

AMENDED IN ASSEMBLY AUGUST 8, 2008

AMENDED IN ASSEMBLY JUNE 17, 2008

AMENDED IN SENATE MAY 27, 2008

AMENDED IN SENATE APRIL 23, 2008

AMENDED IN SENATE APRIL 9, 2008

SENATE BILL

No. 1486

Introduced by Senator Ducheny
(Coauthor: Senator Kehoe)
(Coauthor: Assembly Member Salas)

February 21, 2008

An act to add Chapter 7 (commencing with Section 31460) to Division 17 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1486, as amended, Ducheny. Otay Mesa East Toll Facility Act.

Existing law authorizes regional transportation agencies, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate a value pricing program with high-occupancy toll (HOT) lanes, under which single-occupant vehicles may use designated high-occupancy vehicle lanes at certain times of day upon obtaining a permit and paying a fee. Existing law authorizes the San Diego Association of Governments (SANDAG) to conduct, administer, and operate a value pricing and transit development demonstration program on a maximum of 2 transportation corridors in San Diego County.

This bill would enact the Otay Mesa East Toll Facility Act, which would authorize SANDAG to, among other things, solicit and accept

grants of funds and to enter into contracts and agreements for the purpose of establishing highway toll projects to facilitate the movement of goods and people along the State Route 11 corridor in the County of San Diego or at the Otay Mesa East Port of Entry. The bill would provide SANDAG with various additional powers and duties, including, among others, authorizing SANDAG to issue bonds for the acquisition, construction, and completion of transportation facilities and to impose tolls and user fees for the use of the corridor, as defined. The bill would require toll revenues from the Otay Mesa toll facility project to be used to pay for specified costs, including, but not limited to, repaying bonds, the cost to SANDAG for operating the project, and the cost for capital improvements, pursuant to an expenditure plan, as specified. The bill would authorize SANDAG to enter into agreements with the County of San Diego or a city within that county to accept development impact fees for the construction of, and reimbursement for construction of, improvements in the county or city.

Because the bill would impose additional duties on local governmental agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Chapter 7 (commencing with Section 31460) is
2 added to Division 17 of the Streets and Highways Code, to read:

3

4 CHAPTER 7. OTAY MESA EAST TOLL FACILITY ACT

5

6 31460. The Legislature finds and declares all of the following:

7 (a) It is essential for the economic well-being of San Diego
8 County and for the maintenance of a high quality of life that the
9 people of the State of California receive the full benefits of
10 international trade with Mexico.

11 (b) Trade is the fastest expanding component of the San Diego
12 regional economy. Mexico is the United States' third largest trading

1 partner, after Canada and China, and California’s number one
2 export market.

3 (c) Trade passing through San Diego County’s portion of the
4 United States-Mexico border region benefits every state in the
5 union and contributes heavily to the nation’s trade with the
6 countries of the Pacific Rim.

7 (d) Commercial traffic between the United States and Mexico
8 using California’s ports of entry is placing extreme demands on
9 the state’s border transportation assets which were not designed
10 for these purposes.

11 (e) Congestion at the border causes increased wait times, which
12 in turn increases commercial and noncommercial vehicle emissions.

13 (f) Inadequate infrastructure capacity at the existing border
14 crossings between San Diego County and Baja California currently
15 creates traffic congestion and delays for crossborder personal trips
16 and freight movements that cost the United States and Mexican
17 economies an estimated \$7.2 billion in foregone gross output and
18 more than 62,000 jobs in 2007.

19 (g) Public revenues to provide for an efficient border region
20 transportation system have not kept pace with the growth of traffic
21 and goods crossing the international border with Mexico.

22 (h) The state must seek all reasonable alternatives to address
23 unmet border transportation needs and to improve existing
24 transportation facilities.

25 (i) Public toll transportation facilities should be encouraged to
26 supplement limited public resources and to support the
27 development of new transportation system capacity.

28 31461. This chapter may be cited as the Otay Mesa East Toll
29 Facility Act. All references to the “act” in this chapter shall mean
30 the Otay Mesa East Toll Facility Act.

31 31462. For purposes of this chapter, the following definitions
32 shall apply:

33 (a) “Board” means the board of directors of SANDAG.

