

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 716

Introduced by Assembly Member Quirk-Silva

February 21, 2013

An act to amend Sections ~~13100 and 13100~~, 13101, and 13102 of the Government Code, relating to ~~capital financing~~ *infrastructure planning*.

LEGISLATIVE COUNSEL'S DIGEST

AB 716, as amended, Quirk-Silva. Infrastructure plan: state planning and funding.

The California Infrastructure Planning Act requires the Governor to submit annually to the Legislature, in conjunction with the Governor's Budget, a proposed 5-year infrastructure plan containing prescribed information. Existing law requires the plan to identify state infrastructure needs and set out priorities for funding. The plan defines the term "infrastructure" to mean real property, including land and improvements to the land, structures, and equipment integral to the operation of structures, easements, rights-of-way, and other forms of interest in property, roadways, and water conveyances.

This bill would additionally require the plan to set out priorities for coordination of investment. The bill would expand the definition of infrastructure to include housing.

Existing law creates the Strategic Growth Council consisting of various state agencies, with certain powers and duties relative to the identification and review of activities and funding programs of those agencies in order to improve air and water quality, improve natural resource protection, increase the availability of affordable housing,

improve transportation, meet the goals of the California Global Warming Solutions Act of 2006, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. Existing law requires the council to review and comment on the infrastructure plan submitted by the Governor.

This bill would require the council to hold a public hearing and submit its comments on the plan to the Legislature prior to submission of the plan by the Governor. The bill would require the council to identify how the plan components improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the California Global Warming Solutions Act of 2006, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13100 of the Government Code is
- 2 amended to read:
- 3 13100. It is the intent of the Legislature in enacting this article
- 4 that the state shall establish and annually update a five-year plan
- 5 for funding infrastructure. The plan shall include input by the
- 6 Legislature as provided in Section 13104. The plan shall identify
- 7 state infrastructure needs and set out priorities for funding and
- 8 coordination of investment. The plan need not identify specific
- 9 infrastructure projects to be funded, but it shall be sufficiently
- 10 detailed to provide a clear understanding of the type and amount
- 11 of infrastructure to be funded and the programmatic objectives to
- 12 be achieved by this funding. The plan is intended to complement
- 13 the existing state budget process for appropriating funds for
- 14 infrastructure by providing a comprehensive guideline for the types
- 15 of projects to be funded through that process.
- 16 SEC. 2. Section 13101 of the Government Code is amended
- 17 to read:
- 18 13101. As used in this article, “infrastructure” means real
- 19 property, including land and improvements to the land, structures
- 20 and equipment integral to the operation of structures, easements,

1 rights-of-way and other forms of interest in property, roadways,
2 housing, and water conveyances.

3 *SEC. 3. Section 13102 of the Government Code is amended to*
4 *read:*

5 13102. (a) In conjunction with the Governor's Budget
6 submitted pursuant to Section 13337, the Governor shall submit
7 annually a proposed five-year infrastructure plan to the Legislature.
8 This plan shall cover a five-fiscal-year period beginning with the
9 fiscal year that is the same as that covered by the Governor's
10 Budget with which it is being submitted.

11 The infrastructure plan shall contain the following information
12 for the five years that it covers:

13 ~~(a)(1)~~

14 (1) (A) Identification of new, rehabilitated, modernized,
15 improved, or renovated infrastructure requested by state agencies.

16 ~~(2)~~

17 (B) Aggregate funding for transportation as identified in the
18 four-year State Transportation Improvement Program Fund
19 Estimate prepared pursuant to Sections 14524 and 14525.

20 ~~(3)~~

21 (C) Infrastructure needs for Kindergarten through grade 12
22 public schools necessary to accommodate increased enrollment,
23 class size reduction, and school modernization.

24 ~~(4)~~

25 (D) The instructional and instructional support facilities needs
26 for the University of California, the California State University,
27 and the California Community Colleges.

28 ~~(b)~~

29 (2) The estimated cost of providing the infrastructure identified
30 in ~~subdivision (a)~~ *paragraph (1)*.

31 ~~(c)~~

32 (3) A proposal for funding the infrastructure identified in
33 ~~subdivision (a)~~ *paragraph (1)*, that includes all of the following:

34 ~~(1)~~

35 (A) Criteria and priorities used to identify and select the
36 infrastructure it does propose to fund, including criteria used to
37 identify and select infrastructure that by January 1, 2005, shall ~~be~~
38 ~~consistent~~ *demonstrate consistency* with the state planning priorities
39 specified pursuant to Section 65041.1 for infrastructure requested

1 by state agencies pursuant to ~~paragraph (1) of subdivision (a)~~
2 *subparagraph (A) of paragraph (1)*.
3 ~~(2)~~
4 (B) Sources of funding, including, but not limited to, General
5 Fund, state special funds, federal funds, general obligation bonds,
6 lease revenue bonds, and installment purchases.
7 ~~(3)~~
8 (C) An evaluation of the impact of the new state debt on the
9 state’s existing overall debt position if the plan proposes the
10 issuance of new state debt.
11 ~~(4)(A)~~
12 (D) (i) Recommended specific projects for funding or the
13 recommended type and amount of infrastructure to be funded in
14 order to meet programmatic objectives that shall be identified in
15 the proposal.
16 ~~(B)~~
17 (ii) Any capital outlay or local assistance appropriations intended
18 to fund infrastructure included in the Governor’s Budget shall
19 derive from, and be encompassed by, the funding proposal
20 contained in the plan.
21 (b) *Prior to the Governor’s submitting the plan, the Strategic*
22 *Growth Council shall hold a public hearing on the plan and submit*
23 *to the Legislature any comments pursuant to its duty to review and*
24 *comment under Section 75125 of the Public Resources Code. In*
25 *its comments, the council shall identify how the plan components*
26 *improve air and water quality, improve natural resource*
27 *protection, increase the availability of affordable housing, improve*
28 *transportation, meet the goals of the California Global Warming*
29 *Solutions Act of 2006 (Division 25.5 (commencing with Section*
30 *38500) of the Health and Safety Code), encourage sustainable*
31 *land use planning, and revitalize urban and community centers in*
32 *a sustainable manner.*

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