MEMO

DATE: November 6, 2003

TO: The Community Economic and Human Development Committee (CEHD)
The Energy and Environment Committee (EEC)
The Transportation and Communications Committee (TCC)

FROM: Donald Rhodes, Manager of Government and Public Affairs
Phone: (213) 236-1840 E-mail: rhodes@scag.ca.gov

SUBJECT: 2004 State and Federal Legislative Program -- DRAFT

RECOMMENDED ACTION: Approve

SUMMARY:

Each year, the Regional Council adopts a state and federal legislative program, which guides the legislative activities of the Southern California Association of Governments (SCAG). The 2004 Legislative Program furthers legislative initiatives currently underway and launches newly identified proposals.

The goal of the Legislative Program is to focus SCAG's legislative efforts in a manner that benefits the region and establishes SCAG as a key resource for Members of Congress, Members of the California Legislature, their staffs, and department and administration officials.

Because TEA-21 was not reauthorized by its September 30th expiration, SCAG's federal priority remains the reauthorization. SCAG's advocacy efforts will focus on enhancing Southern California's funding opportunities in the next transportation program for regionally significant projects. Key state initiatives include continued work on funding for the Regional Housing Needs Assessment (RHNA), housing element reform, and the phase-out of the $1 million cap on Transportation Development Act (TDA) funds. At both the state and the federal level, advocacy will continue on improving the flow of Comprehensive Planning Grant (CPG) funds, on which SCAG depends for its statutorily required metropolitan planning.

Direction received today from the Policy Committees on the attached draft Legislative Program will be incorporated into a revised Legislative Program, which will be submitted to the Administration Committee and the Regional Council in December for their consideration and action. The 2004 Legislative Program will be implemented upon its adoption by the Regional Council.

FISCAL IMPACT:
All work related to adopting the recommended staff action is contained within the adopted FY03-04 budget and the 2003 Legislative Program and does not require the allocation of any additional financial resources.

SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

Table of Contents

- Legislative Program
- Attachment A 2004 Appropriations Requests
- Attachment B 2003 Legislative Matrix
- Attachment C Legislative Protocol Flow Chart
- Attachment D Glossary of Legislative Terms
- Attachment E 2004 Legislative Calendar (Placeholder)

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2004 LEGISLATIVE PROGRAM

The 2004 Legislative Program A) summarizes SCAG's legislative activities in 2003, B) describes SCAG's 2004 legislative priorities and policies and C) delineates SCAG's process for legislative advocacy.

A. 2003 PROGRAM HIGHLIGHTS

During 2003, SCAG took positions on and advocated several federal and state issues.

Federal Issues

SCAG's main federal legislative priority during 2003 was the reauthorization of the Transportation Equity Act for the Twenty-First Century (TEA-21), the federal surface transportation program. SCAG sought the inclusion of $4.26 billion in projects in the reauthorization. The reauthorization was not approved by the September 30, 2003 deadline, and in its place Congress passed and the President approved a five-month extension that expires in February 2004.

The extension does not include authorization for SCAG's projects. SCAG's advocacy for its reauthorization projects will, therefore, continue until TEA-21 is reauthorized. SCAG also requested nearly $26 million in appropriations*. At this writing, the appropriations package is under negotiation in Congress, and the Senate mark-up contains a $1 million for the California Maglev Deployment Program. (*Attachment A* shows SCAG's FY 2004 appropriations and reauthorization requests.)

In 2003, SCAG also led the development of a consensus program on regional priority projects. In an unprecedented show of solidarity, the chairs and chief executive officers of SCAG, the county transportation commissions**, Imperial County and Metrolink advocated the consensus program in Washington in February 2003. Using a document prepared by SCAG, a twenty-person delegation conveyed critical information about the Southern California Consensus Program, which contains twenty-nine 2001 Regional

---

* An authorization or reauthorization provides the authority to expend federal funds on a project or program. An appropriation is the annual expenditure of funds for the authorized purpose.

** The Los Angeles County Metropolitan Transportation Authority (LACMTA); the Orange County Transportation Authority (OCTA); the Riverside County Transportation Commission (RCTC); the San Bernardino Associated Governments (SanBAG); and the Ventura County Transportation Commission (VCTC).

Transportation Plan projects and valued at $11 billion. SCAG will continue to actively lead and build consensus in the region in the reauthorization debate. Another advocacy trip is planned for January 2004.

SCAG also supported Senate Bill 458, introduced by New Mexico Senator Jeff Bingaman, which establishes a Southwest Regional Border Authority. The companion bill in the House, H.R. 1071, introduced by Representative Silvestre Reyes (TX-16), and S. 458 remain in committee.

