



RESOLUTION ADOPTING POSITIONS ON STATE LEGISLATION

WHEREAS, The Transportation Authority approves a set of legislative principles to guide transportation policy advocacy in the sessions of the Federal and State Legislatures; and

WHEREAS, With the assistance of the Transportation Authority's legislative advocate in Sacramento, staff has reviewed pending legislation for the current Legislative Session and analyzed it for consistency with the Transportation Authority's adopted legislative principles and for impacts on transportation funding and program implementation in San Francisco; now, therefore, be it

RESOLVED, That the Transportation Authority hereby does adopt new support positions on Assembly Bill (AB) 342 (Chiu) and State Constitutional Amendment (SCA) 6 (Wiener), and new oppose positions on Senate Bill (SB) 423 (Cannella) and SB 493 (Hill); and be it further

RESOLVED, That the Executive Director is directed to communicate these positions to all relevant parties.

Attachment:

1. New Bills and Recommended Positions

**San Francisco County Transportation Authority
March 2017**

New Recommended Positions

To view documents associated with the bill, click the bill number link.

Staff is recommending new support positions on Assembly Bill (AB) 342 (Chiu) and State Constitutional Amendment (SCA) 6 (Wiener), and new oppose positions on Senate Bill (SB) 423 (Cannella) and SB 493 (Hill). Additional detail on bills with new support/oppose and watch positions are shaded in the attached state legislative matrix. It also provides detail on the other bills we are tracking.

Recommended Positions	Bill # Author	Keywords and Comments
Support	AB 342 Chiu D	Vehicles: automated speed enforcement (ASE): five-year pilot program. This bill would authorize, no later than January 1, 2019, the City of San Jose and the City and County of San Francisco to implement a 5-year pilot program utilizing an ASE system for speed limit enforcement. ASE has been an adopted legislative priority of the SFCTA and SFMTA for years, consistent with the City's adopted Vision Zero policies. This bill was previously discussed at the Transportation Authority's February Finance Committee meeting. The Board of Supervisors (BOS) Transportation & Land Use Committee is anticipated to hold a hearing on this bill on March 13.
	SCA 6 Wiener D	Local transportation measures: special taxes: voter approval. This measure seeks to reduce vote threshold from 2/3 to 55% for local transportation sales tax revenues. If approved, the measure would go to the state ballot for voter approval, which requires a majority statewide vote.
Oppose	SB 423 Cannella R	Indemnity: public contract liability. This bill would effectively require public agencies and other project owners to defend design professionals' interests and then, after a legal determination, attempt to secure reimbursement for those legal costs and fault.
	SB 493 Hill D	Vehicles: right-turn violations. This bill would reduce the violation fine for failing to stop before making a right hand turn from \$100 to \$35. Reducing penalties for drivers committing safety violations is not consistent with the City's Vision Zero goals.
Watch	AB 1007 Ting D	Personal income tax: definitions. This is a spot bill related to amending the revenue and taxation code to enable California local jurisdictions to levy a personal income tax and a corporate income tax. The San Francisco BOS is considering a resolution urging the State Legislation to pursue such authorization.
	AB 1103 Obernolte R	Bicycles: yielding. This bill follows other states in authorizing a so-called "Idaho Stop." The measure would permit bicyclists to treat stop signs as yield signs. The bill applies at signed intersections, not signalized ones.
	AB 1113 Bloom D	State Transit Assistance program. This bill is supported by the California Transit Association to rectify a change in recipients that are eligible for State Transit Assistance funds made last year by the State Controller.
	AB 1121 Chiu D	San Francisco Bay Area ferries. This is a spot bill related to developing new source of local funds for the SF Bay Ferry System.
	SB 760 Wiener D	Transportation funding: active transportation: complete streets. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities and establish a new division in Caltrans.

San Francisco County Transportation Authority

March 2017

Bills of Interest

To view documents associated with the bill, click the bill number link. To view the bill text, click the TEXT link.

