

Fresno Council of Governments Monthly State Legislative Report 4/18/2018

[AB 87](#)**(Ting D) Autonomous vehicles.****Current Text:** Amended: 1/3/2018 [html](#) [pdf](#)**Introduced:** 1/5/2017**Last Amend:** 1/3/2018**Status:** 1/29/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.**Location:** 1/29/2018-S. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Department of Motor Vehicles to include in regulations it adopts relating to application requirements for the testing of autonomous vehicles on public roads without the presence of a driver inside the vehicle, a requirement that the manufacturer certify that the local authorities within the jurisdiction where the autonomous vehicle will be tested have been provided with a written notification, as specified, and a requirement that the manufacturer provide certain law enforcement agencies with a copy of a law enforcement interaction plan.

Position**[AB 558](#)****(Quirk-Silva D) Alternative fuel vehicles: flexible fuel vehicles.****Current Text:** Amended: 3/8/2018 [html](#) [pdf](#)**Introduced:** 2/14/2017**Last Amend:** 3/8/2018**Status:** 3/8/2018-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.**Location:** 3/8/2018-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law creates the Joint Legislative Committee on Climate Change Policies and requires the committee to ascertain facts and make recommendations to the Legislature and to committees of the Legislature concerning the state's programs, policies, and investments related to climate change, as specified. This bill would provide that the joint committee may recommend that the State Air Resources Board provide education and support to local governments regarding specific components of local government climate action plans, such as ensuring the use of E85 in flexible fuel vehicles, expanding infrastructure for zero-emission vehicles, and enabling active transportation.

Position**[AB 1395](#)****(Chu D) State highways: Department of Transportation: litter cleanup and abatement: report.****Current Text:** Amended: 1/22/2018 [html](#) [pdf](#)**Introduced:** 2/17/2017**Last Amend:** 1/22/2018**Status:** 1/29/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.**Location:** 1/29/2018-S. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Department of Transportation, within its maintenance programs relating to litter cleanup and abatement, to assign the highest priority to litter deposited along state highway segments that carry the highest traffic volumes and the segments found by the department to have the highest incidences of litter and to reallocate existing litter cleanup resources as necessary in order to implement this priority. The bill would also require the department, on or before January 1, 2020, to conduct an assessment of the problem of litter on state highways and to make a specified report to the Legislature on its findings.

Position**[AB 1756](#)****(Brough R) Transportation funding.****Current Text:** Introduced: 1/4/2018 [html](#) [pdf](#)**Introduced:** 1/4/2018**Status:** 1/16/2018-Referred to Com. on TRANS.

Location: 1/16/2018-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would repeal the Road Repair and Accountability Act of 2017. This bill contains other related provisions.

Position

[AB 1759](#) (McCarty D) Public trust lands: City of Sacramento.

Current Text: Amended: 4/9/2018 [html](#) [pdf](#)

Introduced: 1/4/2018

Last Amend: 4/9/2018

Status: 4/12/2018-From committee: Be re-referred to Com. on NAT. RES. Re-referred. (Ayes 7. Noes 0.) (April 12). Re-referred to Com. on NAT. RES.

Location: 4/12/2018-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would grant in trust the Sacramento Waterfront Parcel and the Sand Cove Parcels, as defined, to the City of Sacramento, to be held in trust for the benefit of all the people of the state for public trust purposes, as provided. The bill would authorize the city to use the trust lands for the construction, reconstruction, repair, and maintenance of any transportation, utility, or other infrastructure that is incidental, necessary, or convenient to promote or accommodate uses consistent with the public trust doctrine. The bill would require the city to comply with various requirements regarding the use of the trust lands, including that the city submit a trust lands use plan and a trust lands use report to the State Lands Commission.

Position

[AB 1905](#) (Grayson D) Environmental quality: judicial review: transportation projects.

Current Text: Amended: 3/12/2018 [html](#) [pdf](#)

Introduced: 1/22/2018

Last Amend: 3/12/2018

Status: 4/16/2018-In committee: Hearing for testimony only.

Location: 2/5/2018-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, in an action or proceeding seeking judicial review under the California Environmental Quality Act, prohibit a court from staying or enjoining a transportation project that would reduce total vehicle miles traveled, that is included in a sustainable communities strategy, and for which an environmental impact report has been certified, unless the court makes specified findings.

Position

[AB 2418](#) (Mullin D) Transportation: emerging transportation technologies: California Smart Cities Challenge Grant Program.

Current Text: Amended: 4/9/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amend: 4/9/2018

Status: 4/17/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 16). Re-referred to Com. on APPR.

Location: 4/16/2018-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2019, to provide the commission with guidance on program matters, as specified.

Position

[AB 2734](#) (Frazier D) California Transportation Commission.

