

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2180

Introduced by Assembly Member Alejo

February 23, 2012

An act to ~~amend Section 116270~~ *add Chapter 8 (commencing with Section 32495) to Division 23 of the Health and Safety Code, relating to ~~drinking water~~ local health care districts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2180, as amended, Alejo. ~~California Safe Drinking Water Act.~~
Local health care districts: employee benefits.

The Local Health Care District Law authorizes the organization and management of local hospital districts. That law authorizes the board of supervisors of a local hospital district to establish, maintain, and operate, or provide assistance in the operation of, one or more health facilities or health services, including, but not limited to, retirement programs, services, and facilities.

This bill would prohibit the board of directors, a hospital district, and a health care facility of a hospital district from providing to, or on behalf of, an officer or employee any payment contingent upon severance or retirement, or a lump sum payment, including one based on service or merit, a contribution to more than one retirement plan, or any other retirement benefit, unless the employer makes the same options available to all officers and employees.

~~The Calderon-Sher Safe Drinking Water Act of 1996 establishes a drinking water regulatory program within the State Department of Public Health in order to provide for the orderly and efficient delivery of safe drinking water within the state and to establish primary drinking water~~

standards that are at least as stringent as those established under the federal Safe Drinking Water Act.

~~This bill would make technical, nonsubstantive changes to those provisions:~~

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

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

1 SECTION 1. Chapter 8 (commencing with Section 32495) is
2 added to Division 23 of the Health and Safety Code, to read:

3

4 CHAPTER 8. BENEFITS OF OFFICERS AND EMPLOYEES

5

6 32495. For the purposes of this chapter, the following
7 definitions shall apply:

8 (a) "Employer" includes the board of directors, a hospital
9 district, and a health care facility of a hospital district.

10 (b) "Officer or employee" includes the hospital administrator,
11 a director, policymaking management employee, or medical staff
12 officer, and any executive or staff of the health care facilities of
13 the district.

14 32496. An employer shall not provide to, or on behalf of, an
15 officer or employee any of the following, unless the employer makes
16 the same options available to all officers and employees:

17 (a) A lump sum payment, including one based on service or
18 merit.

19 (b) Any payment contingent upon severance or retirement.

20 (c) A contribution to more than one retirement plan or other
21 supplemental pension plan, whether public or private.

22 (d) Any other retirement benefit.

23 SECTION 1. ~~Section 116270 of the Health and Safety Code~~
24 ~~is amended to read:~~

25 ~~116270. The Legislature finds and declares all of the following:~~

26 ~~(a) Every citizen of California has the right to pure and safe~~
27 ~~drinking water.~~

28 ~~(b) Feasible and affordable technologies are available and shall~~
29 ~~be used to remove toxic contaminants from public water supplies.~~

30 ~~(c) According to the State Department of Public Health, over~~
31 ~~95 percent of all large public water systems in California are in~~

1 ~~compliance with health-based action levels established by the~~
2 ~~department for various contaminants.~~

3 ~~(d) It is the policy of the state to reduce to the lowest level~~
4 ~~feasible all concentrations of toxic chemicals that when present in~~
5 ~~drinking water may cause cancer, birth defects, and other chronic~~
6 ~~diseases.~~

7 ~~(e) This chapter is intended to ensure that the water delivered~~
8 ~~by public water systems of this state shall at all times be pure,~~
9 ~~wholesome, and potable. This chapter provides the means to~~
10 ~~accomplish this objective.~~

11 ~~(f) It is the intent of the Legislature to improve laws governing~~
12 ~~drinking water quality, to improve upon the minimum requirements~~
13 ~~of the federal Safe Drinking Water Act Amendments of 1996, to~~
14 ~~establish primary drinking water standards that are at least as~~
15 ~~stringent as those established under the federal Safe Drinking~~
16 ~~Water Act, and to establish a program under this chapter that is~~
17 ~~more protective of public health than the minimum federal~~
18 ~~requirements.~~

19 ~~(g) It is the further intent of the Legislature to establish a~~
20 ~~drinking water regulatory program within the State Department~~
21 ~~of Public Health in order to provide for the orderly and efficient~~
22 ~~delivery of safe drinking water within the state and to give the~~
23 ~~establishment of drinking water standards and public health goals~~
24 ~~greater emphasis and visibility within the department.~~