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02/15/19 07:25 PM
RN 19 10159 PAGE 1

An act to amend Sections 9112 and 9125 of the Government Code, and to add Section 16010.5 to the Health and Safety Code, relating to state buildings.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 9112 of the Government Code is amended to read:

9112. (a) (1) Notwithstanding any other law, including Section 9108, the Joint Rules Committee may pursue the construction of a state capitol building annex or the restoration, rehabilitation, renovation, or reconstruction of the State Capitol Building Annex described in Section 9105 and any other ancillary improvements to effectuate the purposes of this article.

(2) Projects authorized pursuant to this section may be pursued in phases and may include a visitor center, a relocated and expanded underground parking facility, and any related or necessary deconstruction and infrastructure work.

(b) (1) All work performed pursuant to this article shall be administered and supervised by the Department of General Services. The work shall be undertaken pursuant to an agreement between the Joint Rules Committee, the Department of Finance or its designated representative, and the Department of General Services or its designated representative.

(2) The agreement entered into pursuant to paragraph (1), prior to any recognition by the State Public Works Board of a project authorized by this section, shall establish the scope, budget, delivery method, and schedule for any work undertaken pursuant to this article.

(3) (A) The scope, cost, and delivery method of each project pursuant to this section shall be recognized by, and subject to the oversight of, the State Public Works Board pursuant to Section 13332.11 or 13332.19, as applicable and subject to the provisions of this paragraph.

(B) Notwithstanding Sections 13332.11 and 13332.19, or any other law, the Joint Rules Committee, the Department of Finance or its designated representative, and the Department of General Services or its designated representative, pursuant to the agreement entered into pursuant to paragraph (1), may agree to utilize any delivery method deemed appropriate and advantageous for the work performed pursuant to this article.

(C) Notwithstanding any provision of Section 13332.11 or 13332.19 to the contrary, or any other law, any changes to the scope of the projects authorized by this section shall be agreed upon by the Joint Rules Committee, the Department of Finance or its designated representative, and the Department of General Services or its designated representative, pursuant to the agreement entered into pursuant to paragraph (1).

(c) Notwithstanding any other law, any action or proceeding alleging that a public agency has approved or is undertaking work pursuant to this article in violation of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) shall be subject to Chapter 6.7 (commencing with Section 21189.50) of Division 13 of the Public Resources Code.

(d) (1) Notwithstanding any other law, all work performed pursuant to this article by the Department of General Services shall be exempt from all of the following:

(A) The State Contract Act (Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code).

(B) Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3.

(C) Chapter 2.1 (commencing with Section 15813) of Part 10b of Division 3.

(D) Section 2807 of the Penal Code.



(2) Notwithstanding any other law, the inclusion of office space for or an emergency dispatch center of the Department of the California Highway Patrol, including any associated telecommunications or radio equipment, in the state capitol building annex constructed or the existing State Capitol Building Annex described in Section 9105 restored, rehabilitated, renovated, or reconstructed pursuant to this article shall not subject any part of the projects authorized by this article, including that office space or emergency dispatch center, to any of the following:

(A) The Essential Services Buildings Seismic Safety Act of 1986 (Chapter 2 (commencing with Section 16000) of Division 12.5 of the Health and Safety Code).

(B) Any other law that would not otherwise apply to the projects authorized by this article but for the inclusion of the office space for or emergency dispatch center of the Department of the California Highway Patrol

(C) Any rule, regulation, standard, or requirement promulgated or enforced by the Division of the State Architect or the Office of the State Fire Marshal pursuant to the laws described in subparagraphs (A) and (B).

(2)

(3) Notwithstanding any other law, to the extent that the work performed pursuant to this article is administered and supervised by the Department of General Services, the department may enter into negotiations directly with any firm for the provision of services described in Section 4525.

(e) Prevailing wages shall be paid to all workers employed on a project that is subject to this article, in accordance with Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code.