Current Text: Introduced: 2/15/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Status: 4/3/2018-From committee: Do pass and re-refer to Com. on A. & A.R. with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 2). Re-referred to Com. on A. & A.R.

Location: 4/3/2018-A. A. & A.R.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would exclude the California Transportation Commission from the Transportation Agency, establish it as an entity in state government, and require it to act in an independent oversight role. The bill would also make conforming changes.

Position

[AB 2856](#) (Melendez R) California Environmental Quality Act: housing development projects.

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 4/9/2018-In committee: Set, first hearing. Failed passage. Reconsideration granted.

Location: 3/8/2018-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would, except as provided, prohibit the court, in an action or proceeding brought alleging a violation of CEQA, from staying or enjoining the siting, construction, or operation of housing development projects, as defined.

Position

[AB 2919](#) (Frazier D) Transportation: permits.

Current Text: Amended: 3/19/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/19/2018

Status: 4/17/2018-From committee: Do pass and re-refer to Com. on E.S. & T.M. (Ayes 13. Noes 0.) (April 16). Re-referred to Com. on E.S. & T.M.

Location: 4/16/2018-A. E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Department of Fish and Wildlife, the State Water Resources Control Board, and the California Coastal Commission, upon receipt of a completed request from the Department of Transportation for a permit for a project, to complete its review of the request no later than two years after receipt. If a resource agency does not complete the review of the request for a permit within this timeframe, the bill would provide that the permit is deemed approved for purposes of the project.

Position

[AB 3106](#) (Nazarian D) Autonomous vehicles.

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 2/17/2018-From printer. May be heard in committee March 19.

Location: 2/16/2018-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes regulations for the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if the manufacturer meets prescribed requirements. This bill would make technical, nonsubstantive changes to those provisions.

Position

[AB 3132](#) (Chau D) Autonomous vehicles.

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 2/17/2018-From printer. May be heard in committee March 19.

Location: 2/16/2018-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes an autonomous vehicle to be operated on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if specified requirements are met, including that the autonomous vehicle is being operated on roads in the state solely by employees, contractors, or other persons designated by the manufacturer of the autonomous technology. Current law defines "autonomous technology" and "autonomous vehicle" for those purposes. This bill would make technical, nonsubstantive changes to those provisions

Position

SB 100 (De León D) California Renewables Portfolio Standard Program: emissions of greenhouse gases.

Current Text: Amended: 9/11/2017 [html](#) [pdf](#)

Introduced: 1/11/2017

Last Amend: 9/11/2017

Status: 9/11/2017-September 11 hearing postponed by committee. From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E.

Location: 9/8/2017-A. U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Legislature has found and declared that its intent in implementing the California Renewables Portfolio Standard Program requires the PUC is to attain, among other targets for sale of eligible renewable resources, the target of 50% of total retail sales of electricity by December 31, 2030. This bill would revise the above-described legislative findings and declarations to state that the goal of the program is to achieve that 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030.

Position

SB 760 (Wiener D) Bikeways: design guides.

Current Text: Amended: 1/23/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 1/23/2018

Status: 1/30/2018-In Assembly. Read first time. Held at Desk.

Location: 1/29/2018-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a city, county, regional, or other local agency, when using the alternative minimum safety design criteria, to consider additional design guides, including the Urban Street Design Guide of the National Association of City Transportation Officials. The bill would authorize a state entity that is responsible for the planning and construction of roadways to consider additional design guides, including the Urban Street Design Guide of the National Association of City Transportation Officials.

Position

SB 827 (Wiener D) Planning and zoning: transit-rich housing bonus.

Current Text: Amended: 4/9/2018 [html](#) [pdf](#)

Introduced: 1/3/2018

Last Amend: 4/9/2018

Status: 4/11/2018-Set for hearing April 17.

Location: 1/16/2018-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a local government to, if requested, grant a development proponent of a transit-rich housing project a transit-rich housing bonus if that development at the time of submittal meets specified planning standards, including complying with demolition permit requirements, complying with any local inclusionary housing ordinance or, if the local government has not adopted an inclusionary housing ordinance, agreeing to provide a specified percentage of awarded units as onsite affordable housing, preparing a relocation benefits and assistance plan, complying with any locally adopted objective zoning standards, complying with any locally adopted minimum unit mix

requirements, and if the development includes specified types of parcels, agreeing to replace those units and to offer units at one of 2 specified affordable rates.

Position

[SB 828](#) (Wiener D) Land use: housing element.

Current Text: Amended: 4/16/2018 [html](#) [pdf](#)

Introduced: 1/3/2018

Last Amend: 4/16/2018

Status: 4/16/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.