Staff is recommending new support positions on Assembly Bill (AB), and Senate Bill (SB), and a new oppose position on

Bill #	Author	Description	Status	Position	Comments
AB 1 Introduced: 12/5/2016 Text	Frazier D (Dist 11)	Transportation funding. Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.	Assembly Transportation	Support	This bill would create the road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and local roads. New gas taxes, diesel taxes, registration fees, and other sources would generate \$6 billion annually. See related SB 1 (Beall).
AB 17 Introduced: 12/5/2016 Text	Holden D (Dist 41)	Transit Pass Program: free or reduced-fare transit passes. Would create the Transit Pass Program to be administered by the Department of Transportation. The bill would require the Controller of the State of California to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students.	Assembly Transportation	Watch	Re-introduction of AB 2222 (2017) to establish a transit pass program for free or reduced transit fare passes to qualified schools for use by pupils. The 2016 bill was sponsored by TransForm and supported by a wide array of transportation groups and advocates. The source for funding in AB 2222 was Cap and Trade auction revenues. The bill was retained in Appropriations due to uncertainty over that funding source.

San Francisco County Transportation Authority

March 2017

<p>AB 25</p> <p>Introduced: 12/5/2016 Text</p>	<p>Nazarian D (Dist 46)</p>	<p>Tour buses. Current law imposes various requirements on the operation of tour buses, including, among other things, a requirement that a tour bus operator use a safety belt at all times when operating the tour bus. This bill would state the intent of the Legislature to enact legislation relating to the safe operation of tour buses.</p>	<p>Assembly Print</p>	<p>Watch</p>	<p>This is a spot bill that expresses intent to develop legislation to foster safe operating tour buses.</p>
<p>AB 28</p> <p>Amended: 3/2/2017 Text</p>	<p>Frazier D (Dist 11)</p>	<p>Department of Transportation: environmental review process: federal pilot program. Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2017, provided that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would reinstate the operation of the latter provision. The bill would repeal that provision on January 1, 2020.</p>	<p>Senate Appropriations</p>	<p>Support</p>	<p>Would re-enact State authorization for Caltrans to accept delegated federal authority to administer NEPA.</p> <p>Delegated authority allows for faster environmental clearance. With its expiration, Caltrans is not able to approve environmental documents, threatening the progress of transportation projects statewide. Transportation stakeholders across California have identified this as priority legislation. The bill needs to be approved by March 31 or the State will need to restart the approval process.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 65</p> <p>Introduced: 12/13/2016</p> <p>Text</p>	<p>Patterson R</p> <p>(Dist 23)</p>	<p>Transportation bond debt service. Current law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.</p>	<p>Assembly Transportation</p>	<p>Oppose</p>	<p>Another in a series of bills intended to bring the State's High Speed Rail project to an end by shifting the debt service payments from truck weight fees to state General Fund.</p>
<p>AB 87</p> <p>Introduced: 1/5/2017</p> <p>Text</p>	<p>Ting D</p> <p>(Dist 19)</p>	<p>Autonomous vehicles. Current law requires the Department of Motor Vehicles to adopt regulations no later than January 1, 2015, setting forth requirements for the submission of evidence of insurance, surety bond, or self-insurance, and for the submission and approval of an application to operate an autonomous vehicle. Under current law, it is unlawful and constitutes an infraction for any person to violate, or fail to comply with any provision of the Vehicle Code, unless otherwise specified. This bill would provide that violation of this section is not an infraction and would instead, among other things, require the department to revoke the registration of a vehicle that is being operated in violation of those provisions.</p>	<p>Assembly Transportation</p>	<p>Support</p>	<p>The bill amends the state's Autonomous Vehicle (AV) law to address the instance where an auto manufacturer or vehicle operator fails to comply is subject to revocation of the registration and is subject to a penalty of \$25,000 per day. Assemblymember Ting introduced this bill in the wake of the discovery that Uber was operating AVs in San Francisco without a permit form DMV. In response, the DMV revoked the registrations of Uber's 16 autonomous vehicles to pull the unregulated cars off public streets. The measure is supported by San Francisco Mayor Ed Lee, , and WalkSF, as well as bicycle interests.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 91</p> <p>Introduced: 1/9/2017</p> <p>Text</p>	<p>Cervantes D (Dist 60)</p>	<p>High-occupancy vehicle lanes. Would prohibit, commencing July 1, 2018, a high-occupancy vehicle lane from being established in the County of Riverside, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. The bill would require any existing high-occupancy vehicle lane in the County of Riverside that is not a toll lane to be modified to operate as a high-occupancy lane under those same conditions.</p>	<p>Assembly Transportation</p> <p>3/20/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair</p>	<p>Watch</p>	<p>The measure applied to HOV lanes operated within Riverside County. It would require the HOV lanes there may only operate as such during the hours of heavy commuter traffic.</p>
