



LEGISLATIVE WATCH MARCH 2011

Federal

Budget

On February 14, 2011 President Obama released his fiscal year (FY) 2012 budget request of \$3.73 trillion (FY 11 was \$3.83 trillion). The House and the Senate have passed three separate continuing resolutions that would fund the federal government through April 8th. The extensions include \$10 billion in cuts. President Obama signed the bill March 18.

Watch List

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.

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 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 committee.

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. Bill is now in committee. 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.

S. 625 – Regional Transportation Planning Organizations Bill

Klobuchar

Language has not yet been released. According to NADO, the bill would strengthen the role of rural local officials in the statewide transportation planning and investment process and would establish a give federal recognition of Regional Transportation Planning Organizations for areas outside the boundaries of Metropolitan Planning Organizations. The goal is to incorporate the language from this legislation into the multi-year SAFETEA-LU reauthorization for federal surface transportation programs.

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

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 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 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 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 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. Currently in 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 Committee.

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