REPORT

DATE: December 4, 2003

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

FROM: Charlotte Eckelbecker, Government Affairs Analyst
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SUBJECT: 2004 State and Federal Legislative Program

EXECUTIVE DIRECTOR'S APPROVAL

RECOMMENDED ACTION: Approve the Legislative Program

SUMMARY:
The 2004 Legislative Program articulates the legislative agenda of the Southern California Association of Governments (SCAG) and guides SCAG's legislative activities. As in previous legislative programs, the 2004 Legislative Program describes SCAG's advocacy priorities in the areas of transportation, housing, and the environment. It also outlines the issues that SCAG legislative staff will monitor for legislative or regulatory changes. The 2004 Legislative Program also describes the issues SCAG is developing at the request of the Regional Council. In a change from past programs, the 2004 Legislative Program contains an expanded section on legislative highlights from the past year and includes attachments of explanatory materials.

BACKGROUND:
Each year, the Regional Council adopts a state and federal legislative program, which guides SCAG's activities in the upcoming legislative session. On November 6, 2004, SCAG Government Affairs staff presented the draft 2004 Legislative Program to the CEHD, the EEC, and the TCC. After thorough and wide-ranging discussions, the committees offered their feedback on the draft, and staff was instructed to make revisions and return with a finalized version of the program in December. The attached 2004 Legislative Program incorporates the committees' revisions and is presented for approval today.

FISCAL IMPACT:
All work related to adopting the recommended staff action is contained within the adopted FY 03/04 budget and does not require the allocation of any additional financial resources.

CAE#92792

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THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2004 LEGISLATIVE PROGRAM

A. INTRODUCTION

Each year, the Regional Council adopts a state and federal legislative program to direct the legislative activities of the Southern California Association of Governments (SCAG). Traditionally, the program has focused on benefiting the region and on establishing SCAG as a key resource for Members of Congress, Members of the California Legislature, their staffs, and administration officials. The 2004 Legislative Program continues those traditions and adds a heightened degree of detail, which can be seen in its expanded program highlights section and in the attachment of explanatory materials.

The 2004 Legislative Program retains its character as a guide for SCAG's legislative activities. As in past years, SCAG legislative staff will continue to take action on Regional Council policies where they exist and will communicate Regional Council positions to legislators, administrators and others.

At the core of the 2004 Legislative Program are SCAG's top legislative priorities. Because the Transportation Equity Act for the Twenty-First Century (TEA-21), the federal surface transportation program, was not reauthorized by its September 30th expiration, the reauthorization remains SCAG's federal priority. SCAG's advocacy efforts will focus on enhancing Southern California's funding opportunities in the next transportation program for regionally significant projects. Key state priorities will include continued work on funding for the Regional Housing Needs Assessment (RHNA) and housing element reform. Lastly, at both the state and the federal level, SCAG will focus on improving the flow of Consolidated Planning Grant (CPG) funds, on which SCAG depends for its statutorily required metropolitan planning.

Upon its adoption by the Regional Council, the 2004 Legislative Program will be implemented by SCAG's legislative staff. The timeframe for implementation is the 2004 calendar year. A review of last year's program highlights follows to acquaint new Regional Council members with ongoing federal and state legislative issues. Following the highlights, the 2004 Legislative Program is outlined.

B. 2003 PROGRAM HIGHLIGHTS

Federal Issues

SCAG's top federal legislative priority during 2003 was the reauthorization of TEA-21, in which SCAG sought the inclusion of $4.26 billion for regionally significant projects. Debate in Congress over the surface transportation program's funding level slowed the progress on reauthorization, and TEA-21 was not reauthorized by its September 30, 2003 expiration. In place of a reauthorization, Congress passed and the President approved a five-month extension of TEA-21 that will end on February 29, 2004.

The extension does not include authorization for SCAG's projects. Consequently, SCAG's advocacy on behalf of its reauthorization projects will continue until TEA-21 is fully reauthorized. To compliment its reauthorization requests, SCAG requested nearly $26 million in FY 2004 appropriations*. At this writing, an appropriations package is under discussion in Congress, and the Senate mark-up contains $1 million for the California Maglev Deployment Program. (*Attachment A* shows SCAG's FY 2004 Federal Reauthorization and Appropriations Requests for interregional projects.)

To emphasize Southern California's importance in the reauthorization to Congress and the Administration, SCAG led the development of the Southern California Consensus Program (*Attachment B*), which includes regional priority projects valued at $11 billion. In an unprecedented show of solidarity, a twenty-member delegation comprised of SCAG, the chairs and chief executive officers of the county transportation commissions**, Imperial County and Metrolink advocated the consensus program in Washington, D.C. in February 2003.

The Southern California Consensus Program, which was brought to the Regional Council on February 6, 2003, includes twenty-nine key projects from the adopted 2001 Regional Transportation Plan. Another advocacy trip is planned for the delegation in January 2004 to further promote the consensus program during the next round of reauthorization debates.

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

Lastly, SCAG also supported Senate Bill 458, introduced by New Mexico Senator Jeff Bingaman, establishing a Southwest Regional Border Authority. The measure corresponds with SCAG's ongoing efforts to develop the idea of the Southwest Passage, a multi-state goods movement trade corridor along the I-10 corridor. S. 458's companion bill in the House, H.R. 1071, was introduced by Representative Silvestre Reyes (TX-16). The Regional Council voted to support S. 458 in concept on July 31, 2003. Both bills remain in committee.

State Issues

SCAG's first legislative priority in 2003 was advocating the full funding of the Regional Housing Needs Assessment (RHNA) or an extension of RHNA until funding was made available. Due to the state's budget crisis, full RHNA funding was not allocated, and Senate Bill 491 (Ducheny) was enacted instead, extending RHNA for one year. (Government Code Chapter 58, Section 65588.)

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 constitutional deadline. Without a state budget, federal funds are not transferred to SCAG through the California Department of Transportation and the State Controller. Because budget impasses could occur in the future, SCAG will pursue similar legislation in 2004. (*Attachment C's* 2003 Legislative Matrix shows the status of state legislation and constitutional amendments on which the Regional Council took positions during the 2003 Legislative Session.)

State of the Region and Economic Recovery

Following its January 2003 release, SCAG conducted outreach to familiarize state and federal legislators and administrators with the findings contained in SCAG's 2002 State of the Region report. 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 Operation Jump-Start, a stimulus package containing proposals for truck capacity enhancements, train corridor improvements, and Maglev using innovative financing mechanisms.

During 2004, SCAG will evaluate Operation Jump-Start, perform outreach and seek stakeholder involvement, and explore a comprehensive legislative strategy according to the Regional Council's direction on July 31, 2003.

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.

Throughout this section, issues are categorized by subject matter (e.g., Housing, Air Quality) and are grouped into one of three subcategories: Advocacy, Monitoring, or Development.

Issues subcategorized under Advocacy are of foremost concern to the Regional Council and will be advocated by SCAG. Issues subcategorized under Monitoring are of interest to the Regional Council and will be tracked by SCAG; policy committees and the Regional Council will be alerted to proposed changes in those areas. Issues included under the subcategory Development are those in which the Regional Council or its policy committees have asked SCAG staff to further develop ideas, to begin or continue efforts, or to provide more information. They are inventoried here for the Regional Council's information and should not be read as requests for federal or state legislative or administrative action.

SCAG

Advocacy

- Provide regional leadership in seeking federal and state funding for projects and programs that implement SCAG's adopted Regional Transportation Plan (RTP).

- Lead advocacy efforts to advance the Southern California Consensus Program and continue consensus building among local transportation commissions, cities, counties, and subregional organizations.

Monitoring

- Monitor federal legislation for proposals that eliminate, reduce funding for, or in any other way weaken Metropolitan Planning Organizations (MPOs).

- Monitor state legislation for proposals that eliminate, reduce funding for, or in any other way weaken Regional Transportation Planning Agencies (RTPAs).

TRANSPORTATION

Reauthorization of TEA-21

Advocacy

- Support the inclusion of projects and programs in the reauthorization that are consistent with the 2004 Regional Transportation Plan (RTP)*.

- Advocate the inclusion in the reauthorization of the projects contained in the Southern California Consensus Program.

* Scheduled for Regional Council action on April 1, 2004.

- Support efforts to adequately fund goods movement, freight and security infrastructure in the reauthorization.

Development

- Continue Southern California Consensus Program consensus-building meetings, visits, and outreach with Members of Congress, state and federal administration officials, the county transportation commissions, cities, counties, subregional organizations and key stakeholders.

Appropriations

Advocacy

- 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.

Maglev

Advocacy

- 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

Advocacy

- Support legislation to promote and implement a decentralized aviation system including interconnecting high speed ground transportation.

Development

- Encourage a dialogue between community, government, and industry stakeholders about noise mitigation and environmental justice, which may include lowering the Community Noise Equivalent Level (CNEL) from 65 CNEL to 60 CNEL, soundproofing, nighttime curfews or other noise mitigation topics.

Transportation Financing

Advocacy

- 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 to 55% or a simple majority respectively.

- Support SCA 7 (Murray)** to ensure the repayment with interest of funds borrowed from the Transportation Investment Fund, as created by Proposition 42 of 2002.

Development

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

- Develop a package of revenue mechanisms and strategies to finance major regional projects contained in the Regional Transportation Plan.

- Develop 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 (TIFIA) program loans repaid with project-generated revenues.

- 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 transportation financing strategy.

- Expand consensus building and outreach efforts to the general public to educate regional residents about the unmet cost of the Regional Transportation Plan (RTP).