34 (b) “Bonds” means any bonds, notes, variable rate and variable
35 maturity securities, and any other evidence of indebtedness issued
36 pursuant to this chapter.

37 (c) “Corridor” means State Route 11 in the County of San Diego,
38 as defined in Section 311.

39 (d) “Costs” includes the cost of construction or acquisition; the
40 cost of the acquisition of all land, rights-of-way, property, rights,

1 easements, and interests acquired by SANDAG for the
2 construction; the cost of demolishing or removing any buildings
3 or structures on land acquired, including the cost of acquiring any
4 lands to which buildings or structures may be moved; the cost of
5 all machinery and equipment, financing charges, interest before
6 and during construction and, if considered advisable by SANDAG,
7 costs of accounting, consulting, printing, advertising and travel,
8 cost of traffic estimates and of engineering and legal services,
9 plans, specifications, surveys, estimates of cost and of revenues,
10 and other expenses necessary or incident to determining the
11 feasibility or practicability of constructing, repairing, or improving
12 a project; administrative expenses; and such other expenses as may
13 be necessary or incident to the construction, repair, or improvement
14 of a project, the financing of the project, the placing and
15 maintaining of a project in operation, and any payments to an entity
16 to cover all or a portion of the costs described in this chapter. Any
17 money paid or advanced to SANDAG with its approval for traffic
18 surveys, borings, preparation of plans and specifications, and other
19 engineering services in connection with the construction, repair,
20 or improvement of a project shall be regarded as a part of the cost
21 of a project and may be reimbursed out of the proceeds of the
22 revenue bonds issued for a project as authorized in this chapter.
23 Cost includes the cost to operate, maintain, repair, or improve a
24 project.

25 (e) “Department” means the Department of Transportation.

26 (f) “Design-build” means a procurement process in which both
27 the design and construction of a project are procured in a single
28 phase.

29 (g) “Design sequencing” means a procurement process that
30 enables the sequencing of design activities to permit each
31 construction phase to commence when design for that phase is
32 complete, instead of requiring the design for the entire project to
33 be completed before commencing construction.

34 (h) “Entity” means the United States or any agency or
35 department of the United States, any State of California agency,
36 department or political subdivision of the state, or any public or
37 private corporation, company, partnership, joint venture,
38 foundation, trust, estate, individual, or other legal business
39 organization.

1 (i) “Federal agency” means any agency or department of the
2 United States.

3 (j) “Project” or “projects” means any property and related
4 facilities, whether or not now in existence, acquired to facilitate
5 the movement of goods and people along the corridor or at the
6 Otay Mesa East Port of Entry, including property suitable for any
7 of the following purposes:

8 (1) International ports of entry.

9 (2) International border crossing facilities.

10 (3) Transportation facilities, including highway and roadway,
11 public transit, and nonmotorized facilities, and other projects
12 supporting any transportation facility designed, constructed,
13 maintained, or operated with toll revenues.

14 (4) A bridge or tunnel, overpasses, underpasses, entrance plazas,
15 toll houses, administration, storage and other buildings and
16 facilities, and all equipment therefor, and may include terminal
17 facilities, customs and immigration facilities, and such approaches
18 and approach highways as may be determined by SANDAG to be
19 necessary to facilitate the flow of traffic or to connect a project
20 with the existing highway systems, together with all property,
21 rights, easements, and interests acquired by SANDAG for the
22 construction or operation of a project, including, but not limited
23 to, energy and communication lines.

24 (k) “Property” means land, improvements to land, buildings,
25 improvements to buildings, machinery and equipment of any kind,
26 operating capital, and any other real or personal property necessary
27 for a project.

28 (l) “SANDAG” means the San Diego Association of
29 Governments, as referenced in the San Diego Regional
30 Transportation Consolidation Act, Chapter 3 (commencing with
31 Section 132350) of Division 12.7 of the Public Utilities Code.

32 (m) “Trustee” means any financial institution or trust company
33 actually doing business in this state.

34 31463. This act, being necessary for the welfare of the state
35 and its inhabitants, shall be liberally construed to effect its
36 purposes.

