



## **2011 Legislative Session Summary**

**Office of Legislative Affairs  
October 2011**



## TABLE OF CONTENTS

<b>FORWARD</b>	<b>ii</b>
<b>OFFICE ACRONYMS</b>	<b>iii</b>
<b>LEGISLATIVE SUMMARY OF BILLS ENACTED IN 2011</b>	
<b>INDEX OF CHAPTERED BILLS</b>	<b>1</b>
<b>CHAPTERED BILLS</b>	<b>3</b>
<b>LEGISLATIVE SUMMARY OF BILLS VETOED IN 2011</b>	
<b>INDEX OF VETOED BILLS</b>	<b>14</b>
<b>VETOED BILLS</b>	<b>15</b>

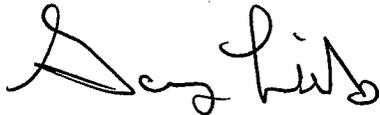
## FORWARD

This report provides an overview of legislation affecting the Department of General Services (DGS) in 2011.

During the first year of the 2011-12 Legislative Session, DGS' Office of Legislative Affairs monitored and reviewed 2,719 measures and provided an assessment on 242 bills. Both DGS sponsored bills, AB 1272 (Butler) and SB 741 (Dutton) were signed by the Governor. The following pages provide a summary of the bills with particular significance to the measures that reached the Governor's desk.

DGS covers a broad range of business lines to meet the goals of this active and diverse department and the State of California. We appreciate everyone's assistance and expertise who contributed to our successful representation of departmental legislative matters before other State agencies, the Legislature, and the Governor.

We look forward to working diligently with the Governor, Legislature, and State agencies in the second half of the 2011-12 Legislative Session. DGS' Office of Legislative Affairs' top priority is to work professionally with all parties and stakeholders involved to achieve a positive outcome for California. If you have questions regarding this summary or would like additional information, please contact Letha Burton at (916) 376-5029 or [letha.burton@dgs.ca.gov](mailto:letha.burton@dgs.ca.gov).



**Gary Link, Deputy Director-Legislative Affairs  
Department of General Services**

## **ACRONYMS USED IN THE 2011 LEGISLATIVE SUMMARY**

<b>DGS</b>	<b>DEPARTMENT OF GENERAL SERVICES</b>
<b>OFA</b>	<b>OFFICE OF FLEET ADMINISTRATION</b>
<b>OFS</b>	<b>OFFICE OF FISCAL SERVICES</b>
<b>OLA</b>	<b>OFFICE OF LEGISLATIVE AFFAIRS</b>
<b>OLS</b>	<b>OFFICE OF LEGAL SERVICES</b>
<b>OPSC</b>	<b>OFFICE OF PUBLIC SCHOOL CONSTRUCTION</b>
<b>PD</b>	<b>PROCUREMENT DIVISION</b>
<b>RESD</b>	<b>REAL ESTATE SERVICES DIVISION</b>

# **LEGISLATIVE SUMMARY OF BILLS ENACTED IN 2011**

**UNLESS OTHERWISE INDICATED, THESE STATUTES  
BECOME EFFECTIVE JANUARY 1, 2012**

## INDEX OF CHAPTERED BILLS

<b>AB 384 (Chesbro)</b>	<b>State forest land: Jackson Demonstration State Forest.....</b>	<b>3</b>
<b>AB 436 (Solorio)</b>	<b>Public works: labor compliance.....</b>	<b>3</b>
<b>AB 629 (Monning)</b>	<b>Veterans cemetery.....</b>	<b>4</b>
<b>AB 740 (Blumenfield)</b>	<b>Personal services contracts.....</b>	<b>4</b>
<b>AB 943 (Williams)</b>	<b>Public contracts: CA Uniform Construction Cost Accounting Commission: local contracts: alternative procedures.....</b>	<b>4</b>
<b>AB 1023 (Wagner)</b>	<b>Maintenance of the codes.....</b>	<b>5</b>
<b>AB 1272 (Butler)</b>	<b>State property: surplus.....</b>	<b>7</b>
<b>SB 70 (Comm. on Bud. &amp; Fiscal Rev.)</b>	<b>Education finance: Budget Act of 2011.....</b>	<b>7</b>
<b>SB 78 (Comm. on Bud. &amp; Fiscal Rev.)</b>	<b>Administration of justice.....</b>	<b>8</b>
<b>SB 80 (Comm. on Bud. &amp; Fiscal Rev.)</b>	<b>State government.....</b>	<b>9</b>
<b>SB 117 (Kehoe)</b>	<b>Public contracts: prohibitions: discrimination based on gender or sexual orientation.....</b>	<b>9</b>
<b>SB 128 (Lowenthal)</b>	<b>School facilities funding: high-performance schools.....</b>	<b>9</b>
<b>SB 136 (Yee)</b>	<b>Public contracts: prevailing wages.....</b>	<b>10</b>

