LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE

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Thursday, September 17, 2009 – 3:30 p.m. to 5:00 p.m.

ABAG Large Conference Room B, MetroCenter, 101 Eighth Street, Oakland

AGENDA*

1.	**OPEN AGENDA** Committee members may raise issues for consideration; members of the public may speak.	Information/ Action
2.	**APPROVAL OF MINUTES** Committee will review and approve the minutes of the May 21, 2009, L&GO meeting.	Information/ Action
3.	**2009 LEGISLATIVE SESSION—BILLS FOR CONSIDERATION**** Review the following two federal bills: **S.1619: The Livable Communities Act of 2009**, Senator Chris Dodd (D-CT) **H.R. 3525: Tax Exempt Private Activity Bond (PAB) Use for Renewable Energy Generation and Energy and Water Efficiency Projects,** Congressman Mike Thompson (D-CA) *General status update on state bills previously considered:* **SB 406 (DeSaulnier) Land Use: Environmental Quality** **SB 575 (Steinberg) Local Planning: Housing Element** **SB 279 (Hancock) Local Government: Community Facilities Districts** **AB 155 (Mendoza) Local Government—Bankruptcy**	Information/ Action
4.	**UPDATE FROM YOUTH GUN VIOLENCE TASK FORCE ON MODEL ORDINANCES AND RESOLUTIONS** Updates and recommendations to Executive Board	Action
5.	**ADJOURNMENT** Next meeting is scheduled for **November 19, 2009.**	Action
	Agenda and other written materials are available at ABAG/Frontdesk, 101 8th Street, Oakland, or at *http://www.abag.ca.gov/meetings* -- Legislation and Governmental Organization Committee	

* The Committee may take any action on any item on the agenda

** California Bill Texts and actions can be read and printed out from state website: **www.leginfo.ca.gov**.

ABAG

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

LEGISLATION
2009 State Legislative Session
Legislation & Governmental Organization Committee
September 1, 2009

Bill Author	Subject	Status	Staff Recommendation	L&GO Position	Legislation Summary
*NEW BILLS					[redacted]

Bills to be reviewed are listed in numeric order with Assembly bills listed first, followed by Senate bills

Federal Bills listed on page 15

	ASSEMBLY BILLS				
AB 18 Knight	**Local Government: City Councils**	**ASM: Concurred SEN amendments To Enrollment** **ab 18 knight**	Watch After amended, LCC support	**After amendments, Changed to Support 7/16** **Was Oppose**	**Amended 3/17, 4/27, 6/10, 8/18: Extends the amount of time that a city council has to fill a vacancy in an elective city office from 30 days to 60 days. Would require the city council to, within 60 days of a vacancy in an elective office, fill that vacancy by appointment or call a special election to fill the vacancy.** *Originally: Would authorize a city council to leave a seat on the city council vacant for up to one year or the next general election, whichever comes first: if the remaining city council members cannot agree up an appropriate appointee and the remaining city council members can still form a quorum.* *Existing law requires a city council to, within 30 days of a vacancy in an elective office to fill that vacancy by appointment or call a special election to fill the vacancy.*
AB 46 Blakeslee	**Energy: Energy Conservation Assistance**	**SEN: Second Reading** **ab 46 blakeslee**	Support concept	**Watch**	**Amended 3/31, 6/22: This bill extends the sunset dates, from January 1, 2011 to January 1, 2020, for the Energy Conservation Assistance Account (ECAA) and the Local Jurisdiction Energy Assistance Account (LJEAA), each administered by the California Energy Commission (CEC): continues local assistance energy programs nine more years.** Originally: Would extend the operation of the State Energy

