

AMENDED IN SENATE APRIL 11, 2007

SENATE BILL

No. 803

Introduced by Senator Lowenthal

February 23, 2007

An act to add Chapter 7.5 (commencing with Section 2370) to Division 3 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 803, as amended, Lowenthal. Transportation enhancement funds: community conservation corps.

~~Existing law states the intent of the Legislature to allocate \$10,000,000 annually to the Environmental Enhancement and Mitigation Program Fund for certain categories of transportation enhancement projects.~~ Existing federal law, as part of the comprehensive surface transportation program, allocates transportation funds to each state for transportation enhancement projects.

This bill, with respect to federal funds made available to the state for transportation enhancement projects, would require transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to adopt criteria that give priority in the selection of these projects to the sponsors of eligible projects that partner with, or commit to employ the services of, a community conservation corps, as defined, or the California Conservation Corps, *areas not served by a community or conservation corps*, to construct or undertake the project. The bill would provide that a community conservation corps, or the California Conservation Corps *in areas not served by a community conservation corps*, is eligible to apply for project funds. The bill would authorize these agencies and the Department of Transportation to enter into cooperative agreements,

grant agreements, or procurement contracts with community conservation corps pursuant to certain simplified contract requirements. The bill would require the California Transportation Commission, when developing guidelines for the state transportation improvement program and the state highway operations and protection program, to include guidance to encourage the allocation of funds for transportation enhancement projects to community conservation corps and the California Conservation Corps, either as applicants or as partners with applicants *that commit to employ the services of corps members in the construction of those projects*. The bill would make related legislative findings and declarations.

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. The Legislature finds and declares all of the
2 following:

3 (a) According to several studies dating back many years,
4 integrating underprivileged young adults between the ages of 14
5 and 24 into the mainstream of social and economic life produces
6 ~~several~~ *numerous* social benefits, including the reduction of
7 criminal activity, alcohol and drug abuse, teen pregnancy, and
8 welfare dependency.

9 (b) These studies have found that among the most productive
10 strategies for assisting young people to ~~become productive~~ *develop*
11 *civic consciousness and become productive members of society*
12 are programs that link employment training, jobs, ~~and education~~
13 *education, and public service* through community-based programs,
14 such as ~~the local conservation corps programs found in California's~~
15 ~~urban areas~~ *California's community conservation corps*.

16 (c) The federal Transportation Equity Act of 1998 and
17 subsequent acts ~~contain a provision mandating~~ *direct* the United
18 States Secretary of Transportation to encourage states to enter into
19 contracts and cooperative agreements with qualified youth
20 conservation or service corps using federal transportation
21 enhancement funds to perform appropriate transportation
22 enhancement activities, including the construction of bicycle lanes,
23 development of landscaping and scenic beautification,
24 environmental mitigation, and other similar activities consistent

1 with federal law. ~~The Federal Highway Administration, in~~
 2 ~~providing~~ guidance to states on use of ~~the enhancement funds, has~~
 3 ~~declared~~ *transportation enhancement funds declares* that “where
 4 states and local officials are able to identify opportunities to enter
 5 into partnership with these service organizations, they should fully
 6 consider the benefits to their own efforts and the benefits to the
 7 youth involved.”

8 (d) Cities and counties, which are the recipients of transportation
 9 enhancement funds, and regional transportation planning agencies
 10 that prioritize projects nominated to use those funds, have not taken
 11 advantage of the provision in federal law ~~to involve~~ *authorizing*
 12 *and encouraging the involvement of* qualified community
 13 conservation corps agencies in eligible transportation *enhancement*
 14 activities and projects.

15 SEC. 2. Chapter 7.5 (commencing with Section 2370) is added
 16 to Division 3 of the Streets and Highways Code, to read:

17
 18 CHAPTER 7.5. FEDERAL FUNDS FOR TRANSPORTATION
 19 ENHANCEMENTS
 20

21 2370. As used in this chapter, the following terms have the
 22 following meanings:

23 (a) ~~“Community conservation corps” means a nonprofit public~~
 24 ~~benefit corporation formed pursuant to Part 2 (commencing with~~
 25 ~~Section 5110) of Division 2 of Title 1 of the Corporations Code,~~
 26 ~~or an agency operated by a city, or city and county, that is certified~~
 27 ~~by the California Conservation Corps as meeting all of the~~
 28 ~~following criteria:~~

29 ~~(1) The community conservation corps consists of not fewer~~
 30 ~~than 50 corps members organized in the form of supervised work~~
 31 ~~crews and selects young men and women for participation on the~~
 32 ~~basis of the criteria specified in Section 14302 of the Public~~
 33 ~~Resources Code.~~

34 ~~(2) The community conservation corps’ program is based upon~~
 35 ~~a highly disciplined work experience, includes an educational~~
 36 ~~component, and is designed to develop corps members’ character~~
 37 ~~and civic consciousness through rigorous work on public projects.~~

38 ~~(3) The community conservation corps compensates corps~~
 39 ~~members at not less than the federal minimum wage and provides~~

1 ~~corps members assistance in obtaining permanent employment~~
2 ~~following their participation in the corps program.~~
3 *shall have the same meaning as defined in Section 14507.5 of the*
4 *Public Resources Code.*

5 (b) “Transportation enhancement project” means a project
6 constructed or undertaken with funds made available to the state
7 pursuant to Section 133 (b)(8) of Title 23 of the United States
8 Code.

9 2371. Regional transportation planning agencies, county
10 transportation commissions or authorities, and congestion
11 management agencies, when selecting candidates for transportation
12 enhancement projects, shall adopt criteria that give priority in the
13 selection of projects to the sponsors of eligible projects that partner
14 with, or commit to employ the services of, a community
15 conservation corps ~~or the California Conservation Corps~~ to
16 construct or undertake the project.

17 2372. A community conservation corps ~~or the California~~
18 ~~Conservation Corps~~ shall be eligible to apply to the department,
19 regional transportation planning agencies, county transportation
20 commissions or authorities, or congestion management agencies,
21 as applicable, to construct or undertake a transportation
22 enhancement project.

23 2373. *Sections 2371 and 2372 shall apply to the California*
24 *Conservation Corps in areas not served by a community*
25 *conservation corps.*

26 ~~2373.~~

27 2374. The department, regional transportation planning
28 agencies, county transportation commissions or authorities, or
29 congestion management agencies shall be authorized to enter into
30 cooperative agreements, grant agreements, or procurement
31 contracts with community conservation corps pursuant to the
32 simplified contract requirements authorized by Section 18.36(j)
33 of Title 49 of the Code of Federal Regulations in order to enable
34 community conservation corps to compete for and utilize
35 transportation enhancement project funds.

36 ~~2374.~~

37 2375. The commission, when developing guidelines for the
38 state transportation improvement program and the state highway
39 operations and protection program, shall include guidance to
40 encourage the allocation of funds for transportation enhancement

1 projects to qualified community conservation corps and the
2 California Conservation Corps, either as applicants or partners
3 with applicants *that commit to employ the services of corps*
4 *members in the construction of those projects.*

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