Location: 3/21/2018-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Current law requires a planning agency to submit a draft of the housing element to the Department of Housing and Community Development for review, as specified. This bill would, instead, require the program to identify actions that will be taken to accommodate 200% of the city's or county's share of the regional housing need that could not be accommodated on the sites identified in the inventory of land without rezoning of those sites.

Position

[SB 829](#) (Wiener D) Employee Housing Act: agricultural employee housing.

Current Text: Amended: 4/9/2018 [html](#) [pdf](#)

Introduced: 1/3/2018

Last Amend: 4/9/2018

Status: 4/11/2018-Set for hearing April 17.

Location: 3/21/2018-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would expand the definition of employee housing under the The Employee Housing Act to include agricultural employee housing, as defined. The bill would require a qualified affordable housing organization to obtain a permit from an enforcement agency in order to operate or maintain agricultural employee housing by submitting an application to the applicable enforcement agency. The bill would require the enforcement agency to review any application so submitted, and to grant the application if it meets specified requirements, including that the organization has been certified by the department as a qualified affordable housing organization pursuant to a specified process, and that the housing complies with applicable building standards and related requirements.

Position

[SB 903](#) (Cannella R) Transportation Development Act: County of Stanislaus.

Current Text: Introduced: 1/16/2018 [html](#) [pdf](#)

Introduced: 1/16/2018

Status: 4/9/2018-Read third time. Urgency clause adopted. Passed. (Ayes 39. Noes 0.) Ordered to the Senate. In Assembly. Read first time. Held at Desk.

Location: 4/9/2018-S. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize the Stanislaus Council of Governments, a transportation planning agency, to consider population density when determining if specified operators have met the requirements for claims for transit funds, and to reduce the applicable ratio of fare revenues to operating cost for specified operators by up to 5 percentage points from the ratio that was effective during the 2016–17 fiscal year if the population density of the County of Stanislaus is less than, or equal to, 1000 persons per square mile.

Position

[SB 1000](#) (Lara D) Transportation electrification: electric vehicle charging infrastructure.

Current Text: Amended: 4/5/2018 [html](#) [pdf](#)

Introduced: 2/5/2018

Last Amend: 4/5/2018

Status: 4/17/2018-Action From E. U., & C.: Do pass as amended.To T. & H..

Location: 4/17/2018-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Energy Commission, in consultation with the State Air Resources Board (state board), to develop and biennially reassess, minimum charging speed standards for direct current fast charging stations and for electric vehicle batteries, and to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use state moneys, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure.

Position

SB 1037 (Cannella R) State government finance: Road Maintenance and Rehabilitation Program.

Current Text: Introduced: 2/8/2018 [html](#) [pdf](#)

Introduced: 2/8/2018

Status: 2/22/2018-Referred to Com. on RLS.

Location: 2/8/2018-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Prior to receiving an apportionment of funds under the Road Maintenance and Rehabilitation Program from the Controller in a fiscal year, current law requires a city or county to submit to the California Transportation Commission a list of projects proposed to be funded with these funds. Current law requires the commission to report to the Controller the cities and counties that have submitted a list of projects and requires the Controller, upon receipt of an initial or subsequent report, to apportion funds to cities and counties included in the report, as specified. This bill would make nonsubstantive changes to the provisions requiring the commission to submit the specified reports to the Controller.

Position

SB 1119 (Newman D) Low Carbon Transit Operations Program.

Current Text: Introduced: 2/13/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Status: 4/10/2018-From committee: Do pass and re-refer to Com. on EQ. with recommendation: To consent calendar. (Ayes 13. Noes 0.) (April 10). Re-referred to Com. on EQ.

Location: 4/10/2018-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires, for recipient transit agencies whose service areas include disadvantaged communities, as specified, that those recipient transit agencies expend at least 50% of the total moneys they received as part of the Low Carbon Transit Operations Program on projects or services that meet specified requirements and benefit those disadvantaged communities. This bill would authorize a recipient transit agency to satisfy the above-stated requirement by expending at least 50% of program funds received on transit fare subsidies, specified transit connections, or technology improvements that reduce emissions of greenhouse gases.

Position

SB 1328 (Beall D) Mileage-based road usage fee.

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 4/13/2018-Set for hearing April 23.

Location: 4/3/2018-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of the Transportation Agency. Under current law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax and to make recommendations to the Secretary of the Transportation Agency on the design of a pilot program, as specified. Current law repeals these provisions on January 1, 2019. This bill would extend the operation of these provisions until January 1, 2023

Position

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Sent: Friday, March 30, 2018 11:17 AM
To: Trai Her-Cole
Subject: Washington Friday Report - March 30, 2018

Washington Friday Report

Volume XX, Issue

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SIMON AND COMPANY
Intergovernmental Relations and Federal Affairs

Washington Friday Report

March 30, 2018

Inside this Issue...

