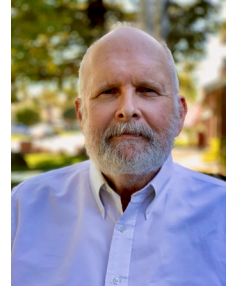


Legislative Update

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Legislative Calendar:

- September 14 – Last day for each house to pass bills
Interim Study Recess begins at the end of the day's session.
- October 14 – Last day for Governor to sign or veto bills passed by the Legislature before Sept. 14 and in the Governor's possession on or after Sept. 14.
- November 10 – Veterans Day observed.
- Nov. 23-24 – Thanksgiving.
- Dec. 25-26 – Winter Holiday.
- Jan. 1-2 – New Year Holiday.
- Jan. 1 – Statutes take effect.
- January 3, 2024 – Legislature reconvenes.

Legislature Adjourns Of 1,974 Assembly bills and 1,056 Senate bills introduced this session, 542 have been chaptered (all as of September 30, 2023), 778 are enrolled (awaiting the Governor), six have been vetoed, 1,240 are two-year bills and can be taken up in January 2024, and 464 are lost in the cushions in the Senate and Assembly living rooms.

Next month, we'll provide the final disposition of all the Region 9 tracked legislation.

APM/DB/CMaR

[AB 400 \(Rubio, Blanca - D\)](#) This bill extends the sunset date from January 1, 2025, to January 1, 2031, the law authorizing local agencies to use the design-build contracting method. **Status:** Approved by the Governor. Chaptered by Secretary of State - Chapter 201, Statutes of 2023. **ASCE Position: Support**

[SB 617 \(Newman - D\)](#) This bill would authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency to use the progressive design-build process. **Status:** Chaptered by Secretary of State. Chapter 310, Statutes of 2023. **ASCE Position: Support**

[SB 706 \(Caballero - D\)](#) Senate Bill 706 allows cities, counties, and special districts to use progressive design-build for any project, not just water projects. The measure also changes the deadline for local agencies to submit required reports to the Legislature from January 1, 2028, to December 31, 2028. **Status:** Awaiting the Governor's action. **ASCE Position: Support**

Climate

[AB 30 \(Ward - D\)](#) Reconfigures the existing Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program (Atmospheric Rivers Program) within the Department of Water Resources (DWR). **Status:** Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023. **ASCE Position: Support**

Practice

[AB 334 \(Rubio, Blanca - D\)](#) Because of legislation and subsequent court cases, public agencies are being precluded from entering into follow-on contracts with design professionals on the same project, even if that design professional is the best fit for a subsequent portion or phase. AB 334 attempts to clarify COI rules for AE contracts. **Status:** Chaptered by Secretary of State - Chapter 263, Statutes of 2023. **ASCE Position: Support**

STEM

[SB 444 \(Newman - D\)](#) This bill: 1) encourages community colleges to establish and implement Mathematics, Engineering, Science, Achievement (MESA) programs; 2) requires that the regulations adopted by the Community College Board of Governors (BOG) regarding the operation of community college MESA programs be consistent with, and accomplish the specified goals and; 3) specifies that state funds provided for MESA programs and support that community colleges provide supplement existing resources **Status:** Enrolled and presented to the Governor. **ASCE Position: Support**

Taxes/Fees

[ACA 1 \(Aguiar-Curry – D\)](#) This constitutional amendment, subject to voter approval, allows a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure. Article XVI, Section 18 of the California Constitution generally prohibits cities, counties, and school districts from incurring any debt or liabilities exceeding any year's revenues without two-thirds voter approval. One of the most common reasons local agencies incur debt is to raise sufficient capital for a project or cost that the local agency does not have sufficient cash on hand to immediately finance, such as a public infrastructure project, and promise to pay off the principal and interest on that debt over time. In the local government context, general obligation bonds refer to bonds payable from ad valorem property tax revenue. These typically require two-thirds voter approval. However, Proposition 39 (2000) amended the Constitution to decrease the two-thirds approval requirement to 55% percent for school districts, community college districts, or county offices of education to issue general obligation bonds to construct or rehabilitate school facilities. **Status:** Chaptered by Secretary of State- Chapter 173, Statutes of 2023. It will be on the November 5, 2024, statewide general election ballot. **ASCE Position: Support**

Water

[AB 664 \(Lee-D\)](#) requires the owner of a domestic well that serves a rental property and is located within a drinking water system consolidation or extended service area, who does not provide written consent to the consolidation or extension of service, to ensure that tenants of rental properties served solely by their wells have access to an adequate supply of safe drinking water. **Status:** Enrolled and presented to the Governor

[SB 3 \(Dodd-D\)](#) would expand the use of available funds in the California Safe Drinking Water Account to help cover the administrative costs of the Water Shutoff Protection Act, which currently requires public water systems with more than 200 service connections to have policies in place to prevent disconnecting residential service for nonpayment. The scope of the act would be expanded and applied to include all community water systems that serve at least 15 service connections, with those serving fewer than 200 service connections needing to have a policy written in English and any language spoken by 10% of the people residing in its service area. The bill would also allow the Attorney General to take action in state court to restore any money or property unlawfully acquired due to the act. **Status:** Enrolled and presented to the Governor

[SB 389 \(Allen\)](#) authorizes the State Water Resources Control Board (SWRCB) to investigate and ascertain whether or not a water right is valid, authorizes SWRCB to issue an information order in furtherance of the investigation, and authorizes a diversion of use of water ascertained to be unauthorized to be enforced as a trespass. **Status:** Enrolled and presented to the Governor

Appointments

As director of environmental services at the High-Speed Rail Authority: **Stefan Galvez-Abadia**, Oakland, Democrat, deputy district director in the environmental division of District 11 at the Dept. of Transportation since 2021. Salary: \$184,332.

To the Board for Professional Engineers, Land Surveyors, and Geologists: **Maria Cristina Garcia**, Sacramento, Democrat, cybersecurity risk specialist at the Sacramento Municipal Utility District since 2023 and IT technician there from 2018 to 2023; **Michael Hartley** (reappointed), Madera, Republican, on Board since 2020, president of Bedrock Engineering Inc. since 2008. Salary: \$100 per diem.

To the Riverside County Transportation Commission and the San Bernardino County Transportation Commission: **Catalino Pining**, Rancho Cucamonga, Democrat, District 8 director at Dept. of Transportation since 2023. No salary.

To the Los Angeles County Metropolitan Transportation Authority and the Ventura County Transportation Commission: **Gloria Roberts**, Irvine, no party preference, District 7 director at Dept. of Transportation since 2023. No salary.

Reports of Interest

The California Council on Science and Technology released “[The Human Health Benefits of Improving Forest Health in California: Investigating the Links Between Forest Management, Wildfire Smoke, and the Health Sector](#),” the findings include: “wildfire smoke is a growing

problem and is demanding more of the health sector's resources to manage and respond to smoke events" and that "quantifying these costs would enable state and local health sector organizations to make more informed decisions regarding budgeting, resource allocation, and response;" recommends health insurance groups share "datasets on claims and healthcare expenditures to complement healthcare utilization data from health systems to support better tracking the costs of wildfire smoke events."