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					Conservation Assistance Account to January 1, 2015: a continuously appropriated account in the General Fund that provides grants and loans to local governments and public institutions to maximize energy use savings. In existing law will end January 1, 2011.
AB 55 Jeffries	**Water Supply Planning**	**ASM: Parks and Wildlife Committee** **ab 55 jeffries**	Watch	**Watch**	***Is now being considered a Two-Year bill*** Existing law requires a city or county that determines a project is subject to CEQA to identify any public water system that may supply water for the project and request those public water systems to prepare a water supply assessment. This bill would revise the definition of "Project" to include within the scope of the definition and water supply requirements related to projects the following: specified business, commercial, hotel or motel, industrial, manufacturing, and mixed use developments with an equivalent water demand similar to a 500 dwelling unit project.
AB 68 Brownley	**Solid Waste: Single-use Carryout Bags**	**ASM: Appropria-tions** **Hearing 5/6/09 Postponed by committee** **ab 68 brownley**	Watch	**Watch, but encourage bag giveaway programs**	**Amended 3/31 and 4/23:** ***Amended definition of "Reusable bag" to mean a bag that is specifically designed and manufactured for multiple reuse, meaning 50 or more uses.*** This bill would, on and after July 1, 2010, prohibit a store, as defined, from providing a single-use carryout bag to a customer unless the store charges a fee of not less than $0.25 per bag at the point of sale. The bill would exempt certain customers from paying the fee. The bill would establish the Bag Pollution Fund in the State Treasury and would require a store to remit the single-use carryout bag fees, less a specified amount, to the State Board of Equalization for deposit in that fund. The bill would prohibit a store from distributing a single-use carryout bag that is not a plastic or compostable carryout bag that meets specific requirements. recommendations to further encourage the use of reusable bags.
AB 87 Davis	**Single-use Carryout Bags: Environmental Effects—Mitigation**	**ASM: Appropria-tions** **In committee; hearing postponed by Committee** **ab 87 davis**	Watch	**Support 5/21/09** **Watch, but encourage bag giveaway programs**	**Amended 3/18 and 4/27: This bill restricts grocery and convenience stores from providing single-use carry out bags to their customers. Specifically: 1) As of July 1, 2010, prohibits grocery and convenience stores and pharmacies, as defined, from providing single-use carryout bags, to customers without charging a sales tax-free fee of 25 cents per bag (the Bag Pollution Cleanup Fee). 2) Exempts from the fee customers participating in certain low-income assistance programs. 3)Allows stores charging the fee to retain a portion of the amount generated by the fee to pay for implementation of the requirements of the bill, including educational programs and donation of reusable bags to community groups, nonprofits,**

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					and similar entities. 4) Creates the Bag Pollution Fund, available for annual legislative appropriation to the Integrated Waste Management Board for state programs for litter cleanup and source reduction and for grants to cities and counties for those same purposes. Originally: Would on and after July 1, 2010, prohibit a store from providing a single-use carryout bag, including a green carryout bag, to a customer unless the store charges a fee of not less than 25 cents per bag at the point of sale. Would establish a Bag Pollution Fund and by January 31, 2011, would require stores that collect the single-use carryout bag fees to remit the fees to the State Board of Equalization for deposit in the fund, and do so on a quarterly basis. Would require the manufacturer of single-use carryout bags to develop educational materials to encourage the reduction, reuse and recycling of single-use bags for those store required to comply with program. Would require a biennial report to legislature in coordination with other state agencies and stakeholders on the effectiveness of the program and recommendations to further encourage the use of reusable bags.
AB 155 Mendoza	**Local Government: Bankruptcy Proceedings**	**SEN Local Government Committee Set, first hearing. Testimony taken. Further hearing to be set.** **ab_155 mendoza**	Oppose CSAC Oppose LCC Oppose	**Oppose**	**Has become a two-year bill** Prohibits a local public entity (defined as a county, city, district, public authority, public agency) from exercising its rights under applicable federal bankruptcy law unless granted approval by the California Debt and Investment Advisory Commission (CDIAC), under CDIAC's terms and conditions.
AB 280 Blakeslee and Ma	**California Earthquake Authority: Retrofit Programs—Grants**	**ASM Appropria-tions Held under Submission** **ab_280 blakeslee**	Support Concept	**Support in concept**	Would authorize the 3-member governing Board (Governor, Treasurer, Commissioner) to create a program, administered by the Earthquake Authority, to access and dispense federal stimulus dollars for purposes of retrofitting multiunit, soft-story buildings. Includes parameters of a city or county having adopted by ordinance a retrofit program, and other stipulations.
AB 338 Ma	**Transit Village Developments: Infrastructure Financing**	**SEN Third Reading** **ab_338 ma**	Watch	**Watch**	**Author's Amendments 6/25/09:** Would recast the area included in a transit village plan to include all land within not more than ½ mile of the main entrance of a transit station. Would eliminate the requirement for voter approval for the formation of an

