

**ASSEMBLY BILL**

**No. 2052**

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**Introduced by Assembly Member Aroner**

February 22, 2000

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An act to amend Section 99315 of, and to add Chapter 3.5 (commencing with Section 99170) to Part 11 of Division 10 of, the Public Utilities Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2052, as introduced, Aroner. Transportation: public transit: CalWORKs recipients.

(1) Existing law requires regional transportation planning agencies, as defined, and regional transportation commissions, as defined, to prepare and adopt an action plan that describes in detail the steps required to consolidate social service transportation services. The plan is required to be submitted to the Director of Transportation and updated every 2 years.

This bill would create the Welfare-To-Work Account in the State Transportation Fund and would provide that money in the account is continuously appropriated to the Department of Transportation for allocation to certain regional transportation entities for the purpose of developing transportation projects and services to assist persons who are receiving aid under the CalWORKs program, as specified, and for transfer to a specified subaccount within the account for other specified purposes.

The bill would require the department to allocate funds from the account to the regional transportation entities based on a specified formula.

The bill would require each regional transportation entity to create a welfare-to-work fund as a trust fund in the county treasury, to deposit in that fund all money allocated to it under these provisions, and to apportion and allocate money from the fund to the operators within its jurisdiction to fund projects and services for providing transportation for recipients of aid under the CalWORKs program. The bill would thereby create a state-mandated local program by imposing additional duties upon local governmental entities.

The bill would create the Suburban and Rural Operators Welfare-To-Work Subaccount within the account and require the department to transfer money from the account to the subaccount in a specified amount. The money in the subaccount would be available for allocation by the department to fund projects and services selected by the department for providing transportation for recipients of aid under the CalWORKs program in counties with populations of less than 100,000 persons.

The bill would require the department, in consultation with representatives of the CalWORKs program, to prepare an evaluation report regarding the effectiveness of the demonstration project, and, on or before December 31, 2003, to provide a copy of that report to the Legislature.

(2) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

Existing law requires that certain funds transferred to the Public Transportation Account in the State Transportation Fund be appropriated to the department for specified purposes relating to public transit, among other things.

This bill would, if the Commission on State Mandates determines that the bill contains costs mandated by the state,



establish a procedure whereby the funds transferred to the department from the account would be made available for the additional purpose of reimbursing regional transportation entities for those costs.

(3) The bill would appropriate \$20,000,000 from the General Fund to the Welfare-To-Work Account for the purposes specified in (1) above.

(4) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. The Legislature finds and declares all of  
2 the following:

3 (a) Public transit is an essential element for successful  
4 implementation of welfare reform.

5 (b) A variety of different approaches to improving  
6 public transit to aid welfare reform must be tried,  
7 including, but not limited to, added levels of service, van  
8 pools, subsidized fares, trip planning, and public  
9 education.

10 (c) In order to lead the way in developing these  
11 various approaches, including, but not limited to, projects  
12 to better leverage available federal funds for the Access  
13 to Jobs and Reverse Commute Program made available  
14 under the Transportation Equity Act for the 21st Century  
15 (P.L. 105-178), legislation should be enacted to fund a  
16 range of demonstration projects.

17 (d) In order to better implement that legislation, not  
18 less than 25 percent of the funds received by a regional  
19 entity, as defined under subdivision (f) of Section 99171  
20 of the Public Utilities Code, should be allocated to  
21 nonprofit entities other than transit providers.

22 SEC. 2. Chapter 3.5 (commencing with Section  
23 99170) is added to Part 11 of Division 10 of the Public  
24 Utilities Code, to read:

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CHAPTER 3.5. WELFARE-TO-WORK TRANSPORTATION  
DEMONSTRATION PROJECT

Article 1. Definitions and General Provisions

99170. This chapter shall be known and may be cited as the Welfare-To-Work Transportation Demonstration Project Act of 2000.

99171. For purposes of this chapter, the following terms have the following meanings:

(a) (1) "Account" means the Welfare-To-Work Account created by Section 99180 in the State Transportation Fund.

(2) "Subaccount" means the Suburban and Rural Operators Welfare-To-Work Subaccount created within the account by Section 99190.

(b) "CalWORKs program" means the program provided under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code.

(c) "Department" means the Department of Transportation.

(d) "Fund" means the county welfare-to-work fund created under Section 99182.

(e) "Operator" has the same meaning as that term is defined in Section 99210 or is a nonprofit entity that provides transportation services.

(f) "Regional entity" means a transportation planning agency designated under Section 29532 of the Government Code or a county transportation commission created under Division 12 (commencing with Section 130000).

(g) "Welfare population" means the number of persons within the jurisdiction of a regional entity who are receiving aid under the CalWORKs program.