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

Environmental Streamlining

Development

- Develop the concept of streamlining the environmental documentation process for SCAG interregional projects by combining the three EIR/EISs into a single EIR/EIS to facilitate transportation project implementation.

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

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* ACA 7 (Dutra): Supported by the Regional Council on May 1, 2003. SCA 2 (Torlakson): Supported if Amended by the Regional Council on May 1, 2003.

** SCA 7 (Murray): Supported by the Regional Council on May 1, 2003.

Goods Movement

Monitoring

- Monitor the ongoing efforts of the West Coast Corridor Coalition to improve goods movement and reduce congestion along the I-5 from Vancouver, B.C. to Ensenada.

Development

- Develop the concept of user-supported dedicated facilities that offer a viable and potentially self-financing solution for mitigating congestion, reduce mobile source emissions arising from goods movement in Southern California, and ensure the safe and efficient movement of goods essential to the nation's economy.

- Urge the state and federal government to take action to limit the mobile source emissions arising from goods movement.

Southwest Compact

Advocacy

- Support in concept S. 458 (Bingaman) and H.R. 1071 (Reyes)* establishing a Southwest Regional Border Authority Act to create a regional economic development authority that fosters infrastructure, technology, workforce and community development.

Development

- Support the development of legislation that corresponds with SCAG's ongoing efforts to develop the Southwest Passage, a multi-state goods movement trade corridor along the I-10, and the Southwest Compact, a coalition of states sharing goods movement and economic development interests.

COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT

Housing

Advocacy

- Seek funding to fulfill the Regional Housing Needs Assessment (RHNA) mandate.

- Support legislative proposals to promote an increase in and the equitable distribution of affordable housing throughout the region.

- With stakeholders like the League of California Cities and CSAC, develop and support legislation to reform the Regional Housing Needs Assessment process as part of housing element reform.

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* Supported in concept by the Regional Council on July 31, 2003.

- Support federal and state funding initiatives designed to promote mixed-use and multi-modal development.

Monitoring
- Monitor legislation related to the jobs-housing balance including, but not limited to, growth policies, construction defect litigation and water availability.

Development
- Encourage cities and counties to adopt land use policies that help the SCAG region achieve air quality conformity.

Local Finance

Monitoring
- Monitor legislation pertaining to local finance, including bills and constitutional amendments regarding local sales taxes, property taxes, and gaming fees.

Development
- Develop a policy position on the League of California Cities' upcoming constitutional amendment on protecting local revenues and execute any Regional Council direction regarding the initiative.

- Examine the issue of gaming fees and develop a policy position.

ENERGY AND ENVIRONMENT

Solid Waste

Advocacy
- Support legislation that removes any impediments to transformation or conversion technologies

Monitoring
- Track legislation that proposes changes to solid waste mandates or establishes new mandates.

- 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

Advocacy

- Support legislation that encourages the comprehensive planning and implementation of water quality measures, including the formation and operation of local agency partnerships.

Monitoring

- 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.

Energy

Advocacy

- Support legislation that provides more flexibility in directing "public goods charge energy efficiency funding" to local governments.

Monitoring

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

Development

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

- Urge and support efforts by the federal, state and local governments of the United States and Mexico to formulate an agreement establishing common environmental standards for the US/Mexico border.

- Encourage the installation and maintenance of California Best Available Control Technologies (BACT) on power plants on the Mexican side of the US/Mexico border.

Air Quality

Advocacy

- 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.

- Urge the state and federal government to take action to reduce mobile source emissions under their jurisdictions or to delegate authority over these mobile sources to local governments.

Monitoring

- Monitor air quality conformity issues affecting the SCAG region.

- Monitor legislation or regulations pertaining to power plants located on the Mexican side of the U.S./Mexico border and to their negative effect on air quality in the SCAG region.

FINANCE

Advocacy

- Seek legislative and regulatory changes 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.

Development

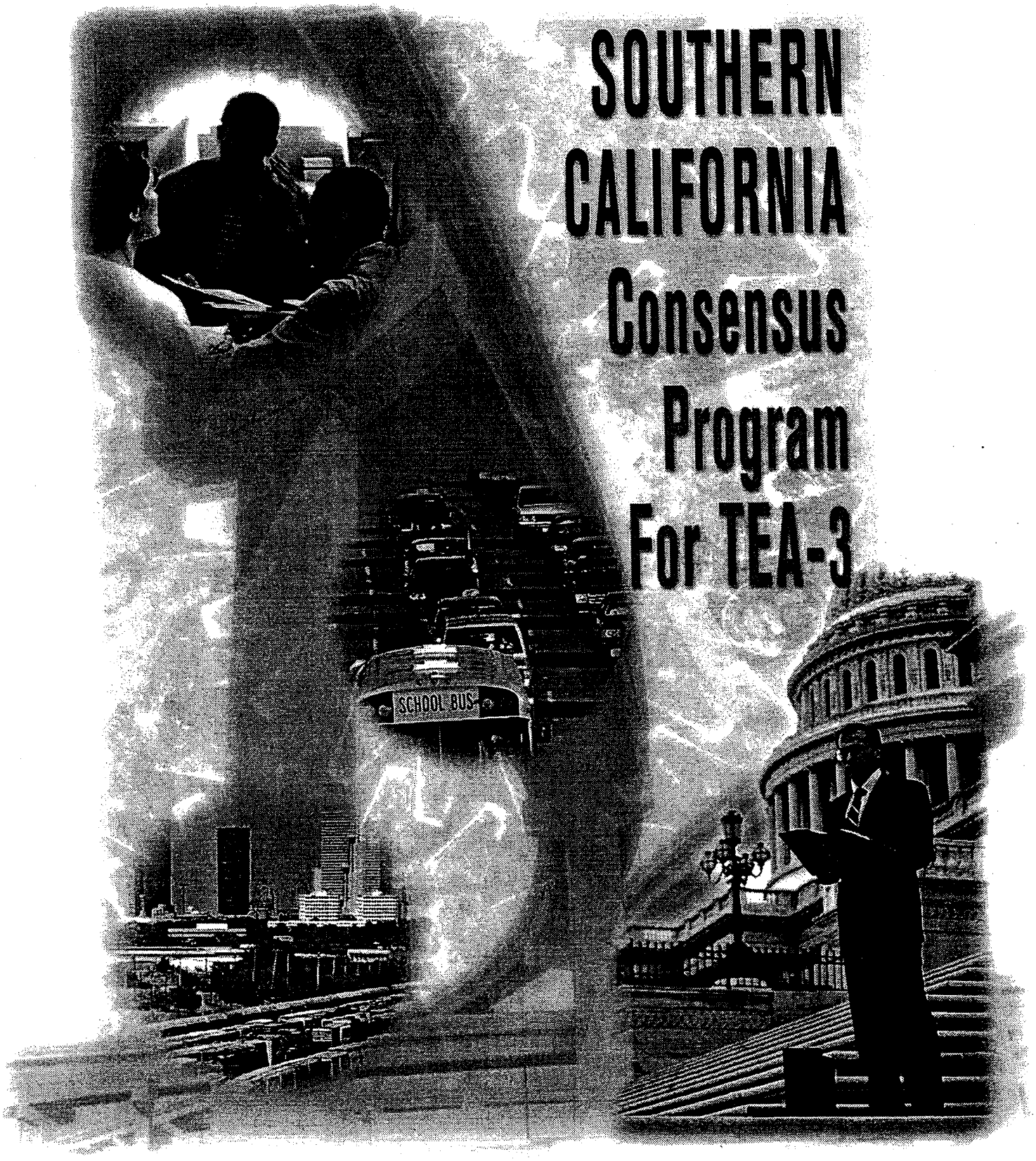
- Continue face-to-face discussions to build support for the phase-out of the $1 million Transportation Development Act (TDA) cap with the support of the TDA Task Force.

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

Attachment B



SOUTHERN CALIFORNIA Consensus Program For TEA-3

SOUTHERN CALIFORNIA ASSOCIATION of GOVERNMENTS

METRO

VENTURA COUNTY TRANSPORTATION COMMISSION

Governments SANBAG Working Together

METROLINK

OCTA

Imperial Valley IVaG Association of Governments

February 2003

Dear Members of Congress:

The Southern California Transportation Delegation is pleased to present you with Southern California's Consensus Program for TEA-3. The Consensus Program highlights regional priority projects that strengthen Southern California's surface transportation system while increasing the productivity of existing investments to the benefit of the national economy.

This program has been developed through a consensus process that included the Imperial Valley Association of Governments (IVAG), the Los Angeles County Metropolitan Transportation Authority (MTA), the Orange County Transportation Authority (OCTA), the Riverside County Transportation Commission (RCTC), the San Bernardino Associated Governments (SANBAG), the Southern California Association of Governments (SCAG), the Southern California Regional Rail Authority (Metrolink) and the Ventura County Transportation Commission (VCTC).

The six-county SCAG region is home to more than 17 million people, encompasses 38,000 square miles, and is the largest metropolitan planning area in the United States. The region boasted an estimated $600 billion in Gross Regional Product (GRP) in 2000, making the six-county economy the ninth largest in the world. The region is also the largest gateway for goods movement in the United States, with over $270 billion or 25 percent of the country's international trade passing through our seaports and airports every year.

Although Southern California enjoys one of the most prosperous and productive metropolitan areas in the world, the region also faces tremendous growth, transportation and quality of life challenges. Population is expected to increase 40 percent by 2025 and employment will increase by 43 percent. Addressing the challenges we have today, as well as those related to future growth is a daunting task.

