



**2010-11
Budget Conference Committee
on AB 190**

Upon Call of the Chair – Room 4203

**Section VIII
TRANSPORTATION**

**Senator Denise Moreno Ducheny, Chair
Assemblymember Bob Blumenfield, Vice Chair
Members: Senator Bob Dutton, Senator Bob Huff, Senator Mark Leno, Senator Alan Lowenthal,
Assemblymember Connie Conway, Assemblymember Felipe Fuentes, Assemblymember Jim Nielsen, and Assemblymember Nancy Skinner**

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| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2600-001-0046 California Transportation Commission

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| 301 | Electronic Toll Collection Systems / Privacy Protection. | Assembly \$0 | |
| | Governor had no proposal. | Senate \$0 | |
| | Assembly took no action. | BBL | |
| | Senate adopted budget bill language that requires the California Transportation Commission to include in its public private partnership guidelines a prohibition against a toll operator selling personally identifiable vehicle information obtained at a toll facility and from retaining such information for more than a six-month period, with specified exceptions. | Difference \$0 BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2660-001-0042 Department of Transportation

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| 102 | Project Initiation Documents (PIDs). | Assembly | |
| 317 | <p>Governor proposed to shift 67 PIDs positions and \$7.4 million from State Highway Account (SHA) funding to local reimbursement funding. The Administration indicates PIDs, or initial planning documents, would be more efficiently resourced and managed if local governments reimbursed Caltrans for the work in the case where the construction would be locally funded. Opponents argue the State should fund PIDs to encourage local funding for construction and so costs are not overly burdensome for rural counties.</p> <p>Assembly rejected Governor’s funding shift proposal and adopted trailer bill language to require local reimbursements only where the applicable projects were approved by the electorate.</p> <p>Senate adopted the Governor’s funding shift proposal minus \$1,000 to continue consideration in the Conference Committee.</p> | <p>\$0</p> <p>TBL</p> <p>Senate</p> <p>-\$7,439 State Hwy Acct</p> <p>+7,439 local reimbursemnt</p> <p>Difference</p> <p>-\$1</p> <p>Fund Shift</p> <p>TBL</p> | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 107 | <p>Bridge Inspection Positions.</p> <p>Governor requested 5.0 new positions to address increases in bridge inspection workload.</p> <p>Assembly approved the Governor's funding augmentation of \$868,000, but rejected the establishment of five new positions.</p> <p>Senate approved the Governor's budget request.</p> | <p>Assembly \$868 0 positions</p> <p>Senate \$868 5 positions</p> <p>Difference \$0 5 positions</p> | |
| 103 | <p>American Recovery and Reinvestment Act Positions.</p> <p>Governor requested 5.0 new positions and \$412,000 in redirected federal funds to meet federal requirements for stimulus funds directed to transit.</p> <p>Assembly approved the Governor's funding augmentation, but rejected the establishment of five new positions.</p> <p>Senate approved the Governor's budget request.</p> | <p>Assembly (\$412) 0 positions</p> <p>Senate (\$412) 5 positions</p> <p>Difference \$0 5 positions</p> | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 109 | Americans with Disabilities Act (ADA) Program Implementation Positions. | Assembly \$3,606 0 positions | |
| | Governor requested 3.0 new positions and consultant funding to implement the expanded ADA mitigation program. | Senate \$3,606 3 positions | |
| | Assembly approved the Governor's funding augmentation of \$3.6 million, but rejected the establishment of three new positions. | Difference \$0 3 positions | |
| | Senate approved the Governor's budget request. | | |