<b>SB 224 (Pavley)</b>	<b>Public contracts: Department of Water Resources.....</b>	<b>10</b>
<b>SB 284 (Harman)</b>	<b>Real property: marketable title.....</b>	<b>11</b>
<b>SB 293 (Padilla)</b>	<b>Payment bonds: laborers.....</b>	<b>11</b>
<b>SB 397 (Yee)</b>	<b>Online voter registration.....</b>	<b>11</b>
<b>SB 423 (Wyland)</b>	<b>School facilities: local bond measures.....</b>	<b>12</b>
<b>SB 493 (Padilla)</b>	<b>State surplus property.....</b>	<b>12</b>
<b>SB 741 (Dutton)</b>	<b>Alternative Protest Pilot Project.....</b>	<b>13</b>
<b>SB 835 (Wolk)</b>	<b>Public contracts: University of California: pilot program: best value procedures..</b>	<b>13</b>
<b>SB 861 (Corbett)</b>	<b>Public contracts: contract eligibility: conflict minerals in the Democratic Republic of the Congo.....</b>	<b>13</b>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 384 (Chesbro)	<p data-bbox="359 326 1050 362"><b>State forest land: Jackson Demonstration State Forest</b></p> <p data-bbox="359 365 1549 732"><b>Summary:</b> Existing law authorizes the Department of Forestry and Fire Protection to engage in the management, protection, and reforestation of State forests and requires the Department of Parks and Recreation to have control of the State park system. This bill authorizes the Director of General Services, subject to the approval of the Department of Forestry and Fire Protection, to grant an option to the City of Fort Bragg and the County of Mendocino for either entity to acquire title to certain property for the purpose of developing a solid waste transfer station. The bill requires, if this option is exercised, that the entity acquiring title to the property execute and record in favor of the Department of Parks and Recreation a covenant restricting the uses and activities at a specified Caspar Landfill property and an option to purchase a specified portion of the Caspar Landfill property. The bill authorizes the Department of Forestry and Fire Protection and the Department of Parks and Recreation to be compensated for the loss of certain property, as provided. This bill contains other related provisions.</p>	RESD	173	<i>An act to add Section 4659 to the Public Resources Code, relating to state forest land.</i>
AB 436 (Solorio)	<p data-bbox="359 797 762 833"><b>Public works: labor compliance</b></p> <p data-bbox="359 836 1549 1351"><b>Summary:</b> Existing law authorizes the awarding body for a public works project to not require the payment of the general prevailing rate of per diem wages on public works projects of specified sizes and types of work, if the awarding body elects to initiate and enforce a labor compliance program containing specified requirements for every public works project under the authority of the awarding body or the awarding body elects to meet certain requirements with regard to any public works project under its authority, including payment of a fee to the Department of Industrial Relations for the enforcement of prevailing wage obligations, as specified, which may be waived under specified circumstances, determined by the department and deposited in the State Public Works Enforcement Fund. This bill makes revisions regarding the method by which the Department of Industrial Relations sets reimbursement rates for its costs of performing prevailing wage monitoring and enforcement on the specified public works projects described above, when the reimbursement to the department may be waived, and exempts from the above-described requirements those public works projects financed in any part by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. This bill also provides that, upon an order of the Director of Finance, a loan in an amount not to exceed \$4,300,000 shall be made from the Uninsured Employers Benefit Trust Fund to the State Public Works Enforcement Fund, thereby depositing additional moneys into a continuously appropriated fund. This bill contains other existing laws.</p>	OPSC	378	<i>An act to amend Sections 17250.30 and 81704 of the Education Code, to amend Section 6531 of the Government Code, to amend Section 1771.7 of, to repeal Sections 1771.55, 1771.75, 1771.8, 1771.85, and 1771.9 of, and to repeal and add Sections 1771.3 and 1771.5 of, the Labor Code, and to amend Sections 6804, 20133, 20175.2, 20193, 20209.7, 20688.6, and 20919.3 of the Public Contract Code, relating to public works, and making an appropriation therefor.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 629 (Monning)	<b>Veterans cemetery</b> <b>Summary:</b> Existing law requires the Department of Veterans Affairs, in voluntary cooperation with the Board of Supervisors of the County of Monterey, the City of Seaside, the Fort Ord Reuse Authority, and local agencies to design, develop, and construct the California Central Coast Veterans Cemetery at Fort Ord, as specified. The State Contract Act requires projects that are not under the jurisdiction of specified departments to be under the charge and control of the Department of General Services. This bill authorizes the Department of Veterans Affairs to enter into an agreement with the Fort Ord Reuse Authority for the veterans cemetery project to be under the sole charge and direct control of the authority.	RESD	267	<i>An act to amend Section 1450.1 of the Military and Veterans Code, relating to veterans.</i>
AB 740 (Blumenfield)	<b>Personal services contracts</b> <b>Summary:</b> Existing law authorizes State agencies to use personal services contracts if specified standards are satisfied, including, among other things, the contract does not cause the displacement of civil service employees and the contract is awarded through a publicized, competitive bidding process. The State Personnel Board is required to review a proposed contract upon the request of an employee organization for compliance with those standards. This bill requires a State agency to immediately discontinue a contract disapproved by action of the board or its delegate unless ordered otherwise by the board or its delegate. The bill prohibits the State agency from circumventing or disregarding the board's action by entering into another contract for the same or similar services or to continue the services that were the subject of the contract that was disapproved. The bill requires the State agency to serve notice of the discontinuation of the contract to the vendor within 15 days from the board's final action, and to serve a copy of the notice on the board and the employee organization that filed the contract challenge. The bill provides that failure to serve this notice may be grounds for rejection of future contracts for the same or similar services. The bill makes a related statement of legislative findings.	OLS	684	<i>An act to add Section 19135 to the Government Code, relating to personal services contracts.</i>
AB 943 (Williams)	<b>Public contracts: California Uniform Construction Cost Accounting Commission: local contracts: alternative procedures</b> <b>Summary:</b> Under existing law, the California Uniform Construction Cost Accounting Commission is responsible for recommending, for adoption by the Controller, uniform construction cost accounting procedures for implementation by public agencies in the construction of public projects. Existing law requires the commission members to select a chairperson from among its membership to serve as chair for a term of one year from the date of selection. This bill extends the term of the chairperson to two years from the date of selection. This bill contains other related provisions and other existing laws.	PD	110	<i>An act to amend Sections 22013, 22014, and 22034 of the Public Contract Code, relating to public contracts.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
<b>AB 1023</b> <b>(Wagner)</b>	<b>Maintenance of the codes</b> <b>Summary:</b> Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes. This bill makes nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.	<b>OLS</b>	<b>296</b>	<i>An act to amend Sections 114, 809, 901, 3501, 3769.3, 4207, 6140.38, 6322.1, 7056, 7065, 7068.1, 7071, 7155, 8030.4, 19164, 19481.5, 19501, 19532.2, 19604.5, 19605.73, 19614.5, 23358.2, 23368.1, 23378.1, 25608, and 25658 of, and to repeal Sections 6731.1, 6731.2, 8726.1, and 8761.1 of, the Business and Professions Code, to amend Sections 798.23.5, 799.1, 1195, and 3344.1 of the Civil Code, to amend Sections 170.9, 425.17, 630.01, 630.08, 877, 1010.6, and 1094.5 of the Code of Civil Procedure, to amend Sections 10400, 10404, 14501, 14502, and 14504 of, and to amend the heading of Part 9 (commencing with Section 10400) of Division 2 of Title 1 of, the Corporations Code, to amend Sections 1630, 12001.6, 17250.30, 37222, 41203, 41204, 41320.1, 41326, 41500, 44237, 45330, 51223.3, 51913, 66152, 66739.6, 67365, 68074, 89090, 92630, and 99221.5 of, and to repeal Sections 37222.10, 37222.11, 37222.12, 37222.13, and 37222.14 of, the Education Code, to amend Sections 332.5, 337, 2151, 3103.5, 6950, 7110, 8002.5, 8121, 10735, 12108, 13207, and 13208 of the Elections Code, to amend Section 1390 of the Evidence Code, to amend Sections 4326, 5616, and 6228 of the Family Code, to amend Sections 1805, 1822, 14315, 17345.1, 22349.1, 22352, and 22355 of the Financial Code, to amend Sections 2250, 2942, and 6612 of the Fish and Game Code, to amend Sections 481, 11504, 13184, 79691, and 79702 of the Food and Agricultural Code, to amend Sections 831.7, 901, 912.5, 935.9, 3254.5, 6585, 7513.87, 7514, 11019.5, 12517, 12627, 14661.1, 15439, 19829.7,</i>

