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Governmental Consultants

FACILITIES BILLS

Legislative Update
03/15/06

Assembly Bills

AB 315	Hancock (D)	School Facilities: Energy Efficiency: Standards
Requires the SAB to adopt regulations to ensure design standards for new school facilities constructed in whole or in part with state funds are in accordance with the minimum design and construction criteria in the Collaborative for High Performance Schools Best Practices Manual. Makes eligibility for funding for new construction or modernization projects contingent on the applicant school district meeting design standards. Adjusts per-unhoused pupil funding for school facilities.		
Introduced: 2/10/2005	Subject: Facilities	
Amended: 7/11/2005	Location: Senate Floor	
AB 385	Lieber (D)	School Districts: Parcel Taxes: Exemptions
Relates to existing law that allows a school district to impose qualified special taxes and provides exemptions for qualified individuals. Provides that qualified special taxes may include taxes that exempt persons received Supplemental Security Income for a disability, regardless of age.		
Introduced: 2/11/2005	Subject: Facilities	
Amended: 1/4/2006	Location: Senate Revenue and Taxation Committee	
AB 1846	Berg (D)	School Construction: Minimum Essential Facilities
Authorizes a school district to apply to the SAB for construction funding based on a lack of minimum essential facilities. Requires the Office of Public School Construction and the SPI to establish standards for minimum essential facilities.		
Introduced: 1/11/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	
AB 1895	Coto (D)	Surplus School Property: Use of Proceeds
Authorizes the Oak Grove Elementary School District and the San Jose Unified School District to sell certain surplus real and personal property and to use the proceeds from that transaction for any one-time general fund purpose.		
Introduced: 1/24/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	
AB 1927	DeVore (R)	Prevailing Wages: Payroll Records
Amends existing law that requires the obliteration of an employee's name, address and social security number from payroll records when the records are provided for inspection to the public or a public agency. Requires the obliteration of such records when they are provided for inspection to a joint labor-management committee.		

Introduced: 2/1/2006	Subject: Facilities
Amended:	Location: Assembly Labor and Employment Committee

AB 1934	Hancock (D)	School Facilities: Seismic Safety Upgrades
Requires the SAB to adopt regulations to establish grants for seismic safety upgrades for school facilities.		
Introduced: 2/1/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2025	Niello (R)	Design-Build Contracts
Authorizes the Department of Transportation to contract using the design-build process for the design and construction of transportation projects. Requires the director of the department to establish a prequalification and selection process.		
Introduced: 2/14/2006	Subject: Facilities	
Amended:	Location: Assembly Transportation Committee	

AB 2045	Parra (D)	School Facilities: Funding
Relates to construction and modernization of school facilities. Establishes an exception that would authorize the SAB to approve a supplemental apportionment to ensure that all minimum essential facilities are included in the project.		
Introduced: 2/15/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2047	Huff (R)	Charter Schools: Facilities: Grants
Relates to existing law establishing the Charter School Facility Grant Program, administered by the State CDE, for the purpose of providing assistance with facilities rent and lease costs for pupils in charter schools. Specifies that, for the 2006-07 fiscal year and each fiscal year thereafter, the program is to be funded at the level appropriated in the annual Budget Act, or other statute.		
Introduced: 2/15/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2148	McCarthy (R)	School Facilities: Small School Districts
Amends the Leroy F. Greene School Facilities Act. Authorize a school district with 5,000 or fewer units of ADA to request to the SAB to be provided supplemental funding assistance to manage new construction or modernization projects. Authorize an approved school district to contract with a COE, an architect, a general contractor, or a construction manager, to provide the management services.		
Introduced: 2/21/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2149	McCarthy (R)	School Facilities: New Construction: Modernization
Amends the Leroy F. Greene School Facilities Act. Requires the SAB, in consultation with the State CDE, and based on recommendations by the State Architect to calculate separate grant amounts to supplement the prescribed per-unhoused-pupil state funding for construction and modernization that are equal to the excess costs an applicant school district will incur in complying with access requirements under the federal Americans with Disabilities Act.		
Introduced: 2/21/2006	Subject: Facilities	