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					infrastructure financing district, adoption of an infrastructure financing plan, and an issuance of bonds **for the purpose of implementing** a transit facility. **Allows local officials to divert property tax increment revenues to pay for public facilities and amenities within transit village development districts. Includes other stipulations about public benefit and affordable housing.** ***Would become operative only if AB 1158 and this bill are both chaptered and become effective on or before January 2, 2010 and this bill is chaptered last.***
AB 349 Silva	**State Mandates**	**SEN Budget and Fiscal Review Com.** **ab 349 silva**	Support Concept CSAC Support	**Support**	**Requires, beginning January 1, 1012, the administration o produce draft trailer bill language with its January budget proposal that repeals mandates that are proposed to be suspended for a least the third consecutive year.** Specifically, requires the Director of Finance to provide to the Legislature all proposed statutory changes necessary to repeal reimbursable state mandates that have been suspended for three consecutive years in the Governor's Budget.
AB 744 Torrico	**Transportation: Toll Lanes—Express Lane Network**	**SEN Appropria-tions** **ab 744 torrico**	Support	**SUPPORT**	**Authorizes the Bay Area Toll Authority (BATA) to develop a Bay Area Express Lane Network (network).** **Specifically: This bill would authorize the Bay Area Toll Authority to acquire, administer, and operate a Bay Area Express Lane Network on state highways within the 9 Bay Area counties pursuant to a development plan recommended by the Bay Area Express Lane Network Project Oversight Committee, which the authority would be required to establish.** **-- would authorize the authority to establish the fee structure for use of the express lanes and would require a public hearing in that regard.** **--would authorize the authority to determine the types of vehicles that may use the lanes.** **--would provide for agreements between the authority and the Department of Transportation and the Department of the California Highway Patrol.** **--would require revenues from the express lanes to be deposited in the Bay Area Express Lane Network Account, which the authority would be required to create, and would authorize the authority to issue revenue bonds for the express lane program.** **--would require the Sunol Smart Carpool Lane Joint Powers Authority, the Alameda County Congestion Management Agency, and the Santa Clara Valley Transportation Authority to enter into agreements with the Bay Area Toll Authority by January 1, 2011, to provide for the transfer of their rights and obligations relative to HOT lane projects to the Bay Area Toll**

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					Authority. The bill would enact other related provisions.
AB 782 Jeffries	**Regional Transportation Plans: Sustainable Communities Strategies**	**ASM Natural Resources Committee** **Last action: 4/27 Hearing cancelled at request of author** **ab 782 jeffries**	Watch	**Watch**	The bill outlines a number stipulations regarding what happens after Sustainable Communities Strategy or alternative planning strategy (resulting from SB 375 requirements) is accepted: stipulations on project approval, adding commercial builders/business community to a business advisor committee to be created by MPOs, extending CEQA exemptions, and states Legislative intent to enact legislation to resolve conflicts with scheduling of new housing element updates and adoption of regional transportation plans.
AB 814 Krekorian	**Firearm Surrender Process and Procedure**	**SEN Public Safety Com** **ab 814 krekorian**	Support concept	**SUPPORT**	**Amended 4/13, 6/1: This bill would establish a procedure for *a defendant* who *owns, has* possession, custody, or control of *a firearm*, to sell the firearm to a firearms dealer or relinquish the firearm to a law enforcement agency in order to comply with existing prohibitions. The procedure would in part require the defendant to disclose whether the defendant owns or has possession, custody, or control of any firearms and to list those firearms. The bill would provide procedures for persons in or out of custody to relinquish their firearms, including designating a law enforcement agency or a person as the defendant's *designee, and would* require the defendant or the defendant's designee to file a form showing, among other things, the date the firearm was relinquished. Failure to timely file the form would be an infraction punishable by a fine not exceeding *$500.*** **This bill would urge local law enforcement agencies to obtain a secured mailbox from the Department of Justice in order to receive information from the Prohibited Armed Persons File, and would encourage review of the file in connection with the relinquishment of firearms by defendants subsequent to conviction, as specified.** *Originally: Would establish a procedure for defendants to sell firearm to a firearms dealer or relinquish the firearm to a law enforcement agency. Require the defendant to disclose, under penalty of perjury, whether the defendant owns or has possession or custody or control of any firearms and to list those firearms. Would provide procedures for them to relinquish their firearms.*
AB 881 Huffman	**Sonoma County Regional Climate Protection Authority: Greenhouse Gas Emissions**	**SEN Appropria-tions** ab 881	Support	**SUPPORT**	**Creates, until December 1, 2015, the Sonoma County Regional Climate Protection Authority (Authority) to implement programs and projects to comply with statewide or federal greenhouse gas emission standards. Provides that the Authority is a public instrumentality governed by the same**

