

AMENDED IN SENATE APRIL 18, 2005

SENATE BILL

No. 232

Introduced by Senator Figueroa

February 15, 2005

~~An act to amend Section 8000 of the Business and Professions Code, relating to court reporters. An act to amend Sections 2460, 2531, 3504, 3516.1, 3710, 5810, and 7000.5 of the Business and Professions Code, to amend Section 12231 of the Government Code, to amend Section 80.2 of the Harbors and Navigation Code, and to amend Section 5090.15 of the Public Resources Code, relating to boards and commissions, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 232, as amended, Figueroa. ~~Court Reporters Board of California. Boards and commissions.~~

Existing law provides for licensing and regulation of various professions, as applicable, by the Board of Podiatric Medicine, the Speech-Language Pathology and Audiology Board, the Respiratory Care Board of California, and the Physician Assistant Committee of the Medical Board of California. Under existing law, the provisions creating these entities become inoperative on July 1, 2007, and are repealed on January 1, 2008.

This bill would extend these provisions by one year to July 1, 2008, and January 1, 2009, respectively.

Existing law, until January 1, 2007, recognizes certain activities of a specified interior design certification organization relative to interior designers. Existing law creates the Contractors' State License Board, the California Heritage Preservation Commission, the Boating and Waterways Commission, and the Off-Highway Motor Vehicle

Recreation Commission. Under existing law, the provisions creating these boards and commissions become inoperative on July 1, 2006, and are repealed on January 1, 2007.

This bill would extend the interior design provisions until January 1, 2008. The bill would delete the inoperative and repeal provisions relating to the board and commissions.

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

~~Existing law establishes the Court Reporters Board of California within the Department of Consumer Affairs. Existing law provides that these provisions become inoperative on July 1, 2006, and are repealed on January 1, 2007.~~

~~This bill would delete the dates on which these provisions are to become inoperative and repealed and would change them to unspecified dates.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 8000 of the Business and Professions~~
- 2 ~~Code is amended to read:~~
- 3 ~~SECTION 1. Section 2460 of the Business and Professions~~
- 4 ~~Code is amended to read:~~
- 5 ~~2460. There is created within the jurisdiction of the Medical~~
- 6 ~~Board of California and its divisions the California Board of~~
- 7 ~~Podiatric Medicine. This section shall become inoperative on July~~
- 8 ~~1, 2007 2008, and, as of January 1, 2008 2009, is repealed, unless~~
- 9 ~~a later enacted statute, which becomes effective on or before~~
- 10 ~~January 1, 2008 2009, deletes or extends the dates on which it~~
- 11 ~~becomes inoperative and is repealed. The repeal of this section~~
- 12 ~~renders the California Board of Podiatric Medicine subject to the~~
- 13 ~~review required by Division 1.2 (commencing with Section 473).~~
- 14 ~~SEC. 2. Section 2531 of the Business and Professions Code is~~
- 15 ~~amended to read:~~
- 16 ~~2531. There is in the Department of Consumer Affairs a~~
- 17 ~~Speech-Language Pathology and Audiology Board in which the~~
- 18 ~~enforcement and administration of this chapter is vested. The~~
- 19 ~~Speech-Language Pathology and Audiology Board shall consist~~
- 20 ~~of nine members, three of whom shall be public members.~~

1 This section shall become inoperative on July 1, ~~2007~~ 2008,
2 and, as of January 1, ~~2008~~ 2009, is repealed, unless a later
3 enacted statute, that becomes effective on or before January 1,
4 ~~2008~~ 2009, deletes or extends the inoperative and repeal dates.

5 *SEC. 3. Section 3504 of the Business and Professions Code is*
6 *amended to read:*

7 3504. There is established a Physician Assistant Committee
8 of the Medical Board of California. The committee consists of
9 nine members. This section shall become inoperative on July 1,
10 ~~2007~~ 2008, and, as of January 1, ~~2008~~ 2009, is repealed, unless a
11 later enacted statute, which becomes effective on or before
12 January 1, ~~2008~~ 2009, deletes or extends the dates on which it
13 becomes inoperative and is repealed. The repeal of this section
14 renders the committee subject to the review required by Division
15 1.2 (commencing with Section 473).