| 2660 | Department of Transportation | Section VIII | |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |
| 333 | Americans with Disabilities Act (ADA) Program Lawsuit Attorney Fees. | Assembly \$8,500 | |
| | Governor requested \$8.5 million for plaintiffs' legal costs in the ADA lawsuit, which is at the top of the \$3.5 million to \$8.5 million range in the court's direction. Actual amount for legal payment is still pending. | Senate \$3,500 BBL | |
| | Assembly approve the Governor's request. | Difference \$5,000 BBL | |
| | Senate reduced funding to \$3.5 million, which was the bottom of the range cited, and adopted budget bill language that would allow an augmentation to bring the total up to \$8.5 million based on final costs. | | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 306 | Air Quality Vehicle Replacement and Retrofit. | Assembly | |
| | Governor requested \$57.3 million to replace or retrofit 435 vehicles and pieces of equipment to meet air quality requirements. | \$57,330 | |
| | Assembly approved funding request but added budget bill language that would require the Director of Finance to reduce budget funding for this purpose if the Air Resources Board extends its implementation period. | BBL | |
| | Senate approved the Governor's budget request. | Senate | |
| | | \$57,330 | |
| | | Difference | |
| | | \$0 | |
| | | BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 307 | Load Rating of Bridges – Redirected Positions. | Assembly | |
| | Governor requested redirection of nine positions and redirection of \$1.3 million in litter-cleanup funds, to reassess load ratings for state bridges over a ten-year period. Load ratings are accomplished by reviewing engineering documents and determining the maximum weight a bridge can accommodate. | -\$1,303 litter pickup +\$2,639 load ratings Net = \$1,333 | |
| | Assembly approved the request but redirected an additional nine positions from the Capital Outlay Support Program and added 1.3 million in additional funding to complete the workload in six years instead of ten. | Senate -\$0 litter pickup +\$2,639 load ratings Net = \$2,639 | |
| | Senate approved the request but redirected an additional nine positions from the Capital Outlay Support Program and added 1.3 million in additional funding to complete the workload in six years instead of ten. Additionally, rejected the redirection of \$1.3 million away from litter pickup and instead augmented funding by \$1.3 million. | Difference \$1,303 | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 334 | Advertising on Changeable Message Signs. | Assembly \$0 | |
| | Governor requested trailer bill language to authorize public private partnerships to upgrade highway changeable message signs and allow advertising. | Senate \$0 BBL | |
| | Assembly rejected proposal. | | |
| | Senate rejected proposal, but also added budget bill language to make explicit that the Administration cannot implement this proposal without future legislative authorization. | Difference \$0 BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 337 | Project Resource and Scheduling Management (PRSM) Information Technology (IT) Project. | Assembly \$0 BBL | |
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Governor had no proposal.

Assembly adopted budget bill language that would require Caltrans to reimburse the Bureau of State Audits (BSA) for costs incurred, if the Joint Legislative Audit Committee (JLAC) directs the BSA to perform an audit of the PRSM project. PRSM is an IT project initiated in 2000 that would improve tracking and resource management for the Caltrans' Capital Outlay Support Program. PRSM is scheduled to be complete in October 2011.

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| Senate \$0 |
| Difference \$0 BBL |

Senate took no action.

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| TBL | Proposition 42 / Fuel Swap Technical Cleanup. | Assembly | |
| | Governor had no proposal. | \$0 | |
| | Assembly adopted trailer bill language to clarify the requirements for the fuel swap revenue that backfills for the Proposition 42 allocation for highways and local streets and roads. The fuel swap revenue was allocated under the provisions of the Highway Users Tax Account (HUTA) statute – for example, allocation is monthly, not quarterly, and the Proposition 42 maintenance-of-effort provisions do not apply. The State Controller indicates technical cleanup is required to remove the unique Proposition 42 requirements for the replacement revenue. | Senate | |
| | | \$0 | |
| | | Difference | |
| | | \$0 | |
| | | TBL | |
| | Senate took no action. | | |

2660-001-0042, 2660-102-0890, 2660-302-0042, 2660-302-0890 Department of Transportation

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| 312 | <p>New or Revised Federal Environmental Requirements.</p> <p>Governor requested six new positions and a shift of \$712,000 in federal funds from local transportation projects to state oversight of local transportation projects.</p> <p>Assembly approved the Governor’s request.</p> <p>Senate reduced funding and new positions in half – for three new positions and \$306,000 in shifted federal funds.</p> | <p>Assembly (\$712) federal fund shift</p> <p>Senate (\$306) federal fund shift</p> <p>Difference (\$306)</p> |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2660-001-0042, 2660-497 Department of Transportation

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| 332 | Budget Reduction for Savings / Maintenance Augmentation. | Assembly \$0 | |
| | Governor has no budgeted savings. | Senate -\$100,000 | |
| | Assembly did not reduce for savings. | (savings) +\$50,000 | |
| | Senate reduced operating expense funding (such as training, travel, and equipment purchases) by \$100 million in 2009-10 to reflect Caltrans savings, and assumed similar savings could be achieved next year and reduced the 2010-11 budget by \$100 million. Redirected \$50 million in 2010-11 to augment pavement maintenance. | (pavement maintenance) Difference \$50,000 | |

| 9350 | Shared Revenues | Section VIII | |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |

9350-490 Shared Revenues

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| 101 | Proposition 1B Bond Funds for Local Streets and Roads. | Assembly \$0 | |
| | Governor had no proposal. | Senate \$0 | |
| | Assembly took no action. | TBL | |
| | Senate adopted trailer bill language to extend the use-or-lose period from three years to four years in the case of Prop 1B funds allocated to cities and counties in a year where Highway User Tax Account (HUTA) allocations were deferred by the State. Current statute allows cities and counties to use Prop 1B funds for local cashflow purposes during the period of a HUTA deferral, and some locals indicate this has delayed expenditure of the bond funds. | Difference \$0 TBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2665-04-6043 High-Speed Rail Authority (HSRA)

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| 101 | Accounting Positions. | Assembly | |
| | | \$217 | |
| | Governor requested \$217,000 and two new staff to establish an in-house accounting unit at HSRA. The HSRA accounting work is currently contracted out to the Department of General Services (DGS). | Senate | |
| | | \$77 | |
| | Assembly approved the Governor’s request. | Difference | |
| | | \$140 | |
| | Senate approved the Governor’s request, but reduced funding by \$140,000 to reflect savings due to HSRA no longer contracting with DGS for accounting services. | | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 312 | Risk Management Position. | Assembly \$183 | |
| | Governor did not propose any new positions to address risk management, although it was a recommended position in the consultant's staffing plan. | Senate \$0 | |
| | Assembly approved one new position and \$183,000 to create and fill the position of Risk Manager. | Difference \$183 | |
| | Senate took no action on a risk management position. | | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 106 | Executive Director Salary Adjustment. | Assembly \$392 | |
| | Governor requested an augmentation of \$392,000 for the new Executive Director salary, \$150,000 of which is one-time relocation costs. | Senate \$242 | |
| | Assembly approved the Governor's request. | Difference \$150 | |
| | Senate approved the Governor's request but reduced funding by \$150,000 to reflect that the position will be filled in 2009-10, and relocation costs would be absorbed in the current-year budget. | | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 004 | Ridership and Revenue Forecasts. | Assembly \$1,000 | |
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| <p>Governor requested \$1.0 million to refine the ridership/revenue forecasting model to assist the HSRA in testing various operational and fee scenarios and to work toward creating investment grade estimates to support procurement documents and potential public private partnership arrangements.</p> | Senate \$1,000 BBL |
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| <p>Assembly approved the Governor's request.</p> | Difference \$0 BBL |
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| <p>Senate approved the Governor's request but added budget bill language that would make expenditure of the funds contingent on the completion of the UC Berkeley Institute of Transportation Studies review of the model and a report to the Joint Legislative Budget Committee (JLBC) from the HSRA on their review of the UC Berkeley assessment, and the HSRA plans for upgrading the model in light of the assessment.</p> | |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 312 | Peer Review Group. | Assembly \$0 | |
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Governor had no proposal.

Assembly took no action.

Senate adopted budget bill language that requires the HSRA to set aside up to \$250,000 of existing funds to support the costs of the Peer Review Group. The Peer Review Group is defined in current statute as responsible for reviewing the HSRA planning, engineering, and financing assumptions, but has not yet met or issued its first report. Senate adopted trailer bill language to require the Peer Review Group to have its first meeting no later than August 1, 2010, and issue its first report no later than January 1, 2011.

Senate
\$0
BBL/TBL

Difference
\$0
BBL/TBL

| 2665 | High-Speed Rail Authority | Section VIII | |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |
| 314 | Contract Management. | Assembly | |
| | Governor had no proposal. | \$0 | |
| | Assembly adopted budget bill language requiring the HSRA staff to be the primary manager of contracts, instead of the contracted Program Manager. | BBL | |
| | Senate took no action. | Senate | |
| | | \$0 | |
| | | Difference | |
| | | \$0 | |
| | | BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 316 | Exempt Positions. | Assembly | |
| | Governor had no budget proposal. | \$0 | |
| | Assembly adopted trailer bill language to re-class six HSRA positions as exempt management positions. This language would allow the HSRA to exceed Career Executive Assignments (CEA) salary ranges for these positions. | TBL | |
| | Senate took no action. | Senate | |
| | | \$0 | |
| | | Difference | |
| | | \$0 | |
| | | TBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2665-004-6043, 2665-304-0890, 2665-304-6043, 2665-305-0890, 2665-305-6043 High-Speed Rail Authority (HSRA)