The Consensus Program we propose addresses both growth and transportation challenges by improving mobility for both people and goods. This program is built upon transportation investments that are cost-effective, protect the environment, promote energy efficiency and enhance the quality of life of all Southern California residents.

Every project listed in the Consensus Program is an integral component of the adopted Regional Transportation Plan (RTP), the twenty-year transportation blueprint for Southern California. According to best estimates, capital construction projects face a $37 billion shortfall throughout the life of the RTP. Over the next six years alone, the region will require approximately $24 billion to implement the RTP.

Given Southern California's position in the national and world economies, funding for the Consensus Program is a priority not only for the region, but for the nation as well. Allowing these projects to languish will adversely impact our economy and will further exacerbate congestion and mobility on the region's beleaguered surface transportation system.

The Southern California Transportation Delegation thanks you for your time and consideration and looks forward to working with you on realizing Southern California's Consensus Program for TEA-3.

Respectfully,

Hal Bernson
Councilmember, City of Los Angeles

President, Southern California
Association of Governments

Wally Leimgruber
Supervisor, County of Imperial
Chair, Imperial Valley Association
of Governments

Tim Keenan
Mayor Pro-Tem, City of Cypress
Chair, Orange County Transportation Authority

Ron Roberts
Mayor, City of Temecula
Chair, Riverside County Transportation Commission

Bill Postmus
Supervisor, County of San Bernardino
President, San Bernardino Associated Governments

Keith Millhouse
Mayor Pro Tem, City of Moorpark
Chair, Ventura County Transportation Commission

Bill Alexander
Mayor, City of Rancho Cucamonga
Chair, Southern California Regional Rail Authority

SOUTHERN CALIFORNIA Consensus Program for TEA-3

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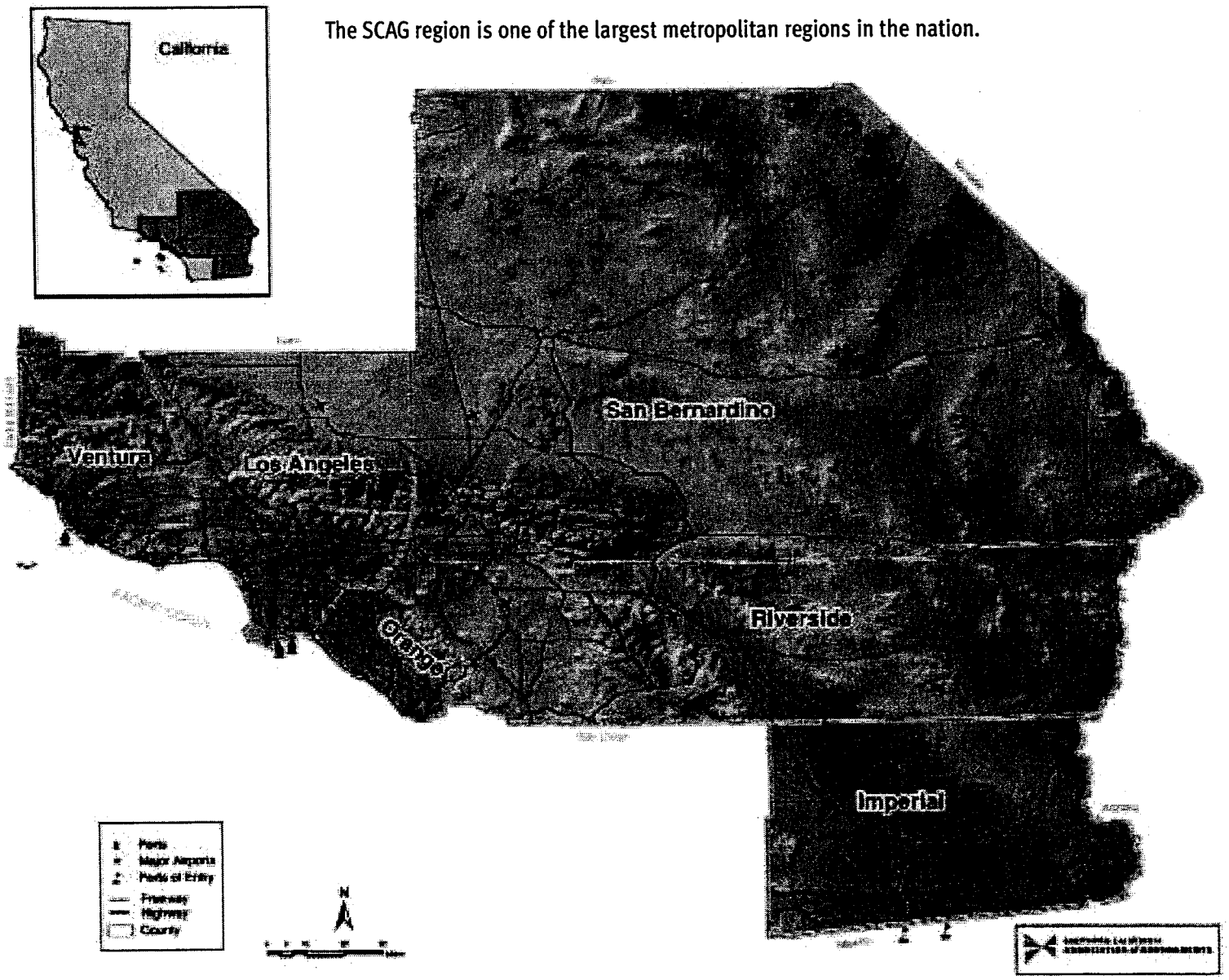
MAP OF THE REGION

The SCAG region is one of the largest metropolitan regions in the nation.



THE AREA INCLUDES:

- 38 thousand square miles (an area larger than Indiana)
- Approximately six thousand urbanized square miles
- Six counties (Los Angeles, Orange, Ventura, Imperial, Riverside and San Bernardino)
- 188 cities
- $270 billion in goods movement
- Over 17 million residents increasing to over 23 million by 2025
- 6.9 million jobs increasing to over 10.1 million by 2025
- 49 percent of the State's population
- $600 billion estimated gross regional product, which would make it the world's ninth largest economy

PRINCIPLES FOR REAUTHORIZATION

The following consensus-based principles were developed through the unified effort of California's public and private transportation interests and the Office of the Governor. Proponents of the principles include the Southern California Association of Governments (SCAG), the Los Angeles County Metropolitan Transportation Authority (MTA), the Orange County Transportation Authority (OCTA), the Ventura County Transportation Commission (VCTC), the League of California Cities, the Automobile Club of Southern California, and the California Chamber of Commerce.

California's transportation system is the economic engine that drives both the state and the national economies, delivering the largest proportion of goods and services that link the United States with its global markets. The efficiency, security, and quality of California's transportation system directly affect the economic well-being of every state in the nation. TEA-3 provides an opportunity to strengthen transportation's key role in supporting national security and the global economic competitiveness of the United States in the 21st Century. The following principles further this goal:

FUNDING

- Increase funding levels by raising annual obligation limits and spending down the unobligated balances in the Highway Trust Fund.
- Maintain the guaranteed funding levels and "firewalls" established in TEA 21 that match transportation expenditures to transportation revenues.
- Retain the Revenue Aligned Budget Authority (RABA) mechanism, but distribute the proceeds consistent with the historical split of gas tax proceeds both to the Highway and Mass Transit Accounts.

PRINCIPLES FOR REAUTHORIZATION

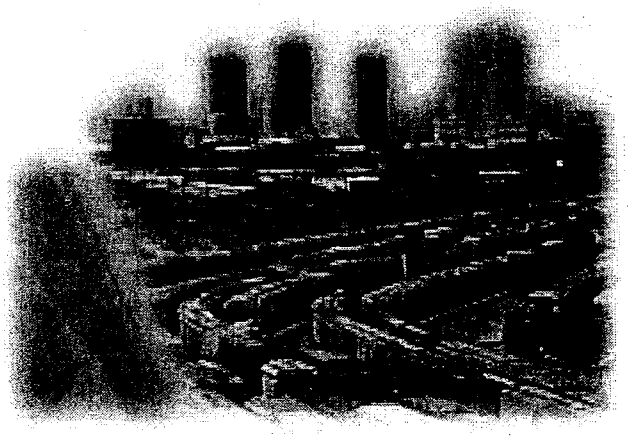
- Develop a mechanism to use available Highway Trust Fund balances to dampen the large swings in funding that could result from negative RABA adjustments. There should not be a major reduction in funding levels when Highway Trust Fund balances are high and can be used to mitigate negative RABA adjustments.

- Allow for easier access to and/or flexibility in qualifying projects from approved Regional Transportation Plans for innovative financing. This effort would include the modification of regulations and/or incentives for innovative financing arrangements including increased capitalization of infrastructure banks, debt-financing flexibility, direct treasury financing, access to public-private joint ventures, and the broadening of eligibility rules of the innovative financing program.

PROGRAM STRUCTURE

- Continue the basic program structure instituted by the Intermodal Surface Transportation Efficiency Act (ISTEA) that provides state, regional, and local officials the flexibility to allocate federal funds to a range of highway, transit, rail, local road, and bicycle/pedestrian improvements based on needs.

- Remove barriers to funding projects and programs that promote more efficient operation of the existing transportation system, such as deleting the three-year limit on the use of CMAQ funds and the varying local match requirements among different transportation programs.



- Concentrate any increased funding in the existing highway and transit formula and capital investment programs. Refrain from advocating the creation of any new discretionary programs beyond those currently authorized by law.