<p>AB 174</p> <p>Introduced: 1/17/2017</p> <p>Text</p>	<p>Bigelow R (Dist 5)</p>	<p>California Transportation Commission: membership. Current law provides that the California Transportation Commission consists of 13 members, 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, 1 is appointed by the Senate Committee on Rules, and 1 is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that at least one voting member reside in a rural county with a population of less than 100,000 individuals.</p>	<p>Assembly Transportation</p>	<p>Watch</p>	<p>Current law and tradition directs the governor to seek geographic balance in appointing members to CTC. This bill would codify a requirement that at least one member be from a rural county.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 179</p> <p>Amended: 2/14/2017 Text</p>	<p>Cervantes D (Dist 60)</p>	<p>California Transportation Commission. Current law creates the California Transportation Commission Current law provides that the commission consists of 13 members: 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation, one is appointed by the Senate Committee on Rules, and one is appointed by the Speaker of the Assembly, and 2 Members of the Legislature who are appointed as nonvoting ex officio members. This bill would require that 7 of those voting members have specified qualifications</p>	<p>Assembly Transportation</p>	<p>Watch</p>	<p>This bill would mandate that 6 of the 11 CTC members have expertise in the following areas: *Sustainable transportation *Public health effects of transportation *Climate change mitigation *Bike and pedestrian safety</p>
<p>AB 262</p> <p>Introduced: 1/31/2017 Text</p>	<p>Bonta D (Dist 18)</p>	<p>Public contracts: lowest responsive bidder: eligible materials. The State Contract Act governs the bidding and award of public works contracts by specific state departments. This bill would require an awarding department to require a prospective bidder to complete a standard form that states the cumulative amount of specified greenhouse gas emissions that were produced in the manufacturing of eligible materials, as defined, to be used on the project, and would provide that a prospective bidder may satisfy this standard by attaching to that form an Environmental Product Declaration, developed in accordance with standards established by the International Organization of Standardization, for that type of product.</p>	<p>Assembly Accountability and Administrative Review</p> <p>3/22/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY ACCOUNTABILITY AND ADMINISTRATIVE REVIEW, EGGMAN, Chair</p>	<p>Watch</p>	<p>This bill seeks to have prospective contract bidders qualify greenhouse emissions in basic construction materials.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 342</p> <p>Introduced: 2/7/2017</p> <p>Text</p>	<p>Chiu D</p> <p>(Dist 17)</p>	<p>Vehicles: automated speed enforcement (ASE): five-year pilot program.</p> <p>Would authorize, no later than January 1, 2019, the City of San Jose (San Jose) and the City and County of San Francisco (San Francisco) to implement a 5-year pilot program utilizing an automated speed enforcement system (ASE system) for speed limit enforcement on certain streets, if the system meets specified requirements, including that the presence of a fixed or mobile ASE system is clearly identified by signs, as specified, and trained peace officers or other trained designated municipal employees are utilized to oversee the operation of the fixed and mobile ASE systems.</p>	<p>Assembly Transportation</p>	<p>New – Recommend Support</p>	<p>This bill, coauthored by Senator Wiener and others, has been an adopted legislative priority of the SFCTA and SFMTA for years. It would allow both San Francisco and San Jose to pilot the use of ASE to enforce speed limits, consistent with the City’s adopted Vision Zero policies.</p>
<p>AB 1007</p> <p>Introduced: 2/16/2017</p> <p>Text</p>	<p>Ting D</p> <p>(Dist 19)</p>	<p>Personal income tax: definitions.</p> <p>The Personal Income Tax Law imposes a tax on the entire taxable income of a resident taxpayer, provides for a specified treatment of the income of nonresidents, and provides, among other things, that specified definitions govern the construction of that law. This bill would make a nonsubstantive change to those provisions.</p>	<p>Assembly Print</p>	<p>New – Recommend Watch</p>	<p>This is a spot bill related to amending the revenue and taxation code to enable California local jurisdictions to levy a personal income tax and a corporate income tax. The San Francisco Board of Supervisors is considering a resolution urging the State Legislature to pursue such authorization.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 1103</p> <p>Introduced: 2/17/2017 Text</p>	<p>Obernolte R (Dist 33)</p>	<p>TITLE This bill would, notwithstanding those provisions, authorize a person operating a bicycle approaching a stop sign, after slowing to a reasonable speed and yielding the right-of-way, to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. The bill would require a person operating a bicycle to continuously signal an intention to turn right or left during the last 100 feet traveled before the turn, except as specified. Because this bill would impose a new requirement on bicycle operators, the violation of which would be a crime, the bill would impose a state-mandated local program.</p>	<p>Assembly Print</p>	<p>New – Recommend Watch</p>	<p>This bill follows other states in authorizing a so-called “Idaho Stop.” The measure would permit bicyclists to treat stop signs as yield signs. The bill applies at signed intersections, not signalized ones.</p>
<p>AB 1113</p> <p>Introduced: 2/17/2017 Text</p>	<p>Bloom D (Dist 50)</p>	<p>State Transit Assistance program. Would revise and recast the provisions governing the State Transit Assistance program. The bill would provide that only STA-eligible operators, as defined, are eligible to receive an allocation from the portion of program funds based on transit operator revenues. The bill would provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined.</p>	<p>Assembly Print</p>	<p>New – Recommend Watch</p>	<p>This bill is supported by the California Transit Association to rectify a change in recipients that are eligible for State Transit Assistance funds made last year by the State Controller that would have significantly reduced funding available for Bay Area transit operators.</p>