SEC. 2. Section 9125 of the Government Code is amended to read:

9125. (a) (1) In order to adequately provide for the housing and administrative requirements of the Legislature and the executive branch during the construction of a state capitol building annex or the restoration, rehabilitation, renovation, or reconstruction of the existing State Capitol Building Annex pursuant to Article 5.2 (commencing with Section 9112), and to later provide for additional state-owned facilities in close proximity to the State Capitol, the Department of General Services may pursue the design and construction of a state office building located on O Street, between 10th Street and 11th Street, in the City of Sacramento.

(2) A project authorized pursuant to this section may proceed on a schedule different from that for the projects authorized by Section 9112, subject to good faith consultation between the Department of General Services and the Joint Rules Committee to determine the scope, budget, scheduling, organization, management, delivery method, and other approaches deemed most appropriate and advantageous to advance the office building authorized by this section and other related projects. This consultation shall be conducted pursuant to the agreement entered into pursuant to paragraph (1) of subdivision (b) of Section 9112.

(b) (1) The Department of General Services, or its designated representative, shall collaborate with the Joint Rules Committee and the Department of Finance, or its designated representative, to determine the scope, budget, delivery method, and schedule for any space to be constructed, restored, rehabilitated, renovated, or reconstructed pursuant to this article.

(2) (A) The scope, cost, and delivery method of each project pursuant to this section shall be recognized by, and subject to the oversight of, the State Public Works



Board pursuant to Section 13332.11 or 13332.19, as applicable and subject to the provisions of this paragraph.

(B) Notwithstanding Sections 13332.11 and 13332.19, or any other law, the Joint Rules Committee, the Department of Finance or its designated representative, and the Department of General Services or its designated representative, may agree, pursuant to paragraph (1) of subdivision (b) of Section 9112, to utilize any delivery method deemed appropriate and advantageous for the work performed pursuant to this article.

(C) Notwithstanding any provision of Section 13332.11 or 13332.19 to the contrary, or any other law, any changes to the scope of the projects authorized by this section shall be agreed upon by the Joint Rules Committee, the Department of Finance or its designated representative, and the Department of General Services or its designated representative, pursuant to the agreement entered into pursuant to paragraph (1) of subdivision (b) of Section 9112.

(3) The height limitation specified in subdivision (c) of Section 8162.7 shall apply to any structure constructed, restored, rehabilitated, renovated, or reconstructed pursuant to this article.

(c) Notwithstanding any other law, any action or proceeding alleging that a public agency has approved or is undertaking work pursuant to this article in violation of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) shall be subject to Chapter 6.7 (commencing with Section 21189.50) of Division 13 of the Public Resources Code.

(d) (1) Notwithstanding any other law, all work performed pursuant to this article by the Department of General Services shall be exempt from all of the following:

(A) The State Contract Act (Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code).

(B) Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3.

(C) Chapter 2.1 (commencing with Section 15813) of Part 10b of Division 3.

(D) Section 2807 of the Penal Code.

(2) Notwithstanding any other law, the inclusion of office space for or an emergency dispatch center of the Department of the California Highway Patrol, including any associated telecommunications or radio equipment, in the state office building constructed pursuant to this article shall not subject any part of the project authorized by this article, including that office space or emergency dispatch center, to any of the following:

(A) The Essential Services Buildings Seismic Safety Act of 1986 (Chapter 2 (commencing with Section 16000) of Division 12.5 of the Health and Safety Code).

(B) Any other law that would not otherwise apply to the project authorized by this article but for the inclusion of the office space for or emergency dispatch center of the Department of the California Highway Patrol.

(C) Any rule, regulation, standard, or requirement promulgated or enforced by the Division of the State Architect or the Office of the State Fire Marshal pursuant to the laws described in subparagraphs (A) and (B).

(2)

(3) Notwithstanding any other law, the Department of General Services may enter into negotiations directly with any firm for the provision of services described in Section 4525.



(e) Prevailing wages shall be paid to all workers employed on a project that is subject to this article, in accordance with Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the Labor Code.