37 31465. This chapter shall provide an additional and alternative
38 method for doing the things authorized by this chapter and shall
39 be regarded as supplemental and additional to any powers and
40 rights conferred on SANDAG by other laws. When carrying out

1 its responsibilities under this chapter, SANDAG shall comply with
2 the requirements imposed by the San Diego Regional
3 Transportation Consolidation Act (Chapter 3 (commencing with
4 Section 132350) of Division 12.7 of the Public Utilities Code) not
5 in conflict with this chapter, including, but not limited to, noticing,
6 holding, and conducting its meetings in accordance with the Ralph
7 M. Brown Act (Chapter 9 (commencing with Section 54950) of
8 Part 1 of Division 2 of Title 5 of the Government Code).

9 31466. SANDAG shall have and may exercise all rights and
10 powers, expressed or implied, that are necessary to carry out the
11 purposes and intent of this chapter, including the power to do all
12 of the following:

13 (a) Issue bonds payable from and secured by a pledge of
14 SANDAG of all or any part of the revenues of SANDAG to finance
15 the activities authorized by this act and for the purpose of financing
16 the cost of acquiring or operating any project or to purchase, refund,
17 or otherwise acquire, at or before maturity, any outstanding bonds
18 meeting the requirements provided in this chapter, and to sell those
19 bonds at public or private sale in the form and on the terms and
20 conditions as SANDAG shall approve.

21 (b) Consult with counties, cities, towns, and other agencies and
22 political subdivisions of this state and Mexico relating to plans
23 and projects authorized by this chapter.

24 (c) Fix and revise from time to time and charge and collect tolls
25 and other charges for the use of a project.

26 (d) Acquire by dedication, gift, purchase, or eminent domain,
27 and hold and dispose of any interests in property whether real or
28 personal in the exercise of its powers and the performance of its
29 duties under this chapter.

30 (e) Establish and enforce policies, rules, and regulations for the
31 administration, operation, and maintenance of facilities and
32 services.

33 (f) Pledge all or any part of the revenues of projects to secure
34 bonds and any repayment or reimbursement obligations of
35 SANDAG to any provider of bond insurance or letter of credit or
36 line of credit facility determined to be appropriate by SANDAG
37 to provide for the payment of debt service on any bonds of
38 SANDAG, and the state hereby pledges to, and agrees with, the
39 holders of bonds that the state will not limit, alter, or restrict the
40 rights hereby vested in SANDAG to fulfill each pledge of revenues

1 and any other terms of any agreement made with or for the benefit
2 of the holders of bonds or in any way impair the rights or remedies
3 of the holders of the bonds or the providers of bond insurance or
4 letter of credit or line of credit facilities.

5 (g) Do all acts necessary and convenient for the full exercise of
6 the powers granted in this chapter.

7 31467. (a) Highway projects constructed pursuant to the act
8 shall, at all times following construction, be owned by the
9 department. International port of entry facilities constructed
10 pursuant to the act shall, at all times following construction, be
11 owned by a federal agency. All other property and facilities
12 constructed pursuant to this chapter shall be owned by SANDAG,
13 unless transferred to a state or federal agency upon agreement
14 between SANDAG and the relevant agency.

15 (b) The plans and specifications for a transportation project
16 developed, maintained, repaired, rehabilitated, reconstructed, or
17 operated pursuant to the act shall comply with the relevant
18 standards of the department for state transportation projects. Ports
19 of entry projects shall meet the relevant federal agency's published
20 design standards and legal requirements. SANDAG may approve
21 the location, design, and the materials of construction for a project
22 constructed pursuant to this chapter after consultation with the
23 department or the relevant federal agency, as applicable.

24 (c) SANDAG shall carry out its highway projects in cooperation
25 with the department and shall consult the department in the
26 operation of a project and on matters related to highway design
27 and construction.

28 (d) For the purpose of facilitating a project, the agreements
29 between SANDAG and other entities may include provisions for
30 the lease of rights-of-way in, and airspace over or under, highways,
31 public streets, rail, or related facilities for the granting of necessary
32 easements, and for the issuance of permits or other authorizations
33 to enable the construction or operation of a project.

34 (e) Agreements between SANDAG, appropriate local, state, or
35 federal agencies, or any other entity may be executed to identify
36 the respective obligations and liabilities of one or more of those
37 entities and assign them responsibilities relating to a project. The
38 agreements entered into pursuant to this section shall be consistent
39 with agreements between the department and the United States
40 Department of Transportation relating to a project and may include

1 procedures for enforcement by the Department of the California
2 Highway Patrol.