- Provide for increased program capacity to support the safe and efficient movement of goods in corridors that are crucial to national economic security and vitality, and provide for the mitigation of congestion and environmental effects of such movements. Support this effort by using Highway Trust Fund dollars or other Federal funding sources for programmatic increases in excess of current authorizations.

EQUITY

- Ensure that California receives an increased share of highway funding based on its contributions to the Highway Trust Fund and preeminent role in the national economy.
- Oppose efforts to impose an arbitrary funding "cap" on the disbursement of formula or discretionary federal transit funds to any state.
- Support California's Native American Tribal Governments efforts to obtain an equitable return from Native American transportation programs.

EXPEDITING PROJECT DELIVERY

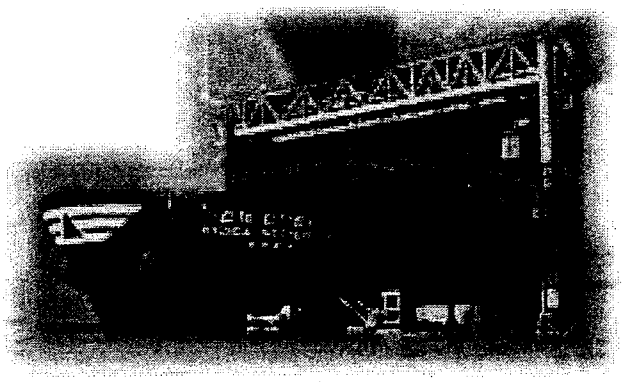
- Link permitting agency review and approval to environmental review processes for environmentally responsible and expeditious project delivery. Federal agencies should coordinate policy and share financial and staff resources to integrate and expedite use of authorized funds to meet local, state, and national transportation and environmental priorities.

- Provide states with financial incentives such as enhanced and coordinated funding to assure the use of integrated review and planning procedures.
- Pursue a California pilot program demonstrating coordination of effort and funding between the state and federal permitting agencies and regulatory structures.

SOUTHERN CALIFORNIA CONSENSUS PROGRAM

Southern California, home to 17 million people, is the most populous metropolitan region in the country, exceeded in population by only two states. The region's extensive, multimodal transportation system supports a highly diversified $600 billion regional economy. The six-county Southern California region's gross regional product is 6 percent of the national Gross Domestic Product (GDP). On a comparative basis, Southern California is the ninth largest economy in the world.

During the 1990s, international trade emerged as a mainstay of the region's economy. The region is now the largest gateway for trade in the country with $270 billion current year dollars in exports and imports flowing through its seaports and airports. This is 25 percent of the country's total trade. Fifty percent of the imports are destined for markets across the country.



To be sure, the benefits from trade are significant, but they are imposing an additional burden on a beleaguered surface transportation system. TEA-3 offers the opportunity to mitigate these burdens by committing funding to selected regional investments.

SOUTHERN CALIFORNIA'S TEA-3 CONSENSUS

The Southern California Association of Governments, comprising the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura, has joined with public and private organizations from throughout the region and California in supporting the California Principles for TEA-3. SCAG is proud to be a partner in this historic statewide consensus. TEA-21, with its emphasis on flexible funding, regional choice and performance oriented investments, has allowed the region and the state's other regions to respond creatively to meeting their future transportation needs.

Within Southern California, a consensus has been reached on specific regional projects that merit funding through TEA-3. These investments will strengthen the region's transportation system in order to better serve the national economy; to increase the productivity of existing national investments in the region's surface transportation system; and to ensure that the region meets national air quality standards.

SOUTHERN CALIFORNIA CONSENSUS PROGRAM

The selection of projects was governed by the following objectives:

- ▲ Honor past commitments, such as funding for Interstate Highway gaps and previously approved full funding grant agreements for transit projects.
- ▲ Recognize that the region has several central cities and seek allocation of discretionary funds that would allow the transit needs of the central cities to be addressed.
- ▲ Seek funding to address extraordinary federal requirements, such as the air quality conformity mandate.
- ▲ Seek funding that recognizes the region's contribution to the nation, especially in regard to international trade.

On the basis of these objectives, a program of projects has been selected from the $144 billion, 25-year Regional Transportation Plan. Investing in these projects is a sound expenditure, as each dollar of investment will yield $4.44 of benefits. Moreover, the RTP relies primarily on local revenues, as 70 percent of the region's transportation revenues comes from local taxes to maintain the existing regional transportation system and to meet the cost of projects included in previous plans. In addition, $20 billion of RTP projects will be funded by private resources employing the innovative financing techniques authorized in TEA-21.

The Region will pursue funds for the predeployment phase of projects involving rail, truck lanes, goods movement, and Maglev. Accessing predeployment funds through existing credit enhancement programs like the Transportation Infrastructure Finance and Innovation Act (TIFIA) can further foster innovative public-private partnerships.

The following twenty-nine projects, totaling $11 billion will allow Southern California to plan and program transportation improvements that protect the existing infrastructure, maximize the performance of past investments and meet pressing needs for new capacity.

Projects are listed in no particular order.

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Imperial County

[1] STATE ROUTE 78/BRAWLEY BYPASS

The bypass improvements will reduce traffic impacts within the County of Imperial and the City of Brawley. This will be the last project in a series to provide a complete expressway from the US/Mexico border to I-10 in Riverside County. Moreover, the project completes the inter-regional and international movement of goods on the NAFTA Network (NET) and is designated as a part of the International Border Trade Corridor (IBTC) and the International Corridor of Economic Significance (ICES).

Project	Description	Amount
SR-78/Brawley Bypass	Construct 18 miles of 4 lane expressway with interchange and signalization	$18.0 million for full funding agreement to cover remaining 17 % of cost

[2] STATE ROUTE 98 CORRIDOR IMPROVEMENTS

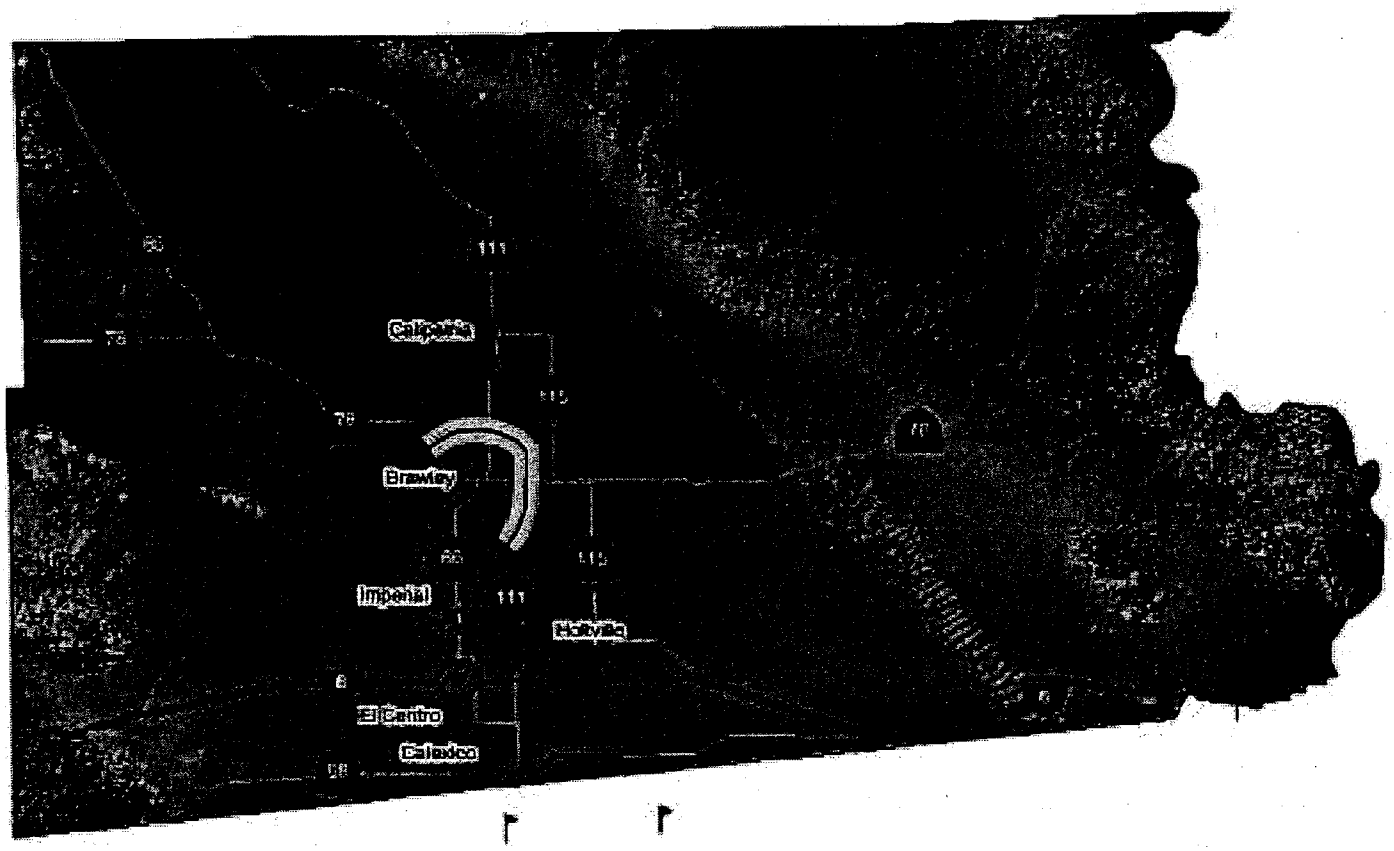
Reduces traffic impacts within the County and City of Calexico. Connects the New Port of Entry to I-8 and SR-111. Completes the inter-regional and international movement of goods on the NAFTA Network (NET) and is designated as a part of the International Border Trade Corridor (IBTC) and the International Corridor of Economic Significance (ICES). Traffic projections indicate a 45% increase in traffic by 2020.