(f) The Department of General Services shall provide maintenance and operation services in connection with that portion of the state office building subject to this article that is utilized by the Legislature, as requested by the Joint Rules Committee.

(g) It is the intent of the Legislature to collaborate in good faith with the executive branch to consider any necessary statutory changes or actions pursuant to Section 9123 or any other law in order to facilitate the financing and continuing operation of the project authorized by this section. Furthermore, the executive branch and the Joint Rules Committee agree to collaborate, consistent with the terms of the agreement required by paragraph (1) of subdivision (b) of Section 9112, in the design, scheduling, organization, management, choice of delivery method, and other approaches needed to ensure that the project authorized by this section serves the needs of the Legislature, as well as the needs of the executive branch, during the period of the work authorized by Section 9112. Over the long term, joint occupancy by legislative and executive branch entities is contemplated, with the building's management provided by the Department of General Services, unless explicitly agreed to otherwise.

(h) Nothing in this article shall be construed to limit the jurisdiction of the Legislature over the buildings and property bounded by 10th, 11th, N, and O Streets in the City of Sacramento that are described in Article 5.5 (commencing with Section 9115).

SEC. 3. Section 16010.5 is added to the Health and Safety Code, to read:

16010.5. Notwithstanding any other law, the inclusion of office space for or an emergency dispatch center of the Department of the California Highway Patrol in any building constructed, restored, rehabilitated, renovated, or reconstructed pursuant to Article 5.2 (commencing with Section 9112) or Article 5.6 (commencing with Section 9125) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code shall not subject any part of those projects to this chapter or any rule, regulation, standard, or requirement promulgated or enforced by the Division of the State Architect pursuant to this chapter.



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LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____.
General Subject: California Highway Patrol facilities: State Capitol Building Annex:
state office building.

Existing law, known as the State Capitol Building Annex Act of 2016, authorizes the Joint Rules Committee to pursue the construction of a state capitol building annex, or the restoration, rehabilitation, renovation, or reconstruction of the existing State Capitol Building Annex, and any other ancillary improvements, as provided. Existing law, known as the State Office Building Act of 2018, similarly authorizes the Department of General Services to pursue the design and construction of a state office building to provide for the housing and administrative requirements of the Legislature and the executive branch during the construction of a state capitol building annex, or the restoration, rehabilitation, renovation, or reconstruction of the existing State Capitol Building Annex, pursuant to the State Capitol Building Annex Act of 2016, and to later provide for additional state-owned facilities in close proximity to the State Capitol. Under existing law, work performed under the State Capitol Building Annex Act of 2016 and the State Office Building Act of 2018 is exempt from various specified laws, including the State Contract Act.

The Essential Services Buildings Seismic Safety Act of 1986 requires the appropriate enforcement agency, which in the case of state-owned facilities is the Division of the State Architect, to review the design and inspect the construction of essential services buildings or the reconstruction, alteration, or addition to any essential services building, as provided. The act defines "essential services building" for these purposes as any building used, including any building a portion of which is used, as a fire station, police station, emergency operations center, California Highway Patrol office, sheriff's office, or emergency communication dispatch center.

This bill would provide that the inclusion of office space for or an emergency dispatch center of the Department of the California Highway Patrol in the newly constructed State Capitol Building Annex, the restored, rehabilitated, renovated, or reconstructed State Capitol Building Annex, or the state office building constructed pursuant to the State Capitol Building Annex Act of 2016 or the State Office Building Act of 2018, as applicable, does not subject any part of those projects to the Essential Buildings Seismic Safety Act of 1986, any other law that would not otherwise apply to those projects but for the inclusion of the office space or emergency dispatch center,



76559

02/15/19 07:25 PM
RN 19 10159 PAGE 2

and any rule, regulation, standard, or requirement promulgated or enforced by the Division of the State Architect or the Office of the State Fire Marshal pursuant to those laws. The bill would make conforming changes to the Essential Services Buildings Seismic Safety Act of 1986.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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