99174. For the purposes of this chapter, the "area" of a regional entity is as follows:

(a) For a county transportation commission, all of the area within the county in which the commission was created.



1 (b) For a transportation planning agency, the area for  
2 which it is the designated agency under Section 29532 or  
3 29532.1 of the Government Code, but excluding those  
4 areas that are also under the jurisdiction of a county  
5 transportation commission.

6 99176. Not more than 5 percent of any funds received  
7 under this chapter by a regional entity or operator may  
8 be expended for administration of the program  
9 established under this chapter.

10 99178. Prior to making any funds available to a  
11 provider of services, the department, regional entity, or  
12 operator making those funds available shall obtain both  
13 of the following from the proposed recipient of those  
14 funds:

15 (a) Certification that the proposed recipient is in  
16 compliance with all applicable state and federal laws  
17 governing labor, employment, safety, and taxation.

18 (b) A statement disclosing all violations of those laws  
19 committed by the proposed recipient within the past 10  
20 years or certifying that no violations of those laws have  
21 occurred during that time.

22

23 Article 2. Allocations to Urban Operators

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25 99180. The Welfare-To-Work Account is hereby  
26 created in the State Transportation Fund.  
27 Notwithstanding Section 13340 of the Government Code,  
28 the money in the account is hereby appropriated, without  
29 regard to fiscal years, to the department for allocation to  
30 the regional entities for the purpose of developing  
31 transportation projects and services, including, but not  
32 limited to, the linking of transit information systems to  
33 agencies administering the CalWORKs program to assist  
34 persons who are receiving aid under the CalWORKs  
35 program and for transfer to the subaccount as required by  
36 the department.

37 99181. (a) Ninety percent of the funds made  
38 available for purposes of this chapter shall be allocated to  
39 regional entities serving populations of 100,000 persons or  
40 more.



1 (b) The department shall allocate funds from the  
2 account to the regional entities based on the ratio of the  
3 welfare population within the area of the regional entity  
4 to the welfare population of counties with a total  
5 population of 100,000 persons or more, as estimated by the  
6 State Department of Social Services.

7 99182. (a) Each regional entity shall create a  
8 welfare-to-work fund as a trust fund in the county  
9 treasury and shall deposit in that fund all money allocated  
10 to it under Section 99181.

11 (b) Any interest or other income earned by  
12 investment of the money in the fund shall accrue to and  
13 be a part of the fund. Interest earned during a fiscal year  
14 shall be treated in the same manner as funds allocated to  
15 the regional entity by the Controller during that fiscal  
16 year.

17 (c) The money in the fund shall not be commingled  
18 with the local transportation fund, nor with planning  
19 subventions from the Public Transportation Account, nor  
20 with any other revenues or funds of the regional entity or  
21 of any city, county, or operator.

22 (d) If there are two or more regional entities in the  
23 same county, the money in the fund for those entities may  
24 not be commingled.

25 99183. (a) The regional entity, in corroboration with  
26 any other regional entity in that county and after  
27 consulting with the county welfare departments and  
28 other interested governmental and nongovernmental  
29 entities, shall adopt rules and regulations for the  
30 establishment of an annual grant program for the  
31 allocation of funds for the purposes described in Section  
32 99184. Any operator within the area of the regional entity  
33 may file a competitive claim for a grant of funds under the  
34 program.

35 (b) The regional entity shall allocate money from the  
36 fund to the operators within its jurisdiction for  
37 competitive claims that are approved by the regional  
38 entity in accordance with the procedures developed  
39 under Section 99185. Not less than 25 percent of the funds  
40 allocated by the regional entity shall be allocated to



1 private, nonprofit entities that qualify as operators under  
2 subdivision (e) of Section 99171.

3 (c) Except as required under subdivision (d), any  
4 amount of an operator's apportionment that is not  
5 allocated to that operator shall be retained in the fund for  
6 later allocation to the same operator or to a succeeding  
7 operator on terms and conditions determined by the  
8 regional entity.

9 (d) On June 30, 2003, all regional entities shall transfer  
10 any money that was allocated by the department under  
11 this article and that was not encumbered under this  
12 article on or before that date to the Controller for deposit  
13 in the General Fund.

14 99184. An operator may file a competitive claim  
15 under the grant program developed under Section 99183  
16 for an allocation from the fund to accomplish the  
17 following purposes:

18 (a) Providing transportation to jobsites, educational  
19 facilities, and child care facilities for recipients of aid  
20 under the CalWORKs program.

21 (b) Purchasing vehicles for transportation of  
22 recipients of aid under the CalWORKs program.

23 (c) Designing and implementing transportation or  
24 transportation management systems that will assist  
25 recipients of aid under the CalWORKs program in  
26 obtaining jobs or other services that promote  
27 employability.

