

Legislative Update
Facilities Bills
March 23, 2007

Assembly Bills

AB 80	Krekorian (D)	School Facilities
Spot bill with the intent of the Legislature to enact legislation to require, as a condition of approval of state funding for new construction projects and large modernization projects for school districts and community college districts, compliance with building design standards for environmental quality and resource efficiency similar to those developed by the Collaborative for High Performance Schools.		
Introduced: 12/4/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 100	Mullin (D)	Kindergarten-University Public Education
Enacts the Kindergarten-University Public Education Facilities Bond Act of 2008. Provides for the issuance of state general obligation bonds to provide aid to school district, county superintendents of schools, and county boards of education, the California Community Colleges, the UC to construct and modernize education facilities.		
Introduced: 12/21/2006	Subject: Facilities	
Amended: 3/7/2007	Location: Assembly Education Committee	

AB 125	Ma (D)	School Facilities
Requires the SAB to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.		
Introduced: 1/11/2007	Subject: Facilities	
Amended:	Location: ASSEMBLY	

AB 134	Wolk (D)	School Facilities: Construction Eligibility
Permits an applicant school district that has a school located on a high security military base to compute the existing school building capacity of that school by using an actual enrollment of the school, rather than the teaching station count.		
Introduced: 1/12/2007	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

AB 168	Berg (D)	School Facilities: New Construction
Authorizes a school district to apply to the SAB for new construction funding based on a lack of minimum essential facilities, or a failure of the minimum essential facilities to meet the minimum square footage requirements, on an existing schoolsite. Requires the Office of Public School Construction and the SPI to establish standards for minimum essential facilities for kindergarten and grades 1 to 12.		
Introduced: 1/22/2007	Subject: Facilities	
Amended:	Location: Assembly Education Committee - 03/28/2007	

AB 260	Fuller (R)	School Facilities: Supplemental Funding
Authorizes a school district with an ADA of 2,500 or fewer pupils in the prior school year to request supplemental funding assistance in order to manage new construction or modernization projects. Authorizes a district, with an approved request, to contract with a COE, an architect, a general contractor, or a construction manager to provide specified management services.		
Introduced: 2/5/2007	Subject: Facilities	
Amended: 3/13/2007	Location: Assembly Education Committee - 04/11/2007	
AB 456	Cook (R)	Construction Management Education Account
Amends the Construction Management Education Sponsorship Act which establishes the Construction Management Education Account in the contractors license Fund for the purpose of construction management education. Continuously appropriates the funds in the account.		
Introduced: 2/20/2007	Subject: Facilities	
Amended:	Location: Assembly B&E Committee - 03/27/2007	
AB 471	Carter (D)	School Facilities: Joint-Use Projects
Requires the SAB, in providing grant funds for joint-use projects, to assign preference to applicant school districts that propose active recreation projects.		
Introduced: 2/20/2007	Subject: Facilities	
Amended:	Location: Assembly Education Committee	
AB 483	Salas (D)	School Facilities Contracting
Relates to existing law requiring the governing board of any school district to let contracts for the purchase of equipment or supplies to be furnished or leased to the district.		
Introduced: 2/20/2007	Subject: Facilities	
Amended:	Location: ASSEMBLY	
AB 818	Krekorian (D)	School Facilities
Requires the SAB to adjust the per-unhoused pupil apportionment quarterly to reflect construction cost changes, as set forth in a statewide cost index using a selling cost price index and a construction cost index for class B construction as determined by the Board.		
Introduced: 2/22/2007	Subject: Facilities	
Amended:	Location: Assembly Education Committee	
AB 888	Lieu (D)	Green Building Standards
Requires state agencies with responsibility for proposing building standards to the Building Standards Commission to develop standards to ensure that green building elements are integrated into those standards. Defines green building standards.		
Introduced: 2/22/2007	Subject: Facilities	
Amended:	Location: ASSEMBLY	
AB 956	Nakanishi (R)	Public Contracts: Responsible Bidder
Relates to existing law which defines the terms public entity and public works contract for the purpose of specified provisions of the Public Contract Code, and defines responsible bidder for these purposes as a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract.		
Introduced: 2/22/2007	Subject: Facilities	
Amended:	Location: ASSEMBLY	