State Issues

On the state level, SCAG advocated the full funding of the Regional Housing Needs Assessment (RHNA) or an extension until funding for the mandate was made available. Senate Bill 491 (Ducheny) (Government Code Chapter 58, Section 65588) provided an extension of one year for all counties and cites to complete the assessment.

SCAG also advocated legislation requiring the federal Comprehensive Planning Grant funding to continue to flow to SCAG when the State does not pass its budget by the June 30th deadline. Without a state budget, federal funds are not transferred to SCAG through the California Department of Transportation. Therefore, SCAG will pursue similar legislation in 2004 because the uninterrupted flow of the federal funds is critical to SCAG's well being. *Attachment B* shows the status of state legislation and constitutional amendments on which SCAG took positions during the 2003 Legislative Session.

State of the Region and Economic Recovery

SCAG conducted outreach to familiarize state and federal legislators and administrators with the findings contained in SCAG's 2002 State of the Region Report, which was released in January 2003. The report addresses the region's losses in employment, income, housing, mobility, air quality, education and safety since 1990.

In response to the report's findings, the Regional Council directed staff to examine potential regional economic stimulus programs. Staff proposed a package containing proposals for truck capacity enhancements, train corridor improvements, and Maglev using innovative financing mechanisms.

During 2004, SCAG will evaluate the stimulus package, perform outreach and seek stakeholder involvement, and explore a comprehensive legislative strategy per the direction of the Regional Council.

B. 2004 LEGISLATIVE PROGRAM

The SCAG 2004 Legislative Program describes Regional Council federal and state legislative and administrative priorities that SCAG will pursue during the coming year.

DRAFT

Legislative Program Objectives

- Provide regional leadership in seeking federal and state funding for plans and programs to implement SCAG's Regional Transportation Plan (RTP)
- Refine and enhance SCAG's federal designation as a Metropolitan Planning Organization (MPO)
- Maintain SCAG's state designation as a Regional Transportation Planning Agency (RTPA)
- Provide regional leadership seeking and supporting fair share federal and state funding for plans and programs within the SCAG region
- Continue consensus building among local transportation commissions and lead advocacy efforts in the advancement of priority projects and reauthorization principles.

Transportation

As in 2003, SCAG's major transportation initiative in 2004 is the reauthorization of TEA-21. SCAG will continue to work to support efforts that promote the fair and equitable distribution of state transportation funding to cities and counties. In addition, SCAG will explore legislative initiatives regarding economic recovery as directed by the Regional Council.

Reauthorization

- Advocate the inclusion of the projects contained in the Southern California Consensus Program.
- Support the inclusion of projects and programs consistent with the 2004 Regional Transportation Plan (RTP) (scheduled for Regional Council action on April 1, 2004).
- Continue consensus-building meetings, visits, and outreach with Members of Congress, state and federal administration officials, the local transportation commissions and key stakeholders.

Appropriations

- Seek congressional support for SCAG's FY 2005 appropriations requests as approved by the Regional Council.
- Support earmarks or discretionary funding applications of jurisdictions within the SCAG region consistent with the Southern California Consensus Program, the adopted Regional Transportation Plan (RTP) and SCAG policies.

DRAFT

Maglev

- Seek the inclusion of predeployment planning and environmental review funding for the California Maglev Deployment Program in the reauthorization.

- Seek FY 2005 appropriations to continue predeployment planning and environmental review.

- Seek federal, state and local funds and policy maker and community support to complete deployment of the Initial Operating System (IOS) by 2010.

Aviation

- Support federal legislation providing for SCAG's aviation initiatives to promote and implement a decentralized aviation system including interconnecting high speed ground transportation.

Transportation Financing

Local sales taxes remain a central component of transportation funding in the SCAG region. A statewide consensus within the transportation community supports the passage of a constitutional amendment to reduce the approval requirement for a local sales tax measure. In 2003, SCAG supported including ACA 7 (Dutra) and SCA 2 (Torlakson) (if amended) to lower the voter threshold.

- Develop a package of revenue mechanisms and strategies to finance major regional projects and seek legislation enabling SCAG to employ these mechanisms to fund projects contained in the Regional Transportation Plan.

- Develop and support legislative proposals to increase transportation funding through user fees and sales tax on motor vehicle fuels, including adjusting the fuel excise tax rate to maintain historical purchasing power, and through innovative financing proposals such as federal tax credit bonds, tax-exempt bonds and federal Transportation Infrastructure Finance and Innovation Act program loans that would be repaid through project-generated revenues.

- Continue face-to-face discussions with state and federal legislators from the region about the long-term transportation requirements of the region and the funding options needed to address these requirements.