- The 2020 Census Gets Political
- VA Shakeup
- Sanctuary Cities: The West Palm Beach Story
- Gun Control and School Safety
- Amazon and Taxes
- Fair Housing Scale Back

Greetings from the mid-point of the two-week congressional Easter recess. As they say, when the Congress is away the President will play and we saw him and his Administration quite active this week, from a misdirected order to ask citizenship information on the upcoming Census to the sacking of a good man and outstanding health professional as VA Secretary. Here's the wrap-up for your review - Happy Easter and Passover, everyone!



- Law Enforcement
- Dockless Bikeshare

TOP STORIES

The 2020 Census Gets Political

Late Monday the Administration announced it has decided to add a question to the 2020 Census inquiring on citizenship status. The move garnered immediate backlash from lawmakers, advocacy organizations, state and local governments, and many others as well. Following instruction from the Department of Justice (DOJ), the U.S. Department of Commerce [justified](#) the action as a means of enforcing the Voting Rights Act. The [DOJ memorandum](#) making the request provides more detail on why the Administration believes this would provide more complete and accurate data.

Opponents argue the opposite: the citizenship question will discourage undocumented immigrants from participating and result in incorrect population data. This is further exacerbated by the current Administration immigration policy, which features frequent raids in many places across the nation. In addition, from the perspective of States and localities that have high immigrant populations, potentially underrepresenting populations leads to underfunding that is tied to likely lower counts in census tracts. There could also be ramifications for redistricting efforts for House seats and State legislatures. You may review this [U.S. Conference of Mayors letter](#) on the 2020 Census, which many of you signed,

that rejects inclusion of the citizenship question.

Since the announcement on Monday, at least 12 States have filed suit against the Administration. New York is leading a multistate lawsuit that includes: Connecticut, Delaware, Illinois, Massachusetts, New Jersey, New Mexico, Oregon, Pennsylvania, Rhode Island, and Washington. California has filed its own suit. The lawsuits' main argument, which has been echoed by many members of Congress, is based on the Constitutional requirement that every resident of the United States be counted in a decennial census, whether or not they are citizens. *We will keep you posted as the lawsuits move through the courts and any other developments in connection with the 2020 census.*



VA Shakeup

The latest person to be ousted from this Administration is now former U.S. Department of Veterans Affairs (VA) Secretary **David Shulkin**. The first official announcement of his firing came over [twitter](#) with no explanation. However, Shulkin himself wrote a [New York Times op-ed](#) shortly after detailing why he thinks he was fired, which he believes has to do with his opposition to privatizing the Department. Adding more controversy to the decision, the President also announced he will nominate his White House physician, Dr. **Ronny Jackson**, to lead the VA. This reminds us of when President **George W.**

Bush nominated White House Counsel **Harriet Miers** to the Supreme Court in 2005. When it became clear that her credentials fell short of general expectations for a Supreme Court Justice, her support in the Senate eroded quickly and the nomination was soon withdrawn. The President then nominated Judge **Samuel Alito** who was confirmed without difficulty. *We expect similar pushback in Congress regarding this nomination and will be sure to keep you informed.*

OTHER NEWS AND GRANTS

Sanctuary Cities: The West Palm Beach Story

We thought you might like this [story](#) from *The Washington Post* that details the settlement reached between the City of West Palm Beach and the Justice Department over their alleged violation of federal immigration laws relating to “sanctuary” cities. West Palm Beach was one of many of the cities that the DOJ targeted regarding specific city laws that they deemed may violate 8 U.S. Code § 1373. You can read more [here](#).



Gun Control and School Safety

Following through on their decision to ban bump stocks, the

Administration has issued a [proposed rule](#) redefining bump stocks as machine guns, which will essentially ban them. Should you be interested, comments on the rule are due June 27, 2018. For more information on the proposed rule, including how to comment, click [here](#).

On the topic of school safety, Education Secretary Betsy DeVos, at the President's direction, has created a **School Safety Commission** with the goal of eventually providing recommendations on how to keep schools safe. The Commission will be comprised of department heads whose agencies have jurisdiction over key school safety issues: Secretary **DeVos**, Attorney General **Jeff Sessions**, Secretary of Health and Human Services **Alex Azar** and Secretary of Homeland Security **Kirstjen Nielsen**. They held their first meeting this past week in D.C. – members of the public with recommendations on how to increase school safety can send them to safety@ed.gov. You can read more [here](#).