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AB 1011	DeSaulnier (D)	School Facilities
Amends and provides that a school district is eligible to receive an earlier apportionment for modernization of permanent school buildings if the building has been in use for the purpose of MTYRE.		
Introduced: 2/22/2007		Subject: Facilities
Amended:		Location: Assembly Education Committee
AB 1014	Bass (D)	School Facilities
Relates to the Leroy F. Greene School Facilities Act, which provides that a school district's eligibility for new construction funding is determined by making calculations related to certain factors. Revises certain calculations related to those factors, including allowing school districts to use an alternative enrollment projection for a specified time period.		
Introduced: 2/22/2007		Subject: Facilities
Amended:		Location: Assembly Education Committee - 04/18/2007 1:30 pm
AB 1047	Houston (R)	Uniform Public Construction Cost Accounting Act
Relates to bidding procedures for public projects. Requires the Controller to send notices annually to public agencies detailing the existence of, the benefits available, under the act.		
Introduced: 2/22/2007		Subject: Facilities
Amended:		Location: Assembly Business and Professions Committee
AB 1242	Karnette (D)	School Facilities: School Building Capacity
Requires the calculation of existing school building capacity to be made on a one-time basis as a baseline for eligibility determinations, and requires each school district that elects to participate in the new construction program to submit to the SAB a one-time report of existing school building capacity.		
Introduced: 2/23/2007		Subject: Facilities
Amended:		Location: ASSEMBLY
AB 1375	Runner S (R)	School Facilities: New Construction
Amends AB 2974 (Goldberg) – Statutes of 2006 – to remove the requirement for school district financial remittance to the State on facilities for Special Education program transfers from the LACOE to school districts. AB 2974 allowed for an eligibility shift between the LACOE and districts to coincide with the program transfer.		
Introduced: 2/23/2007		Subject: Facilities
Amended:		Location: Assembly Education Committee
AB 1395	Coto (D)	School Facilities: New Construction
Provides that the ongoing eligibility of a school district for new construction funding is to be determined by making specified calculations using enrollment projections.		
Introduced: 2/23/2007		Subject: Facilities
Amended:		Location: Assembly Public Safety Committee
AB 1450	Brownley (D)	School Facilities: Replacement Buildings
Relates to school facilities, replacement buildings and reconfiguration.		
Introduced: 2/23/2007		Subject: Facilities
Amended:		Location: Assembly Education Committee
AB 1500	Hancock (D)	School Facilities: Modernization Funding

Changes the calculation of the funding eligibility of a school district for modernization funding. Provides a district that expanded modernization funding for seismic evaluation repair, reconstruction, or replacement on a project that received specified funding available and did not receive specified funding for those purposes from the funding available pursuant to the Kindergarten-University Public Education Facilities Bond Act.	
Introduced: 2/23/2007	Subject: Facilities
Amended:	Location: Assembly Education Committee

AB 1545	Parra (D)	School Facilities: Hardship Assistance
Prohibits the board from applying any financial penalties or excluding a school district from participation in the school facility program if a district that has been approved for and received financial hardship funding related to an apportionment for a school facilities project that includes minimum essential facilities, uses local funds for the purpose of completing any of those minimum essential facilities.		
Introduced: 2/23/2007	Subject: Facilities	
Amended:	Location: Assembly Education Committee	

ACA 2	Walters (R)	Eminent Domain
Proposes an amendment to the Constitution of the State to permit private property to be taken or damaged only for a stated public use and only when just compensation has been paid to, or into court for, the owner of the property. Prohibits, with respect to both new and pending eminent domain projects that involve the exercise of the power of eminent domain, a community redevelopment agency, commission, or joint powers agency that has the power of eminent domain from exercising such power unjustly.		
Introduced: 12/4/2006	Subject: Facilities	
Amended:	Location: ASSEMBLY	

SENATE BILLS

SB 13	Wyland (R)	School Facilities Funding Process: Technical Education
Requires the SAB to include in the application for new construction funding the questions of whether the funding sought would be used for facilities related to career technical education. Requires a school district submitting an application for funding to construct a school to serve any of grades 7 to 12, inclusive, to answer those questions. Requires a compilation of the answers and a report of a summary of those answers to the board by the Office of School Construction.		
Introduced: 12/4/2006	Subject: Facilities	
Amended: 3/21/2007	Location: Senate Appropriations Committee	

SB 18	Perata (D)	Public Works: Labor Compliance Programs
Adds the Kindergarten-University Public Education Facilities Bond Act of 2006 as a source of funds for a public works project that would require an awarding body, if it chooses to use those funds, to initiate and enforce, or contract with a 3rd party to initiate and enforce, a labor compliance program.		
Introduced: 12/4/2006	Subject: Facilities	
Amended:	Location: Senate Labor and Industrial Relations Committee	

SB 35	Torlakson (D)	School Facilities: Joint Use Facilities
Authorizes joint-use projects to construct facilities on property that is adjacent to a schoolsite and is owned by a local government agency. Requires a joint-use agreement to construct facilities on land owned by a local government agency to provide that the land be leased to the school district for a time period that reflects the useful life of the facility constructed. Expands the type of allowable projects to be built pursuant to those agreements.		

