



LEGISLATIVE WATCH APRIL 2011

Federal

Budget

Federal Fiscal Year 2011

The negotiated agreement between the House, Senate and White House on a Fiscal Year 2011 Continuing Resolution on April 9th avoided a government shutdown. The agreed upon funding of the federal government through September 30, 2011 is expected to be signed by the President on April 15th. Nearly \$40 billion (\$38.5) – largest cuts in U.S. history – will be cut from the federal budget.

Federal Fiscal Year 2012

On February 14, 2011 President Obama released his fiscal year (FY) 2012 budget request of \$ 3.7 trillion (\$3.46 trillion was spent in 2010). The House Budget Committee approved its version of the 2012 Budget for \$3.5 trillion on April 11th.

Watch List

NEWH.R. 658 – FAA Reauthorization and Reform Act of 2011**

Mica

Among other things, terminates the Essential Air Service (EAS) Program on October 2013 in all states except Alaska and Hawaii. EAS provides federal subsidies to approximately 140 rural communities across the country that otherwise would not receive any scheduled air service. This includes the City of Merced. Passed the House April 1st. Senate's version increases spending for EAS.

H.R. 662 – Surface Transportation Extension Act of 2011 (SAFETEA-LU)

This bill passed favorably in Congress and signed by the President on March 4, 2011. Extended programs through September 30, 2011.

H.R. 760- San Joaquin Valley USDA Rural Definition Inclusion Act

Nunes

Authorizes the Secretary of Agriculture to designate certain parts of the San Joaquin Valley as rural area for purposes of programs under the Consolidated Farm and Rural Development Act. Includes the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare. Currently in House Committee.

H.R. 761- San Joaquin Valley Transportation Enhancement Act of 2011

Nunes, McCarthy, Denham

Allow federal funding provided to the State of California as a result of the American Recovery and Reinvestment Act of 2009 for the purpose of developing the high-speed rail service be used for a project or activity to improve or maintain California State Route 99, and for other purposes. Bill is now in House Sub-Committee.

H.R. 861-NSP Termination Act

Rescinds and cancels permanently all unobligated balances remaining available for assistance to states and local governments for the redevelopment of abandoned and foreclosed homes and residential properties. Passed the House March 16th. Bill is now in Senate Committee.

H.R. 869 – Clarifies the definition of flood control operations.....

MID New Exchequer Dam Spillway Project (One Voice priority) would increase water supply to meet the needs of 160,000 households. Bipartisan bill - Cardoza, Denham, Costa, Nunes and McCarthy. Currently in House Sub-Committee.

NEWH.R. 870 – Work Opportunities and Revitalizing Our Communities Act**

This bill is designed to ensure full employment (i.e. 4% unemployment) after 10 years. It sets a series of unemployment targets that, if not met, would trigger the disbursement of funds from a "National Full Employment Trust Fund," which would be made up of revenue from a new financial transactions tax on financial corporations. The funds would be used for a direct jobs program that would immediately place unemployed people in public, non-profit and small business jobs in areas hardest hit by unemployment. Currently in House Committee.

NEWH.R. 1255 – Government Shutdown Prevention Act of 2011**

If the Senate fails to pass a measure supplying appropriations to the federal government for the remainder of the fiscal year 2011 before April 6, 2011—the deadline to avoid a government shutdown—H.R. 1, which passed the House on February 19, 2011 will become law of the land. It also provides that, in the event of a government shutdown in excess of 24 hours or the limitation on the debt of the United States being reached, no salary payments will be disbursed to Members of Congress or the President for days on which that condition persists. Passed the House 04/01/11.

S. 198 & 199 – Redistribution of Unspent Earmarks Act of 2011 & Use it or Lose it Act of 2011

Casey

Return and redistribute funds made available from the Highway Trust Fund through an earmark for fiscal year 2008 or preceding fiscal year that remain unobligated as of the date of enactment to the State in which earmarked funds were directed to be used. NOTE: **S. 199** would set a timeframe for all future Highway Trust Fund earmarks to be obligated within 3 years. If not obligated within the time frame, funds would be returned to the State with jurisdiction over the original earmark. Currently in Senate Committee.

Description revisedS. 625 – Regional Transportation Planning Organizations Bill**

Klobuchar, Alexander

Requires states, at minimum, to cooperate with affected nonmetropolitan local officials responsible for transportation through regional transportation planning organizations to develop and implement long-range statewide transportation plans and statewide transportation improvement programs, with emphasis on addressing the transportation needs of nonmetropolitan areas of the state. Defines a regional transportation planning organization as a multi-jurisdictional organization composed of nonmetropolitan local officials (or their designees) and representatives of local transportation systems who all volunteer for such organization. Currently in Senate Committee.

State

Budget

Governor Brown released a proposed budget of \$127.4 billion in January 2011. More than \$11.2 billion (of \$26.6 needed) in cuts and shifts have been passed to date. The cuts impact college students, low

income families, disabled residents and state parks. Pending issues include the elimination of redevelopment agencies and asking voters to extend higher taxes.