- Create a regional partnership involving SCAG, the county transportation commissions, the subregions, and private interests to develop a state and regional

consensus on a statewide and regional funding strategy and to advocate the implementation of the funding strategy.

- Evaluate the merits of a regional gas tax/user fee measure and the institutional framework necessary to implement and manage it.

- Continue to support ACA 7 (Dutra) and SCA 2 (Torlakson) (if amended), which lower the two-thirds voter threshold to continue the local transportation sales tax programs.

- Support constitutional amendments to strengthen the Transportation Investment Fund, created by Proposition 42 of 2002, and to ensure the repayment of borrowed TIF funds according to the terms of SCA 9 (Murray).

Environmental Streamlining

- Develop, introduce, and pursue the enactment of legislation to streamline the environmental documentation process to facilitate transportation project implementation.

- Build federal, state and local stakeholder support, including public and private interests and a media and public outreach campaign.

Goods Movement

- Support the ongoing efforts of the West Coast Corridor Coalition to improve goods movement and reduce congestion.

- Support the Coalition for America's Gateways and Trade Corridors efforts to ensure goods movement, freight and security infrastructure are adequately funded in the reauthorization.

- Support the development of a regional system of user supported dedicated facilities that offer a viable and potentially self-financing solution for mitigating congestion and reducing mobile source emissions arising from surface transportation operations in Southern California, while also ensuring the safe, reliable, and efficient movement of goods essential to the nation's economy.

Southwest Compact

- Support the development and concomitant legislation creation a Southwest Compact and the Southwest Passage.

- Support in concept S. 458 (Bingaman) and H.R. 1071 (Reyes) regarding the creation of a Southwest Compact Authority.

Housing and Land Use

In 2004, SCAG shall:

- Continue to seek necessary funding to fulfill Regional Housing Needs Assessment (RHNA) mandate.
- Develop and support legislative proposals to promote an increase in and the equitable distribution of affordable housing throughout the region.
- With stakeholders, develop and support legislation to reform the Regional Housing Needs Assessment process as part of housing element reform.
- Support legislation that provides incentives to public and private agencies that incorporate the Growth Vision Alternative strategies into development projects.
- Support federal and state funding initiatives designed to promote mixed-use and multi-modal development.
- Monitor legislation related to the jobs-housing balance including, but not limited to, growth policies, construction defect litigation and water availability.

Energy and Environment

In 2004, SCAG will continue efforts in these areas:

Solid Waste

- Support legislation that removes any impediments to transformation or conversion technologies.
- Track California Integrated Waste Management Board (CIWMB) regulatory action including issues regarding specific types of waste, alternative daily cover, tipping fees, and markets for recyclable materials.

Water

- Track amendments to Clean Water Act, particularly those involving stormwater and non-point source pollution.
- Track state legislation, regulatory action and pending litigation regarding the implementation of total maximum daily loads (TMDLs).

- Monitor developments in the Bay Delta and on the Colorado River to ensure that the quantity and quality of Southern California water supplies are appropriately protected.

- Track state legislation and regulatory action and litigation concerning regional water impairments and water supplies.

- Support state legislation that encourages the planning and implementation of water quality measures, along with the formation and operation of local agency initiatives/partnerships to support these efforts.

Energy

- Encourage state efforts to develop energy goals and coordinate local initiatives to provide reliable, secure and safe energy at the lowest possible cost.

- Support legislation or policies that provide more flexibility in directing public goods charge energy efficiency funding to local governments.

- Track energy legislation relating to the formation, aggregation, and siting of utilities, energy efficient building standards, and renewable energy resources.

Air Quality

- Advocate for increased funding for improving air quality in the new non-attainment areas for the 8-hour ozone and PM2.5 standards in the CMAQ Program.

- Collaborate with air quality stakeholders to seek or support legislation that either accelerates regulation of the federal and state sources of emissions or delegates authority to regulate these sources to the local levels.

- Monitor air quality conformity issues in the SCAG region.

Finance

In 2004, SCAG shall:

- Seek change in Consolidated Planning Grant allocation process at state and federal levels, including but not limited to seeking payment to SCAG directly from the federal Department of Transportation, achieving faster payment from Caltrans, and ensuring pass-through funding even if no state budget is passed before the June 30th deadline.

- Through the Transportation Development Act (TDA) Task Force, continue to build support for the phase-out of the $1 million cap on TDA funds.

- Pursue legislation to phase out the cap on TDA funds.

C. LEGISLATIVE PROGRAM ADVOCACY

- SCAG employs the services of contract lobbyists in Washington, DC and Sacramento.

- Contacts with the federal and state lobbyists are coordinated through the Manager of Government and Public Affairs.