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20037.14, 21369.2, 22874.1, 56853.6, 63049.67, 66484, 72011, 76000.10, 100521 of, to repeal Sections 7480 and 11544 of, to repeal the heading of Article 10 (commencing with former Section 58300) of Chapter 1 of Division 1 of Title 6 of, and to amend and renumber Sections 7514 and 18929.96 of, the Government Code, to amend Section 1150 of the Harbors and Navigation Code, to amend Sections 1357.51, 1365, 1367.002, 1385.01, 1399.834, 1399.835, 1506, 1777, 1788, 1793.90, 1797.172, 1797.217, 8016, 11364, 16500, 25214.2, 25214.3, 25250.50, 25250.54, 25250.56, 25996, 33331.4, 33334.25, 33420.1, 33684, 41999, 44272.3, 44559.11, 50843.5, 51058.5, 102247, 103605, 103625, 115113, 120335, 120955, 121025, and 124982 of the Health and Safety Code, to amend Sections 557.5, 787.1, 1063.75, 10112.2, 10112.3, 10112.4, 10113.95, 10120.3, 10181, 10713, 10959, 10960, 12389, and 12739.53 of the Insurance Code, to amend Sections 1509, 1695, and 1771.3 of the Labor Code, to amend Section 987.58 of the Military and Veterans Code, to amend Sections 166, 171d, 326.3, 330.1, 381, 597y, 602, 626.95, 647.7, 653.56, 829.5, 830.8, 833.5, 903.4, 1201.3, 1203.066, 4852.03, 4852.17, 4854, 5023.2, 6030, 6228, 11180, 12022, 12022.5, 12022.7, 12022.85, 16880, 25105, 25650, 26020, 26175, 29010, 29065, 29115, 29142, 29510, 29615, 29855, 30105, 31315, 31910, and 32105 of, and to repeal Section 594 of, the Penal Code, to amend Sections 16062 and 21355 of the Probate Code, to amend Sections 2203, 6802, 6804, 6808, 10295.2, 20133, and 20193 of, and to amend the heading of Article 32