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		huffman			**board as that governing the Sonoma County Transportation Authority (SCTA). However, the authority is a separate entity from the Sonoma County Transportation Authority. The Authority, in cooperation with local agencies that elect to participate, may perform coordination and implementation activities, within the boundaries of Sonoma County, to assist those agencies in meeting their greenhouse gas emission reduction goals.**
AB 1084 Adams	**Local Planning: Development Projects--Fees**	**SEN Third Reading**	Watch	**Support**	**Amended 4/13/, 4/27/ 4/28, 6/10, 6/26:** **This bill provides a time frame for notice relating to an increase or change in fee levied under the Mitigation Fee Act and establishes procedures for requesting an audit of those fees.** *(Existing Law: Authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined. Provides, under the Mitigation Fee Act, that in any action establishing, increasing, or imposing a fee as a condition of approval of a development project by a local agency, the local agency is required to determine how there is reasonable relationship between the amount of the fee and the cost of public facility or portion of the public facility attributable to the development project on which the fee is imposed fees.)* **Specifically, the bill would:** **1) Require a local agency that is a city, county, or city and county to mail notice of the time and place of the meeting that will be held regarding adoption of a new fee or increasing an existing fee under the mitigation fee act.** **2) Require that the mailing, which must be sent 14 days prior to the hearing, include a general explanation of the matter to be considered and a statement of the proposed costs.** **3) Provide that any written request for mailed notice is valid for one year and the legislative body of the city, county, or city and county may establish a reasonable annual charge for sending these notices.** **4) State that at least 14 days prior to the meeting, a local agency that is a city, county, or city and county shall make available to the public the data indicating the amount of cost or estimated cost, required to provide the public facilities and the revenue sources anticipated to fund those public facilities.** **5)Prohibit any new or increased fee adopted by a local agency that is a city, county, or city and county from going in to effect until 60 days after the final adoption, unless otherwise provided in law.** **6) State that any person can request an audit in order to**

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					determine whether any fee or charge levied by a local agency that is a city, county, or city and county exceeds the amount reasonably necessary to cover the cost of any product, public facility, or service provided. *Would also require the local agency to retain an independent auditor only if the person requesting the audit deposits with the local agency the amount of the agency's reasonable estimation of the cost of the audit.* 7) Specify that any costs incurred by a city, county, or city and county by having an independent audit conducted may be recovered from the person who requests the audit. 8) Specify that the oversight of local agency fees is of statewide concern, and therefore, this measure shall apply to charter cities.
AB 962 DE LEON	**Ammunition**	**SEN Second Reading** **ab_962_sen_comm.html**	Support in Concept	**SUPPORT** **(originally Support with amendments)**	**Amended 6/1, 6/22: Would require the Department of Justice to maintain additional info relating licensed handgun ammunition vendors; require starting 7/1/10 not person shall sell or transfer more than 50 rounds of handgun ammunition in any month unless a handgun ammunition vendor; request background clearance of employees, store handgun ammunition safely and securely away from purchasers, maintain records, and require handgun ammunition be sold in face to face transactions so that the vendor can confirm identity of purchaser and record that information, obtain a thumbprint and other info from purchaser. --would provide that a person enjoined from engaging in activity associated with a criminal street gang, as specified, would be prohibited from having under his or her possession, custody, or control, any ammunition. Violation of these provisions would be a misdemeanor. -- would prohibit supplying or delivering, as specified, handgun ammunition to prohibited persons, as described, by persons or others who know, or by using reasonable care should know, that the recipient is a person prohibited from possessing ammunition or a minor prohibited from possessing ammunition, as specified. Violation of these provisions is a misdemeanor with specified penalties.**
AB 1342 Evans	**Local Taxation: Income Taxes—Vehicle License Fees**	**ASM Revenue & Taxation Com** **Hearing cancelled at**	Support CSAC Support	**Support**	Authorizes counties, under specified circumstances, to adopt a local personal income tax (PIT), a local vehicle license fee (VLF), or both: 1)Contains legislative findings noting that: a) Proposition 13 has reduced local property taxes by approximately 50%; b) In response to the enactment of Proposition 13, the state has provided local governmental agencies with increased