- The lobbyists work with SCAG to implement the Legislative Program and to coordinate visits to Washington, DC and Sacramento by Regional Council Members for the purpose of meeting with elected and appointed officials of the executive and legislative branches of the federal and state government.

- The budget for Government Affairs advocacy activities is provided through General Fund revenues. Federal law prohibits the use of federal funds for lobbying purposes.

- Retainers and expenses for both the federal and state legislative advocates are contained within the FY 2003/04 Overall Work Program adopted by the Regional Council.

Policy Review and Action

SCAG and its state and federal lobbyists operate according to the Legislative Program approved annually by the Regional Council.

- The Regional Council establishes SCAG's official policies on all legislative or regulatory matters.

- SCAG legislative staff shall communicate to legislators, administrators and others SCAG's positions on bills, constitutional amendments, and other matters when germane Regional Council policy exists.

- If no germane Regional Council policy exists or it is unclear whether an adopted policy is on-point, legislation and other matters shall be processed as follows:

    - If the legislation or other matter falls under the purview of a task force and time permits, it shall be presented to the task force first.

- Legislation or other matters first heard in a task force shall be referred to the appropriate policy committee for consideration. If no relevant task force exists, the legislation or other matter shall be submitted to the appropriate policy committee.

- Not less than one month after a policy committee has considered and recommended a position on legislation or other matters, the matter shall be brought to the Regional Council for adoption of a formal position.

- Legislation shall be referred to more than one task force and one committee at the direction of the Executive Committee.

- Certain matters may be referred directly to the Regional Council due to their critical nature or the time constraints of the federal or state legislative calendars.

- Certain matters may be brought to the Regional Council the same day they are considered by a policy committee due to the constraints of the federal or state legislative calendars.

- Regional Council, policy committee, and task force members desiring Regional Council action on legislative or other matters not directly contained within the Legislative Program shall direct their requests to the Executive Committee.

- If the Executive Committee approves the request, SCAG legislative staff shall process the legislative or other matter in the manner outlined above.

- Upon the adoption of a position by the Regional Council, SCAG legislative staff shall consult members of the Executive Committee (the SCAG President and the policy committee chairs) and determine the appropriate course of action to be taken.

- SCAG legislative staff shall present one of the following recommendations to Executive Committee members (a flow chart illustrating this protocol follows as *Attachment C*):

  - **For legislative or other matters contained within the Legislative Program or directly related to SCAG's statutory responsibilities:** In addition to position letters and legislative tracking and interaction as described below, SCAG legislative staff shall, at the direction of the Executive Committee, coordinate advocacy visits to Sacramento or Washington, DC, for Regional Council members and/or SCAG

management to meet with key policy makers and/or interested stakeholders and/or relevant grass roots organizations.

- **For legislative or other matters not contained within the Legislative Program, but considered traditional SCAG issues:** In addition to a position letter to the author and legislative tracking by SCAG legislative staff and lobbyists, position letters shall be mailed to the appropriate legislative leadership, key legislators, legislative committees and executive branch agency officials. SCAG legislative staff and lobbyists shall interact with these persons to offer amendments, present testimony, fill information requests, or participate in working groups.

- **For legislative or other matters not contained in the Legislative Program, not traditionally considered SCAG issues, or not related to SCAG's statutory responsibilities:** A position letter shall be delivered to the author's office to be filed on record. SCAG legislative staff and lobbyists shall monitor the progress of the matter and alert the Regional Council to any changes detrimental to SCAG's interest.

- **Exceptions:** Upon the direction of the Regional Council or the Executive Director upon consultation with the President, or when a legislative or other matter is resolved and no further action is required, the above procedures may be waived, amended, or otherwise altered. SCAG legislative staff shall seek guidance and offer alternative recommendations in those cases.

- To facilitate the implementation of the Legislative Program, SCAG legislative staff shall coordinate workshops with policy committees early in the legislative calendar to review introduced bills and constitutional amendments and narrow SCAG's legislative focus.

- Throughout the remainder of the legislative session, SCAG legislative staff shall present legislative matrices to the policy committees. In preparing the matrices, the staff shall review measures being tracked by various organizations including those representing cities, counties, and councils of governments and transportation commissions. Staff shall also seek the recommendations of its Sacramento and Washington lobbyists and other sources in preparing the matrices.

- SCAG legislative staff shall also present a matrix to the Regional Council tracking bills and constitutional amendments upon which SCAG has taken a position or which SCAG sponsors.

- Legislative matrices shall be updated monthly when the Legislature is in session.

