

**Assembly Bill No. 2717**

CHAPTER 227

An act to amend Section 24011 of, and to add Section 6523.8 to, the Government Code, relating to Tuolumne County.

[Approved by Governor August 22, 2000. Filed with Secretary of State August 23, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2717, House. Tuolumne County.

(1) Existing law requires counties to provide or secure certain public health care services and authorizes the formation of local health care districts and the establishment of municipal hospitals for the purpose of providing needed public health care services. Existing law, 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.

This bill would provide that, notwithstanding the law relating to joint exercise of powers, a nonprofit hospital in Tuolumne County may enter into a joint powers agreement with a public agency. The bill would prohibit nonprofit hospitals and public agencies participating in a joint powers agreement entered into under this provision from reducing or eliminating any emergency services, as a result of that agreement, following the creation of the joint powers authority without a public hearing by the authority.

(2) Existing law requires specified county offices, including the district attorney and public administrator, to be elective offices unless the voters of the county adopt a proposal making an office appointive. Other county offices are appointive. Special authorization is given the Board of Supervisors of Madera, Mendocino, Trinity, and Lake Counties to adopt an ordinance making the office of public administrator appointive, to appoint the same person to the offices of public administrator, veteran service officer, and public guardian, and to separate the consolidated offices of district attorney and public administrator at any time in order to make these appointments.

This bill would extend to the Board of Supervisors of Tuolumne County the same authority possessed by the Boards of Supervisors of Madera, Mendocino, Trinity, and Lake Counties.

(3) This bill would incorporate additional changes in Section 24011 of the Government Code contained in AB 766, that would become operative only if AB 766 and this bill are both chaptered and become effective on or before January 1, 2001, and this bill is chaptered last.



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

SECTION 1. Section 6523.8 is added to the Government Code, to read:

6523.8. (a) Notwithstanding any other provision of this chapter, a nonprofit hospital in the County of Tuolumne may enter into a joint powers agreement with a public agency, as defined in Section 6500.

(b) Nonprofit hospitals and public agencies participating in a joint powers agreement entered into pursuant to subdivision (a) shall not reduce or eliminate any emergency services, as a result of that agreement, following the creation of the joint powers authority without a public hearing by the authority.

(c) The joint powers authority shall provide public notice of the hearing to the communities served by the authority not less than 14 days prior to the hearing and the notice shall contain a description of the proposed reductions or changes.

(d) Nothing in this section shall be construed to grant any power to any nonprofit hospital that participates in an agreement authorized under this section to levy any tax or assessment. Nothing in this section shall permit any entity, other than a nonprofit hospital corporation or a public agency, to participate as a party to an agreement authorized under this section.

SEC. 2. Section 24011 of the Government Code is amended to read:

24011. Notwithstanding the provisions of Section 24009:

(a) The Boards of Supervisors of Madera County, Mendocino County, Trinity County, Tuolumne County, and Lake County may, by ordinance, provide that the public administrator shall be appointed by the board.

(b) The Boards of Supervisors of Madera County, Mendocino County, Trinity County, Tuolumne County, and Lake County may appoint the same person to the offices of public administrator, veteran service officer, and public guardian.

(c) The Boards of Supervisors of Madera County, Mendocino County, Trinity County, Tuolumne County, and Lake County may separate the consolidated offices of district attorney and public administrator at any time in order to make the appointments permitted by this section. Upon approval by the board of supervisors, the officer elected to these offices at any time may resign, or decline to qualify for, the office of public administrator without resigning from, or declining to qualify for, the office of district attorney.

SEC. 3. Section 24011 of the Government Code is amended to read:

24011. Notwithstanding the provisions of Section 24009:

(a) The Boards of Supervisors of Madera County, Mendocino County, Solano County, Trinity County, Tuolumne County, and Lake



County may, by ordinance, provide that the public administrator shall be appointed by the board.

(b) The Boards of Supervisors of Madera County, Mendocino County, Trinity County, Tuolumne County, and Lake County may appoint the same person to the offices of public administrator, veteran service officer, and public guardian. The Board of Supervisors of Solano County may, by ordinance, appoint the same person to the offices of public administrator and public guardian.

(c) The Boards of Supervisors of Madera County, Mendocino County, Trinity County, Tuolumne County, and Lake County may separate the consolidated offices of district attorney and public administrator at any time in order to make the appointments permitted by this section. Upon approval by the board of supervisors, the officer elected to these offices at any time may resign, or decline to qualify for, the office of public administrator without resigning from, or declining to qualify for, the office of district attorney.

SEC. 4. Section 3 of this bill incorporates amendments to Section 24011 of the Government Code proposed by both this bill and AB 766. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, (2) each bill amends Section 24011 of the Government Code, and (3) this bill is enacted after AB 766, in which case Section 2 of this bill shall not become operative.

SEC. 5. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of unique circumstances in Tuolumne County.