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| 311 | Legislative Reporting Requirements. | Assembly | |
| | Governor had no proposal. | \$0 | TBL |
| | Assembly adopted trailer bill language that requires the HSRA to report semiannually on anticipated and actual deliverables, including program costs, schedules, funding and financing, and project status. | Senate | \$0 |
| | | BBL | |
| | Senate adopted budget bill language for one-time reporting that requires HSRA to report to the Joint Legislative Budget Committee (JLBC) by February 1, 2011, on specified management, planning, risk mitigation, and oversight topics. Senate included budget bill language that makes one-quarter of HSRA budget funding contingent on submittal of the report and 60-day JLBC review. | Difference | \$0 |
| | | BBL/TBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2665-305-6043 High-Speed Rail Authority (HSRA)

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| 603 | Memorandums of Understanding (MOUs). | Assembly \$0 | |
| | Governor had no proposal. | | |
| | Assembly took no action. | Senate \$0 BBL | |
| | Senate adopted budget bill language that makes any future MOU for construction expenditures exceeding \$2.5 million contingent on future budget appropriation, peer review group reporting on the applicable segment, and completion of the project level environmental impact report. | Difference \$0 BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2670-001-0290 Board of Pilot Commissioners

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| 301 | Office Technician Position. | Assembly | \$75 |
| | Governor requested one new Office Technician position and \$75,000. This request would increase staffing at the Board from 3.5 positions to 4.5 positions. All Board expenditures are special funds derived from fees on shippers. | Senate | \$0 |
| | | Difference | \$75 |

Assembly approved the Governor’s request.

Senate rejected the Governor’s request.

| 2720 | California Highway Patrol | Section VIII | |
|-------|---------------------------|--------------------------------------|-------------------|
| Issue | Description | Difference (dollars in thousands) | Conference Action |

2720-001-0044 California Highway Patrol (CHP)

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| 103 | License Plate Recognition (LPR) Systems. | Assembly \$2,000 |
| | Governor requested \$2.0 million in federal grant funds to purchase 100 mobile LPR devices, which would be installed in CHP vehicles. The LPR devices capture the license plate of vehicles and compare the plate against a database of wanted vehicles. | Senate \$2,000 TBL |
| | Assembly approved the Governor's request. | Difference \$0 TBL |
| | Senate approved the Governor's request, but also adopted trailer bill language to place the current CHP privacy-protection policies into statute. Provisions include a prohibition on selling the information and a requirement that data be destroyed after 72 hours. | |

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| Issue | Description | Difference <small>(dollars in thousands)</small> | Conference Action |
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| 2720-496 | California Highway Patrol (CHP) | | |
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| 101 | <p>Reversion of Budget Savings.</p> <p>Governor had no proposal.</p> <p>Assembly took no action.</p> <p>Senate adopted language to revert \$20 million in savings which the CHP indicted was already-achieved cost savings in the radio upgrade project.</p> | <p>Assembly \$0</p> <p>Senate -\$20,000 (2009-10 reversion)</p> <p>Difference -\$20,000</p> | |
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| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2740-001-0044 Department of Motor Vehicles (DMV)

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| 104 | Radio Frequency Identification (RFID). | Assembly | \$0 |
| | Governor had no proposal. | Senate | \$0 |
| | Assembly took no action. | BBL | |
| | Senate adopted budget bill language that would prohibit the DMV purchase or use of RFID technology without first receiving legislative authorization. | Difference | \$0 |
| | | BBL | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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| 201 | California Veterans' Benefits. | Assembly | |
| | Governor had no proposal. | \$0 | |
| | Assembly adopted budget bill language that would require DMV to facilitate identifying veterans so that the California Department of Veterans' Affairs can provide better outreach to connect veterans with federal benefits. The DMV would be required to: (1) ask customers if they are veterans, (2) update forms to add a veteran checkoff box, and (3) share data on veterans with the California Department of Veterans' Affairs. | Senate | |
| | | \$0 | |
| | | Difference | |
| | | \$0 | |
| | | BBL | |
| | Senate took no action. | | |

| Issue | Description | Difference (dollars in thousands) | Conference Action |
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2740-495 Department of Motor Vehicles

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| 101 | Reversion of Budget Savings. | Assembly \$0 | |
| | Governor had no proposal. | | |
| | Assembly took no action. | Senate -\$5,397 (2009-10 | |
| | Senate adopted language to revert \$5.4 million in savings which the DMV indicted has been achieved at the department. | reversion) Difference -\$5,397 | |