

Date of Hearing: April 18, 2016

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1982 (Bloom) – As Introduced April 12, 2016

SUBJECT: California Transportation Commission: membership

SUMMARY: Adds two members representing disadvantaged communities to the California Transportation Commission (CTC). Specifically, this bill:

- 1) Increases CTC membership by two members, bringing the total membership to 15.
- 2) Requires that the new CTC members be persons who work directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution, including but not limited to communities with diverse racial and ethnic populations and communities with low-income populations.
- 3) Requires that one of the new members be appointed to the CTC one by the Senate Rules Committee and the other by the Speaker of the Assembly.

EXISTING LAW:

- 1) Directs the CTC to advise and assist the Secretary of Transportation and the Legislature in formulating and evaluating state policies and plans for transportation programs in the state.
- 2) Establishes the CTC with 13 members appointed as follows:
 - a) Nine members appointed by the Governor with the advice and consent of the Senate;
 - b) One member appointed by the Speaker of the Assembly;
 - c) One member appointed by the Senate Committee on Rules; and,
 - d) Two ex-officio non-voting members appointed from the State Senate and Assembly, usually the respective chairs of the transportation policy committee in each house.
- 3) Requires that no CTC member simultaneously hold an elected public office or serve on any local or regional public board or commission with business before the CTC.
- 4) Provides that, other than ex-officio members, CTC members hold office for terms of four years.
- 5) Requires, in appointing members of the CTC, that the Governor make every effort to assure that there is a geographic balance of representation, with members from northern and southern areas and from the urban and rural areas of the state.
- 6) Commissioner appointments are made to create a geographic and urban/rural balance.

FISCAL EFFECT: Unknown

COMMENTS: According to the author and the sponsors, California Bicycle Coalition and Breathe California, some 21% of Californians live in zip codes that are highly impacted by environmental and public health stressors. They also note that, historically, transportation investments have been a major contributor to segregating communities, causing displacement, and exacerbating health disparities. The author cites these examples to stress that there must be a greater effort made to transition away from vehicle use in order to reach California's emission reductions goals.

To accomplish this, the author introduced AB 1982 to change the configuration of the CTC by adding two new members to the body to directly represent disadvantaged communities in transportation decision making. This bill would increase existing CTC membership from 13 to 15. Specifically, the new members would be appointed by the Senate Rules Committee and the Speaker of the Assembly and have a background working directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution, including but not limited to communities with diverse racial and ethnic populations and communities with low-income populations.

The Legislature originally created the CTC in 1978 as a result of concerns that the state lacked a single, unified transportation policy. The 13-member commission oversees and coordinates the activities of the state's transportation sector, including planning and allocating money for the construction of highway, rail, and transit improvements throughout the state. The CTC is statutorily vested with the responsibility to advise both the Governor and the Legislature on transportation issues.

Recently, there have been several attempts on behalf of the Legislature to increase the membership of a variety of state boards. For example, AB 1288 (Atkins), Chapter 586, Statutes of 2015, added two additional members to the California Air Resources Board (ARB) with the requirement that the two new members having worked directly with communities in the state that are most significantly burdened by, and vulnerable to, high levels of pollution, including, but not limited to, communities with diverse racial and ethnic populations and communities with low-income populations.

With respect to membership changes in the CTC, AB 1290 (John A. Pérez) of 2013 would have modified the composition of the CTC and imposed new duties relative to assessing progress in implementing sustainable communities strategies. AB 1290 was passed by the Legislature, but was vetoed by the Governor on the grounds that the recently completed Governor's Reorganization Plan would satisfy the author's objectives of improving the CTC's capacity to analyze and integrate connections between transportation and land use into its administrative programs and review processes.

Committee concerns: It is important to point out that the current CTC membership, unlike ARB which is established by criteria that relates to the member's professional background, is established solely on geographic distribution (northern vs. southern and urban vs. rural). If the author wishes to change the criteria by which CTC members are appointed, it may be worthwhile to apply these parameters to the selection of all members to better achieve a broader perspective on issues affecting transportation. For example, in addition to members representing disadvantaged communities, other criteria for selection could include members who possesses a broad understanding and involvement in highway infrastructure development, rail issues, ports

and maritime industry, trucking industry, as well as freight and supply chain logistics, just to name a few. By not addressing the overall configuration of the CTC and only applying these criteria to a handful of members, the author seemingly sets disadvantaged community interests in transportation inappropriately above all other priorities.

Related legislation: AB 2382 (Lopez) requires that at least one member of the California High-Speed Rail Authority Board appointed by the Governor be a person who is from a disadvantaged community. AB 2382 is scheduled to be heard by this committee on April 18, 2016.

AB 1813 (Frazier) adds one member of the California State Assembly and one member of the California State Senate to the California High-Speed Rail Authority (Authority) Board of Directors, as ex-officio, non-voting members. AB 1813 passed out of this committee on March 14, 2016, with a 16-0 vote, and from the Assembly Appropriations Committee on April 6, 2016, with a 18-0 vote.

Previous legislation: AB 1290 (John A. Pérez) of 2013 would have modified the composition of the CTC and imposed new duties relative to assessing progress in implementing sustainable communities strategies. AB 1290 was vetoed by the Governor on the grounds that the Governor's Reorganization Plan, which had recently gone into effect, would satisfy the author's objectives.

AB 1288 (Atkins), Chapter 586, Statutes of 2015, added two additional legislative appointees to the ARB with expertise in environmental justice.

REGISTERED SUPPORT / OPPOSITION:

Support

California Bicycle Coalition (Sponsor)
Breathe California (Sponsor)
American Lung Association in California
Amigos de los Rios
Bike East Bay
Bike San Gabriel Valley
Bike Santa Cruz County
Bike SLO County
California Pan Ethnic Network
California Walks
California Environmental Justice Alliance
California League of Conservation Voters
Catholic Charities, Diocese of Stockton
Center for Climate Change and Health
Center for Community Action and Environmental Justice
Chico Velo
Coalition for Clean Air
Comite Civico del Valle
Gamaliel of California
Inland Empire Biking Alliance
Leadership Counsel for Justice and Accountability

Livable Communities, Inc.
Los Angeles County Bicycle Coalition
Marin County Bicycle Coalition
Move LA
Napa County Bicycle Coalition
PolicyLink
Public Advocates, Inc.
Rail-to-Trails Conservancy
Safer Routes to School National Partnership
San Diego County Bicycle Coalition
Santa Barbara Bicycle Coalition
Santa Barbara Bicycle Coalition
Silicon Valley Bicycle Coalition
The Environmental Council of Sacramento
TransForm
Trust for Public Land
Walk San Francisco

Opposition

None on file

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