(e) Changes in the number of advanced placement courses taken by pupils.

(f) Changes in the number and percentage of parents or guardians of 8th grade pupils who were notified of the course requirements that are a prerequisite for admission to the California State University or the University of California.

(g) The college participation rates at qualifying schools before and after the implementation of program activities pursuant to this chapter.

(h) Recommendations for changes to this chapter that could further increase the percentage of high school pupils eligible for admission to the California State University or the University of California upon graduation from high school.

11024. It is the intent of the Legislature that grants pursuant to this chapter be funded by an appropriation in the annual Budget Act.

11024.5. This chapter shall become inoperative on July 1, 2004, and, as of January 1, 2005, is repealed, unless a later enacted statute that is enacted before January 1, 2005, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Section 2 of this act shall become operative only if this act and AB 1292 of the 1997–98 Regular Session are both chaptered and take effect on or prior to January 1, 1999, and this act is chaptered last, in which case Section 1 of AB 1292 shall not become operative.

CHAPTER 1046

An act to repeal and add Section 5006.8 of the Public Resources Code, relating to Candlestick Park.

[Approved by Governor September 30, 1998. Filed with Secretary of State September 30, 1998.]

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

SECTION 1. The Legislature hereby finds and declares that the project, as defined in Section 5006.8 of the Public Resources Code, will further general statewide purposes, such as the elimination of blight and the redevelopment of the proposed project area, the generation of new sales tax revenues, property taxes, and other tax revenues to the state and state agencies, the creation of thousands of new jobs, and enhanced access of the public to use and enjoy the Candlestick Park Recreation Area, including, but not limited to, the statewide purposes specified in Chapter 2 of the Statutes of 1958, First Extraordinary Session.

SEC. 2. Section 5006.8 of the Public Resources Code is repealed.

SEC. 3. Section 5006.8 is added to the Public Resources Code, to read:
5006.8. (a) For purposes of this section, the following definitions shall apply:

1. "City" means the City and County of San Francisco.
2. "Project" means the development of a combination of uses, such as a stadium, retail and entertainment center, and associated support uses, including parking, approved by the voters of the city by Propositions D and F at the June 3, 1997, special election.
3. "Project area" means the total area necessary for the project as shown on the site diagram.
4. "Recreation area" means the Candlestick State Recreation Area.
5. "Site diagram" means that certain preliminary conceptual site drawing, dated July 22, 1998, on file with the Department of City Planning of the city, showing, for reference purposes only, the project area, including the proposed location of the new ring road, the area within the inner circumference of the new ring road for permanent public parking use, and the area outside the outer circumference of the new ring road for temporary or intermittent public parking use on state property. For purposes of this section, the final site diagram for the project area, which shall supersede any preliminary site diagrams, shall be subject to the approval of the department and the State Lands Commission.
6. "State property" means the property or interests in property owned by the state located within the project area. A portion of the state property is proprietary land under the jurisdiction of the Department of Parks and Recreation and the remainder of the state property is sovereign land under the jurisdiction of the State Lands Commission.

(b) Notwithstanding any other provision of law, the director may enter into agreements, on those terms and conditions that the director determines to be in the best interests of the state, concerning the development and operation of the project. The agreements may provide for, without limitation, easements, exchanges, quit claims, leases, operating agreements, special use permits, or agreements for the conveyance of fee title of any property interests of the department within the recreation area. The department shall receive at least fair market value for the property interests conveyed by the department. The department may execute leases, operating agreements, and special use permits regarding proprietary lands within the state property for terms not exceeding 66 years. The director may change the boundaries of the recreation area as necessary to reflect the agreements contemplated by this section.

(c) Notwithstanding any other provision of law, the State Lands Commission may enter into agreements regarding any sovereign lands within the state property, on those terms and conditions that the State Lands Commission determines to be in the best interests of the state, concerning the development and operation of the project. Subject to applicable requirements of the public trust for commerce,
navigation, and fisheries, the agreements may provide, without
limitation, for leases, operating agreements, and, to the extent
permitted under paragraph (1) or (2), sale or exchange agreements
of all or any portion of state property. Those leases shall be for a term
not exceeding 66 years. Any land or interest in land received in an
exchange shall have a value that is equal to or greater than the value
of the property interest conveyed by the State Lands Commission.
In furtherance of the foregoing:

(1) The State Lands Commission may enter into agreements,
including agreements providing for termination of the public trust
or the termination of any trust imposed by Chapter 1333 of the
Statutes of 1968, as amended, or both, for the exchange of trust land
within the project area whereby any of the lands that are subject to
the trust may be exchanged for other land inside or outside the
project area that is at least equal or greater in value, which is useful
for trust purposes, and that is in a location approved by the State
Lands Commission, if the findings set forth in Section 5 of Chapter
310 of the Statutes of 1987 are made, or, for those lands that are not
included in Chapter 1333 of the Statutes of 1968, as amended, if the
requirements of Section 6307 are satisfied.