16 *SEC. 4. Section 3516.1 of the Business and Professions Code*
17 *is amended to read:*

18 3516.1. (a) (1) Notwithstanding any other provision of law,
19 a physician who provides services in a medically underserved
20 area may supervise not more than four physician assistants at any
21 one time.

22 (2) As used in this section, “medically underserved area”
23 means a “health professional(s) shortage area” (HPSA) as
24 defined in Part 5 (commencing with Section 5.1) of Chapter 1 of
25 Title 42 of the Code of Federal Regulations or an area of the state
26 where unmet priority needs for physicians exist as determined by
27 the California Healthcare Workforce Policy Commission
28 pursuant to Section 128225 of the Health and Safety Code.

29 (b) This section shall become inoperative on July 1, ~~2007~~
30 2008, and, as of January 1, ~~2008~~ 2009, is repealed, unless a later
31 enacted statute that is enacted before January 1, ~~2008~~ 2009,
32 deletes or extends the dates on which it becomes inoperative and
33 is repealed.

34 *SEC. 5. Section 3710 of the Business and Professions Code is*
35 *amended to read:*

36 3710. The Respiratory Care Board of California, hereafter
37 referred to as the board, shall enforce and administer this chapter.

38 This section shall become inoperative on July 1, ~~2007~~ 2008,
39 and, as of January 1, ~~2008~~ 2009, is repealed, unless a later
40 enacted statute, that becomes operative on or before January 1,

1 ~~2008~~ 2009, deletes or extends the dates on which it becomes
2 inoperative and is repealed.

3 The repeal of this section renders the board subject to the
4 review required by Division 1.2 (commencing with Section 473).

5 *SEC. 6. Section 5810 of the Business and Professions Code is*
6 *amended to read:*

7 5810. (a) This chapter shall be subject to the review required
8 by Division 1.2 (commencing with Section 473).

9 (b) This chapter shall remain in effect only until January 1,
10 ~~2007~~ 2008, and as of that date is repealed, unless a later enacted
11 statute, that is enacted before January 1, ~~2007~~ 2008, deletes or
12 extends that date.

13 *SEC. 7. Section 7000.5 of the Business and Professions Code*
14 *is amended to read:*

15 7000.5. (a) There is in the Department of Consumer Affairs
16 a Contractors' State License Board, which consists of 15
17 members.

18 (b) The repeal of this section renders the board subject to the
19 review required by Division 1.2 (commencing with Section 473).
20 However, the review of this board by the department shall be
21 limited to only those unresolved issues identified by the Joint
22 Committee on Boards, Commissions, and Consumer Protection.

23 (c) This section shall become inoperative on July 1, ~~2007~~
24 2008, and, as of January 1, ~~2008~~ 2009, is repealed, unless a later
25 enacted statute, which becomes effective on or before January 1,
26 ~~2008~~ 2009, deletes or extends the dates on which it becomes
27 inoperative and is repealed.

28 *SEC. 8. Section 12231 of the Government Code is amended to*
29 *read:*

30 12231. ~~(a)~~ In carrying out the provisions of this article, the
31 Secretary of State shall consult with and give consideration to the
32 recommendations of the California Heritage Preservation
33 Commission, which for ~~such~~ that purpose shall serve in an
34 advisory capacity to the Secretary of State.

35 ~~(b) This section shall become inoperative on July 1, 2006, and,~~
36 ~~as of January 1, 2007, is repealed, unless a later enacted statute~~
37 ~~that is enacted before January 1, 2007, deletes or extends the~~
38 ~~dates on which it becomes inoperative and is repealed.~~

39 *SEC. 9. Section 80.2 of the Harbors and Navigation Code is*
40 *amended to read:*

1 80.2. The commission shall be composed of seven members
2 appointed by the Governor, with the advice and consent of the
3 Senate. The members shall have experience and background
4 consistent with the functions of the commission. In making
5 appointments to the commission, the Governor shall give primary
6 consideration to geographical location of the residence of
7 members as related to boating activities and harbors. In addition
8 to geographical considerations, the members of the commission
9 shall be appointed with regard to their special interests in
10 recreational boating. At least one of the members shall be a
11 member of a recognized statewide organization representing
12 recreational boaters. One member of the commission shall be a
13 private small craft harbor owner and operator. One member of
14 the commission shall be an officer or employee of a law
15 enforcement agency responsible for enforcing boating laws. The
16 first vacancy occurring on the commission on and after January
17 1, 1997, shall be filled by such an officer or employee.