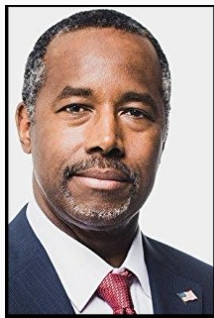
Amazon and Taxes

Another topic highlighted in the President's [twitter](#) feed this week is Amazon.com and sales taxes. While the company collects sales taxes in every State that has one, that does not extend to dozens of U.S. cities with their own sales tax. This results in millions in uncollected revenue for localities. Local retailers and the Postal Service also face their own burdens from the online company. This [report](#) by the Institute on Taxation and Economic Policy and Economic Policy examines the impact of this reality.



Recently, we sent many of you grant notices on the following: the [BJA FY 2018 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative](#); the [U.S. Bureau of Reclamation FY 2018 WaterSMART Water and Energy Efficiency Grants \(WEEG\) Program](#); the [EPA Region 4 Wetland Program Development Grants](#); and the [NEH Common Heritage Grant Program](#).

Please contact Jen Covino with any questions about grants.



Fair Housing Scale Back

We wanted to share this *New York Times* [article](#) that details the Administration's efforts to scale back the U.S. Department of Housing and Urban Development's fair housing requirements. According to this report, the Department ordered a hold on about a half-dozen fair housing investigations. The actions also coincide with the Department's recent rescission of "inclusive" and "free from discrimination" from the its mission statement.

Law Enforcement

We wanted to bring to your attention two Justice Department (DOJ) related announcements. First, the DOJ is [soliciting nominations](#) for the Attorney General's **Award for Distinguished Service in Policing**. The award recognizes individual, state, local, or tribal sworn, rank-and-file police officers and deputies for exceptional efforts in community policing. The application can be found [here](#).

The DOJ COPS Office also shared a study this week on law enforcement fatalities between 2010 and 2016. The [report](#) was developed by the National Law Enforcement Officers Memorial Fund Advisory Panel, which examined just over 1,000 line-of-duty deaths. You can read more [here](#). On a related note, Attorney General **Jeff Sessions** gave [remarks](#) to the National Organization of Black Law Enforcement Executives this week.

Dockless Bikeshare

Popping up in many of your cities, including here in D.C., the dockless bikeshare



market has exploded this year. With this emerging market, new ways of getting around has thrilled some users, while the clutter caused in some places by the bikes has been met with concern and alarm. This *Wall Street Journal* [article](#) provides background on the new market.

We wish everyone a Happy Easter and Passover!



If you have any questions about this edition of the *Washington Friday Report*, please feel free to contact [Silvana Caldera](#) or [Len Simon](#).

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Washington Friday Report

Volume XX, Issue

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SIMON AND COMPANY
Intergovernmental Relations and Federal Affairs

Washington Friday Report

April 6, 2018

Inside this Issue...

- Immigration
- Opioid Crisis
- CAFE Standards Rolled Back
- Transportation and Transit Funding
- 2020 Census
- MBK Alliance
- White House Departures

It's a pretty busy post Easter week we get to tell you about this afternoon. Congress was out for the rest of their two-week recess but there was no lack of activity and news coming from the White House and federal agencies. Here's the wrap up for you – have a great weekend.



- Uber and Transit

TOP STORIES



Immigration

Immigration related matters were at the top of the President's mind this week. He commented that the DACA deal is "dead," referenced a caravan of migrants on their way to the border, quotas for immigration lawyers, and more. However, the only concrete action the Administration has taken so far is to order the National Guard to the southern border. In a [briefing statement](#) on the decision, the Administration justified the move and said: *"The President is taking action to protect America's national security because congressional Democrats have obstructed efforts to secure our border."*

Following the President's various tweets, the White House held a press call to brief reporters on forthcoming policy proposals. Some items mentioned include but are not limited to: changes to laws that protect unaccompanied minors so they can be deported more quickly; limiting asylum grantees; modifying "catch and release" policies; and extending detentions for families. As it pertains to DACA, per court order, the

Administration continues to process renewals and must submit a quarterly report on their progress. Thanks to the court orders, some 153,000 DACA renewals and initial applications have been processed since October.

Opioid Crisis

U.S. Surgeon General **Jerome Adams** has [released](#) a [public health advisory](#) to urge more Americans to carry naloxone – which reverses the effects of an opioid overdose. As you know, this medication is already carried by many first responders and police.

In related news, the National Institutes of Health Director **Francis Collins** announced a new effort to target the opioid epidemic through scientific solutions – the [Helping to End Addiction Long-term \(HEAL\) Initiative](#). Toward this effort, NIH is nearly doubling funding for research on opioid misuse, addiction, and pain. You can read more [here](#).