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 1272 (Butler)	State property: surplus	RESD	178	<p><i>(commencing with Section 20520) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, to amend Sections 667, 4186, 4512.5, 4590, 5073.5, 6308, 6362, 7555, 14574, 29735, 32330, 41800, 44820, and 71560 of the Public Resources Code, to amend Sections 345.5, 2827, 2851, 8381, and 100351 of the Public Utilities Code, to amend Sections 69.5, 7104, 17561, 18639, 19141, 19191, 19192, 19194, 23153, 23663, 23685, 24422, and 24875 of, and to repeal Section 24875.5 of, the Revenue and Taxation Code, to amend Sections 143, 182.2, and 1188 of, and repeal Sections 5898.15 and 5898.23 of, the Streets and Highways Code, to amend Sections 1088.5, 1269, 1755, 1757, 3011, 3701, and 15002 of the Unemployment Insurance Code, to amend Sections 5007, 11205.4, 12509, 12804.9, 12804.11, 13352, 13557, 29004, 34515, 40305.5, and 41501 of the Vehicle Code, to amend Sections 1126, 12986, 13385, 85031, 85034, and 85230 of the Water Code, to amend Sections 366.24, 4360, 4695.2, 577</i></p> <p><i>An act relating to state property, and making an appropriation therefor.</i></p>
SB 70 (Committee on Budget and Fiscal Review)	Education finance: Budget Act of 2011	OPSC	7	<p><i>An act to amend Sections 1240.3, 2550, 2558.46, 8201, 8208, 8263.1, 8263.4, 8354, 8357, 8447, 8499, 14041.5, 14041.6, 17070.766, 17463.7, 17584.1, 17587, 17592.71, 33128.3, 41203.1, 42238.146, 42605, 42606, 45023.1, 45023.4, 46201.2, 52124.3, 60200.7,</i></p> <p><i>Existing law authorizes the Director of General Services to dispose of State surplus property, subject to specified conditions, including authorization by the Legislature. This bill authorizes the Director to dispose of six specified parcels of State property. This bill also rescinds the surplus authorization of two specified parcels. This bill contains other existing laws.</i></p> <p><i>Existing law requires the county superintendent of schools of each county, among other specified duties, to make annual visits to each school in his or her county to observe its operation and to learn of its problems. Existing law requires that the priority objective of those visits is the determination of whether each school has sufficient textbooks, as defined. Existing law, until July 1,</i></p>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
	<p>2013, and for the 2008-09 to the 2012-13 Fiscal Years, inclusive, describes what is meant by sufficient textbooks or instructional materials for purposes of these visits by the county superintendent of schools. This bill extends the operation of this provision by two fiscal years, until July 1, 2015. This bill contains other related provisions and other existing laws. (Urgency clause—effective March 24, 2011)</p>			<p>69432.7, 69432.9, 69433.6, 76243, 76300, 84043, and 84321.6 of, to amend and renumber Section 60422.1 of, to add Sections 8263.2, 14041.65, 41204.3, 69433.2, and 84321.7 to, and to repeal and add Section 41204.2 of, the Education Code, to amend Section 11323.2 of the Welfare and Institutions Code, and to amend Items 6110-161-0001, 6110-485, and 6110-488 of Section 2.00 of the Budget Act of 2010 (Chapter 712 of the Statutes of 2010), relating to education finance, making an appropriation therefor, to take effect immediately, bill related to the budget.</p>
<p><b>SB 78</b> <b>(Committee on Budget and Fiscal Review)</b></p>	<p><b>Administration of justice</b></p> <p><b>Summary:</b> Existing law created the Legal Services Revolving Fund in the State Treasury. Existing law requires the Attorney General to charge the costs incurred in providing legal services. Existing law prohibits charges, except as approved by the Department of Finance, for legal services to be against the General Fund. Existing law requires the Controller to transfer the amount of the charges for services rendered from the agency's appropriation to the appropriation for the support of the Attorney General's Office; however, the Attorney General is prohibited from requesting an amount that exceeds the amount budgeted by the State agency for the Attorney General's legal services. This bill deletes the prohibition that charges for legal services cannot be made against the General Fund. This bill requires the Controller to transfer the amount of the charges for services rendered from the agency's appropriation to the appropriation for the support of the Attorney General's office using the Controller's direct transfer process. This bill requires all disputes to be resolved in accordance with a specified provision of the State Administrative Manual. This bill contains other related provisions and other existing laws. (Urgency clause—effective March 24, 2011)</p>	<p><b>OFS</b></p>	<p><b>10</b></p>	<p><i>An act to amend Sections 11044, 20398, 68511.8, and 77206 of the Government Code, to amend Sections 830.2, 830.5, and 6126.1 of, and to amend and repeal Section 1465.8 of, the Penal Code, to amend Sections 1051, 1826, 1850, 1850.5, 1851, 2250, 2250.4, 2250.6, 2253, and 2620 of the Probate Code, and to add Part 2.5 (commencing with Section 19201) to Division 2 of the Public Contract Code, relating to the administration of justice, making an appropriation therefor, to take effect immediately, bill related to the budget.</i></p>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