Watch List

NEWAB 105 – Gas Tax Swap**

Ensures that \$1.5 billion a year will flow to state and local transportation projects for highways, local streets/roads and transit. Originally passed in March of 2010. Signed by the Governor.

NEWAB 109 – Criminal Justice Alignment** **Committee on Budget - Blumenfield, Chair**

Proposes having county jails take over supervision of low-level, non-violent offenders and parolees from state prisons. Governor signed 04/4/11 with no funding identified.

AB 341 – Solid Waste Diversion **Chesbro**

Would require the Department of Resources Recycling and Recovery (Cal Recycle) to ensure that state diverts 75 percent of its solid waste by January 1, 2020. This bill would also require a jurisdiction to implement a commercial recycling program and authorize a local agency to charge and collect a fee from a commercial waste generator to recover the cost of the program requirements. The bill also includes intent language stating that it is not the intent of the Legislature to require cities and counties to revise their source reduction and recycling elements to comply with the requirements of the bill. Bill is now in Assembly Committee.

AB 441 – State Planning **Monning**

Would require that the California Transportation Commission (Commission) include health issues in the guidelines promulgated by the Commission for the preparation of regional transportation plans. This bill would also require that the Governor's Office of Planning and Research develop guidelines that contain advice on how local and regional agencies can incorporate health issues into local or regional general plans. Bill is now in Assembly Committee.

NEWAB 459 – Electoral College: Interstate Compact**

Proposes California participate in the interstate compact to elect presidents by popular vote. Would only become in effect if states cumulatively possessing a majority of the total electoral votes have ratified the interstate compact. Bill is now in Assembly Committee.

AB 508 – Displaced public transit, solid waste handling, and recycling services employees. **Swanson**

Existing law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed to perform essentially the same services by the previous contractor or subcontractor. Under this law, contractors or subcontractors who agree to retain employees must offer employment to those employees except for reasonable and substantiated cause. Additionally, the law provides that if a successor contractor or subcontractor determines that fewer employees are needed than under the prior contract, qualified employees must be retained by seniority within the job classification. This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions. Bill is now in Assembly Committee.

NEWAB 676- Transportation Funding** **Torres**

Expands use of transportation funds currently available for capital improvement projects programed in the State Transportation Improvement Program (STIP) to the "study of, development and implementation of" such projects. Bill is now in Assembly Committee.

AB 789 – Solid Waste Tire Recycling

Chesbro

Would authorize Cal Recycle under its current Tire Recycling program, to include a new grant category for local agencies for the funding of public works projects. Eligible public works projects include those projects that use at least 1250 tons of rubberized asphalt concrete during the life of the project and 20 pounds or more of crumb rubber per ton of rubberized asphalt concrete. Grants would not exceed \$250,000. The bill would carve out at least 16 percent of the amount of funds appropriated for market development and new technology activities for used tires and waste tires and include a sunset date of June 30, 2015. Finally, AB 789 repeals the 2010 sunset date for the Tire Recycling program and resets it at June 30, 2015. Bill is now in Assembly Committee.

NEWAB 845- Transportation Bond Funds**

Ma

Requires the California Transportation Commission to determine funding shares for eligible recipients of the \$950 million in the High Speed Rail Train Bond Act for intercity-urban rail and rail transit systems. Recipients could develop a priority list up to their target amount and would be required to match with non-state funds. Bill is now in Assembly Committee.

NEWAB 892- Dept. of Transportation: Environmental Review Process Federal Pilot Program**

Carter

Extends pilot program through January 2019 for the federal environmental review program that allows Caltrans to assume responsibility for environmental review of certain projects and to allow for the jurisdiction of federal courts over its assumption of such duties. Bill is now in Assembly Committee.

AB 1308 – Highway Users Tax Account: Appropriation of Funds

Miller

In any year in which the Budget Act has not been passed by July 1, would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund are continually appropriated and may be encumbered for certain purposes until the Budget Act is passed. Bill is now in Assembly Committee.

SB 77 – Elimination of Redevelopment Agencies

Committee on Budget & Fiscal Review

Would dissolve all redevelopment agencies and community development agencies. Currently at the Assembly Floor.

SB 325 – Enact the Central California Railroad Authority

Rubio

Would create the Central California Railroad Authority as an alternative for ensuring railroad service in the Counties of Kern, Kings, Tulare, and Fresno. The MCAG Governing Board has requested Merced County be included in the language. Currently in Senate Committee.

NEWSB 582- Commute Benefit Policies**

Emmerson

Sponsored by the Metropolitan Transportation Commission, allows Metropolitan Planning Agencies to act jointly with air quality management district(s) to adopt a commute benefit ordinance that requires defined employers to offer their employees certain commute benefits. Currently in Senate Committee.

To add legislation, contact Lori Flanders at lori.flanders@mcagov.org or 209.723.3153 x308.