Congress is also making progress on legislation addressing the opioid crisis. The Senate HELP Committee announced they will discuss draft legislation during a hearing on April 11 following months of testimonies and hearings on the topic. The draft legislation would provide support for families and workers affected by the crisis; grant NIH flexibilities to approve new projects; give additional authorities to the FDA relating to regulating drug manufacturers; expand the size of the additional treatment workforce; and more. *We will keep you updated on the status of this draft, as well as parallel legislative efforts in the House.*



CAFE Standards Rolled Back

In an anticipated move, the Administration [announced](#) a proposed rollback to the corporate average fuel economy (CAFE) standards. The Environmental Protection Agency (EPA) also announced a new joint process with the National Highway Traffic Safety Administration (NHTSA) to develop a notice and comment rulemaking to set more “appropriate” GHG emissions standards and CAFE standards. The EPA also announced that California’s current Clean Air Act waiver – which allows them to impose stricter standards – is still under review. *Please let us know if you would like any guidance on doing press responding to this announcement.*

Transportation and Transit Funding

We participated in a meeting hosted by the American Public Transportation Association (APTA) with Senate Appropriations Committee staff this morning to discuss the recent omnibus bill, future transportation and transit funding, the Administration’s priorities, and more. The Committee staff identified pushing the Administration to move faster on discretionary grant programs as a priority for them in the days and months ahead. They added that proportionately funding the different modes of transportation will remain a priority.

On the recent omnibus bill, they pointed out that it *“represents an opposite funding path from the Administration.”* They reiterated what we have heard from appropriators in both chambers for months: funding existing, critical programs comes first and any future transportation and infrastructure bill should be an addition to that robust funding. Looking to FY2019, they said to expect similar funding for many of the programs that received boosts. However, while the focus on federal transportation programs is important, they emphasized also advocating in support of the Highway Trust Fund.

The Committee staff touched on the Administration’s priorities. They acknowledged that it has a *“bias against transit and rail”* – a clear message it has conveyed through their budget requests. However, the appropriators in the Senate support transit funding and they said the House Transportation and Infrastructure Committee Chairman feels the same. They acknowledged the Administration’s focus on rural America and said they hope to steer them back from an overemphasis on diverting funds to rural projects. This Wall Street Journal [article](#) touches on this noticeable focal point on rural America through the recent TIGER grant announcements. As far as timeline for FY2019 appropriations, they said they don’t think we will see another omnibus before the election.

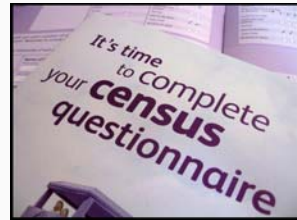
On a related front, the Committee staff touched on the prospects of raising the gas tax. While we have heard rumblings of movement on the gas tax issue in the House and from the Administration, they said it is not really being considered in the Senate right now. They said this probably has to do with potential conflicts to the majority’s messaging on tax reform. Regarding process, they affirmed it would be very hard to raise the gas tax through a stand-alone bill.

One last item that was discussed was the potential “claw back” of FY18 omnibus funding increases – a notion being considered by Rep. **Kevin McCarthy** and the President. This action would be through a legislative rescission package and it would cut billions in funding from many programs that just received boosts in the omnibus bill. The Senate Appropriations staff characterized this potential action as *“wishful thinking”* on the part of advocates and they are not aware of any current movement towards this goal.

OTHER NEWS AND GRANTS

2020 Census

Blowback continues following the Administration’s decision to add a citizenship question to the 2020 census we [covered](#) last week. The number has risen to 18 Attorney Generals and 6 cities who are part of a joint suit against the Administration – the U.S. Conference of Mayors is also a part of this coalition. You can read more about the suit and the local perspective [here](#).



MBK Alliance

The Obama Foundation and the My Brother’s Keeper Alliance

(MBKA) has issued a Request for Proposals (RFP) for the **My Brother's Keeper Community Challenge Competition**. MBKA will select up to 12 communities to receive funding and technical assistance to advance the goals of the Obama Administration's [MBK Community Challenge](#), which was rolled out in 2014. Although local governments are not directly eligible to apply for the grants, we encourage you to work with nonprofit organizations with demonstrated success in this field as public-private partnerships are required to apply. The application deadline is **Thursday, May 24, 2018**. You can read our full memorandum on the MBK Community Challenge RFP [here](#).

The MBK Alliance is hosting a special online meeting for U.S. Conference of Mayors and National League of Cities members to learn more about this opportunity. The online meeting will take place next **Wednesday, April 11th** at 2:15 p.m. You can sign up for the meeting [here](#) no later than Tuesday, April 10th. For more, click [MBK Community Challenge Competition Request for Proposals](#) or [FAQs](#). *We will be on the call next week and be sure to provide a follow up report next week.*



Recently, we sent many of you grant notices on the following: [HHS SAMHSA FY 2018 Drug-Free Communities Mentoring Program](#); [HHS SAMHSA FY 2018 Assertive Community Treatment \(ACT\) Grants](#); [DOJ BJA FY 2018 Strategies for Policing Innovation](#); and [Obama Foundation My Brother's Keeper \(MBK\) Community Challenge](#).