<b>SB 80</b> <b>(Committee on Budget and Fiscal Review)</b>	<b>State government</b> <b>Summary:</b> Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy. Existing law sets forth the fee structure for licensure as an accountant, including for biennial renewal of a permit to practice. Existing law requires the Board to fix the biennial renewal fee, in an amount not to exceed \$250, so that the reserve balance in the Board's contingent fund is equal to approximately nine months of annual authorized expenditures. Existing law allows an increase in renewal fees only upon a determination by the Board that additional moneys are required to fund authorized expenditures and maintain the Board's contingent fund reserve. This bill deletes the requirement that the Board fix the biennial renewal fee for purposes of maintaining the nine-month reserve balance in the contingent fund, and would delete the limitation that the biennial renewal fee may only be increased when additional moneys are required to fund authorized expenditures and maintain the contingent fund reserve balance. This bill contains other related provisions and other existing laws. (Urgency clause—effective March 24, 2011)	<b>RESD</b>	<b>11</b>	<i>An act to amend Section 5134 of the Business and Professions Code, to repeal and add Section 14044 of the Corporations Code, to amend Sections 965, 16142, 16142.1, 16148, 16320, 51244, and 63048.66 of, to amend, repeal, and add Section 12716 of, to add Section 22850.5 to, to add and repeal Section 8670.48.3 of, and to repeal Section 51244.3 of, the Government Code, and to amend Sections 4003 and 4004 of, and to add Section 14004.5 to, the Unemployment Insurance Code, relating to state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately, bill related to the budget.</i>
<b>SB 117</b> <b>(Kehoe)</b>	<b>Public contracts: prohibitions: discrimination based on gender or sexual orientation</b> <b>Summary:</b> Existing law prohibits a State agency from entering into a contract for the acquisition of goods or services in the amount of \$100,000 or more with a contractor who, in the provision of benefits, discriminates between employees with spouses and employees with domestic partners, or discriminates between the domestic partners and spouses of those employees. This bill also prohibits a State agency from entering into a contract in the amount of \$100,000 or more with a contractor who discriminates between employees with spouses or domestic partners of a different sex and employees with spouses or domestic partners of the same sex, or discriminates between same-sex and different-sex domestic partners of employees or between same-sex and different-sex spouses of employees.	<b>PD</b>	<b>231</b>	<i>An act to amend Section 10295.3 of the Public Contract Code, relating to public contracts.</i>
<b>SB 128</b> <b>(Lowenthal)</b>	<b>School facilities funding: high-performance schools</b> <b>Summary:</b> Existing law, the Leroy F. Greene School Facilities Act of 1998 (the Greene Act), requires the State Allocation Board 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, and requires the Board to adopt rules and regulations for the administration of the Greene Act. The Kindergarten-University Public Education Facilities Bond Act of 2006 (the 2006 Bond Act) sets aside \$100,000,000 of the proceeds of the bonds sold under that Act for incentive grants under the Greene Act to promote the use of design and	<b>OPSC</b>	<b>622</b>	<i>An act to amend Sections 17074.25 and 17078.72 of the Education Code, relating to school facilities, and making an appropriation therefor.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
	materials in new construction and modernization projects that include the attributes of high-performance schools. This bill adds the cost of designs and materials that support the characteristics of high-performance schools to the types of costs that may be included in the improvement. This bill contains other related provisions and other existing laws.			
<b>SB 136 (Yee)</b>	<b>Public contracts: prevailing wages</b>	<b>RESD</b>	<b>698</b>	<i>An act to add Section 1720.6 to the Labor Code, relating to public contracts.</i>
	<b>Summary:</b> Existing law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a violation of this requirement. Existing law provides that for the purposes of provisions of law relating to the payment of prevailing wages, "public works" includes specified types of construction, alteration, demolition, installation, and repair work. This bill expands the definition of "public works," for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract that satisfies specified conditions related to energy, as prescribed. This bill contains other related provisions and other existing laws.			
<b>SB 224 (Pavley)</b>	<b>Public contracts: Department of Water Resources</b>	<b>PD</b>	<b>587</b>	<i>An act to amend Sections 10296, 10335, 10340, and 10430 of, and to add Sections 10295.6 and 10304.1 to, the Public Contract Code, relating to public contracts.</i>
	<b>Summary:</b> Existing law provides that specified contracts entered into by any State agency for goods, services, or other specified activities, whether awarded through competitive bidding or not, are void unless and until approved by the Department of General Services, and approval shall be denied if the contract does not meet the required specifications of the bidding process. That law exempts certain transactions and contracts from that law, as specified. Existing law requires State agencies to secure at least three competitive bids for each contract and exempts specified contracts from this requirement. This bill makes those laws inapplicable to any contract entered into by the Department of Water Resources for the acquisition, sale, or transmission of power, or for related services, as specified. This bill authorizes the Department of Water Resources to award contracts for the acquisition of specialized equipment for facilities of the State Water Resources Development System, and requires the Department of Water Resources, in collaboration with the Department of General Services, to establish the conditions under which a contract in excess of \$25,000 is awarded without the competitive bidding process, as specified. This bill includes in the list of exempt contracts that do not require three competitive bids, contracts for services for the operation, maintenance, repair, or replacement of specialized equipment at facilities of the State Water Resources Development System and other specified contracts entered into by the Department of Water Resources, as provided. This bill requires the Department of Water Resources to be governed by the laws regarding contracting for goods and services by State agencies, as prescribed.			

