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SB-79 County road commissioner: Counties of Colusa and Glenn. (2021-2022)

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Senate Bill No. 79

CHAPTER 33

An act to add Sections 2006.3 and 2006.4 to the Streets and Highways Code, relating to county roads, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 28, 2021. Filed with Secretary of State June 28, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

SB 79, Nielsen. County road commissioner: Counties of Colusa and Glenn.

Existing law provides for the appointment of a road commissioner in each county by the board of supervisors, with specified powers and duties relating to county roads. Existing law provides for exceptions to this requirement, including authorization for the Board of Supervisors of the County of Merced to transfer the duties of the county road commissioner to the county director of the department of public works.

This bill would also authorize the Boards of Supervisors of the Counties of Colusa and Glenn to transfer the duties of the county road commissioner to the county director of the department of public works.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Colusa and Glenn.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

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

SECTION 1. Section 2006.3 is added to the Streets and Highways Code, to read:

2006.3. Notwithstanding any other law, the Board of Supervisors of the County of Colusa may abolish the office of road commissioner if the board transfers all duties of the road commissioner to the county director of the department of public works. The director of that department shall not be required to have any special permit, registration, or license. Any civil engineering functions that are required to be performed by the road commissioner shall be performed by a registered civil engineer acting under the authority of the director of that department.

SEC. 2. Section 2006.4 is added to the Streets and Highways Code, to read:

2006.4. Notwithstanding any other law, the Board of Supervisors of the County of Glenn may abolish the office of road commissioner if the board transfers all duties of the road commissioner to the county director of the department of public works.

The director of that department shall not be required to have any special permit, registration, or license. Any civil engineering functions that are required to be performed by the road commissioner shall be performed by a registered civil engineer acting under the authority of the director of that department.

SEC. 3. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the particular needs of the Counties of Colusa and Glenn, including difficulty in finding properly qualified candidates for the position of county road commissioner.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

Procedural relief is necessary for the Counties of Colusa and Glenn because the position of county road commissioner is currently vacant in both counties, and both counties are unable to recruit candidates with the necessary qualifications to fill the position. Under current rules, the counties must meet a deadline to find a new road commissioner to avoid gas tax apportionment sanctions. In order to ensure that the Counties of Colusa and Glenn can avoid gas tax apportionment sanctions, it is necessary that this bill take effect immediately.