Please contact Jen Covino with any questions about grants.

White House Departures

President Trump's Infrastructure Advisor, **DJ Gribbin**, who some of you have met, has announced he will be leaving the Administration. Gribbin led the Administration's push for an infrastructure proposal. The White House said he is "pursuing other opportunities." This is another indication that prospects for the Administration's infrastructure package progressing forward are dim. *We will let you know if and when a replacement is named.*



Uber and Transit

We thought you might be interested in this [article](#) covering the increasingly popular approach of taxing Uber and Lyft to pay for public transit. We originally [reported](#) on this concept back in February. D.C. Mayor **Muriel Bowser** is the latest local leader to propose this option. You can read more [here](#).

If you have any questions about this edition of the *Washington Friday*

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- Permitting Streamlining MOU
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- Mayors and Police Chiefs Meeting
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*Some weeks, like this one, are remarkable for the sheer number and diversity of topics and issue areas we get to immerse ourselves in thanks to you! And if that's not enough, our own **Jen Covino** bumped into Facebook's **Mark Zuckerberg** on the Hill the day before his Senate testimony - see picture below. All that and more in our weekly wrap-up*

- Funding
- CBO Budget and Economic Outlook
 - Air Quality Standards for NOx
 - Education
 - FEMA Calls Out Localities

for you - have a great weekend.



TOP STORIES

Speaker Paul Ryan Retirement

House Speaker Paul Ryan announced he will retire at the end of his term this year, sending shock waves across the country and eliciting all types of responses from supporters and opponents alike. After serving almost 20 years in Congress, he detailed why he is leaving to the press below.



Permitting Streamlining MOU

The Administration issued a [Memorandum of Understanding \(MOU\)](#) this week regarding streamlining permitting reviews in federal agencies. Pursuant to the President's [Executive Order](#) on this topic from last year, the MOU accelerates implementation of the EO, including establishing a timely and coordinated process for environmental reviews of infrastructure projects. The MOU focuses on the following actions:

- Establishing a lead federal agency for completing the environmental review process;
- Federal agencies adhering to a timetable of two years to complete the process;
- Federal agencies completing their review processes concurrently;
- Interagency disputes regarding a review must be reviewed and completed in an expedited fashion.

You can read a fact sheet on the MOU [here](#). For more on individual federal agency perspectives, you can click [Environmental Protection Agency](#), [U.S. Department of Transportation](#), or [U.S. Department of Interior](#). *We will keep you posted on implementation of this MOU.*



Public Assistance Work Requirements

The President signed an [Executive Order](#) (EO) this week regarding public assistance work requirements. The EO directs federal agencies with public assistance programs to review all policies related to current work requirements as well as exemptions and waivers and report back to the White House with recommendations within 90 days. In the EO, the Administration writes the following on various public assistance programs: *“Unfortunately, many of the programs designed to help families have instead delayed economic independence, perpetuated poverty, and weakened family bonds.”*

The EO applies to the following federal departments: Treasury, Agriculture, Commerce, Labor, Health and Human Services, Housing and Urban Development, Transportation, and Education. The EO states many objectives, but directs agencies to do the following: consolidate duplicative programs; examine current work requirements; propose additional, stronger requirements; find savings; give states more flexibility to run welfare programs; empower the private sector, as well as local communities, to develop and apply locally based solutions to poverty; demonstrate how they are complying with federal immigration laws that stipulate that undocumented immigrants cannot receive federal public benefits, and more.

OTHER NEWS AND GRANTS

Opioid Crisis

Following up on our [report](#) from last week, the Senate HELP Committee plans to consider and mark up their opioid

legislation in the next two weeks. Once it is approved by the Committee, it is their hope it will be considered on the Senate floor by the end of the month. The discussion took place during a [hearing](#) entitled, “Opioid Response Bill.”

There are quite a few other hearings that took place on the Hill this week related to the opioid crisis. The House Oversight Committee held a [hearing](#) focused on local responses. Some key features they examined included how effective federal grants have been in supporting localities, as well as what more the federal government can do generally to help their partners. The House Energy and Commerce Committee held a [hearing](#) on improving Medicare and Medicaid as a means to combating the opioid crisis. Finally, the Senate Judiciary Committee held a [hearing](#) on fentanyl.