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		request of author			amounts of state funds to maintain police, school, and other local services; c) Proposition 13 has resulted in increased state control and decreased local control with respect to the provision of local governmental services; d) The state is experiencing great difficulty in providing state funds to maintain local governmental services at historical levels; and, e) It is appropriate and necessary to shift some authority, control, and responsibility back to local governmental agencies to allow those agencies to determine the level of services appropriate for their citizens. --Provides that, notwithstanding existing law, the board of supervisors of any county may, by ordinance, place on the ballot either or both of the following for consideration by the voters in accordance with all constitutional and statutory requirements: A local PIT; and/or, a local license fee on any vehicle, registered within the county in which the local license fee is imposed, that is subject to registration under the Vehicle Code and on which a VLF is imposed under existing law. --Provides that a local VLF shall be subject to the following conditions: a) The aggregate license fee rate imposed by both the state and county on any vehicle shall not exceed 2% of the vehicle's market value; b) The local VLF shall be assessed and collected in the same manner as the fee imposed by state law; c) The local VLF shall be administered by the Department of Motor Vehicles (DMV); and the DMV shall transmit all revenues, less its costs of administration and any refunds, to the county in which the fee is imposed.
AB 1520 Evans	**State Watershed Program**	**ASM Appropria-tions Com Held under Submission**	Support concept CSAC Support	**Support Concept but want to know about funding**	**Establishes a Statewide Watershed Program as a voluntary program in the Department of Conservation to provide assistance and funding to local community-based efforts in the conservation, protection, and restoration of the state's watersheds.**
ACA 9 Huffman	**Local Government bonds: Special Taxes—voter approval**	**ASM Third Reading** **aca 9 huffman**	Support CSAC Support LCC Support	**Support**	**Amended 6/26 to add "city and county, to those authorized to impose a special tax.** Proposes a constitutional amendment to change the 2/3 voter-approval requirement for special taxes to, instead, authorize a city, county, or special district impose a special tax with the approval of 55% of its voters voting on the tax. Would lower to 55% the voter approval threshold for a city, county, city and county to incur bonded indebtedness.

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	SENATE BILLS				
SB 7 Wiggins	**Renewable Energy Sources:—Net Metering** ***(Feed-in Tariff reference in title removed)***	**Placed on ASM inactive file by ASM Torrico** **sb_7 wiggins**	Support concept	**Support (if amended to provide better rates/credits to individual generator)**	**Amended 5/5: This bill would require the electricity distribution utility or cooperative *to* allow the eligible customer-generator to apply net surplus electricity, *as defined*, as a credit for kilowatt hours consumed during *one, or both, of* the *two* following 12-month periods.** This bill requires utilities to compensate customers that use net metering for any generation in excess of their load or, for customers on time of use rates any net dollar value, on an annual basis, or to roll that excess generation over, on a kilowatt hour basis, to the next 12-month cycle. The compensation rate would be set by the CPUC at a rate no less than the MPR.
SB 12 Simitian	**Sacramento-San Joaquin Delta Stewardship Council.** *(was: Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement 2009)*	**SEN: In conference —Senate Bills** **sb_12 simitian**	Watch	**Watch**	**Bill gutted/amended to say legislative intent:** *declare legislative intent to enact legislation to establish the Sacramento-San Joaquin Delta Stewardship Council.* Amended 5/5, 6/18: Delta Ecosystem and Water Council is established to advance the coequal goals of restoring the Delta ecosystem and creating a more reliable water supply in California. Defines a seven member board of directors. California Delta Ecosystem and Water Plan exclusive authority to determine consistency of any project proposed or approved by a state agency or local government. Schedule due August 1, 2010, for preparing and adopting the plan per-acre-foot fee on water diversions within the Delta watershed, and a fee on any water conveyed through or around the Delta. *Originally: Would authorize for funding the Act issuance of bonds in amount of $6 million for voter approval. Would establish in state government the Delta Water and Land Use Authority, prescribe composition of its Board of Directors, and grant to the Authority a broad range of powers relating to preservation of the Delta ecosystem and the delivery of a reliable state water supply. Would authorize the Authority to contract to design, construct and own one or more facilities to move water from the Sacramento River to federal and state pumping facilities. The Authority would succeed to the powers and duties of the California Bay-Delta Authority. Would establish within the California Coastal Commission, the Delta Watershed Conservancy. Would subject any approval by a city or county in specified zones of the Delta, and certain lands adjacent to the Delta to review by the Delta Protection Commission, and require the Authority to adopt or reject these land* use decisions of the Commission. Other fee provisions included.
SB 27 Hancock	**Local Agencies: Sales and Use Tax--Reallocation**	**Chaptered 6/5/09** **Chapter 4,**	Support Concept CSAC Support	**Support**	The bill would prohibit a city, county, or city and county, on or after the bill's effective date, from entering into any form of agreement or taking any action that would result, directly or indirectly, in the payment, transfer, diversion or rebate of any