Project	Description	Amount
a. Widening and Realignment (SR-111 East to SR –7)	Widen 8 miles from 2 to 4 or 6 lanes	$77.5 million for full funding agreement to cover remaining 86 % of cost
b. Widening and signals (Kloke Rd. to SR 111)	Widen 1 mile from 2 to 4 lanes	$7.0 million for full funding agreement cover remaining 78 % of cost

[3] INTERSTATE 8/IMPERIAL AVENUE INTERCHANGE IMPROVEMENTS

This interchange connects the Northern and Southern portions of the City of El Centro allowing for regional access to existing and future development. Traffic projections indicate an increase of traffic by 50% by the year 2020.

Project	Description	Amount
I-8/Imperial Avenue Interchange Improvements	Reconstruct Interchange to provide access where none currently exists	$15.5 million for full funding agreement cover 67 % of cost



Legend

- State Route 78, Brawley Bypass [1]
- State Route 98, Widenings [2]
- Interstate 8, Imperial Ave Improvement [3]
- Airport
- Ports of Entry

N

0 5 10 20 30 40 Miles

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Los Angeles County (see map on Page 13)

[1] EXPOSITION LIGHT RAIL SERVICE

Completion of the Exposition LRT would entail garnering previously pledged federal new starts funding – to assist in funding alternatives to the original Mid-City and Eastside segments.

Project	Description	Amount
Full funding grant agreement for the Exposition LRT	LACMTA project to extend rail service from downtown LA to Robertson/Venice Blvd.	$315.6 million for full funding agreement to cover 50% of cost

[2] EASTSIDE LIGHT RAIL SERVICE

Completion of this project would entail garnering previously pledged federal new starts funding – to assist in funding alternatives to the original Mid-City and Eastside segments. The FTA has recommended the Eastside LRT for a multiyear funding commitment (FFGA).

Project	Description	Amount
Full funding grant agreement for the Eastside LRT	This would link densely populated East Los Angeles with the regional rail/mass transit network at Union Station	$547.2 million for full funding agreement to cover 60% of cost

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Los Angeles County (see map on Page 13)

[3] INTERSTATE 405 HOV LANES FROM INTERSTATE 10 TO US-101

Completion of the regional HOV system is an important component of SCAG's Regional Transportation Plan. This project will complete a critical gap in the regional HOV system that will improve air quality, mobility and support ridesharing.

Project	Description	Amount
I-405	HOV Lanes from Route I-10 to Route US 101	$3.6 million

[4] INTERSTATE 5 ADD 1 MIXED FLOW AND 1 HOV LANE FROM ROSEMEAD TO ORANGE COUNTY

This critical project will eliminate a bottleneck in the regional system allowing for improved mobility as well as air quality along the corridor.

Project	Description	Amount
I-5	Add 1 Mixed Flow and 1 HOV Lane from Rosemead (I-605) to Orange County Line	$222.3 million

[5] INTERSTATE 5 HOV IMPROVEMENTS ROUTE 134 TO ROUTE 170

Completion of the regional HOV system is an important component of SCAG's Regional Transportation Plan. This project will complete a critical gap in the regional HOV system that will improve air quality, mobility and support ridesharing.

Project	Description	Amount
I-5 HOV Improvements	Route 134 to Route 170	$182.7 million

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Los Angeles County

[6] INTERSTATE 710 COMPLETION

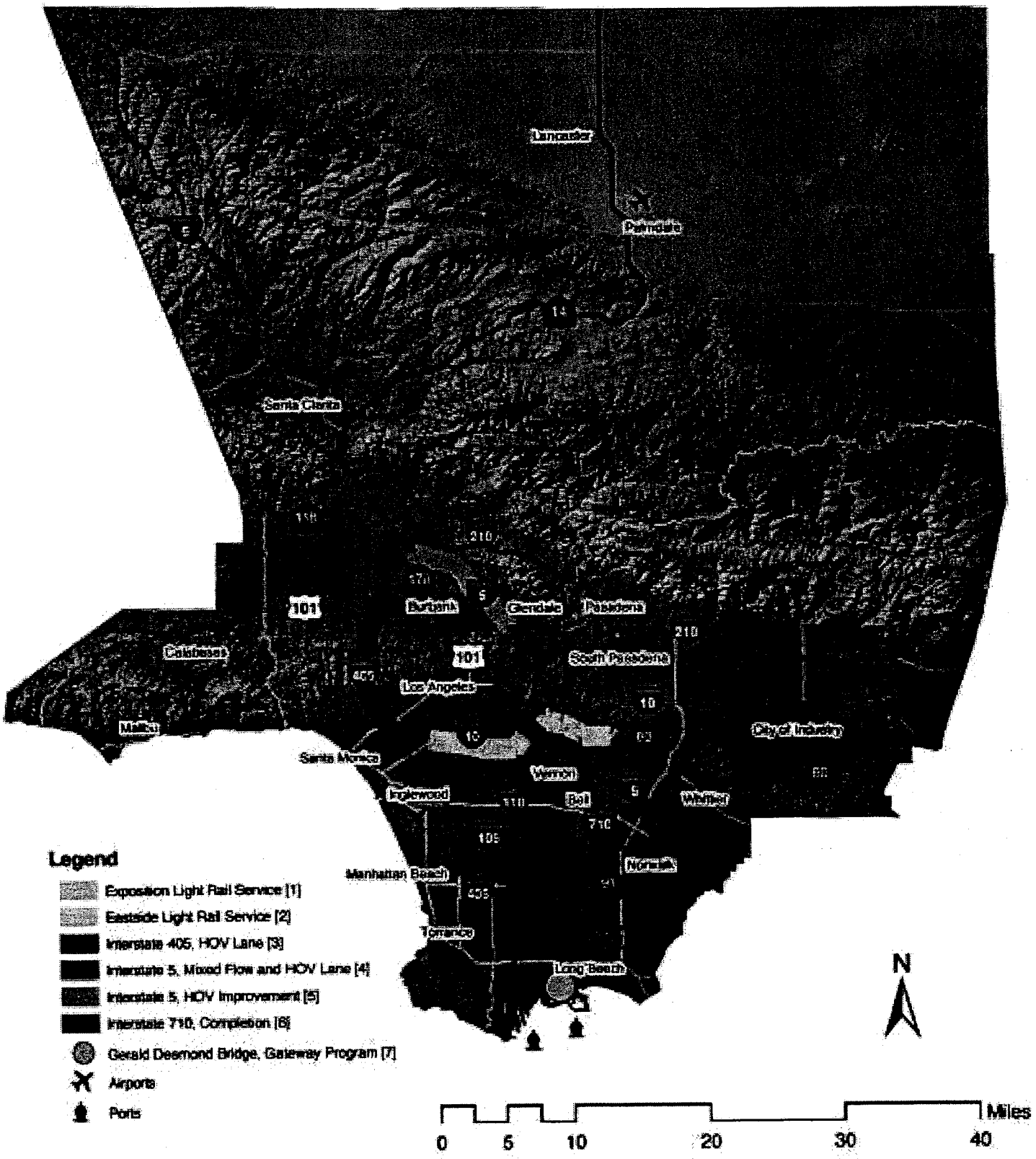
This extension will complete the backbone of the regional highway network, facilitate the movement of trade from the ports to destinations to the north and make an important contribution to meeting the region's air quality conformity requirements.

Project	Description	Amount
Commit funding to the I-710 completion	A 6 mile extension of I-710 from I-10 to I-210	$1 billion

[7] INTERSTATE 710 GERALD DESMOND BRIDGE GATEWAY PROGRAM

The Gerald Desmond Bridge is located in the Port of Long Beach and is a critical link between the Ports of Long Beach and Interstate 710. The Bridge is also a National Highway System Intermodal Connector Route, a National Defense Highway System route, and part of the I-710. Results of the I-710 Major Corridor Study will identify additional projects.

Project	Description	Amount
Gerald Desmond Bridge Improvement program and I-710 Early Action Projects	The program entails demolition and replacement of the Gerald Desmond Bridge and will constitute the first of the I-710 early action projects	$745 Million


Lancaster
Palmdale
Santa Clarita
Burbank
Glendale
Pasadena
Calabasas
South Pasadena
Los Angeles
Malibu
Santa Monica
Vernon
Inglewood
Bell
Whittier
Norwalk
Manhattan Beach
Torrance
Long Beach
City of Industry
Legend
Exposition Light Rail Service [1]
Eastside Light Rail Service [2]
Interstate 405, HOV Lane [3]
Interstate 5, Mixed Flow and HOV Lane [4]
Interstate 5, HOV Improvement [5]
Interstate 710, Completion [6]
Gerald Desmond Bridge, Gateway Program [7]
Airports
Ports
N
0
5
10
20
30
40
Miles

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Orange County

[1] CENTERLINE RAIL TRANSIT SYSTEM

This is the first urban rail transit system in Orange County. The system connects the UC campus, John Wayne Airport, and the Santa Ana Transportation Center, serving some of the highest density neighborhoods in the region.

Project	Description	Amount
Authorize a full funding grant agreement for the Orange County CenterLine	From UC Irvine to Santa Ana	$750 million for 50% of the project's cost

[2] BRISTOL STREET MULTI-MODAL CORRIDOR

This project would widen Bristol Street from two lanes to three along the CenterLine right-of-way.