28 99185. (a) The regional entity shall establish rules  
29 and regulations for approving claims filed under the  
30 grant program.

31 (b) If the regional entity is a local transportation  
32 commission within the area of a multicounty regional  
33 agency, the operator shall file a copy of the claim on the  
34 same day with the multicounty regional agency.

35 99186. An allocation made under this article may not  
36 be rescinded or revised, except under one of the  
37 following circumstances:

38 (a) A revised claim has been filed by the operator or  
39 an appeal affecting the allocation has been filed.



1 (b) The operator is found to be spending money in a  
2 manner that is not in accordance with the terms of the  
3 allocation.

4 (c) An adjustment is proved to be necessary to  
5 reconcile the estimates on which the allocation was based  
6 with the actual amounts required or with revised  
7 estimates.

8 99188. A multicounty designated transportation  
9 planning agency, as defined in Section 130004, may file a  
10 competitive claim under the grant program developed  
11 under Section 99183 for an allocation from the fund for  
12 the purpose of linking transit information systems to  
13 agencies administering the CalWORKs program.

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15 Article 3. Allocations to Suburban and Rural  
16 Operators

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18 99190. (a) The Suburban and Rural Operators  
19 Welfare-To-Work Subaccount is hereby created within  
20 the account.

21 (b) The department shall transfer from the account to  
22 the subaccount an amount that is equal to 10 percent of  
23 the total amount that is in the account.

24 (c) The money in the subaccount shall be available for  
25 allocation by the department to operators within counties  
26 with populations of less than 100,000 persons for the  
27 purpose of developing transportation projects and  
28 services to aid persons who are receiving aid under the  
29 CalWORKs program.

30 99192. (a) The department shall develop procedures  
31 to accept competitive applications from operators within  
32 counties with populations of less than 100,000 persons for  
33 allocations of funds from the subaccount for those  
34 projects and services that accomplish the purposes listed  
35 in Section 99184.

36 (b) The department shall develop procedures to select  
37 projects for funding and shall allocate funds from the  
38 subaccount to fund the projects selected.

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1 Article 4. Reimbursement of State-Mandated Local  
2 Program Costs and Program Effectiveness Report

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4 99198. Notwithstanding Section 17610 of the  
5 Government Code, if the Commission on State Mandates  
6 determines that this chapter contains costs mandated by  
7 the state, the regional entity shall apply to the  
8 department for payment of those costs, and the  
9 department shall make those payments from the funds  
10 made available to the department under subdivision (g)  
11 of Section 99315.

12 99199. The department, in consultation with  
13 representatives of the CalWORKs program, shall prepare  
14 an evaluation report regarding the effectiveness of the  
15 demonstration project under this chapter and, on or  
16 before December 31, 2003, shall provide a copy of that  
17 report to the Legislature.

18 SEC. 3. Section 99315 of the Public Utilities Code is  
19 amended to read:

20 99315. Funds made available pursuant to subdivision  
21 (a) of Section 99312, shall be available for all of the  
22 following purposes:

23 (a) Bus and passenger rail services pursuant to  
24 Sections 14035, 14035.5, and 14038 of the Government  
25 Code.

26 (b) Funding of public transit capital improvement  
27 projects in the state transportation improvement  
28 program, pursuant to Section 14529 of the Government  
29 Code.

30 (c) To the department for its planning activities not  
31 payable from the State Highway Account in the State  
32 Transportation Fund, its mass transportation  
33 responsibilities, and its assistance in regional  
34 transportation planning.

35 (d) To the director for allocation to the Institute of  
36 Transportation Studies of the University of California for  
37 training and research in public transportation systems  
38 engineering and management and coordination with  
39 other transportation modes.

1 (e) To the commission for its activities not payable  
2 from the State Highway Account.

3 (f) To the Public Utilities Commission for its passenger  
4 rail safety responsibilities specified in statute on  
5 commuter rail, intercity rail, and urban rail transit lines.

6 (g) *To the department for the payments required*  
7 *under Section 99198.*

8 SEC. 4. The amount of twenty million dollars  
9 (\$20,000,000) is hereby appropriated from the General  
10 Fund to the Welfare-To-Work Account for the purposes  
11 of Chapter 3.5 (commencing with Section 99170) of Part  
12 11 of Division 10 of the Public Utilities Code, as added by  
13 this act.

14 SEC. 5. This act is an urgency statute necessary for the  
15 immediate preservation of the public peace, health, or  
16 safety within the meaning of Article IV of the  
17 Constitution and shall go into immediate effect. The facts  
18 constituting the necessity are:

19 In order to implement, as soon as possible, the  
20 Welfare-To-Work Transportation Demonstration Project  
21 Act of 2000 to provide a variety of different approaches  
22 to improving public transit to aid welfare reform, it is  
23 necessary that this act take effect immediately.

