

AMENDED IN SENATE JUNE 4, 2012

AMENDED IN SENATE JULY 7, 2011

AMENDED IN SENATE JUNE 29, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY APRIL 13, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 1303**

**Introduced by Assembly Member ~~Williams~~ *Wieckowski***

February 18, 2011

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~~An act to amend Section 25740.5 of, to repeal Section 25620.11 of, and to repeal and add Sections 25620.1 and 25620.2 of, the Public Resources Code, and to amend Section 399.8 of the Public Utilities Code, relating to energy resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately. An act to add Section 6523.2 to the Government Code, relating to health care facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1303, as amended, ~~Williams~~ *Wieckowski*. ~~Energy programs. Health care facilities: local agency joint powers agreements.~~

*The Joint Exercise of Powers Act permits 2 or more public agencies to enter into an agreement to jointly exercise any power common to the contracting parties. Existing law, notwithstanding this provision, authorizes certain private, nonprofit hospitals to enter into joint powers agreements with specified public agencies.*

*This bill would authorize St. Rose Hospital, a private, nonprofit hospital in the County of Alameda, to enter into a joint powers agreement with the Washington Township Healthcare District.*

*The bill would state the finding and declaration of the Legislature that a special law is necessary and that a general law cannot be made applicable.*

~~Under the Public Utilities Act (act), the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. Existing law requires the PUC to require the 3 largest electrical corporations in the state, until January 1, 2012, to identify a separate electrical rate component to fund energy efficiency, renewable energy, and research, development and demonstration programs. Existing law requires the PUC or the electrical corporations to collect \$65,000,000 in total per year for renewable energy and \$62,500,000 in total per year for research, development, and demonstration. A violation of the act is a crime.~~

~~This bill would extend this requirement to January 1, 2020. The bill would increase the amount collected to \$90,000,000 for each of the above purposes. Because a violation of the act is a crime, this bill would impose a state-mandated local program.~~

~~Existing law establishes the Renewable Resource Trust Fund in the State Treasury as a fund that is continuously appropriated, with certain exceptions, for administrative expenses incurred by the State Energy Resources Conservation and Development Commission (Energy Commission), for the implementation of the renewable resources programs. Existing law requires that specified portions of the moneys collected as a part of the electrical rate to fund renewable energy programs be deposited into specified accounts within the fund. Existing law authorizes, until January 1, 2012, the expenditure of the moneys from the fund for the implementation of renewable resources programs. Existing law specifies legislative recommendations on the allocation of moneys in the fund.~~

~~This bill would extend to January 1, 2020, the authorization to expend moneys in the Renewable Resource Trust Fund for the implementation of renewable resources programs, thereby making an appropriation. The bill would revise and recast the legislative recommendations on the allocation of the moneys in the fund.~~

~~Existing law requires the Energy Commission to implement the Public Interest Research, Development, and Demonstration Program to develop and help bring to market energy technologies that provide increased~~

~~environmental benefits, greater system reliability, and lower system costs.~~

~~This bill would revise and recast the Public Interest Research, Development, and Demonstration Program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

~~Vote:  $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: ~~yes no~~. State-mandated local program: ~~yes-no~~.~~

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

1     SECTION 1. *It is the intent of the Legislature to meet the*  
2 *challenges of the evolving health care market and provide the*  
3 *essential governmental function of making health care services*  
4 *available to Medi-Cal and medically indigent citizens served by*  
5 *health care districts, counties, and other agencies.*

6     SEC. 2. *Section 6523.2 is added to the Government Code, to*  
7 *read:*

8     6523.2. (a) *Notwithstanding any other provision of this*  
9 *chapter, St. Rose Hospital, a private, nonprofit hospital in Alameda*  
10 *County, may enter into a joint powers agreement with the*  
11 *Washington Township Healthcare District, a public agency.*

12     (b) *The joint powers authority created pursuant to subdivision*  
13 *(a) may perform the following functions:*

- 14     (1) *Engage in joint planning for health care services.*
- 15     (2) *Allocate health care services among the different facilities*  
16 *operated by St. Rose Hospital.*
- 17     (3) *Engage in joint purchasing, joint development, and joint*  
18 *ownership of health care delivery and financing programs.*
- 19     (4) *Consolidate or eliminate duplicative administrative, clinical,*  
20 *or medical services.*
- 21     (5) *Take cooperative actions in order to provide for the health*  
22 *care needs of the residents of the communities served by St. Rose*  
23 *Hospital and the Washington Township Healthcare District.*

1     (c) *St. Rose Hospital and the Washington Township Healthcare*  
 2 *District, as participants in a joint powers agreement entered into*  
 3 *pursuant to subdivision (a), shall not reduce or eliminate any*  
 4 *emergency services, as a result of that agreement, following the*  
 5 *creation of the joint powers authority without a public hearing by*  
 6 *the authority. The joint powers authority shall provide public*  
 7 *notice of the hearing to the communities served by the authority*  
 8 *not less than 14 days prior to the hearing and the notice shall*  
 9 *contain a description of the proposed reductions or changes.*

10    (d) *This section shall not be construed to grant any power to*  
 11 *St. Rose Hospital to levy any tax or assessment. This section shall*  
 12 *not be construed to permit any entity, other than St. Rose Hospital*  
 13 *and the Washington Township Healthcare District, to participate*  
 14 *as a party to an agreement authorized under this section.*

15    (e) *This section shall not be construed to authorize activities*  
 16 *that corporations and other artificial legal entities are prohibited*  
 17 *from conducting by Section 2400 of the Business and Professions*  
 18 *Code.*

19    SEC. 3. *The Legislature finds and declares that a special law*  
 20 *is necessary and that a general law cannot be made applicable*  
 21 *within the meaning of Section 16 of Article IV of the California*  
 22 *Constitution because of the unique circumstances facing St. Rose*  
 23 *Hospital, a private, nonprofit hospital in Alameda County, and*  
 24 *the Washington Township Healthcare District that serve residents*  
 25 *in portions of Alameda County.*

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<p><b>All matter omitted in this version of the bill          appears in the bill as amended in the          Senate, July 7, 2011. (JR11)</b></p>
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