3 (f) Any project utilizing the department's services shall be
4 included in the department's capital outlay support program for
5 workload purposes.

6 31468. (a) The Legislature has recognized the merits of
7 alternative project delivery methods such as the design-build
8 procurement process in the past by authorizing its use for projects
9 undertaken by school districts, the University of California,
10 specified local government projects, state office buildings, and
11 public transit projects.

12 (b) It is the intent of the Legislature to provide optional,
13 alternative procedures for bidding and building *the international*
14 *port of entry facility and ancillary border crossing* projects
15 pursuant to this act. SANDAG may utilize an alternative project
16 delivery method authorized in this ~~section~~, *after section on the*
17 *international port of entry facility and ancillary border crossing*
18 *projects, after* evaluation of the traditional design, bid, and build
19 process of construction and of the design-build process in a public
20 meeting, the governing board makes written findings that use of
21 an alternative project delivery method on the specific project under
22 consideration will accomplish at least one of the following
23 objectives: reduce comparable project costs, expedite a project's
24 completion, or provide features not achievable through the
25 traditional design-bid-build method.

26 ~~(c) If SANDAG utilizes an alternative project delivery method~~
27 ~~authorized in this section on the state highway system, it shall meet~~
28 ~~the conditions in subdivision (b) and shall utilize the department's~~
29 ~~services for project design and engineering, including construction~~
30 ~~inspection. SANDAG and the department may enter into an~~
31 ~~agreement, upon those terms as they may agree to in writing, for~~
32 ~~the department to provide design and engineering services on a~~
33 ~~project for SANDAG. The agreement shall provide for payment~~
34 ~~in advance for all design and engineering services provided by the~~
35 ~~department.~~

36 ~~(d)~~

37 (c) SANDAG may utilize the following alternative project
38 delivery methods if the conditions in this section are met:

39 (1) Design-build.

40 (2) Design sequencing.

1 (e)

2 (d) If the conditions in this section for utilizing an alternative
3 delivery method are not met, SANDAG shall use the
4 design-bid-build delivery method for construction of a project.

5 (f)

6 (e) It is the intent of the Legislature that alternative project
7 delivery methods as authorized in this section shall not be construed
8 to extend, limit, or change in any manner the legal responsibility
9 of public agencies and contractors to comply with existing laws.

10 31472. This chapter does not authorize SANDAG or the
11 department to do either of the following:

12 (a) Lease or otherwise convey a toll road to a private-sector
13 entity.

14 (b) Convert any existing nontoll or non-user-fee highway lane
15 into a tolled or user-fee highway lane.

16 31473. (a) The cities and county in the San Diego region are
17 authorized and empowered to lease, lend, grant, or convey to
18 SANDAG at its request upon such terms and conditions as the city
19 or county considers reasonable and fair and without the necessity
20 for any advertisement, order of court, or other action of formality,
21 other than the regular and formal action of the governing body of
22 the cities or county, any real property that may be necessary or
23 convenient to the effectuation of the authorized purposes of
24 SANDAG, including public highways and other real property
25 already devoted to public use.

26 (b) If a reasonable price cannot be agreed upon, or if the owner
27 is legally incapacitated, absent, unknown, or unable to convey
28 valid title, SANDAG is hereby authorized and empowered to
29 acquire by condemnation or by the exercise of the power of eminent
30 domain any lands, property, rights, rights-of-way, easements, and
31 other property, including highways or parkways, or parts thereof
32 or rights therein, of any person, copartnership, association, railroad,
33 public service, public utility or other corporation, municipality, or
34 political subdivision considered necessary or convenient for the
35 construction, repair, or improvement or the efficient operation of
36 a project or necessary in restoration of public or private property
37 damaged or destroyed, but not including any of the rights of any
38 franchisee, lessee, or owner of airspace rights in the demonstration
39 toll road project known as State Route 125 in the County of San
40 Diego.