San Francisco County Transportation Authority

March 2017

<p>AB 1121</p> <p>Introduced: 2/17/2017 Text</p>	<p>Chiu D (Dist 17)</p>	<p>San Francisco Bay Area ferries. Current law establishes the San Francisco Bay Area Water Emergency Transportation Authority with specified powers and duties, including, but not limited to, the authority to coordinate the emergency activities of all water transportation and related facilities within the San Francisco Bay Area region, as defined. This bill would state the intent of the Legislature to enact legislation to authorize San Francisco Bay Area voters to approve new, dedicated funding for San Francisco Bay Area ferries.</p>	<p>Assembly Print</p>	<p>New – Recommend Watch</p>	<p>Spot bill related to developing new local source of funds for SF Bay Ferry System.</p>
<p>SB 1</p> <p>Amended: 1/26/2017 Text</p>	<p>Beall D (Dist 15)</p>	<p>Transportation funding. Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.</p>	<p>Senate Government and Finance</p> <p>3/8/2017 9:30 a.m. - Room 112 SENATE GOVERNANC E AND FINANCE, MCGUIRE, Chair</p>	<p>Support</p>	<p>This bill would create the road maintenance and rehabilitation program to address deferred maintenance on the state highway system and local roads. New gas tax, diesel tax, registration fee, and other sources would generate \$6 billion annually.</p>

San Francisco County Transportation Authority

March 2017

<p>SB 4</p> <p>Introduced: 12/5/2016</p> <p>Text</p>	<p>Mendoza D (Dist 32)</p>	<p>Goods Movement: allocation of federal funds: Goods Movement and Clean Trucks Bond Act. Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$600,000,000 of state general obligation bonds as follows: \$200,000,000 to the California Transportation Commission for projects and programs eligible for funding from the Trade Corridors Improvement Fund; \$200,000,000 to the State Air Resources Board for projects and programs consistent with the Goods Movement Emission Reduction Program; and \$200,000,000 to the State Air Resources Board for projects and programs to expand the use of zero- and near-zero emission trucks in areas of the state that are designated as severe or extreme nonattainment areas for ozone and particulate matter.</p>	<p>Senate Transportation and Housing</p> <p>3/7/2017 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair</p>	<p>Watch</p>	<p>This is one of several measures that comprise the Senate “California Rebuild” Infrastructure package.</p>
<p>SB 35</p> <p>Amended: 2/21/2017</p> <p>Text</p>	<p>Wiener D (Dist 11)</p>	<p>Planning and Zoning: affordable housing: streamlined approval process. Current law requires an attached housing development to be a permitted use, not subject to a conditional use permit, on any parcel zoned for multifamily housing if at least certain percentages of the units are available at affordable housing costs to very low income, lower income, and moderate-income households for at least 30 years and if the project meets specified conditions relating to location and being subject to a discretionary decision other than a conditional use permit. This bill would require an accessory dwelling unit development or a multifamily housing development that satisfies specified planning objective standards to be subject to a streamlined, ministerial approval process, as provided, and to not be subject to a conditional use permit.</p>	<p>Senate Transportation and Housing</p> <p>3/7/2017 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair</p>	<p>Watch</p>	<p>This bill intends to address the removal of barriers to implementing housing, and affordable housing in particular.</p>

