

(2) of subdivision (c), if that individual is also eligible for a tax rebate as a qualified taxpayer defined in paragraph (1) of subdivision (c).

(g) The Franchise Tax Board shall certify to the Controller no later than November 15, 1987, the names and addresses of all qualified taxpayers and the actual amount of the rebate payment for which each qualified taxpayer is eligible.

(h) The Controller shall issue the required rebate payments no later than January 15, 1988.

(i) All rebate payments which are returned shall be redeposited by the Controller in the Appropriations Limit Impound Account.

17070.1. All references in this chapter to sections in this code which are not enacted by this chapter are to sections as amended or to be amended and to successor sections.

17070.2. This chapter shall remain in effect only until June 30, 1988, and on that date is repealed.

SEC. 3. This act shall become operative only if AB 2609 of the 1987-88 Regular Session is chaptered.

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

In order to provide sufficient time to complete the tax rebate provided by this act, it is necessary that this act take effect immediately.

CHAPTER 909

An act to amend Section 2453 of the Business and Professions Code, relating to healing arts.

[Approved by Governor September 21, 1987. Filed with Secretary of State September 21, 1987.]

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

SECTION 1. Section 2453 of the Business and Professions Code is amended to read:

2453. (a) It is the policy of this state that holders of M.D. degrees and D.O. degrees shall be accorded equal professional status and privileges as licensed physicians and surgeons.

(b) Notwithstanding any other provision of law, no health facility subject to licensure under Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code, no health care service plan, nonprofit hospital service plan, policy of disability insurance, self-insured employer welfare benefit plan, and no agency of the state or of any city, county, city and county, district, or other political subdivision of the state shall discriminate with respect to employment, staff privileges, or the provision of, or contracts for,

professional services against a licensed physician and surgeon on the basis of whether the physician and surgeon holds an M.D. or D.O. degree. This section shall not be construed to require a disability insurer health care service plan or hospital service plan to employ, offer staff privileges, or contract for professional services with a class of physician who holds an M.D. or D.O. degree. However, this subdivision shall not prohibit a school of allopathic medicine or a school of osteopathic medicine from employing a physician and surgeon as an instructor on the basis of whether the physician and surgeon holds an M.D. or D.O. degree, where the subject matter to be taught specifically requires allopathic or osteopathic training and experience.

(c) Any violation of the provisions of subdivision (b) may be enjoined in an action brought in the name of the people of the State of California by the district attorney of the county in which the violation occurs, upon receipt of a complaint by an aggrieved physician and surgeon.

CHAPTER 910

An act to amend Sections 668, 773.7, 773.8, 774.2, and 774.3 of, and to add Section 655.4 to, the Harbors and Navigation Code, relating to vessels.

[Approved by Governor September 21, 1987. Filed with Secretary of State September 21, 1987.]

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

SECTION 1. Section 655.4 is added to the Harbors and Navigation Code, to read:

655.4. (a) No person shall serve as a crew member on any charter boat while under the influence of intoxicating liquor, any drug, or the combined influence of intoxicating liquor and any drug.

(b) No person shall serve as a crew member on any charter boat while under the influence of intoxicating liquor, any drug, or under the combined influence of intoxicating liquor and any drug, and while so serving, do any act forbidden by law, or neglect any duty imposed by law in the use of the vessel, which act or neglect proximately causes bodily injury to any person other than himself or herself.

SEC. 2. Section 668 of the Harbors and Navigation Code is amended to read:

668. (a) Any person who violates Section 652, 654, 654.05, 654.06, 655.2, 655.3, 659, or 663.6, or any regulations adopted by the department pursuant thereto, is guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred dollars (\$100) or imprisonment in the county jail for not to exceed five days, or both,