1 (c) Any proceedings pursuant to subdivision (b) shall be
2 conducted in accordance with and subject to the relocation
3 assistance guidelines in Chapter 16 (commencing with Section
4 7260) of Division 7 of Title 1 of the Government Code. Title to
5 any property acquired by SANDAG shall be taken in the name of
6 SANDAG or the department.

7 (d) If the owner, lessee, or occupier of any property to be
8 condemned refuses to remove his or her personal property from
9 the property or give up possession of the property, SANDAG may
10 proceed to obtain possession in any manner now or hereafter
11 provided by law.

12 31474. (a) SANDAG may only impose tolls and user fees for
13 the use of the corridor.

14 (b) Within two years following the opening of a tolled project
15 by SANDAG and at least biennially thereafter, SANDAG shall
16 review the adequacy of the toll rates established to cover the costs
17 of the project. The board shall make available any proposed
18 revisions to toll rates to the public no less than 30 days prior to
19 adoption by the board as described in subdivision (a) of Section
20 31476.

21 (c) SANDAG's toll structure may include discounts and
22 premiums to encourage efficient use of tolled projects and
23 reduction of congestion and emission of greenhouse gases,
24 including, without limitation, discounts for high-occupancy
25 vehicles, electronic toll collection, and off-peak travel, and
26 premiums for on-peak travel.

27 (d) SANDAG's toll structure may include adjustments to toll
28 rates to reflect economic factors, including, but not limited to, the
29 Consumer Price Index or other cost indices.

30 31475. (a) Toll revenues from a project may be used to
31 reimburse or finance the costs of state agencies and federal agencies
32 incurred in connection with the implementation or operation of a
33 project, including reimbursement of federal funds specifically
34 allocated to SANDAG for a project by the federal government or
35 other funds from funding sources that are not otherwise available
36 to state agencies for transportation-related projects. SANDAG
37 shall be reimbursed for administrative costs in an amount that shall
38 not exceed 3 percent of project revenues.

39 (b) Toll revenues shall be used to pay for costs in the categories
40 below in the following priority:

1 (1) Payments pursuant to bonds and resolutions, indentures, and
2 other constituent instruments defining the rights of the holders of
3 bonds and any repayment or reimbursement obligations of
4 SANDAG to any providers of bond insurance or letters of credit
5 or lines of credit related to bonds.

6 (2) SANDAG costs for operations, toll collection, and
7 administration of the facility.

8 (3) Reimbursement to federal, state, and local agencies for costs
9 incurred by those agencies for services provided to a project that
10 are reimbursable pursuant to a written agreement between
11 SANDAG and the respective agency.

12 (4) Costs for capital improvements to repair or rehabilitate a
13 project, to expand project capacity, to improve project operations,
14 or to increase public transit and nonmotorized options in the
15 corridor.

16 (5) Excess revenues shall be used pursuant to the plan approved
17 by the board pursuant to subdivision (b) of Section 31476 that
18 specifies the expenditure of toll revenues for projects that increase
19 transportation options in the corridor, including, but not limited
20 to, public transit and nonmotorized transportation that would result
21 in reduced vehicle miles traveled.

22 31476. (a) At least 30 days prior to setting the initial toll rates
23 for a project, and thereafter when adjustments to the toll rates are
24 proposed, the board shall provide a public comment period
25 regarding the proposed rates. The board shall also take public
26 testimony at one or more public meetings during this time period.

27 (b) The expenditure plan for toll revenues shall be updated and
28 approved by the board on an annual basis beginning on July 1
29 following implementation of a toll. Approval of the initial and
30 annual expenditure plan shall take place at a public meeting held
31 by the board following a notice of at least 30 days to the public.

32 (c) Collection of tolls on a project financed with bond revenues
33 shall cease following repayment of the bonds and other project
34 costs in full unless an extension of the time for toll collection is
35 approved by a two-thirds vote of the board at a public meeting
36 following a notice of at least 30 days to the public.

37 (d) The board shall arrange for a postaudit of the revenues
38 expended pursuant to this chapter to be made at least annually by
39 a certified public accountant.