Amended:	Location: Assembly Education Committee
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AB 2221	Vargas (D)	School Projects: Designation of Site: Requirement
Requires the governing board of a school district, prior to designating a preferred site for a new school project under the Greene Act, to prepare a report demonstrating that no alternative site owned by the school district is available, or that the school district plans to sell an available site in order to use the proceeds of the sale for the purchase of the new site.		
Introduced: 2/22/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2323	Huff (R)	Charter Schools: Facilities
Amends existing law which establishes the Charter School Facility Grant Program. Provides assistance with facilities rent and lease costs for pupils in charter schools. Provides for eligibility for funding based on the geographic location of the charter schoolsite, pupil eligibility for free and reduced price meals and preference for admissions. Authorizes a charter schoolsite to be funded under the program after all schoolsites that meet the conditions in existing law have been funded.		
Introduced: 2/22/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2410	Runner S (R)	School Facilities: Vasquez High School Structure
Exempts the completed, temporary multipurpose structure at Vasquez High School in the Acton-Agua Dulce Unified School District from the requirements of the Field Act, and requires that it be lawfully opened to all customary daily uses by pupils and staff during a study and analysis by the State Architect or any other representative of the Division of the State Architect of the DGS of the advanced technology structures and materials used in the structure.		
Introduced: 2/23/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2419	Wyland (R)	School Facilities: New Construction and Modernization
Requires a school district that applies for funding under the School Facilities Act for new construction to ensure that part of those funds are earmarked for the provision of career technical education facilities, and requires a school district that applies for funding under the act for modernization to ensure that the project will not result in the removal or reduction of existing career technical education facilities.		
Introduced: 2/23/2006	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 2783	Umberg (D)	School Facilities: Existing School Building Capacity
Provides that for purposes of relieving overcrowding, a school district operating a multitrack year-round, double-session school or a Concept Six program school is to subtract from the existing school building capacity 5 percent of its existing school building capacity in order to calculate eligibility for new construction.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2825	Ruskin (D)	School Sites: Hazardous Emissions and Substances
Relates to the acquisition of a school site by a school district. Requires the identification of facilities that		

emit hazardous air emissions within that school district's authority.	
Introduced: 2/24/2006	Subject: Facilities
Amended:	Location: ASSEMBLY

AB 2826	Ruskin (D)	School Facilities: Site Contamination
Relates to school facilities site contamination. Provides that, in the case of a project on an existing schoolsite, the project is not subject to certain provisions relating to the condition for receiving State funds pursuant to the Greene Act if the DTSC Control has reviewed a Phase I environmental assessment that was conducted on the site in the 10 years prior to the new project approval.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2834	Runner S (R)	School Facilities: Contamination: Phase I Assessment
Provides that a preliminary endangerment assessment is not required to be prepared if the DTSC Control concludes, after its review of a Phase I assessment, including an amended Phase I assessment, that the assessment adequately identifies the contamination and necessary remediation for any contaminant for which the department has made specified determinations. Authorizes a school district and the department to take action.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2912	Torrico (D)	School Facilities: Solar Energy
States Legislative intent to enact legislation that would encourage a school district to include solar energy as part of a modernization or new construction project for school facilities.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2947	Goldberg (D)	School Facilities: Existing School Building Capacity
Requires a school district affected by a transfer of a special education program by a COE or special education local plan area to calculate or recalculate its existing school building capacity pursuant to regulations adopted by the SAB.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2951	Goldberg (D)	Capital Facilities Fees
Requires a public agency that provides public utility service to only charge a public agency rates, charges, surcharges, or fees that are determined on the basis of the same objective criteria and methodology applicable to comparable nonpublic users. Requires any judicial action brought by a public agency using the public utility service to challenge an ordinance imposing a capital facilities fee.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 2967	Runner S (R)	School Facilities: Modernization
Makes technical, nonsubstantive changes to existing law that provides that a school district is eligible to receive an apportionment for modernization of permanent school buildings over 25 years old or portable		

classrooms that are at least 20 years old.	
Introduced: 2/24/2006	Subject: Facilities
Amended:	Location: ASSEMBLY

Senate Bills

SB 813	Denham (R)	School Facilities
Extends the repeal date of provisions of the Lease-Purchase Law related to a priority schedule for approval of project funding for new construction for multitrack year-round schools. Provides for the phase out of the calculation adjustment for school building capacity in connection with a applicant school district for funding for new construction. Relates to new construction funding and enrollment changes under the Year-Round School Grant Program.		
Introduced: 2/22/2005	Subject: Facilities	
Amended: 2/16/2006	Location: Assembly Education Committee	