18 The Governor shall appoint the first seven members of the
19 commission for the following terms to expire on January 15: one
20 member for one year, two members for two years, two members
21 for three years, and two members for four years. Thereafter,
22 appointments shall be for a four-year term. Vacancies occurring
23 prior to the expiration of the term shall be filled by appointment
24 for the unexpired term.

25 ~~This section shall become inoperative on July 1, 2006, and, as~~
26 ~~of January 1, 2007, is repealed, unless a later enacted statute that~~
27 ~~is enacted before January 1, 2007, deletes or extends the dates on~~
28 ~~which it becomes inoperative and is repealed.~~

29 *SEC. 10. Section 5090.15 of the Public Resources Code is*
30 *amended to read:*

31 5090.15. (a) There is in the department the Off-Highway
32 Motor Vehicle Recreation Commission, consisting of seven
33 members, three of whom shall be appointed by the Governor,
34 two of whom shall be appointed by the Senate Committee on
35 Rules, and two of whom shall be appointed by the Speaker of the
36 Assembly.

37 (b) In order to be appointed to the commission, a nominee
38 shall represent one or more of the following groups:

- 39 (1) Off-highway vehicle recreation interests.
40 (2) Biological or soil scientists.

- 1 (3) Groups or associations of predominantly rural landowners.
- 2 (4) Law enforcement.
- 3 (5) Environmental protection organizations.
- 4 (6) Nonmotorized recreationist interests.

5 It is the intent of the Legislature that appointees to the
 6 commission represent all of the groups delineated in paragraphs
 7 (1) to (6), inclusive, to the extent possible.

8 (c) Whenever any reference is made to the State Park and
 9 Recreation Commission pertaining to a duty, power, purpose,
 10 responsibility, or jurisdiction of the State Park and Recreation
 11 Commission with respect to the state vehicular recreation areas,
 12 as established by this chapter, it shall be deemed to be a reference
 13 to, and to mean, the Off-Highway Motor Vehicle Recreation
 14 Commission.

15 (d) Based on the findings in the 2004 Off-Highway Vehicle
 16 Fuel Tax Study, the division shall, not later than January 1, 2005,
 17 prepare and submit to the Legislature a report that identifies the
 18 principal reasons why people are using off-road trails and
 19 facilities, and an estimate of the proportional amount of
 20 off-highway motor vehicle use by jurisdiction, as a means of
 21 assisting in the determination of how fuel tax and in lieu of
 22 property tax funds should be expended.

23 ~~(e) This section shall become inoperative on July 1, 2006, and,~~
 24 ~~as of January 1, 2007, is repealed, unless a later enacted statute~~
 25 ~~that is enacted before January 1, 2007, deletes or extends the~~
 26 ~~dates on which it becomes inoperative and is repealed.~~

27 *SEC. 11. This act is an urgency statute necessary for the*
 28 *immediate preservation of the public peace, health, or safety*
 29 *within the meaning of Article IV of the Constitution and shall go*
 30 *into immediate effect. The facts constituting the necessity are:*

31 *In order to restructure California's boards and commissions as*
 32 *quickly as possible, it is necessary for this act to take effect*
 33 *immediately.*

34 ~~8000. There is in the Department of Consumer Affairs a~~
 35 ~~Court Reporters Board of California, which consists of five~~
 36 ~~members, three of whom shall be public members and two of~~
 37 ~~whom shall be holders of certificates issued under this chapter~~
 38 ~~who have been actively engaged as shorthand reporters within~~
 39 ~~this state for at least five years immediately preceding their~~
 40 ~~appointment.~~

1 This section shall become inoperative on _____, and, as of _____,
2 is repealed, unless a later enacted statute, which becomes
3 effective on or before _____, deletes or extends the dates on which
4 it becomes inoperative and is repealed. The repeal of this section
5 renders the board subject to the review required by Division 1.2
6 (commencing with Section 473), except that the review shall be
7 limited to only those unresolved issues identified by the Joint
8 Committee on Boards, Commissions, and Consumer Protection.

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