



**COUNTY OF
SAN BERNARDINO**

**COUNTY ADMINISTRATIVE
OFFICE**

**GOVERNMENTAL & LEGISLATIVE
AFFAIRS**

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GREGORY C. DEVEREAUX
Chief Executive Officer

April 29, 2013

The Honorable Mark Wyland
California State Senate
State Capitol, Room 4048
Sacramento, CA 95814

Re: SB 791 (Wyland) - As Amended on April 4, 2013 – Oppose

Dear Senator Wyland:

The County of San Bernardino has reviewed Senate Bill 791 and regretfully must oppose this bill. This legislation would require legislative approval by a two-thirds vote to adjust the fuel excise tax rate pursuant to the Transportation Tax Swap and would require the Department of Finance to annually calculate the fuel excise tax rather than the Board of Equalization.

The Tax Swap adopted by the Legislature in March 2010, and reaffirmed in March 2011, eliminated the Proposition 42 sales tax on gasoline and replaced it with a 17.3 cent excise tax increase on gasoline, indexed annually to keep pace with what the sales tax would have generated in a given fiscal year to ensure revenue neutrality. This carefully crafted legislation was designed to remove transportation funding from the annual budget debate.

SB 791 is contrary to the agreement made under the Tax Swap. If the excise tax rate is not allowed to increase to keep pace with what would have been generated, investment in transportation will continue to be deferred.

Given that major transportation projects can take more than a decade to develop through design, environmental review and right-of-way acquisition before going to construction, certainty in funding is critical to sensible long-term planning. Without certainty in funding, projects will be delayed and costs will increase. This will further harm much-needed economic development and job growth, and it will ultimately waste taxpayer dollars.

California continues to have one of the highest unemployment rates in the nation, and unemployment in San Bernardino County, at 10.5 percent, is higher than the state average. Our region's construction sector, which benefits directly from infrastructure investment, was especially hard hit during the Great Recession. Expanding and maintaining our transportation infrastructure is crucial for both economic growth and quality of life as our County's goods movement industry and population continue to grow.

The mission of the government of the County of San Bernardino is to satisfy its customers by providing service that promotes the health, safety, well being, and quality of life of its residents according to the County Charter, general laws, and the will of the people it serves.

For these reasons, the County of San Bernardino respectfully opposes SB 791. If you have any questions, please do not hesitate to contact Josh Candelaria, Director of Governmental and Legislative Affairs, at (909) 387-4821.

Sincerely,

A handwritten signature in blue ink that reads "Janice Rutherford". The signature is written in a cursive style with a large initial "J".

JANICE RUTHERFORD
Board of Supervisors Chair
Second District Supervisor
County of San Bernardino

cc Members and Consultants, Senate Transportation and Housing Committee
San Bernardino County Legislative Delegation