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		Statutes of 2009 **sb_27 hancock**	LCC Support		amount of Bradley-Burns local tax proceeds to any person for any purpose when: --The agreement results in a substantial reduction in the amount of Bradley-Burns tax proceeds received by another local agency from a retailer within that other local agency; --and the retailer continues to maintain a physical presence and location within that other local agency. This bill has a urgency clause that means it would be immediately enacted after passed, signed and chaptered.
SB 31 Pavley	**California Global Warming Solutions Act of 2006: Revenue Allocations**	**SEN Inactive file** **Placed on Inactive file at request of author** **sb_31 pavley**	Watch	**Watch**	Would require that revenues collected due to compliance mechanisms adopted by the State Air Resources Board also be deposited in the Air Pollution Control Fund. Specified uses of the revenues collected would fund renewable energy and energy efficiency programs to reduce greenhouse gas emissions (particularly programs focusing on low-income consumers); for investments in emission reduction technologies; and for green jobs development and training that will reduce greenhouse gas emissions.
SB 279 Hancock	**Local Government: Community Facilities Districts**	**ASM: Third Reading** **sb_279 hancock**	Support	**Support**	**Amended 7/6: Adds the acquisition, installation, and improvement of energy efficiency, water conservation, and renewable energy improvements that are affixed to the types of facilities that a community facilities district (CFD) may finance, or refinance, regardless of whether the buildings or property are privately or publicly owned.** Amended 4/13, 4/21, 6/23: Adds *water conservation* to what can be financed: Would authorize a community facilities district to finance and refinance the acquisition, installation, and improvement of energy efficiency and renewable energy improvements to or on real property and in buildings. Includes some provisions for establishing a community facility district and procedure for incurring bonded indebtedness.
SB 406 DeSaulnier	**Land Use: Environmental Quality**	**ASM: Third Reading** **sb_406 desaulnier**	**Support**	**Support**	***Amended to include the following:*** ***--The bill would require the council to begin to perform the above functions and duties when sufficient funding, as determined by the council, exists from the revenue transmitted to it by metropolitan planning organizations, councils of governments, or county transportation commissions and subregional councils of governments jointly preparing subregional sustainable communities strategies.*** ***-- can impose a surcharge of $1 or $2 on motor vehicles registered to an owner with an address in the entity's or entities' jurisdiction, " only if the metropolitan planning organization or the council of governments adopts, or a county transportation commission and a subregional council of governments jointly***

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					preparing a subregional sustainable communities strategy adopt, a resolution authorizing the surcharge." ***--The bill would state the intent of the Legislature to update the duties and composition of the Planning Advisory and Assistance Council to assist in the state's land use planning processes by providing funding to support the development and implementation for regional blueprints and related planning and to work with state agencies providing funding for resource protection and local infrastructure to facilitate coordination between state planning and funding decisions and regional blueprints.*** Amended 5/28, 6/23--highlights of amendments: Would change the designated membership of the Planning Advisory and assistance council and would require that the council work with the Strategic Growth Council, regional agencies, and cities and counties to facilitate the implementation or regional blueprint plans. Would require the council to develop and propose recommendations to specified state agencies to facilitate coordination between regional blueprint plans and state growth and infrastructure plans and programs that facilitate implementation of regional blueprint plans. --Would add the air district to MPO, council of governments, county transportation commission, subregional council of governments to those jointly preparing SCS, and --Allows an MPO, a COG, or a county transportation commission and a subregional COG jointly preparing a subregional SCS, to impose a surcharge of $1 or $2 on a motor vehicle registered to an owner with an address in its jurisdiction. --Provides that a resolution by the MTC or ABAG to impose the surcharge must be jointly adopted by resolution of both entities, and the revenue from the surcharge shall be divided in accordance with an agreement between these two entities. --Provides that the surcharge shall be applied to an original vehicle registration occurring on or after six months following the adoption of the resolution by the MPO, COG, or a county transportation commission and a subregional COG jointly preparing an SCS, and to a renewal of registration with an expiration date on or after that six-month period. --Provides that all revenue received by the imposition of a surcharge shall be used solely to develop and implement an SCS or a regional blueprint plan to identify land use strategies to reduce the use of motor vehicles in its jurisdiction and thereby reduce emissions into the environment from motor vehicles. --Provides that if the surcharge exceeds $1, all amounts above $1 in