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 284 (Harman)	<b>Real property: marketable title</b> <b>Summary:</b> Existing law permits a person to record an option to purchase real property in the chain of title for that property. Existing law provides that the option expires of record, within specified times, if no conveyance, contract, or other instrument giving notice of the exercise or extension of the option is recorded. This bill would provide, absent a conveyance, contract, or other instrument giving notice of the exercise or extension of an option, that if the expiration date of the option is ascertainable from the recorded instrument, the option expires six months after that expiration date. The bill further provides that if the expiration date of the option is not ascertainable from the recorded instrument, or the recorded instrument indicates that the option provides no expiration date, the option expires six months after the date the instrument that creates or gives constructive notice of the option is recorded. These provisions become operative on January 1, 2013.	RESD	46	<i>An act to amend Section 880.020 of, and to amend, repeal, and add Section 884.010 of, the Civil Code, relating to real property.</i>
SB 293 (Padilla)	<b>Payment bonds: laborers</b> <b>Summary:</b> Existing law requires that, for private and public works of improvement, and in a public works contract, a prime contractor or subcontractor pay to any subcontractor, not later than ten days after receipt of each progress payment, unless otherwise agreed to in writing, the respective amount allowed the contractor on account of the work performed by the subcontractors, to the extent of each subcontractor's interest therein, as prescribed. This bill, instead, requires that those amounts be paid not later than seven days after receipt of each progress payment. This bill contains other related provisions and other existing laws.	RESD	700	<i>An act to amend Section 7108.5 of the Business and Professions Code, to amend Sections 8612 and 9560 of, and to amend and repeal Section 3252 of, the Civil Code, and to amend Sections 10262 and 10262.5 of, to amend, repeal, and add Section 10261 of, and to add and repeal Section 7201 of, the Public Contract Code, relating to payment bonds.</i>
SB 397 (Yee)	<b>Online voter registration</b> <b>Summary:</b> Existing law prohibits any person from being registered as a voter except by affidavit of registration and requires that the affidavit be mailed or delivered to the county elections official. The Secretary of State has certain administrative duties under existing law in providing voter registration materials. The federal National Voter Registration Act of 1993 provides for state departments of motor vehicles to make voter registration information and materials available to an applicant for a driver's license and other vehicular documents. Existing State law requires licensed persons to provide to the Department of Motor Vehicles a signature and the Department of Motor Vehicles is required to digitize that signature and forward the digitized signature to the Secretary of State if a person wishes to register to vote. Under existing law, operative when the Secretary of State certifies that the State has a	PD	561	<i>An act to amend Section 2196 of the Elections Code, relating to online voter registration.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
<p>statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002, a person who is qualified to register to vote and who has a valid California driver's license or State identification card is authorized to submit an affidavit of voter registration electronically on the Internet Web site of the Secretary of State. Under the above-described online voter registration provisions, the Secretary of State, for each electronic affiant, is required to obtain an electronic copy of the applicant's signature from his or her driver's license or state identification card directly from the Department of Motor Vehicles. This bill requires the Department of Motor Vehicles and the Secretary of State to develop a process and the infrastructure to allow electronic copies of the applicants' signatures and other information required under the above provisions that is in the possession of the department to be transferred to the Secretary of State and to the county election management systems to allow a person who is qualified to register to vote in California to register to vote under the above provisions. This bill contains other related provisions.</p>				
<b>SB 423</b> (Wyland)	<b>School facilities: local bond measures</b>	<b>OPSC</b>	<b>237</b>	<i>An act to amend Section 15286 of the Education Code, relating to school facilities.</i>
<p><b>Summary:</b> The California Constitution limits the maximum amount of any ad valorem tax on real property to 1 percent of the full cash value of the property. The California Constitution states that the 1 percent limitation for ad valorem taxes does not apply to ad valorem taxes or assessments to pay the interest and redemption charges on bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities approved by 55 percent of the voters if the proposition includes specified accountability requirements. The accountability requirements include a requirement that the governing board of either the school district or community college district or the county office of education conduct annual, independent performance and financial audits. This bill requires the audits for each preceding fiscal year to be submitted by March 31 of each year to the citizens' oversight committee for its review.</p>				
<b>SB 493</b> (Padilla)	<b>State surplus property</b>	<b>OFA</b>	<b>251</b>	<i>An act to add Section 10389.2 to the Public Contract Code, relating to state property, and declaring the urgency thereof, to take effect immediately.</i>
<p><b>Summary:</b> Existing law requires the Department of General Services to perform various functions and duties with respect to State property. Existing law authorizes the department to first offer appropriate State surplus personal property to school districts, and authorizes the department to offer it at less than fair market value, prior to offering that property to the public, as specified. This bill imposes additional requirements on the department regarding disposal of State surplus computers, laptops, monitors, and related computer equipment, as provided. This bill contains other related provisions. (Urgency clause—effective September 6, 2011)</p>				