San Francisco County Transportation Authority

March 2017

<p>SB 423</p> <p>Introduced: 2/15/2017 Text</p>	<p>Cannella R (Dist 12)</p>	<p>Indemnity. Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. Current law provides that all contracts and all solicitation documents between a public agency and a design professional are deemed to incorporate these provisions by reference. This bill would make a nonsubstantive change to these provisions.</p>	<p>Senate Rules</p>	<p>New – Recommend Oppose</p>	<p>This bill would effectively require public agencies and other project owners to defend design professionals’ interests and then, after a legal determination, attempt to secure reimbursement for those legal costs and fault.</p> <p>This bill is reintroducing SB 885 (Wolk -2016) that prohibits public agency contracts from requests or design firms or public works projects from defending claims made against others. SB 885 failed passage.</p>
<p>SB 493</p> <p>Introduced: 2/16/2017 Text</p>	<p>Hill D (Dist 13)</p>	<p>TITLE Existing law requires a driver facing a steady circular red signal alone to stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and to remain stopped until an indication to proceed is shown, except as specified. A violation of this provision is an infraction punishable by a fine of \$100. This bill would recast those provisions, and instead would make a violation of that requirement for a right turn, or a left turn from a one-way street onto a one-way street, punishable by a fine of \$35. The bill would make additional conforming changes.</p>	<p>Senate Transportation and Housing</p>	<p>New – Recommend Oppose</p>	<p>This bill reduces the fine for drivers failing to come to a complete stop “California Stop” while turning right at a red light. Under the bill, a driver would be cited similarly to other minor moving violations with a base fine ticket of \$35, rather than the present \$100. Straight through and left-turn red light violations would still be cited at the \$100 base fine ticket amount.</p>

San Francisco County Transportation Authority

March 2017

<p>SB 760</p> <p>Introduced: 2/17/2017</p> <p>Text</p>	<p>Wiener D (Dist 11)</p>	<p>Transportation funding: active transportation: complete streets. Would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.</p>	<p>Senate Rules</p>	<p>New – Recommend Watch</p>	<p>This bill would heighten the focus of Caltrans in the policy and active transportation by establishing a new division in Caltrans.</p>
<p>SCA 2</p> <p>Introduced: 1/18/2017</p> <p>Text</p>	<p>Newman D (Dist 29)</p>	<p>Motor vehicle fees and taxes: restriction on expenditures. Would prohibit the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. The measure would prohibit those vehicle revenues and fuel tax revenues from being pledged or used for the payment of principal and interest on general obligation bonds issued by the state, except that vehicle weight fee revenues would be authorized to be pledged or used for the payment of principal and interest on general obligation transportation bonds approved prior to January 1, 2017. This bill contains other related provisions and other existing laws.</p>	<p>Senate Transportation and Housing</p>	<p>Watch</p>	<p>The author intended the measure to protect new revenues generated by new transportation funding measures such as AB 1 or SB 1. However, it is not clear whether the bill as written accomplishes this and the author is currently analyzing the proposed language.</p>

San Francisco County Transportation Authority

March 2017

<p>SCA 6</p> <p>Introduced: 2/13/2017</p> <p>Text</p>	<p>Wiener D</p> <p>(Dist 11)</p>	<p>Local transportation measures: special taxes: voter approval.</p> <p>Would require that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation purposes, as specified, be submitted to the electorate and approved by 55% of the voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.</p>	<p>Senate Government and Finance</p>	<p>New – Recommend Support</p>	<p>This measure seeks to reduce vote threshold from 2/3 to 55% for local transportation sales tax revenues. If approved, the measure would go to the state ballot for voter approval, which requires a majority statewide vote.</p>
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Total Measures: 24

Total Tracking Forms: 24