Project	Description	Amount
Bristol Street Widening	Widen Bristol Street In Santa Ana	$107 million

[3] STATE ROUTE 91 GENERAL-PURPOSE LANE

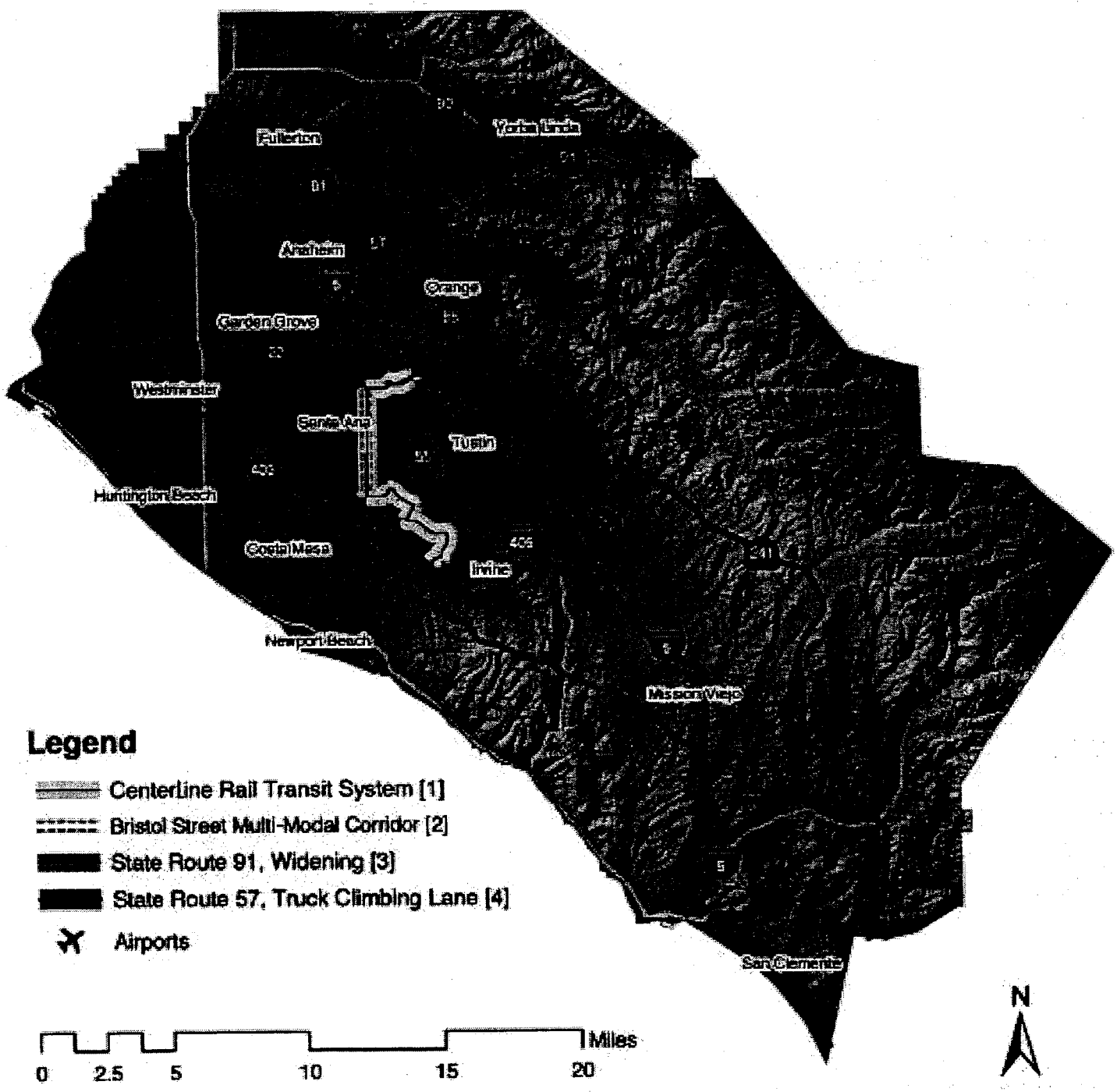
This project would improve the SR-91 freeway speeds along a ten-mile stretch in Orange County, resulting in a reduction of peak period commute times between Orange and Riverside Counties.

Project	Description	Amount
SR-91 Widening	On SR-91, add one general-purpose lane (or auxiliary lane capacity) in each direction including interchange improvements and freeway to freeway connectors from SR-55 to Riverside County line	Total federal request: $221.3 million Total project cost is estimated to be $250 million. Total request assumes 88.53% federal share

[4] STATE ROUTE 57 TRUCK CLIMBING LANE

This project would reduce delays on SR-57.

Project	Description	Amount
SR-57 Northbound Truck Climbing Lane	Add truck-climbing lane northbound from Lambert Rd to LA County line	$66 million


Fullerton
Yorba Linda
Anaheim
Orange
Garden Grove
Westminster
Santa Ana
Tustin
Huntington Beach
Costa Mesa
Irvine
Newport Beach
Mission Viejo
San Clemente
Legend
Centerline Rail Transit System [1]
Bristol Street Multi-Modal Corridor [2]
State Route 91, Widening [3]
State Route 57, Truck Climbing Lane [4]
Airports
0
2.5
5
10
15
20
Miles
N

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Riverside County

[1] COMMUNITY ENVIRONMENTAL TRANSPORTATION ACCEPTABILITY PROCESS

The requested funds will address congestion problems of SR-91, the only highway corridor between jobs-rich Orange County and the affordable housing in Riverside County.

Project	Description	Amount
CETAP Riverside County to Orange County Corridor	Continue planning, studies, and preparation of environmental document and partial land acquisition for multi-species habitat	$100 million

[2] COMMUNITY ENVIRONMENTAL TRANSPORTATION ACCEPTABILITY PROCESS

The requested funds will continue phase 1 for a new alternative transportation corridor to the I-215 between Riverside and San Bernardino Counties.

Project	Description	Amount
CETAP Moreno Valley to San Bernardino Corridor	Project development costs, including environmental document preparation and land acquisition	$50 million

[3] NEW METROLINK SERVICE

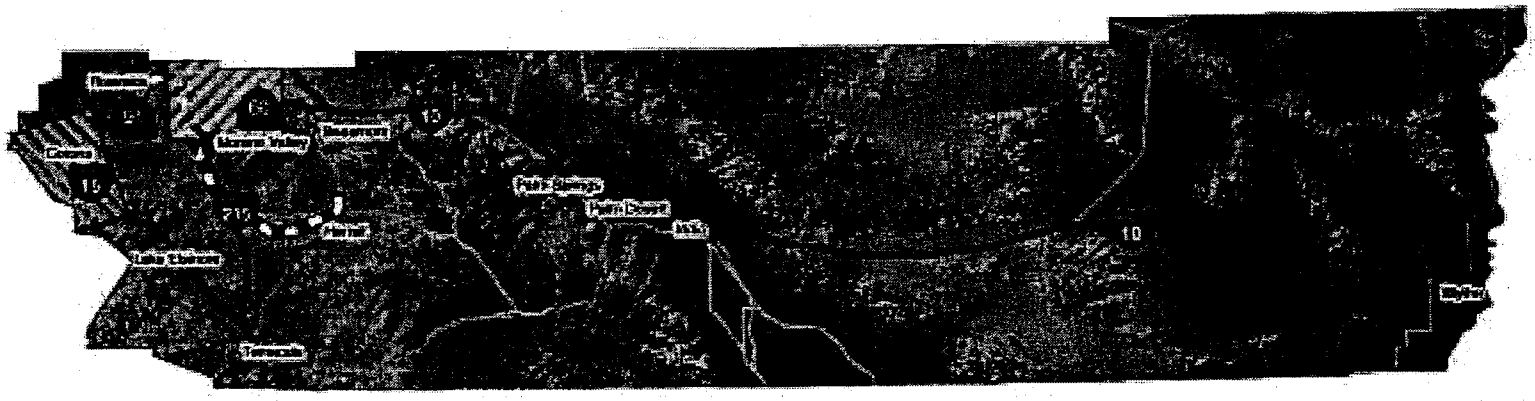
Riverside County is an important regional commuter rail market and will increasingly be so due to population growth.

Project	Description	Amount
San Jacinto Commuter Rail Line	The initiation of a new service, the San Jacinto Line	$70 million

[4] STATE ROUTE 91 HOV

This project is a Traffic Congestion Relief Project and is currently programmed in the 2002 RTIP (design and engineering portion only).

Project	Description	Amount
SR-91 Widening	This project widens SR-91 from Mary Street through the City of Riverside to the SR-91/SR-60/I-215 interchange by adding one HOV lane in each direction	The request is for $100 million and the total project cost is estimated to be $170 million



Legend

- Community Environmental Transportation Acceptability Process (CETAP) Riverside to Orange County [1]
- Community Environmental Transportation Acceptability Process (CETAP) Moreno Valley to San Bernardino County [2]
- New Metrolink Service, San Jacinto Line [3]
- State Route 91, Widening [4]
- Airports

N

0 10 20 40 60 80 Miles

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

San Bernardino County

[1] GRADE SEPARATION

The Colton crossing project will grade separate the east-west rail lines of the Union Pacific extending toward Arizona and Texas from the combined Burlington Northern/Santa Fe and Union Pacific rail lines that extend north and east toward the Midwest and Chicago to reduce train congestion delay which will benefit both rail freight and commuter rail.