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 741 (Dutton)	<p><b>Alternative Protest Pilot Project</b></p> <p><b>Summary:</b> Existing law provides for the Alternative Protest Pilot Project, which provides for alternative protest procedures in connection with State agency acquisition of goods and services, including the acquisition of information technology goods and services, and requires the Department of General Services to administer the project until December 31, 2011. This bill deletes the sunset date on the above provision, thereby extending that provision indefinitely.</p>	PD	157	<i>An act to amend Section 12128 of the Public Contract Code, relating to public contracts.</i>
SB 835 (Wolk)	<p><b>Public contracts: University of California: pilot program: best value procedures</b></p> <p><b>Summary:</b> Existing law, until January 1, 2012, establishes the Best Value Construction Contract Pilot Program, which authorizes a single University of California campus located in the City and County of San Francisco to award construction contracts based on the best value procedures, as specified. Existing law requires the Regents of the University of California to adopt and publish procedures and required criteria, as specified, that ensure that all selections are conducted in a fair and impartial manner. Existing law also requires, on or before January 1, 2010, the Regents of the University of California to submit a report to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee regarding the pilot program, as specified. Existing law requires bidders to verify specified information under oath. This bill expands the pilot program described above to apply to all campuses of the University of California, including the medical centers, for projects over \$1,000,000. This bill instead requires the Regents of the University of California to adopt and publish procedures and required guidelines for evaluating the qualifications of the bidders to ensure that best value selections by the university are conducted in a fair and impartial manner. This bill requires the Regents of the University of California to submit a report on the pilot program before January 1, 2016. This bill extends the pilot program until January 1, 2017. This bill also makes conforming changes to related provisions. This bill contains other related provisions and other existing laws.</p>	PD	636	<i>An act to amend Sections 10506.4, 10506.5, 10506.6, 10506.7, 10506.8, and 10506.9 of, and to add Section 10506.10 to, the Public Contract Code, relating to public contracts.</i>
SB 861 (Corbett)	<p><b>Public contracts: contract eligibility: conflict minerals in the Democratic Republic of the Congo</b></p> <p><b>Summary:</b> Existing law authorizes contracting between State agencies and private contractors and sets forth requirements for the procurement of goods and services by State agencies and the various responsibilities of State agencies and the Department of General Services in implementing State contracting procedures and policies. This bill prohibits a scrutinized company, as defined, from entering into a contract with a State agency for goods or services, as provided. This bill contains other related provisions.</p>	PD	715	<i>An act to add Section 10490 to the Public Contract Code, relating to public contracts.</i>

