

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 25, 2012

Reference No.: 4.1
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **STATE AND FEDERAL LEGISLATION**

ISSUE:

The State Legislature reconvened on January 4, 2012 for the second year of the two-year session. For bills introduced in 2011, and are pending carryover from the first-year session, each house must pass these bills no later than January 31, 2012. The last day for bills to be introduced in the second year of the two-year session is February 24, 2012.

At the Commission's February 2012 meeting, staff will provide a report on the status of bills that met the January 31 carryover date and any new bills that may have been introduced.

Carryover Bills Brought Forward

Of the bills staff has been monitoring from the first-year session, one bill has been carried over and one bill was amended to pertain to the Commission.

AB 441 – (Monning) – State Planning

This bill would require that the Commission, by no later than 2014, include voluntary health and health equity factors, strategies, goals, and objectives in the guidelines promulgated by the Commission for the preparation of regional transportation plans.

Status: January 23, 2012 – In Assembly. Read second time and amended. Ordered to second reading. Hearing scheduled for second reading on January 24, 2012.

SB 749 – (Steinberg) – California Transportation Commission: Guidelines

This bill would establish specified procedures that the commission would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act.

Status: January 23, 2012 – In Senate. Read third time. Do pass to Assembly.

RECOMMENDATION:

The Commission is requested to accept this staff report and provide direction to staff on legislation of interest to it.

BACKGROUND:

The Commission approved criteria to guide Commission staff in monitoring legislation and selecting bills that should be brought forward for Commission consideration. An over-arching criterion is that a bill must directly affect transportation on a statewide basis. Bills meeting one or more of the criteria, provided below, will be brought forward to the Commission for consideration.

- Funding/Financing - funding or a funding mechanism for transportation (capital and operations)
- Environmental Mitigation - implementation of green house gas emissions reduction and transportation (e.g., AB 32), and/or involve the environmental process and transportation (e.g., CEQA)
- Planning - implementation of transportation and land use and planning (e.g., SB 375)
- Project Delivery - changes to the way transportation projects are delivered

Additional criteria for bringing a bill forward include:

- Direct Impact to Commission - changes in Commission responsibility, policy impact or operations
- Commissioner Request - recommended by a Commissioner for consideration by the Commission at its next regularly scheduled meeting

The Commission adopted policy to consider legislation in relation to its overall policy by topic area, prior to taking a position on legislation addressing that topic; and remain selective in its use of watch, support or opposition on a bill. The rationale for a policy by topic area is it permits the Commission to address a suite of legislative proposals dealing with the same topic by commenting to the author(s) without necessarily taking a position. Rather than taking specific positions on bills in their initial state, the Commission can advise the Legislature on a bill's policy and/or technical aspects, as well as how it helps or hinders transportation. The intent of the Commission's comments is to alert the author of the bill's impact on a policy and/or technical aspect related to transportation planning, programming, financing, mitigation, or project delivery.

Further direction will be provided to staff, by the Chair, on bills that meet the aforementioned criteria.