND:	05/27/2005
DISPOSITION:	Pending
LOCATION:	Assembly Appropriations Committee

SUMMARY:

Imposes on each shipping container processed in the Port of Los Angeles or the Port of Long Beach a fee of $30 per twenty-foot equivalent unit, payable by the marine terminal operator processing the container to the port where the marine terminal is located. Requires each port to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.

STATUS:

06/27/2005	From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to

		Committee on APPROPRIATIONS.
	PRIVATE FILE:	Transportation
	Position:	SCAG-Watch *05/05/2005*
	Subject:	Transport

CA SB 832	**AUTHOR:**	Perata (D)
	TITLE:	CEQA: Infill Development
	INTRODUCED:	02/22/2005
	LAST AMEND:	05/04/2005
	DISPOSITION:	Pending
	LOCATION:	Assembly Inactive File
	SUMMARY:	

Relates to infill development under the California Environmental Quality Act. Provides an alternative to infill criteria if the site is located in a city with a population of more than 200,000 persons, the site is not more than 10 acres, and the project does not have less than 200 or more than 300 residential units, as adopted by a resolution of the city council.

	STATUS:	
	08/31/2005	In ASSEMBLY. To Inactive File.
	PRIVATE FILE:	LandUse
	Position:	SCAG-Sup *06/02/2005*
	Subject:	Housing, LandUse

CA SB 1024	**AUTHOR:**	Perata (D)
	TITLE:	Public Works and Improvements: Bond Measure
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	yes
	INTRODUCED:	02/22/2005
	LAST AMEND:	08/29/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Third Reading File
	SUMMARY:	

Enacts the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize general obligation bonds for the state transportation improvement program, levee improvements, passenger rail improvements, restoration of Proposition 42 funds, port infrastructure and security, certain trade corridors, emissions reduction projects, environmental enhancement projects, and transportation needs in cities and counties relative to housing and infill. Creates the Transit-Oriented Development Program.

	STATUS:	
	08/30/2005	In SENATE. Read second time. To third reading.
	PRIVATE FILE:	Transportation
	Position:	SCAG-Watch *05/05/2005*
	Subject:	Revenue/Bond, Transport

CA ACA 4 a	**AUTHOR:**	Keene (R)
	TITLE:	State Finances
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	01/20/2005
	LAST AMEND:	04/11/2005
	DISPOSITION:	Pending
	LOCATION:	Assembly Budget Process Committee
	SUMMARY:	

Proposes a Constitutional amendment that requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by a specified amount.

	STATUS:	
	04/11/2005	From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.
	04/11/2005	In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on BUDGET PROCESS.
	PRIVATE FILE:	Transportation
	COMMENTARY:	

Prop 42 provisions only
Position: SCAG-Sup&Amend *05/05/2005*
Subject: Revenue/Bond, Transport

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