(2) For purposes of Section 3 of Article X of the California
Constitution, the Legislature hereby finds and declares that tidelands
within the project area that were reserved to the state solely for street
purposes and that, as found by the State Lands Commission, meet
each of the criteria set forth in subparagraphs (A) to (E), inclusive,
are no longer useful for navigation purposes and are not necessary for
those purposes, and may be sold by the State Lands Commission, to
the city, free of the public trust or any trust imposed by Chapter 1333
of the Statutes of 1968, as amended, or both. Before any reserved
street areas within the project area may be sold, the State Lands
Commission shall make all of the following findings regarding
reserved street areas proposed for sale:

(A) The area has been filled and reclaimed.

(B) The area is located within the outer circumference of the ring
road for the project, as shown on the site diagram.

(C) The area is no longer needed or required for promotion of the
public trust for commerce, navigation, and fisheries.

(D) The state will receive consideration for the sale of the street
area that is equal to or greater in value than the value of the street
areas sold.

(3) In any case in which the state, pursuant to this section, conveys
filled tidelands or submerged lands to the city, the state shall reserve
all minerals and all mineral rights in the lands of every kind and
character now known to exist or hereafter discovered, including, but
not limited to, oil and gas and rights thereto, together with the sole,
exclusive, and perpetual right to explore for, remove, and dispose of
those minerals by any means or methods suitable to the state or to its
successors and assignees, except that, notwithstanding Chapter 1333
of the Statutes of 1968, as amended, or Section 6401, this reservation shall not include the right of the state or its successors or assignees in connection with any mineral exploration, removal, or disposal activity, to do either of the following:

(A) Enter upon, use, or damage the surface of the lands or interfere with the use of the surface by any grantee or by the grantee’s successors or assignees.

(B) Conduct any mining activities of any nature whatsoever above a plane located 500 feet below the surface of the lands without the prior written permission of any grantee of the lands or the grantee’s successors or assignees.

(4) With respect to any filled tidelands or submerged lands conveyed to the city pursuant to Chapter 2 of the Statutes of 1958, First Extraordinary Session, the state shall comply with the limitations on any mineral rights reservations provided for in paragraph (3), and shall modify the instruments reserving those mineral rights reservations, as appropriate, to memorialize those limitations.

(d) The property interests in the state property to be conveyed to the city pursuant to the authorizations contained in subdivisions (b) and (c) shall be subject to the following additional limitations:

(1) No more than 20 acres of the state property may be paved or otherwise used as permanent parking for the project.

(2) No more than 60 acres of state property may be used for intermittent public parking for football games and a limited number of other special events related to the project, and for all other days of the year, that state property shall be available to the public for recreation purposes. Any agreements related to parking for the project on state property north of Yosemite Slough shall terminate no later than January 31, 2004.

(3) The consideration for those property interests may consist of any of the following:

(A) Monetary consideration.

(B) Improvements to the recreation area that support its use as a public park.

(C) Replacement of any portion of the recreation area conveyed to the city with recreation benefits or facilities of equal or greater value within the recreation area.

(D) Other nonmonetary consideration, including, but not limited to, relinquishment by the city of its reversionary rights over parcels conveyed to the state in 1983 for formation of the recreation area.

(E) Any combination of the foregoing.

(e) All state agencies shall take any necessary or appropriate action to implement this section in a timely manner.

SEC. 4. Notwithstanding the Outdoor Advertising Act (Chapter 2 (commencing with Section 5200) of Division 3 of the Business and Professions Code), any sign permitted under Proposition F, approved by the voters of the City and County of San Francisco, at
the June 3, 1997, special election, is hereby permitted. Nothing in this section restricts the ability of the state to permit, approve, install, control, or regulate signs on state property.

SEC. 5. An action may be brought under Chapter 4 (commencing with Section 760.010) of Title 10 of Part 2 of the Code of Civil Procedure by the parties to any agreement entered into pursuant to Section 5006.8 of the Public Resources Code to confirm the validity of an agreement entered into pursuant to that section. In addition to the recitations and determinations required by Section 764.080 of the Code of Civil Procedure, the statement of decision in the action shall include a recitation of the underlying facts, and a determination whether the agreement meets the requirements of Section 5006.8 of the Public Resources Code, Sections 3 and 4 of Article X of the California Constitution, and any other law applicable to the validity of the agreement.

CHAPTER 1047

An act to add Section 54761.3 to the Education Code, relating to school finance.

[Approved by Governor September 30, 1998. Filed with Secretary of State September 30, 1998.]

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

SECTION 1. Section 54761.3 is added to the Education Code, to read:

54761.3. Notwithstanding any other provision of law, a school district that chose to designate home-to-school transportation as the program to which a supplemental grant was to be added, thereby increasing its home-to-school transportation allowance, may, for the 1996–97 fiscal year, transfer into another categorical education program account set forth in clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 54761 the amount that the school district's home-to-school transportation allowance for the 1996–97 fiscal year exceeded its approved home-to-school transportation costs for the 1995–96 fiscal year. The amount transferred pursuant to this section may not exceed the amount of supplemental grant funding that was added to the home-to-school transportation allowance of the school district. In a manner prescribed by the Superintendent of Public Instruction, eligible school districts shall request, no later than February 1, 1999, that the Superintendent of Public Instruction initiate the transfer. The request shall designate the program or programs to which the