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					a jurisdiction with a population greater than 300,000 shall be used to provide grants to cities, counties, and cities and counties for planning and projects related to the implementation of a regional blueprint plan. *Original bill language:* *This bill authorizes regions to impose a surcharge on vehicle registrations to pay for regional land use planning activities. This bill also makes changes to the membership and duties of the Office of Planning and Research's Planning Advisory and Assistance Council. Allows an MPO, a COG, or a county transportation commission and a subregional COG jointly preparing an SCS to impose a surcharge of up to $2 on vehicles registered in its jurisdiction to fund the development and implementation of an SCS or a regional blueprint plan to identify land use strategies to reduce the use of motor vehicles and thereby reduce emissions into the environment.*
SB 457 Wolk	**Creation of Delta Stewardship Council for Sacramento-San Joaquin Delta**	**ASM Water, Parks and Wildlife Com.** **Set, second hearing. Further hearing to be set.** **sb 457 wolk**	Watch	**Watch**	**Amended 4/13, 5/5, 6/1, 6/30:** **Amendments define the Commission membership to 15.** **Five members would be from the each of the five counties within the delta. One member is from the County of Contra Costa or the County of Solano, on a rotating basis.** **Provides that a comprehensive resources management plan will be completed by July 1, 2011. 180 days from that date, all local governments shall submit to the commission proposed general plan amendments and land use elements to make their general plans consistent with the resources management plan with respect to land use within the primary zone. Any amendments, changes, or updates to those plans or elements shall be submitted to the commission.** **No additional development shall occur in the primary zone of the delta unless the relevant proposed amendment to a local government's general plan is determined to be consistent with the resources management plan Establishes Delta Investment Fund.** *Formerly, Creates a 9-member Delta Stewardship Council and deletes section on establishing the Delta Conservancy. The bill would require the Delta Protection commission to revise all of its plans and policies to be consistent with the Delta Stewardship Plan, to review and certify all city and county general plans for consistency with the resource management plan and the Delta Stewardship Plan, to exercise appeal authority over actions taken by a local government or other local agency in the primary zone, to review, hold public hearings and receive testimony, and provide recommendations to the council on all proposed projects subject to*

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					approval by the council, and develop a regional economic development plan. The bill would require the council to determine appeals from the commission on water conveyance and storage project decisions.
SB 458 Wolk	(New title) **Sacramento-San Joaquin Delta Conservancy: Delta Protection Commission** *(was: Conservancies: Sacramento-San Joaquin Delta Conservancy)*	**ASM –In Conference SEN—In Conference—Senate Bills** **sb_458 wolk**	Watch	**Watch**	**Amended/gutted: *This bill would state the intent of the Legislature to enact legislation to establish a Sacramento-San Joaquin Delta Conservancy and to modify the Delta Protection Commission.*** Amended 4/2, 62/ 6/22: Sacramento-San Joaquin Delta Conservancy Act Undertake various activities related to the Delta, as defined, and Suisun Marsh, as defined, including supporting efforts that advance both environmental protection and the economic well-being of Delta residents, and undertaking efforts to enhance public use and enjoyment of lands owned by the public. The bill would prescribe the management, powers, and duties of the conservancy. Within two years of hiring an executive director, the board shall create and adopt a strategic plan to achieve the goals of the conservancy. The plan shall describe its interaction with local, regional, state, and federal land use, recreation, water and flood management, and habitat conservation and protection efforts within and adjacent to the Delta. The plan shall establish priorities. The board shall consist of 11 voting members and five nonvoting members, appointed or designated as follows: One member from CCC and one from Solano County This bill would establish the Sacramento-San Joaquin Delta Conservancy to undertake various activities related to the Delta, as defined. The bill would prescribe the management, powers, and duties of the conservancy. The bill would create the Sacramento-San Joaquin Delta Conservancy Fund in the State Treasury. Moneys in the fund would be available, upon appropriation, for the purposes of the conservancy.
SB 488 Pavley	**Energy: Energy Usage Information** *(was Energy: Energy Efficiency Financing)*	**ASM Second Reading** **sb_488 pavley**	Support in Concept	**Support**	**Amended 7/15, 8/17, 8/31: This bill requires public and private utilities that provide individual residential electricity or gas customers with information comparing their energy use with similar residences to report to the state on the energy savings resulting from such programs.** Amended 4/14, 5/5, 5/20, 5/28, 6/15: *Energy Usage Disclosure Pilot Program* : Create a pilot program by each electrical corporation and each gas corporation *with more than 55,000 residential customer service connections that does not*

