

AMENDED IN SENATE JULY 2, 2012  
AMENDED IN SENATE JUNE 27, 2011  
AMENDED IN ASSEMBLY MAY 4, 2011  
AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1309**

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**Introduced by Assembly Member Miller**  
**(~~Coauthor: Assembly Member Beth Gaines~~)**  
*(Principal coauthors: Assembly Members Cook, Donnelly, Hagman,*  
*Jeffries, Knight, Morrell, and Nestande)*  
*(Principal coauthors: Senators Dutton and Emmerson)*

February 18, 2011

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~~An act to add and repeal Section 969.7 of the Streets and Highways Code, relating to public roads relating to the University of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1309, as amended, Miller. ~~Public roads: fire suppression.~~  
*University of California: UC Riverside Medical School.*

*Existing provisions of the California Constitution establish the University of California as a public trust under the administration of the Regents of the University of California. The University of California (UC) system includes 10 campuses, which are respectively located in Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.*

*This bill would express findings and declarations of the Legislature relating to, among other things, the role of the UC Riverside Medical School in supporting California’s health care infrastructure. The bill would, from any amount paid to the State of California as a result of an investigation into possible overpayments of state funds to the Senior Care Action Network (SCAN) Health Plan and available for expenditure for the purposes of the bill, as the highest priority for the use of these funds, transfer \$15,000,000 to the Regents of the University of California for allocation to the School of Medicine at the University of California, Riverside, thereby making an appropriation.*

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

~~Existing law authorizes a county board of supervisors, after adopting a resolution, as specified, determining that the general county interest demands the improvement or repair of a privately owned road, to improve or repair that road and to pay for those improvements or repairs in a like manner as improvements or repairs of county highways.~~

~~This bill, until January 1, 2017, would grant a board of supervisors the same authority with respect to improvement and repair of a public road that is not a county highway or part of the county maintained system, if necessary for purposes of fire suppression.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

- 1     SECTION 1. *The Legislature finds and declares all of the*
- 2     *following:*
- 3     (a) *Several regions of Riverside County are federally designated*
- 4     *Medically Underserved Areas (MUAs). The calculation of MUAs*
- 5     *involves four variables: ratio of primary medical care physicians*
- 6     *per 1,000 population, infant mortality rate, percentage of the*
- 7     *population with incomes below the poverty level, and percentage*
- 8     *of the population 65 years of age or over.*
- 9     (b) *The federal Patient Protection and Affordable Care Act, if*
- 10    *fully implemented in 2014, will mean millions of previously*
- 11    *uninsured Californians will be seeking health services, including*
- 12    *physician care.*
- 13    (c) *The aging of baby boomers will place further demands on*
- 14    *physicians.*

1 (d) As a result of this additional demand for physician services,  
2 the projected statewide physician shortfall is 17,000 by 2015.

3 (e) In July 2008, the Regents of the University of California  
4 approved the establishment of the School of Medicine at the  
5 University of California, Riverside (UC Riverside Medical School).  
6 The UC Riverside Medical School is scheduled to enroll its first  
7 incoming class in August 2013.

8 (f) The medical schools of the University of California, including  
9 the UC Riverside Medical School, are playing an important role  
10 in addressing current and future physician shortages.

11 (g) The Senior Care Action Network (SCAN) Health Plan serves  
12 over 115,000 Medicare beneficiaries in California, including  
13 nearly 20,000 that reside in Riverside County.

14 (h) California's share of the impending settlement of a U.S.  
15 Department of Justice investigation into SCAN Health Plan's  
16 payment rates is expected to exceed \$100 million.

17 (i) Given the critical role the UC Riverside Medical School will  
18 play in supporting California's health care infrastructure, and the  
19 direct impact that the SCAN Health Plan has had on thousands of  
20 Riverside County seniors, it is appropriate that the UC Riverside  
21 Medical School receive a portion of the SCAN settlement so it can  
22 continue its vital mission of training future physicians.

23 SEC. 2. Notwithstanding any other law, from any amount paid  
24 to the State of California as a result of an investigation into  
25 possible overpayments of state funds to the Senior Care Action  
26 Network (SCAN) Health Plan and available for expenditure for  
27 the purposes of this act, as the highest priority for the use of these  
28 funds, fifteen million dollars (\$15,000,000) shall be transferred  
29 to the Regents of the University of California for allocation, without  
30 regard to fiscal year, to the School of Medicine at the University  
31 of California, Riverside.

32 SEC. 3. This act is an urgency statute necessary for the  
33 immediate preservation of the public peace, health, or safety within  
34 the meaning of Article IV of the Constitution and shall go into  
35 immediate effect. The facts constituting the necessity are:

36 In order to provide crucial funding to launch the vital health  
37 care mission of the School of Medicine at the University of  
38 California, Riverside, it is necessary that this act take effect  
39 immediately.

1 SECTION 1. ~~Section 969.7 is added to the Streets and~~  
2 ~~Highways Code, to read:~~  
3 ~~969.7. (a) A board of supervisors may, after it has determined~~  
4 ~~by a resolution adopted by a four-fifths vote of its membership~~  
5 ~~that the general county interest demands the improvement or repair~~  
6 ~~of a public road that is not a county highway and is not in the~~  
7 ~~county maintained system, improve or repair the road if the~~  
8 ~~improvements or repairs are necessary for the purpose of fire~~  
9 ~~suppression. Those improvements or repairs shall be made and~~  
10 ~~paid for in the same manner as improvements or repairs of county~~  
11 ~~highways. Proceedings under this section shall not cause the road~~  
12 ~~to become a county highway.~~  
13 ~~(b) This section shall remain in effect only until January 1, 2017,~~  
14 ~~and as of that date is repealed, unless a later enacted statute, that~~  
15 ~~is enacted before January 1, 2017, deletes or extends that date.~~