SB 1176	Hollingsworth (R)	Education: School Construction
Makes a technical, nonsubstantive change to existing law that requires that the maximum school building capacity for each school district applying for school construction funding be increased on a districtwide or attendance area basis by the the number of pupils in excess of capacity certified by the school district as reported by the SPI for each grade level.		
Introduced: 1/13/2006	Subject: Facilities	
Amended:	Location: Senate Rules Committee	

SB 1186	Morrow (R)	School Districts: Transfer of Territory
Requires that a school district reorganization election include the entire territory of districts opposing the transfer of territory when the transfer is opposed by the governing of affected districts with an ADA of 2,500 or less.		
Introduced: 1/19/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee	

SB 1210	Torlakson (D)	Eminent Domain
Provides that public use does not include the taking of property in order to transfer it to a nongovernmental entity for purposes of economic development or increasing tax revenues, except as specifically provided under the Community Redevelopment Law.		
Introduced: 1/26/2006	Subject: Facilities	
Amended:	Location: Senate Judiciary Committee	

SB 1279	Alquist (D)	School Facilities: Seismic Safety: Survey
Requires the Seismic Safety Commission to convene an advisory committee to study and report on whether a regulatory process may be developed that will allow the State Architect to determine whether a building not originally constructed in compliance with the Field Act and its implementing regulations either meets, or can be retrofitted to meet, the equivalent pupil safety performance standard as a building constructed according to the Field Act and its regulations.		
Introduced: 2/10/2006	Subject: Facilities	
Amended:	Location: Senate Governmental Organization - 04/25/2006	

SB 1324	Lowenthal (D)	School Buildings: Relocatable Buildings
Relates to relocatable school buildings. Deletes the restriction on the use of Department of Housing (DOH) approved portable buildings – which sunsets in 2007. There would be a \$300 million cost to districts without this bill.		
Introduced: 2/16/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee - 03/29/2006	

SB 1415	Scott (D)	Surplus School Property: Use of Proceeds
Deletes the authority of a school district to use proceeds derived from the sale of surplus school property for any general fund purpose. Increases the time period following the sale or lease for which the school district governing board and SAB are required to determine that the district has no anticipated need for additional sites or building construction. Requires that proceeds from the sale or lease of school district property be used in a long-term manner.		
Introduced: 2/22/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee - 04/05/2006	

SB 1456	Lowenthal (D)	School Facilities: Construction
Authorizes a school district to let a contract for a public school construction, rehabilitation, or modernization project pursuant to a best value bid valuation process established by the school district governing board if the estimated cost of labor, materials, overhead, and profit for the project exceeds \$2 million, and the school district determines that taxpayers reasonably can expect a net benefit in the cost of district services if the contract is let in accordance with the best value process.		
Introduced: 2/23/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee	

SB 1488	Hollingsworth (R)	Surplus School Property: Use of Proceeds
Extends the repeal date of existing law that authorizes the Santee School District and the Capistrano Unified School District to sell certain surplus real and personal property to deposit the proceeds into the general fund of the school district or in the COE, and to use such proceeds from that transaction for any one-time general fund purpose.		
Introduced: 2/23/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee - 04/05/2006	

SB 1585	Margett (R)	SAB: Executive Officer
Requires the Executive Officer of the SAB, who would be appointed by the board to administer the Leroy F. Greene School Facilities Act.		
Introduced: 2/23/2006	Subject: Facilities	
Amended:	Location: Senate Education Committee	

SB 1605	Margett (R)	Public Contracts: Public Works
Relates to public works contracts that involve digging trenches deeper than four feet below the surface. Specifies that the contractor notify the public entity of any physical conditions that differ from conditions identified at the time the contract was awarded.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: Senate Judiciary Committee	

SB 1677	Torlakson (D)	School Facilities: Joint Use
Declares the intent of the Legislature to enact legislation to enhance the flexibility of school districts in using grants from the SAB and to modify the amount and nature of contributions toward project costs made by joint-use partners.		
Introduced: 2/24/2006	Subject: Facilities	
Amended:	Location: Senate Rules Committee	