Mayors and Police Chiefs Meeting

Thanks to Mayor **Paul Soglin** of Madison and Mayor **Greg Fischer** of Louisville, we had a front row seat at an important gathering this week of Mayors and Police Chiefs. Organized by the U.S. Conference of Mayors, they met under the theme of *“Keeping Cities Safe in a Changing Environment”*. We learned a great deal as these leaders dealt with gun violence, strengthening police–community relations, improving police

interactions with people in crisis, police reform, active shooter situations and building trust with immigrant communities.

One of the highlights of the meeting was a keynote address by the legendary **William Bratton** who served as New York City Police Commissioner for two very different New York Mayors – **Rudy Giuliani** and **Bill de Blasio**, as well as Chief in Los Angeles. Commissioner Bratton provided the attendees with a brilliant overview of the evolution of policing over the decades and did a deep dive on some of the most important issues confronting mayors and chiefs today. He was particularly incisive discussing “precision policing,” which he brought to New York City in 2014. Precision policing organizes a police agency’s structure around data and information to build investigations of high value suspects committing the most crimes. With precision policing, the NYPD moved away from the controversial “stop and frisk” and moved toward identifying people and patterns with data. During his time as Commissioner, he described it as *“fewer arrests for minor offenses—‘broken windows’ types of offenses—while at the same time more significant numbers of arrests for the serious crimes that we’re focusing on.”*

The Mayors and Chiefs also heard from **David Kennedy**, Director of the National Network for Safe Communities at the John Jay College of Criminal Justice. Professor Kennedy was compelling in making the case that data proves that in most cities crimes are committed by a very small number of people, an understanding which should influence crime-fighting focus.

Here’s the [agenda](#) and list of [attendees](#) for the meeting for your review.

Transportation and Infrastructure Funding

U.S. Department of Transportation Secretary **Elaine Chao** was pressed on her Department's FY19 budget during a Senate Appropriations hearing this week. Senate Appropriations THUD Chairwoman **Susan Collins** said, *"The budget, unfortunately, fails to address the greatest threat to our nation's infrastructure and this is the ever-growing insolvency of the Highway Trust Fund...I'm concerned that the administration has not offered up its own solution."* We have heard this sentiment echoed by lawmakers in both chambers, including the House Transportation Committee staff just a few days ago.

While we were up on the Hill this week talking transportation with the Stanislaus Council of Governments, we ran into a special guest. **Mark Zuckerberg** greeted us as he was exiting and we were entering Senator **Diane Feinstein's** office.



Recently, we sent many of you grant notices on the following: [Obama Foundation My Brother's Keeper \(MBK\) Community Challenge](#) and the [Fiscal Year \(FY\) 2018 HUD Choice Neighborhoods Planning Grants Program](#).

Please contact Jen Covino with any questions about grants.

CBO Budget and Economic Outlook

The Congressional Budget Office (CBO) has released its latest budget and economic outlook, showing an estimated deficit of \$804 billion for fiscal 2018 and \$981 billion for fiscal 2019. CBO estimates the 10-year deficit spanning from fiscal 2018 to 2027 will be \$11.7 trillion, or \$1.6 trillion larger than the agency forecast last June. The numbers have increased substantially as a result of hurricane funding, tax reform, and the spending deal. You can read the full report [here](#).



Air Quality Standards for NO_x

The Environmental Protection Agency announced this week they are retaining their current health-based or primary National Ambient Air Quality Standards (NAAQS) for oxides of nitrogen (NO_x). They cite scientific evidence that continues to link short-

term and long-term exposures to nitrogen dioxide to the worsening of asthma and development of the disease in some cases. You can read more about the decision [here](#).

Education

The National Institute on Educational Sciences released the "Nation's Report Card" this week – the [2017 National Assessment of Educational Progress](#). The results were below average and Education Secretary Betsy DeVos issued a [statement](#) saying “*we must do better.*” You can read highlights of the report [here](#).

In related news, [National Center for Education Statistics](#) have released [Indicators of School Crime and Safety: 2017](#), which provides the most recent data on school crime and student safety. The report contains 23 indicators, including violent deaths; non fatal student and teacher victimization; school environment; fights, weapons, and illegal substances; fear and avoidance; discipline, safety, and security measures; and campus safety and security.



FEMA Calls Out Localities

Federal Emergency Management Agency (FEMA) Administrator **Brock Long** testified in front of Congress this week and called out states and localities for not being well equipped to deal with the aftermath of natural disasters. He said, in part, *“If a state, territorial, tribal and local government is not well resourced, well trained and well organized — either from ineffective preparations or due to the significance of the disaster — FEMA can help, but the response may not be as quick or as effective as we would like it to be.”* You can click [here](#) to learn more about the hearing and the Administrator’s remarks – he also [testified](#) on the same topic in front of the House Appropriations Committee.

If you have any questions about this edition of the *Washington Friday Report*, please feel free to contact [Silvana Caldera](#) or [Len Simon](#).

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