# **LEGISLATIVE BILLS VETOED IN 2011**

**INDEX OF VETOED BILLS**

<b>AB 172 (Eng)</b>	<b>State agencies: information: Internet Web site .....</b>	<b>15</b>
<b>AB 767 (John A. Pérez)</b>	<b>State Capitol Sustainability Task Force .....</b>	<b>15</b>

BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
<b>AB 172 (Eng)</b>	<b>State agencies: information: Internet Web site.</b>	<b>PD</b>	<b>Vetoed</b>	<i>An act to add Sections 11004.4, 11004.5, 11004.6, and 11004.7 to the Government Code, relating to state agencies.</i>
<p><b>Summary:</b> Existing law requires, subject to specific exemptions, public records to be open to public inspection. This bill requires the California Technology Agency to create and maintain a Reporting Transparency in Government Internet Web site, as prescribed. It requires, subject to specific exemptions, State agencies to post specified audits to that Internet Web site for a period of three years, and requires the Department of General Services, the California Technology Agency, and other State agencies to post specified summary data regarding contracts awarded by the State to that Internet Web site, for the length of the contract. The bill exempts certain State officers from the requirement of posting the information to the Reporting Transparency in Government Internet Web site, if that officer posts the required information to his or her official Internet Web site, as specified. This bill contains other related provisions.</p>				
<b>AB 767 (John A. Pérez)</b>	<b>State Capitol Sustainability Task Force.</b>	<b>RESD</b>	<b>Vetoed</b>	<i>An act to add and repeal Article 4 (commencing with Section 8195) of Chapter 2.8 of Division 1 of Title 2 of the Government Code, relating to the State Capitol Sustainability Task Force.</i>
<p><b>Summary:</b> Existing law authorizes the Director of General Services to repair and alter buildings within the Capitol area, as defined. This bill, until January 1, 2014, establishes the State Capitol Sustainability Task Force to coordinate activities with State agencies and the private sector to develop and implement a State Capitol Sustainability Initiative for the State Capitol Building, the Legislative Office Building, and the State Capitol Park grounds.</p>				