

AMENDMENTS TO SENATE BILL NO. 1037

Amendment 1

In the title, strike out lines 1 and 2 and insert:

An act to amend Section 130350.6 of the Public Utilities Code, relating to transportation.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 130350.6 of the Public Utilities Code is amended to read:

130350.6. (a) The tax authorized by Section 130350.5 may be imposed as set forth in paragraph (3) of subdivision (b) of Section 130350.5 in a transactions and use tax ordinance, or an amendment of the ordinance approved pursuant to paragraph (1) of subdivision (b) of Section 130350.5, that conforms with Chapter 2 (commencing with Section 7261) to Chapter 4 (commencing with Section 7275), inclusive, of the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code), and that is approved by a majority of the entire membership of the authority. The tax may be imposed pursuant to this section only if the proposing ordinance, or amendment thereof, is approved by two-thirds of the voters, in the manner as otherwise required by law, voting on this measure, in a special or general election and, if so approved, shall become operative as provided in Section 130352. The proposing ordinance shall specify that the net revenues derived from the tax are to be administered by the Los Angeles County Metropolitan Transportation Authority (MTA) as provided in this section. Net revenues shall be defined as all revenues derived from the tax less any refunds, costs of administration by the State Board of Equalization, and costs of administration by the MTA. Such costs of administration by the MTA shall not exceed 1.5 percent of the revenues derived from the tax. The proposing ordinance shall be accompanied by a new expenditure plan for the net revenues derived from the tax. This new expenditure plan shall identify the years in which the MTA anticipates net revenues derived from the tax will be available to each project or program in the new expenditure plan.

(b) The MTA may incur bonded indebtedness payable from the proceeds of the tax authorized by this section pursuant to the bond issuance provisions of this chapter, and any successor act.

(c) Proceeds from the tax authorized by this section, including proceeds from bonds issued pursuant to subdivision (b), after payment of the bonded indebtedness, shall be used to accelerate the completion of the projects and programs identified in subparagraphs (A) and (B) of paragraph (3) of subdivision (b) of Section 130350.5, for the expenditure plan adopted by the MTA board on July 24, 2008, and for operations pursuant to paragraph (3) of subdivision (b) of Section 130350.5.

(d) Upon completion of the projects and programs identified in subparagraphs (A) and (B) of paragraph (3) of subdivision (b) of Section 130350.5 and the expenditure plan adopted by the MTA board on July 24, 2008, any funds remaining from the bonds described in subdivision (b) and any funds remaining from the proceeds of the tax



authorized by this section, after payment of the bonded indebtedness, shall be expended by the MTA on projects and programs in the Long Range Transportation Plan or its successor plans, and for operations pursuant to paragraph (3) of subdivision (b) of Section 130350.5.

(e) To the extent that the MTA deems it necessary to accelerate the completion of a project or program in a new expenditure plan adopted pursuant to this section, the MTA shall expend funds derived from the sales tax authorized by Section 130350.5 according to the schedule described in the new expenditure plan adopted pursuant to this section. The MTA shall make this determination by a majority vote of the MTA board.

(f) (1) Prior to submitting the ordinance described in subdivision (a) to the voters, the MTA shall amend the expenditure plan adopted pursuant to subdivision (f) of Section 130350.5. The amended plan shall update all of the following for the projects and programs listed in subparagraphs (A) and (B) of paragraph (3) of subdivision (b) of Section 130350.5:

(A) The identification of the specific program or source of the non-Measure R funds identified in the amended plan.

(B) The identification of the accelerated cost, if applicable, for each project and program in the amended plan.

(C) The schedule during which the MTA anticipates funds will be available for each project and program.

(D) The expected completion dates for each project and program.

(2) The expenditure plan, as amended, shall also be included in the revised and updated Long Range Transportation Plan prior to submitting the ordinance described in subdivision (a) to the voters. The revised and updated Long Range Transportation Plan shall also include capital projects and capital programs that are adopted by each subregion that are submitted to the MTA for inclusion in the revised Long Range Transportation Plan. As used in this paragraph, "subregion" shall have the meaning as defined in the Long Range Transportation Plan in effect as of January 1, 2008.

Amendment 3

On page 1, strike out lines 1 to 10, inclusive, and strike out page 2