DRAFT

Attachment A

SCAG 2003/2004 Federal Appropriations and Reauthorization Requests

Projects	FY 04 Appropriation Request	TEA-3 Request	Sponsoring Member
Eastern Gateway Freeway Corridor Improvement Program	$5 million	0	BACA
State Route 60 Truckway	0	$3 Billion	BACA
MAGLEV Deployment Program	$20 Million	$60 Million	BACA
Remote Sensing/ Regional Planning	$750 K	0	SCHIFF
Alameda Corridor East	0	$1.2 Billion	BACA

DRAFT Attachment B

Copyright (c) 2003, Information for Public Affairs

Private file: Housing

CA AB 980

AUTHOR: Salinas (D)
TITLE: Housing Element: Self-Certification
URGENCY CLAUSE: no
SUMMARY:
Provides procedures whereby a city or county may elect to participate in alternative production-based certification of its housing element and makes those cities and counties eligible for specified housing funds in the same manner as other jurisdictions.
STATUS:

09/04/2003	From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.
09/04/2003	In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
Position:	Support

CA AB 1158

AUTHOR: Lowenthal (D)
TITLE: General Plans: Housing Elements
URGENCY CLAUSE: no
SUMMARY:
Revises the procedures for the submission and review of a draft housing element or general plan that a city, county, or city and county submits for its jurisdiction and for determining shares of the regional housing need.
STATUS:

04/30/2003	In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Not heard.
Position:	Support

CA SB 18

AUTHOR: Burton (D)
TITLE: Traditional Tribal Cultural Sites
URGENCY CLAUSE: no
SUMMARY:
Establishes the Traditional Tribal Cultural Site (TTCS) Register developed and maintained by the Native American Heritage Commission. Creates additional exemptions from the California Environmental Quality Act (CEQA). Prohibits an exemption from CEQA for a project that the commission determines may cause a substantial adverse change in the TTCS. Specifies procedures that a lead agency must follow when a project involves a TTCS.
STATUS:

09/12/2003	In ASSEMBLY. Reconsideration granted.
09/12/2003	Re-referred to ASSEMBLY Committee on APPROPRIATIONS.
09/12/2003	From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended.
09/12/2003	In ASSEMBLY. Read second time and amended. To third reading.
09/12/2003	In ASSEMBLY. Read third time. Failed to pass ASSEMBLY.
09/12/2003	In ASSEMBLY. Motion to reconsider.
Position:	Opp/Amend

Private file: LocalFinance

CA AB 1221

AUTHOR: Steinberg (D)
TITLE: Taxation
URGENCY CLAUSE: no
SUMMARY:
Prohibits, on or after July 1 of the base fiscal year, a city from imposing a sales and use tax under the Bradley-Burns Uniform Local Sales and Use Tax Law at a rate in excess of 1/2 of 1% and a county from imposing a sales and use tax at a rate in excess of 3/4 of 1%. Increases, for the defined fiscal year, the property tax deemed allocated to cities and counties and decrease the amount of tax revenue allocated to a county's Education Augmentation Fund.
STATUS:

06/05/2003	In ASSEMBLY. To Inactive File.
Position:	Oppose

Private file: SolidWaste

DRAFT

CA AB 1497

AUTHOR: Montanez (D)
TITLE: Solid Waste Facilities: Permits
URGENCY CLAUSE: no
SUMMARY:
Requires a person who is required to file a closure plan to also file with the enforcement agency a Labor Transition Plan that includes provisions for the preferential reemployment and transfer rights of displaced employees to ensure compliance with relocation, termination and mass layoff requirements. Requires an enforcement agency to submit its proposed determination regarding whether to change to the solid waste facility for public comment.
STATUS:
10/11/2003 Chaptered by Secretary of State. Chapter No. 823
CLIENT COMMENTARY:
Regional Council opposed 10/2/03
Signed by Governor 10/12
Position: Oppose

CA SB 20

AUTHOR: Sher (D)
TITLE: Solid Waste: Hazardous Electronic Waste
URGENCY CLAUSE: no
SUMMARY:
Authorizes the Department of Toxic Substances Control to adopt management standards for hazardous electronic waste. Requires adoption of regulations to prohibit an electronic device from being sold or offered for sale if the device is prohibited in the European Union due to the presence of certain heavy metals. Creates the Electronic Waste Recycling Act. Imposes an electronic waste recycling fee. Requires labeling of covered electronic devices.
STATUS:
09/25/2003 Chaptered by Secretary of State. Chapter No. 526.
Position: Sup/Amend

Private file: Transit

CA AB 684

AUTHOR: Dutra (D)
TITLE: Public Transit Smart Cards
URGENCY CLAUSE: no
SUMMARY:
Requires all publicly owned transit operators who choose to implement a defined smart card system to comply with specified requirements. Requires the Department of Transportation and the transit agencies who choose to implement the smart card system to establish a committee of smart card system managers.
STATUS:
05/28/2003 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
Position: Support

