

CARPD LEGISLATIVE REPORT

House of Origin Bills Deadline Approaches

May 30th is the deadline to pass house of origin bills and as of May 27th, both houses have literally hundreds of bills to consider prior to that deadline.

State Budget Passage Also Faces Deadline

June 15th is the Legislature's deadline to pass the 2014-15 state budget and barring a few last minute unexpected issues, betting is the Legislature will meet the June 15th deadline.

Legislation of Interest

In advance of the May 30th house of origin deadline, presented below are a number of measures of interest to CARPD:

***Assembly Bill 2040 (Garcia) Public Officials Compensation:** Prior to May 23rd amendments, AB 2040 proposed to require local agencies to report their required annual compensation of its specified public officials, including the name of each reportable official. The May 23rd amendments struck that requirement and, as amended, AB 2040 would require local agencies required to submit annual compensation information to the State Controller, and that maintains an Internet Web site to post the annual compensation information of its public officials that is posted on the Controller's Government Compensation in California Web site. Finally, the bill would require the State Controller and local agencies to consult regarding the reporting requirements for the disclosure of compensation information.

***Assembly Bill 2471 (Frazier) Public Contracts: Change Orders:** Also amended on May 23rd, AB 2471, as amended, would still require a public agency when awarding a public works contract to the lowest bidder and with authority thereunder to order changes or additions, to issue a change order promptly and in no event later than 60 days after the extra work is performed and the original contractor has submitted reasonable documentation to support the request for a change order.

Should a change order be subject to approval of the governing body of a public agency, but the governing body is not scheduled to meet in the 60 days following the performance of the extra work (change order), and reasonable documentation to support the request for a change order for extra work has been submitted, the public entity shall have 3 days following the next scheduled meeting of the governing body to issue a change order for the extra work performed.

Finally, the bill still contains the prejudgment interest provision on any amount for which the public entity fails to issue a change order or fails to pay in accordance with the bill's provisions at 7% per annum.

***Assembly Bill 2644 (Nazarian) Toilet Facilities:** On the good news front, AB 2644 was held under submission in the Assembly Appropriations Committee and is dead for the remainder of the session.

This was the bill that proposed to require toilet facilities, both for public and specific private facilities, to contain a waste receptacle, unless doing so would violate the Americans with Disabilities Act (ADA).

***Senate Bill 443 (Walters) Organized Camps:** Introduced last year, SB 443 is a confusing and complex measure by defining "organized resident camp" and "organized day camp" within the definition of the term "organized camp."

Last year, Senator Walters accepted amendments that were intended to exempt such camps under the organization and control of local public agencies, but given the confusing structure of the measure, that exemption is less than clear. CARPD is working closely with CPRS and others to craft a clear, straight forward exemption and we are hopeful that exemption will be added in the Assembly Policy Committee.

***Senate Bill 935 (Leno) Minimum Wage:** Senate Bill 935 proposes to increase the state's minimum wage as follows: (1) on or after January 1, 2015, to \$11 per hour; (2) on or after January 1, 2016, to \$12 per hour; and, (3) on or after January 1, 2017, to \$13 per hour. The bill also contains an automatic adjustment annually thereafter based on the rate of inflation the prior year.

***Senate Bill 1086 (De Leon) The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2014:** The Senate Appropriations Committee on May 23rd moved SB 1086 to the Senate Floor as a "work-in-progress." The bill was amended to add an urgency clause and intent language for placement on the November 4, 2014, statewide ballot.

***Senate Bill 1358 (Wolk and Lara) Building Standards: Baby Diaper Changing Stations:** This measure would require the Building Standards Commission, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2015, to adopt, approve, codify, and publish *mandatory* building standards for the installation of baby diaper changing accommodations in restroom facilities in places of public accommodation.

These building standards shall apply to newly constructed restrooms and to renovate restrooms for which the renovation requires a building permit and the value of the renovation to the restroom exceeds \$10,000.

The Remainder of the 2013-14 Calendar

Assuming the state budget is adopted, the Summer Recess starts on July 3rd, with legislators returning to Sacramento on August 4th. This year's Final Recess is August 31st, leaving only the months of June and August to complete the 2013-14 Session. The Governor has until September 30th to sign or veto bills passed before September 1st and in the Governor's possession on or after September 1. The 2013-14 Session officially adjourns Sine Die at midnight November 30th, with the 2015-16 Session commencing at midnight, December 1, 2014.