

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE MARCH 18, 2013

**SENATE BILL**

**No. 268**

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**Introduced by Senator Gaines**

February 13, 2013

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~~An act to amend Section 170.1 of the Code of Civil Procedure, and to amend Sections 56100.1, 84101, 84103, 84108, 84203.3, 84215, 84216, 84218, 84300, 84602, 84605, 85500, 89511.5, 89513, and 90002 of, to repeal Sections 82036, 82036.5, 84200.5, 84200.6, 84200.7, 84200.8, 84200.9, 84202.3, 84202.5, 84202.7, 84203, 84203.5, 84204, 84204.5, 84205, 84206, 84209, 84211, 84216.5, 84220, and 85309 of, to repeal Article 2.5 (commencing with Section 84250) of Chapter 4 of Title 9 of, and to repeal and add Section 84200 of, the Government Code, relating to the Political Reform Act of 1974. An act to add Section 32132.7 to the Health and Safety Code, relating to health care districts, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 268, as amended, Gaines. ~~Political Reform Act of 1974. Health care districts: public contracts: design-build.~~

*The Local Health Care District Law provides for local health care districts which govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts, including to purchase, receive, take, hold, lease, use, and enjoy property of every kind and description of property within the district.*

*The Local Agency Public Construction Act establishes bidding procedures for the award of construction contracts by local agencies. The act authorizes counties, with the approval of the board of*

*supervisors, to use a design-build procedure for building contracts in excess of \$2,500,000.*

*This bill would authorize the Last Frontier Health Care District to use this design-build process when contracting for the construction of a building and improvements directly related to a hospital or health facility building at the Modoc Medical Center.*

*This bill would make legislative findings and declarations as to the necessity of a special statute for the Last Frontier Health Care District.*

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

~~The Political Reform Act of 1974 requires candidates and committees to file specified campaign finance reports, including semiannual statements, preelection statements, supplemental preelection statements, and late contribution reports, that include prescribed campaign finance information. A knowing and willful violation of these provisions is a crime.~~

~~This bill would repeal the requirements to file these reports and would, instead, require that a candidate or committee who makes or receives a contribution of \$100 or more to report that contribution to specified filing officers within 24 hours of receiving the contribution. The bill would require a candidate or committee making the contribution to report his, her, or its full name and address, the full name and address of the recipient, the office sought by the candidate or the ballot measure, as appropriate, and the date and amount of the contribution. The bill would require the recipient of the contribution to report his, her, or its full name and address, the date and amount of the contribution, whether the contribution is in the form of a loan, and the full name of the contributor, and his or her street address, occupation, and employer or the name of the business, if self-employed.~~

~~The bill would require a candidate or committee that makes an expenditure of \$100 or more to report the expenditure to specified filing officers within 24 hours. The bill would require the candidate or committee making the expenditure to report his, her, or its full name and street address, the amount of the expenditure, the full name and street address for the person to whom the expenditure was made, and a brief description of the consideration for which the expenditure was made. The bill would require the disclosure of additional information if the expenditure is a contribution to a candidate, elected officer, or committee or an independent expenditure to support or oppose a candidate or measure.~~

~~The bill would require a candidate or committee who is required to report a contribution or expenditure to the Secretary of State to file that report online or by electronic transmission only.~~

~~The bill would also make conforming changes.~~

~~By increasing the duties of local government officials and expanding the scope of an existing crime, this bill would impose a state-mandated local 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

~~The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a 2/3 vote of each house and compliance with specified procedural requirements.~~

~~This bill would declare that it furthers the purposes of the act.~~

~~Vote: 2/3. Appropriation: 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. (a) *The Legislature finds and declares both of*
- 2     *the following:*
- 3     (1) *Utilizing a design-build contract requires a clear*
- 4     *understanding of the roles and responsibilities of each participant*
- 5     *in the process.*
- 6     (2) *Cost benefits for health care districts are achieved by shifting*
- 7     *the liability and risk for cost containment and project completion*
- 8     *to the design-build entity.*
- 9     (b) *It is the intent of the Legislature that the design-build process*
- 10    *be used by health care districts solely for buildings associated*
- 11    *with hospitals and health care and not for other infrastructure,*
- 12    *including, but not limited to, streets, highways, public rail transit,*
- 13    *roads, bridges, water resources facilities, and related*
- 14    *infrastructure.*

1 SEC. 2. Section 32132.7 is added to the Health and Safety  
2 Code, to read:

3 32132.7. (a) Notwithstanding Section 32132 or any other law,  
4 upon approval by the board of directors of the Last Frontier Health  
5 Care District, the design-build procedure described in Section  
6 20133 of the Public Contract Code may be used to assign contracts  
7 for the construction of a building or improvements directly related  
8 to construction of a hospital or health facility building at the  
9 Modoc Medical Center.

10 (b) For purposes of this section, all references in Section 20133  
11 of the Public Contract Code to “county” and “board of  
12 supervisors” shall mean the Last Frontier Health Care District  
13 and its board of directors.

14 (c) A hospital building project utilizing the design-build process  
15 authorized by subdivision (a) shall be reviewed and inspected in  
16 accordance with the standards and requirements of the Alfred E.  
17 Alquist Hospital Facilities Seismic Safety Act of 1983 (Chapter 1  
18 (commencing with Section 129675) of Part 7 of Division 107).

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 of the Last  
23 Frontier Health Care District.

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

28 In order to comply with health regulations and meet increasing  
29 demand for health care services, it is necessary that this act take  
30 effect immediately.

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**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Senate, March 18, 2013. (JR11)**