1 31477. (a) SANDAG may enter into one or more agreements
2 with the County of San Diego or a city within the County of San
3 Diego to accept fees imposed by that city or the county pursuant
4 to the Subdivision Map Act (Division 2 (commencing with Section
5 66410) of Title 7 of the Government Code) or the Mitigation Fee
6 Act (Chapter 5 (commencing with Section 66000), Chapter 6
7 (commencing with Section 66010), Chapter 7 (commencing with
8 Section 66012), Chapter 8 (commencing with Section 66016), and
9 Chapter 9 (commencing with Section 66020) of Division 1 of Title
10 7 of the Government Code), to reimburse SANDAG for costs it
11 has or will incur to mitigate development that will have a negative
12 impact on the movement of people or goods along the State Route
13 11 corridor or the Otay Mesa East Port of Entry.

14 (b) Fees paid to a city or the county and transferred to SANDAG
15 pursuant to this section shall be expended by SANDAG solely for
16 the construction or reimbursement for construction of the
17 improvement serving the area to be benefited and from which the
18 fees transferred from the city or county were collected.

19 (c) The agreement may provide for the acceptance of
20 considerations in lieu of the payment of fees.

21 (d) If the provisions of this section, or provisions implementing
22 this section contained in any ordinance adopted pursuant to this
23 section, are held invalid, that invalidity shall not affect other
24 provisions of this section or of the ordinance adopted pursuant
25 thereto, which can be given effect without the invalid provision,
26 and to this end the provisions of this section and of an ordinance
27 adopted pursuant thereto are severable.

28 31481. (a) SANDAG may, from time to time, issue bonds in
29 accordance with the Revenue Bond Law of 1941 (Chapter 6
30 (commencing with Section 54300) of Part 1 of Division 2 of Title
31 5 of the Government Code) for any of the purposes authorized by
32 this chapter. SANDAG shall constitute a “local agency” within
33 the meaning of Section 54307 of the Government Code. The
34 operation of SANDAG projects or any grouping or units thereof
35 shall constitute an “enterprise” within the meaning of that section.

36 (b) Article 3 (commencing with Section 54380) of Chapter 6
37 of Part 1 of Division 2 of Title 5 of the Government Code does
38 not apply to the issuance and sale of bonds pursuant to this chapter
39 and SANDAG shall authorize the issuance of such bonds by
40 resolution of its board.

1 (c) Any bond issued pursuant to this section shall contain on its
2 face a statement to the following effect: “Neither the full faith and
3 credit nor the taxing power of the State of California is pledged to
4 the payment of principal of, or the interest of this bond.”

5 (d) SANDAG may bring an action to determine the validity of
6 any of its bonds pursuant to Chapter 9 (commencing with Section
7 860) of Title 10 of Part 2 of the Code of Civil Procedure.

8 (e) Before issuing any new or increased toll revenue bonds, the
9 board shall conduct at least one public meeting following at least
10 30 days’ notice to the public at which public testimony shall be
11 taken regarding the proposed bond issuance. Issuance of new or
12 increased toll revenue bonds pursuant to this act shall require
13 approval by at least two-thirds of the board’s voting members.

14 31482. (a) SANDAG, its income and property, all bonds issued
15 by it, and the interest on the bonds are exempt from all taxation
16 by this state or any political subdivision of this state.

17 (b) Bonds issued by SANDAG are legal investments for all trust
18 funds, the funds of all insurance companies, banks, trust companies,
19 executors, administrators, trustees, and other fiduciaries. The bonds
20 are securities that may legally be deposited with, and received by,
21 any state or municipal officer or agency or political subdivision
22 of the state for any purpose for which the deposit of bonds or
23 obligation of the state is now, or may hereafter be, authorized by
24 law, including deposits to secure public funds.

25 (c) Nothing in this chapter is intended to infringe upon the rights
26 of the state to make transportation improvements that may impact
27 use of transportation facilities in the corridor.

28 SEC. 2. The provisions of this act are severable. If any
29 provision of this act or its application is held invalid, that invalidity
30 shall not affect other provisions or applications that can be given
31 effect without the invalid provision or application.

32 SEC. 3. No reimbursement is required by this act pursuant to
33 Section 6 of Article XIII B of the California Constitution because
34 the only costs that may be incurred by a local agency or school
35 district are the result of a program for which legislative authority
36 was requested by that local agency or school district, within the
37 meaning of Section 17556 of the Government Code and Section
38 6 of Article XIII B of the California Constitution.

O