CA SB 465

AUTHOR: Soto (D)
TITLE: Transit Village Plan: Design
URGENCY CLAUSE: no
SUMMARY:
Amends the Transit Village Development Planning Act. Extends the surrounding land of a transit village development district. Adds as a characteristic of a transit village plan a provision that not less than 20% of new or substantially rehabilitated dwelling units be available at affordable housing cost. Specifies conditions that cause blight with respect to an urbanized area covered by a transit village plan.
STATUS:
05/29/2003 In SENATE Committee on APPROPRIATIONS: Not heard.
Position: Support

Private file: Transportation

24

DRAFT

CA AB 361

AUTHOR: Kehoe (D)
TITLE: San Diego Consolidated Transportation Agency
URGENCY CLAUSE: no
SUMMARY:
Declares the intent of the Legislature for the San Diego Consolidated Transportation Agency to complete the public process of preparing and adopting a regional comprehensive plan and to make the regional plan policies and objectives available to all local agencies and to maintain data, maps, and other information used in formulating the plan in a form suitable for the availability of and use by other government agencies and private organizations.
STATUS:
09/25/2003 Chaptered by Secretary of State. Chapter No. 508
Position: Oppose

CA ACA 7

AUTHOR: Dutra (D)
TITLE: Transportation Funding: Transactions and Use Tax
URGENCY CLAUSE: no
SUMMARY:
Authorizes a local transportation agency and a regional transportation agency to impose an additional transactions and use tax for a specified period at a rate of 0.5% only for transportation purposes within jurisdiction of the local transportation agency if the additional tax is approved by 55% of voters of the jurisdiction affected by the tax imposition. Requires funds from this tax to be allocated to the local transportation agency.
STATUS:
09/09/2003 In ASSEMBLY. To Inactive File.
Position: Support

CA SB 541

AUTHOR: Torlakson (D)
TITLE: Motor Vehicle Fuel License Taxes; Diesel Fuel Tax
URGENCY CLAUSE: no
SUMMARY:
Requires the Motor Vehicle Fuel License Tax and the Diesel Fuel Tax be adjusted adjusted for inflation. Imposes a storage tax equal to the information adjustment amount on each gallon of tax paid motor vehicle and diesel fuel in storage.
STATUS:
05/01/2003 From SENATE Committee on TRANSPORTATION with author's amendments.
05/01/2003 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
Position: Oppose

CA SCA 2

AUTHOR: Torlakson (D)
TITLE: Local Government: Sales Taxes: Transportation
URGENCY CLAUSE: no
SUMMARY:
Authorizes a county, a city and county, a local transportation authority, or a regional transportation agency, with the approval of a majority of its voters voting on the proposition, to impose a special tax for the privilege of selling tangible personal property at retail that it is otherwise authorized to impose, if the tax is imposed exclusively to fund transportation projects and services and smart growth planning.
STATUS:
03/13/2003 In SENATE. Read second time. To third reading.
Position: Sup/Amend

CA SCA 7

AUTHOR: Murray (D)
TITLE: Loans of Transportation Revenues and Funds
URGENCY CLAUSE: no
SUMMARY:
Proposes a Constitutional amendment that requires any loan of motor vehicle fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at a specified rate.
STATUS:
05/29/2003 In SENATE Committee on APPROPRIATIONS: Not heard.
Position: Support

SOUTHERN CALIFORNIA ASSOCIATION of GOVERNMENTS

STATE & FEDERAL LEGISLATIVE PROTOCOL

DRAFT

The Regional Council establishes SCAG's official policies on all legislative and regulatory matters

No Position

Executive Committee determines best path to Regional Council

To Task Force(s)

If relevant & time permits

To Policy Committee

Recommends position and takes to RC following month

To Regional Council

Adopts a formal position

- Critical, time-sensitive matters may go directly to the Regional Council (RC), or directly from a Policy Committee to the RC.
- RC, Policy Committee, and Task Force members may request action on issues not in Legislative Program from Executive Committee

Position

SCAG legislative staff presents one of the following recommendations to the Executive Committee

For Matters within Legislative Program

1. Position letter to author's office for the record
2. Monitoring by legislative staff and lobbyists
3. Position letters and interaction with legislative leadership, committees, officials, etc.
4. Advocacy visits to Sacramento and/or Washington DC, for RC members and/or SCAG management
5. Media Outreach and Publicity

For Matters not in Legislative Program but Traditional Issues → Actions 1 - 3

For Matters not in Legislative Program nor Normal Responsibilities → Actions 1 - 2

SCAG staff facilitates Legislative Program implementation with Policy Committee workshops, and legislative matrices for Policy Committees and the Regional Council.