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					already have such a program, to adopt a pilot program to disclose information documenting the amount of energy used by the metered residence compared to similar residences in the subscriber's geographical area and provide information to those subscribers on energy saving strategies or programs available. *Formerly, This bill would require the commission, on or before July 1, 2010, to require each electrical corporation and each gas corporation to adopt a pilot program to disclose, not less frequently than quarterly, on the billing statement of a residential subscriber, information documenting the amount of energy used by the metered residence compared to similar residences in the subscriber's geographical area. The bill would require the commission to require each electrical corporation and each gas corporation to identify those residences that used significantly more energy during the period than was used by similar residences with comparable household square footage in the subscriber's geographical area and to ensure that information is provided to those subscribers on energy saving strategies and programs available to assist in financing energy efficiency improvements. The bill would require each electrical corporation and each gas corporation, on or before July 1, 2011, and each July 1 thereafter, to submit to the commission a report on the energy savings resulting from the pilot program adopted by the utility.*
SB 575 Steinberg	**Local Planning: Housing Element**	**ASM Third Reading** **sb 575 steinberg**	Watch	**Support**	**Amended: Revises timelines for the adoption of the fifth revision of the housing element by specified local governments, provides for timelines for subsequent housing element revisions, and makes other changes related to the clean-up of SB 375 (Steinberg), Chapter 728, Statutes of 2008, and Sustainable Communities Strategies.** This bill is a clean-up bill for SB 375 and SB 732, cleaning-up three provisions: the exemption for transportation sales tax projects; the rezoning requirement under housing element law and housing element due dates generally.
SB 676 Wolk	**Local Fees**	**ASM Third Reading** **sb 676 wolk**	Support CSAC Support	**Support**	**Amended 8/27: This bill increases or eliminates the statutory limits on 12 fees still set by state law**: such as federal lien certificates, environmental quality act filings, recorded documents, document indexing, court-appointed counsel, restitution, county probation department payments, change of plea/setting aside of a verdict, sealing of records, installment payments, fingerprinting, support of a minor sealing of juvenile records. Amended 6/25: Adds "would authorize the county clerk to charge a fee of $75 per filing in addition to the charges filed by the department."

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SB 808 Wolk	**San Francisco Bay/Sacramento-San Joaquin Delta Estuary: Strategic Work Plan**	SEN Natural Resources and Water Com Set, first hearing. Hearing canceled at the request of author. **No movement** **sb_808 wolk**	Watch	**Watch**	This bill would require the State Water Resources Control Board to implement its resolution entitled the Strategic Workplan for Actions to Protect Beneficial Uses of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary by commencing an investigation of the reasonableness of the methods of diversions from the Sacramento-San Joaquin Delta used by the State Water Project and the federal Central Valley Project, ensuring that the implementation is consistent with its duties to protect the public trust and prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and taking other action. The state board would be required to prepare related quarterly reports, which the state board would be required to make available to the public and to post on the state board's Internet Web site.
	Federal Legislation				
***S. 1619 Dodd**	**The Livable Communities Act of 2009**	*Senate Committee on Banking, Housing and Urban Affairs*	Support		**Would establish the Office of Sustainable Housing and communities; establish the Interagency Council on Sustainable Communities; establish a comprehensive planning grant program for towns and regions, establish a sustainability challenge grant program for towns and regions.** **Intent is to help towns and regions across the country plan and implement development projects that integrate their community's needs for transportation, housing, land use and economic development: to include MPOs, regional councils of governments, rural planning organizations, consortiums of local governments, city, county, and towns.**
***H.R. 3525 Thompson**	**Tax Exempt Private Activity Bond (PAB) Use for Renewable Energy Generation and Energy and Water Efficiency Projects.**	House Ways and Means Committee	Support		**To amend the Internal Revenue Code of 1986 to add additional categories of tax-exempt private activity bonds to finance renewable energy resource facilities, conservation and efficiency facilities, and other specified greenhouse gas emission technologies which would include energy efficiency, demand side management, energy storage, electric transmission, smart grid, water conservation, zero-emission vehicle projects and manufacturing facilities.**