Project	Description	Amount
Colton Crossing	A rail-to-rail grade separation for the at-grade rail crossing that currently constitutes the most serious freight rail bottleneck between the ports and the rest of the United States	$30 million, 50% of project's cost. Another $30 million would be needed from the railroads to complete the project

[2] INTERSTATE 15 TRUCKWAY

This truckway will facilitate interstate freight movement from the ports to northeasterly destinations on one of the three major interstate freight corridors that connect Southern California with the rest of the nation (others are I-5 and I-10).

Project	Description	Amount
Northeastern portion of exclusive truckway system connecting the ports and the Los Angeles Metropolitan area with the Great Basin and Rocky Mountain states	Exclusive truckway in the Regional Transportation Plan from the eastern terminus of SR-60 truckway through the Cajon Pass	$1.5 billion

[3] INTERSTATE 215 WIDENING

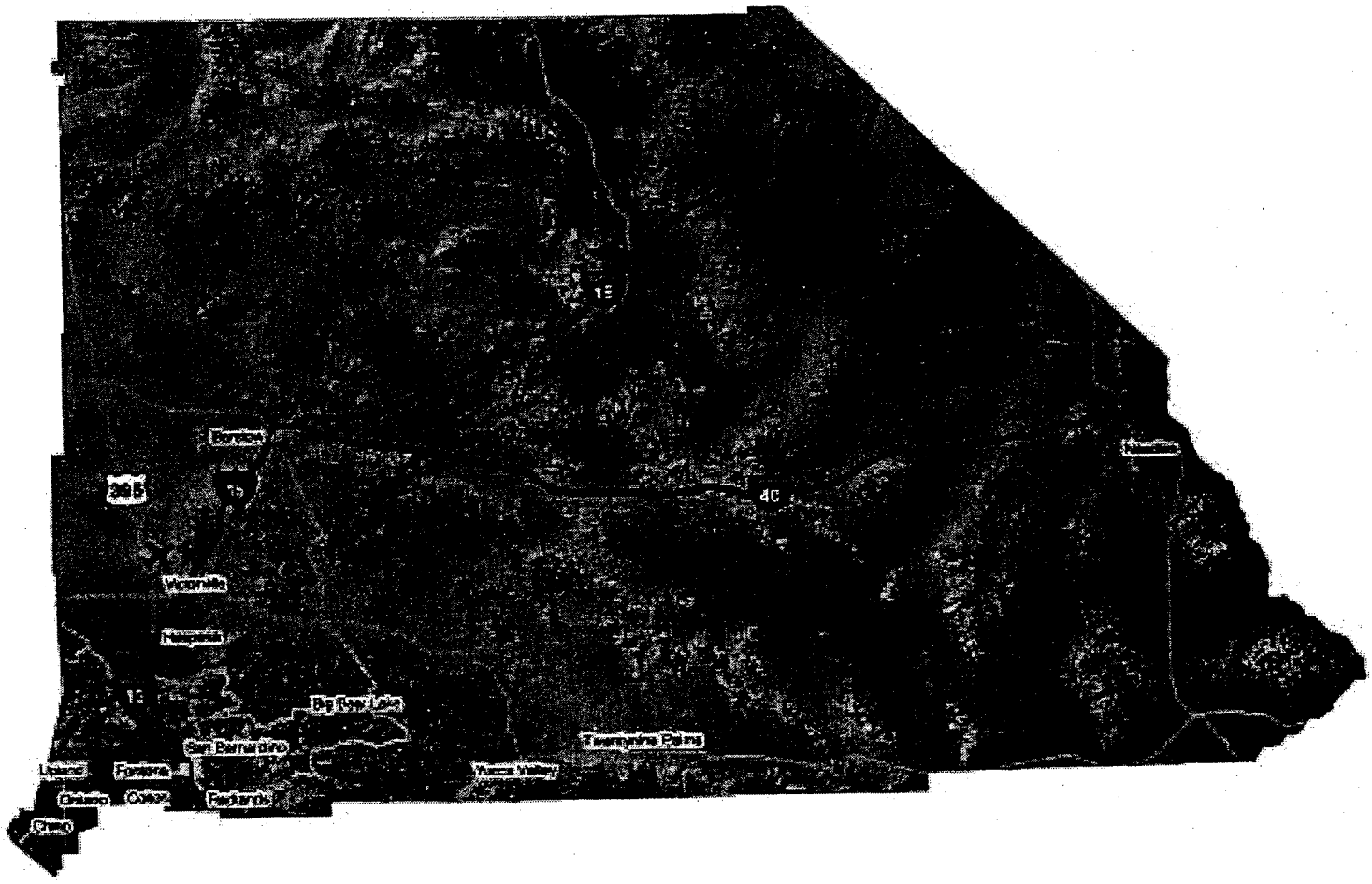
The widening would add two mixed flow lanes to I-215 between I-10 and I-210, significantly improving regional mobility.

Project	Description	Amount
I-215 widening	I-10 to I-210	$100 million

[4] INTERCHANGE IMPROVEMENTS

Project	Description	Amount
Reconstruction of unsafe and deficient freeway interchanges along Interstate 10 and Interstate 15 impacted by heavy truck volumes	Address serious interchange deficiencies and safety issues, including queuing of trucks onto mainline freeway lanes, by reconstruction of deficient interchanges serving inland distribution centers and cities	$200 million, 50% of unfunded need

0050



Legend

- Colton Crossing Grade Separation [1]
- Interstate 15, Truckway [2]
- Interstate 215, Widening [3]
- Airports

N

0 10 20 40 60 80 Miles

SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Ventura County

[1] TRANSPORTATION MANAGEMENT SYSTEM INSTALLATION

Ventura County has an extensive voter- approved smart growth program to balance growth with available transportation capacity and minimize the need for additional highway infrastructure.

Project	Description	Amount
Install Transportation Management System throughout Ventura County	TMS technology to implement Ventura County's comprehensive ITS Program	$20 million for installation of sensors, control systems and related technologies

[2] PORT INTERMODAL ACCESS

Phase I of the port access project was funded through ISTEA and TEA-21 earmarks, as well as local funds. Local entities have committed $60 million for this project.

Project	Description	Amount
Port Intermodal Access Improvement Project (Port of Hueneme) Phase II	Construct On-Dock Intermodal Rail Yard, Railroad Grade Separation, and road improvements	Total of $17 million including $3 million for On-Dock Intermodal Rail Yard, $10 million for Grade Separation, and $4 million for road improvements

[3] PIRU RAIL BRIDGE AND TRACK RESTORATION

This request will complete the rail corridor from Ventura to Santa Paula, Fillmore, Piru, and Rancho Camulos, facilitating a connection to the city of Santa Clarita in Los Angeles County. Once completed, this project will enhance local tourism and economic development. Local agencies are also building a parallel bike path using CMAQ funds.

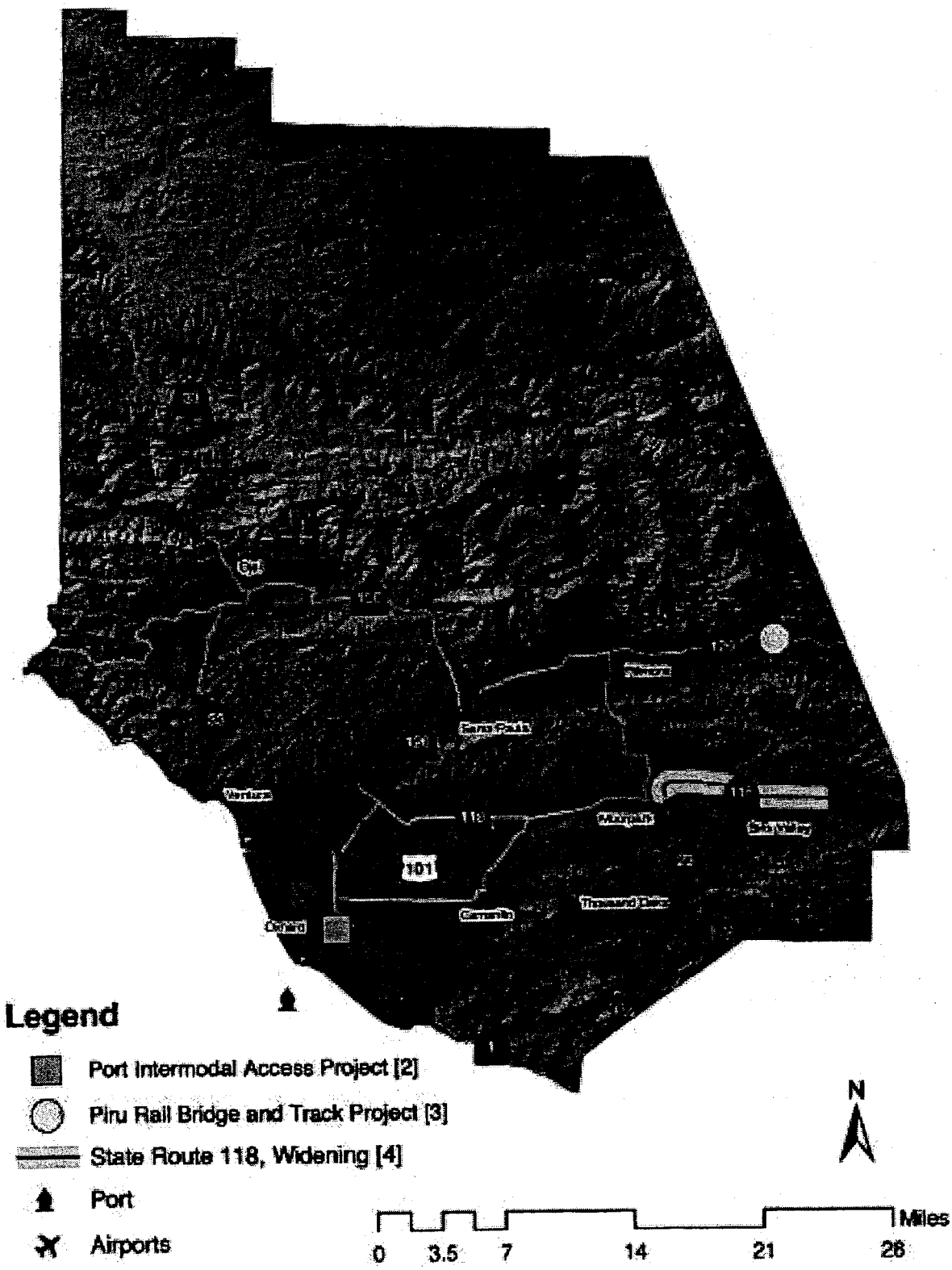
Project	Description	Amount
Piru Rail Bridge and Track Restoration	Restore historic Piru Creek Rail Bridge to re-establish railroad service	$4 million to repair and reinforce bridge and abutments, as well as to restore tracks

[4] STATE ROUTE 118 WIDENING

This project is a high local priority due to need for congestion relief. Preliminary engineering is fully funded with available State and Federal funds.