Attachment D

A GLOSSARY OF LEGISLATIVE TERMS

Act: A bill passed by the Legislature and approved by the Governor.

Adjournment Sine Die: Final adjournment of the Legislature; regular sessions of the Legislature are adjourned sine die at midnight on November 30 of each even-numbered year.

Amendment: Formal proposal to change the language of a bill after it has been introduced. Amendments must be submitted to Legislative Counsel for drafting.

Appropriation: The amount of money made available for expenditure by a specific entity from a specific source such as the General Fund, Environmental License Plate Fund, etc., and for a specific purpose.

Appropriations Limit: Established by Prop. 4 passed by voters in 1979, this is the maximum amount of tax proceeds that State or local government may appropriate in a fiscal year. The limit is adjusted annually but based on 1986-87 appropriations.

Bill Analysis: A document that must be prepared by committee and/or floor analysis staff prior to hearing the bill in that committee. It explains how a bill would change current law and sometimes mentions support and opposition from major interest groups.

Blue Pencil: (Line Item Veto) The Constitution grants the Governor "line item veto" authority to reduce or eliminate any item of appropriation from any bill including the budget bill.

Bond Bill (General Obligation Bonds): A bill authorizing the sale of State general obligation bonds to finance specified projects or activities, which must be subsequently approved by the voters.

Budget: Suggested allocation of State moneys presented annually by the Governor, for consideration by the Legislature; compiled by the Department of Finance, in conjunction with State department heads.

Budget Act: The Budget bill, after the Governor has signed it into law.

Caucus: (1) A closed meeting of legislators of one's own party; (2) any group of legislators who coalesce formally because of their interest in specific issues.

Chapter: After the Governor has signed a bill, the Secretary of State assigns the bill a "Chapter Number" such as "Chapter 123, Statutes of 1992," which is subsequently used to refer to the measure rather than the bill number.

Chapter Out: When two or more bills, during one year of the session, amend the same section of law and more than one bill becomes law, amendments made by the bill enacted last (and therefore given a later or higher chapter number) becomes law and prevail over the amendments made by the bill or bills previously enacted.

Concurrence: One house approving a bill as amended in the opposite house. If the author is unwilling to move the bill as amended by the other house, the author requests "nonconcurrence" in the bill and asks for the formation of a conference committee.

Conference Committee: Usually composed of three legislators (generally two from the majority party; one from the minority party) from each house who meet in public session to forge one version of similar Senate and Assembly bills. Both Assembly and Senate must approve the final conference committee version. Assembly conferees are chosen by the Speaker; Senate conferees are chosen by the Senate Rules Committee.

Consent Calendar: File containing bills which have received no dissenting votes and which have received unanimous agreement to pass.

Constitutional Amendment: A resolution changing the language of the State Constitution. It may be presented in bill form, by the Legislature or by initiative, which requires the populace to vote.

Do Pass (as amended): Affirmative recommendation made by a committee, which moves a bill to the floor, or to the next committee.

Double Join: Amendments to a bill which include provisions so that the amended bill does not "chapter out" the provisions of another bill.

Double Refer: Legislation recommended for referral to two policy committees rather than one for hearing. The first committee is not bound by the recommended second referral. Both committees must approve the measure to keep it moving in the process. Bill referrals are made by the Assembly and Senate Rules Committees for their respective houses.

Engrossed Bill: Whenever a bill is amended, the printed form of the bill is proofread to make sure all amendments are inserted properly. After being proofread, the bill is "correctly engrossed" and is therefore in proper form.

Enrollment: When bills are filed with the Governor and resolutions are filed with the Secretary of State once they have been accepted by both houses.

Extraordinary Session: A special legislative session called by the Governor to address only those issues specified in the proclamation. Measures introduced in these sessions are numbered chronologically with a lower case "x" after the number (i.e., AB 28x).

File Number: The number assigned to a measure in the Assembly or Senate Daily File. The file number changes each day as bills move on or off the Daily File. Legislation is taken up on the Assembly or Senate Floor in chronological order according to file number.

First Reading: Each bill introduced must be read three times before final passage. The first reading of a bill occurs when the measure is introduced.

Fiscal Bill: Generally, a measure that contains an appropriation of funds or requires a State agency to spend money for any purpose. The Legislative Counsel determines which bills are fiscal bills. The designation appears at the end of the Legislative Counsel's Digest found on the

first page of each bill. Fiscal bills must be heard by the Assembly and Senate Appropriations Committees in addition to the policy committees in each house

Fiscal Deadline: The date on the legislative calendar by which all bills with fiscal implications must have been taken up in a policy committee and referred to a fiscal committee. Any fiscal bill missing the deadline is considered "dead" unless it receives a rule waiver.