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Introduced: 12/4/2006	Subject: Facilities
Amended: 3/14/2007	Location: Senate Appropriations Committee

SB 121	Romero (D)	School Facilities: New Construction: Building Capacity
Requires an applicant school district for new construction to submit to the SAB a one-time report of existing school building capacity, to be calculated pursuant to a specified formula. Requires the maximum school building capacity for each school district applying for new construction funding to be increased by the number of pupils reported by the SPI for that grade level. Provides procedures to reduce dependence on year round educational programs.		
Introduced: 1/22/2007	Subject: Facilities	
Amended: 3/6/2007	Location: Senate Education Committee	

SB 176	Denham (R)	School Facilities: Multitrack Year-Round Schools
Exempts certain schools with a year-round multitrack calendar from specified building capacity requirements. Prohibits the enrollment changes reported under the Year-Round School Grant Program from reducing the ongoing eligibility of a school district for new construction funding, if the district provides specified evidence, except in certain cases.		
Introduced: 2/5/2007	Subject: Facilities	
Amended:	Location: Senate Education Committee	

SB 191	Padilla (D)	Labor Compliance Programs: Approved Entity
Authorizes an awarding body to sue for specified damages in superior court if an approved private entity that contracted with the awarding body to initiate and enforce a labor compliance program for a public works project either intentionally or through gross negligence does not competently perform the responsibilities required by statute and state regulations for a labor compliance program.		
Introduced: 2/7/2007	Subject: Facilities	
Amended:	Location: Senate Labor and Industrial Relations Committee	

SB 361	Scott (D)	School Facilities: Joint-Use Projects
Relates to the Leroy F. Greene School Facilities Act which requires the SAB to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities.		
Introduced: 2/20/2007	Subject: Facilities	
Amended:	Location: Senate Rules Committee	

SB 465	Lowenthal (D)	Existing School Building Capacity
Removes the six percent eligibility hit for districts who do not have 30 percent of their K-6 pupils on MTYRE.		
Introduced: 2/21/2007	Subject: Facilities	
Amended:	Location: Senate Education Committee - 03/28/2007	

SB 658	Romero (D)	School Facilities
Relates to existing law which relate to school district construction applicants.		
Introduced: 2/22/2007	Subject: Facilities	
Amended:	Location: Senate Education Committee - 04/11/2007	

SB 704	Ducheny (D)	School Facilities: New Construction Grant
Requires the SAB to determine an applicant school districts maximum construction grant eligibility and		

authorizes the board to adjust the per-unhoused-pupil grant accounts. Requires the board to increase the per-unhoused-pupil grant eligibility and also apply that increase to the per unhoused special education pupil amounts.	
Introduced: 2/23/2007	Subject: Facilities
Amended:	Location: Senate Education Committee - 03/28/2007

SB 929	Cogdill (R)	Prevailing Wage Determinations
Authorizes contractors and subcontractors, whenever the Director of Industrial Relations prevailing wage determination contains a predetermined change but does not specify how the change will be allocated between hourly wages and employer payments for benefits for a specified time period.		
Introduced: 2/23/2007	Subject: Facilities	
Amended:	Location: Senate Labor and Industrial Relations Committee	

SB 951	Wyland (R)	School Facilities: Schoolsites
Relates to existing law which sets forth various definitions for purposes of certain provisions of existing law dealing with the acquisition of schoolsites.		
Introduced: 2/23/2007	Subject: Facilities	
Amended:	Location: Senate Rules Committee	

SCA 1	McClintock (R)	Eminent Domain: Condemnation Proceedings
Proposes an amendment to the Constitution to provide that private property may be taken or damaged only for a stated public purpose and not without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. Provides that if the property ceases to be used for the public use, the former owner would have right to require the property at its fair market value. Provides reevaluation procedures.		
Introduced: 12/4/2006	Subject: Facilities	
Amended: 2/5/2007	Location: Senate Judiciary Committee	