Project	Description	Amount
Route 118 Freeway Widening from Tapo Canyon Road to Route 23	Add one freeway lane in each direction on nine-mile freeway segment	$115 million for final design, right-of-way and construction, including bridge widenings, median safety barriers, and soundwalls

Ventura County



SOUTHERN CALIFORNIA PRIORITY PROJECTS FOR TEA-3

Inter-County Projects

[1] ALAMEDA CORRIDOR EAST (SAN BERNARDINO, RIVERSIDE, ORANGE, LOS ANGELES)

Eastern Los Angeles, northern Orange, western Riverside, and western San Bernardino counties, an area with a population of more than 5 million, are experiencing frequent and increasing delays at railroad crossings, reflecting the rapid increase in freight rail traffic between the ports and the rest of the nation.

Project	Description	Amount
Alameda Corridor East Improvements	A major trade corridor program to mitigate extreme delays caused by increased transcontinental rail traffic from the ports at at-grade highway and arterial crossings	$1.25 billion, 50% of the project's unfunded need

[2] STATE ROUTE 60 TRUCKWAY

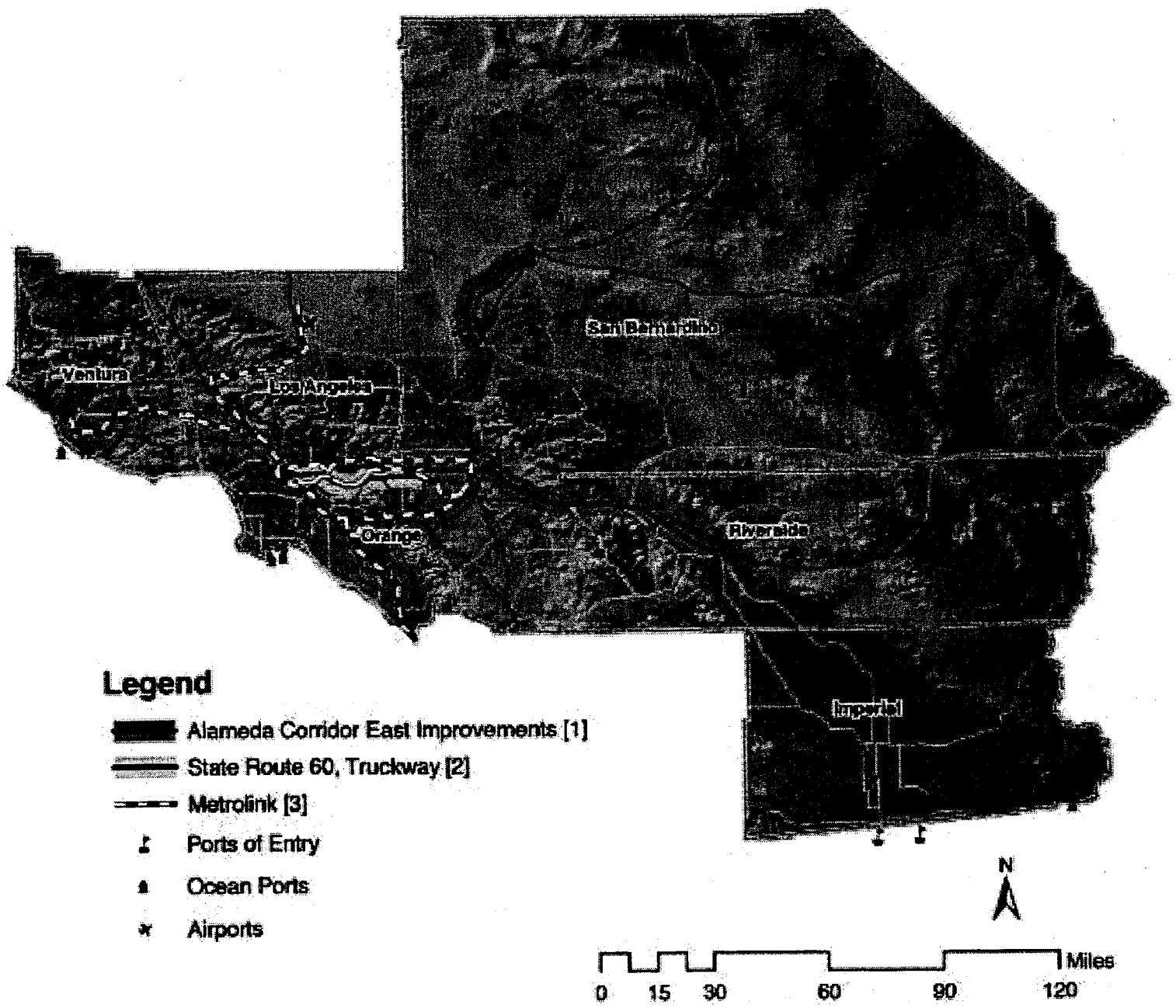
This project will allow the development of a public/private venture to finance a dedicated truckway. With truck volumes expected to increase by nearly 60% the separation of trucks from other traffic will benefit both the shipping industries as well as other users of the highway system.

Project	Description	Amount
Route 60 Truckway	An exclusive truckway from the Ports of Los Angeles and Long Beach to the distribution centers located in the Inland Empire	$3 billion for the public funding component of the $4.3 billion project

[3] METROLINK SERVICE IMPROVEMENTS

This request will fund various improvements including the Eastern Area Maintenance Facility, selective double tracking on critical route segments, signal improvements, and communication system improvements. "Small Starts" will be used for Metrolink projects if legislation is enacted.

Project	Description	Amount
Upgrading Metrolink	Various Metrolink Improvements	$177 million


Ventura
Los Angeles
San Bernardino
Orange
Riverside
Imperial
Legend
Alameda Corridor East Improvements [1]
State Route 60, Truckway [2]
Metrolink [3]
Ports of Entry
Ocean Ports
Airports
N
0
15
30
60
90
120
Miles

CONCLUSION

As you have read, transportation is vital to the 17 million Southern Californians who call the region home. But the importance and economic benefits of a healthy Southern California transportation system do not end there. They extend beyond our region to the entire nation. Growing the national investment in transportation in Southern California benefits everyone.

The future of Southern California's surface transportation system, envisioned in this Consensus Program, now rests in your hands. We in the Southern California Transportation Delegation thank you for your commitment to making transportation in the region a priority. Over the coming weeks and months, we will be in contact with you about the Consensus Program and transportation funding. Please do not hesitate to contact us if we can be of any assistance.

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Attachment C

SCAG 2003 Legislative Matrix

HOUSING

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.
SCAG Position:	Support (May 1, 2003)

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.
SCAG Position:	Support (April 3, 2003)

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.
SCAG Position:	Oppose Unless Amended (July 31, 2003)

LOCAL FINANCE

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.
SCAG Position:	Oppose (June 5, 2003)

SOLID WASTE

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
SCAG Position:	Oppose (October 2, 2003)

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

SCAG Position: Support with Amendments (July 31, 2003)

TRANSIT

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 that 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.
SCAG Position: Support (June 5, 2003)

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.
SCAG Position: Support (June 5, 2003)

TRANSPORTATION

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
SCAG Position: Oppose (June 5, 2003)

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.
SCAG Position:	Support (May 1, 2003)

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 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.
SCAG Position:	Oppose (June 5, 2003)

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.
SCAG Position:	Support if Amended (May 1, 2003)

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.
SCAG Position:	Support (May 1, 2003)

LEGISLATIVE PROTOCOL

- 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.
- SCAG's advocacy efforts are coordinated with the county transportation commissions, cities, counties and subregional organizations to ensure the maximum efficacy.

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 D*):

  - **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.

SOUTHERN CALIFORNIA ASSOCIATION of GOVERNMENTS

STATE & FEDERAL LEGISLATIVE PROTOCOL

Attachment E

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.

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. Sometimes called "subbing a bill" or "stuffing a bill."

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.

Two Year Bill: A bill that did not pass out of its first policy committee before the constitutional deadline and will be carried over and acted upon when the Legislature reconvenes after the interim recess. If the bill does not pass its policy committee by the second year deadline it is considered dead.

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 G

2004 State Legislative Calendar

PLACE HOLDER