Fiscal Year: The twelve month period on which the budget is planned. The State fiscal year begins July 1 and ends June 30 of the following year. The federal fiscal year begins October 1 and ends September 30 of the following year.

Held In Committee: A bill fails to get sufficient votes to pass out of committee.

Hijack: Amendments which delete the contents of a bill and insert entirely new provisions. Can be accomplished with or without the author's permission.

Hopper: Refers to a bill presented for formal introductions and first reading.

Inactive File: The portion of the Daily File containing legislation that is ready for floor consideration, but, for a variety of reasons, is dead or dormant. An author may move a bill to the inactive file and subsequently move it off the inactive file at a later date. During the final weeks of the legislative session, measures may be moved there by the leadership as a method of encouraging authors to take up their bills promptly.

Initiative: A method of legislating that requires a vote of the people instead of a vote of the Legislature for a measure to become law. To qualify for a statewide ballot, statutory initiatives must receive signatures equal to 5 percent, and constitutional amendment initiatives must receive signatures equal to 8 percent, of the voters for all candidates for Governor at the last gubernatorial election.

Joint Committee: Committee composed of equal numbers of Assembly members and Senators.

Joint Resolution: A resolution expressing an opinion about an issue pertaining to the federal government; forwarded to congress for its information. Requires the approval of both Assembly and Senate but does not require signature of the Governor to take effect.

Majority Vote: A vote of more than half of the legislative body considering a measure. The full Assembly requires a majority vote of 41 and the full Senate requires 21, based on their memberships of 80 and 40 respectively.

May Revision: The updated estimate of revenues and expenditures that replaces the estimates contained in the Governor's budget submitted in January.

On File: A bill on the second or third reading file of the Assembly or Senate Daily File.

Pass on File: Bills are taken up during a Floor Session according to their member in the Assembly or Senate Daily File. An author may choose to "pass on file" thus temporarily giving up his or her chance to take up a measure on the floor.

Put Over: Action delayed on a legislative measure until a future date without jeopardy measure.

Reading: Presentation of a bill before the house by reading the title thereof. A bill is either in first, second, or third reading until it is passed by both houses.

Reconsideration: A motion giving the opportunity to take another vote on the item in question. The motion for reconsideration must be accepted by a majority of the members present and voting.

Resolution: An opinion expressed by one or both houses, which does not have the force of law. Concurrent and joint resolutions are voted on by both houses but do not require the Governor's signature.

Second Reading: Each bill introduced must be read three times before final passage. Second reading occurs after a bill has been reported from committee.

Special Order Of Business: Occasionally a bill is of such importance that advance notice is given about when it will be considered in the full Assembly or Senate. Notice is given during a Floor Session by requesting unanimous consent to set the bill as a special order of business on a specific date and time.

Spot Bill: A bill that amends a code section in such an innocuous way as to be totally nonsubstantive. The bill has been introduced to assure that a germane vehicle will be available at a later date after the deadline has passed to introduce bills. At that future date, the bill can be amended with more substance included.

State Mandate: Chapter 1406, Statutes of 1972, first established the requirement for the State to reimburse units of local government for all costs mandated on them by the State resulting from either legislative acts or administrative regulations which impose a new program or demand an increased level of service in an existing program. Proposition 4 of 1979 (Gann Initiative) incorporated this requirement into Section 6 of Article XIIIB of the State Constitution.

Table: To set aside. Typically used to dispense with, or set aside, amendments to a bill rather than vote "aye" or "no" on them. A motion to table is non-debatable and once made, must be voted upon.

Third Reading: Each bill introduced must be read three times before final passage. Third reading occurs when the measure is about to be taken up on the floor of either house for final passage.

Unfinished Business: That portion of the Daily File that contains measures awaiting Senate or Assembly concurrence in amendments taken in the other house. Also contains measures vetoed by the Governor for a 60-day period after the veto. The house where the vetoed bill originated has 60 days to attempt to override.

Urgency Measure: A bill affecting the public peace, health, or safety and requiring a 2/3's vote for passage. An urgency bill becomes effective immediately upon enactment. A bill may also have an urgency Clause, which states the bill will take effect immediately upon enactment. A vote on the urgency must precede a vote on the bill. A 2/3 vote is required for passage.

Veto: The act of the Governor disapproving a measure. The Governor's veto may be overridden by 2/3's vote. The Governor can also exercise an Item veto, whereby the amount of appropriation is reduced or eliminated, while the rest of the bill approved. An Item veto may be overridden by 2/3's vote in each house.

Attachment E

2004 State Legislative Calendar

DRAFT

PLACE HOLDER