(2) The certification requirement set forth in paragraph (1) does not apply to a credit card purchase of goods of two thousand five hundred dollars ($2,500) or less. The total amount of exemption authorized herein shall not exceed seven thousand five hundred dollars ($7,500) per year for each company from which a state agency is purchasing goods by credit card. It shall be the responsibility of each state agency to monitor the use of this exemption and adhere to these restrictions on these purchases.

(b) Failure to provide certification pursuant to this section shall render the prospective bidder and its agents, subsidiaries, partners, joint venturers, and subcontractors ineligible to bid on the procurement of cell phones.

(c) The bid solicitation documents shall specify that the prospective bidder is required to cooperate fully in providing reasonable access to its records and documents that evidence compliance with this chapter.

(d) Any person awarded a contract by a state agency that is found to be in violation of this section is subject to the following sanctions:

(1) The contract shall be voided by the state agency to which the equipment, materials, or supplies were provided.

(2) The contractor is ineligible to bid on any state contract for a period of three years.

(3) If the Attorney General establishes in the name of the people of the State of California that any money, property, or benefit was obtained by a contractor as a result of violating this section, the court may, in addition to any other remedy, order the disgorgement of the unlawfully obtained money, property, or benefit in the interest of justice.
The people of the State of California do enact as follows:

SECTION 1. Section 71 of Chapter 67 of the Statutes of 1962, First Extraordinary Session, is amended to read:

SEC. 71. (a) Upon the establishment of the district, all persons then occupying the several offices of or under the government, of the county and each of the cities included therein, except as otherwise provided, whose several powers and duties are within the powers of the district or within the powers or duties of the several offices thereof, shall immediately quit and surrender the occupancy or possession of those offices, which shall thereupon cease and determine, except as to any persons who have powers and perform duties for the county and the cities other than those mentioned, whose offices shall not cease and determine as to those other powers and duties, but shall continue with respect thereto the same as if the district had not been established.

(b) Notwithstanding subdivision (a), all employees of the county and any city performing duties in connection with the Port of San Diego or the respective harbor departments shall be blanketed in as employees of the district.

(c) The district may do all of the following with respect to retirement and disability benefits for its employees:

1. Contract with the State Employees’ Retirement System and provide retirement and disability benefits for employees under the State Employees’ Retirement System pursuant to its rules and regulations.

2. Contract with any city included within the district that has a retirement system for retirement and disability benefits for district employees.

3. Contract with any other employee retirement and disability system.

4. Establish an independent employee retirement and disability system pursuant to Article 1.5 (commencing with Section 53215) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

5. By contract, continue those employees of the district so blanketed in, as members of the retirement system of which they were members while they were employees of the respective cities.

SEC. 2. 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:

Because of the financial uncertainty of the City of San Diego and because the city is currently under contract with the San Diego Unified Port District to provide that district’s retirement and disability benefits, it is critical that the district be granted the power provided by this act to
make decisions to ensure the long-term stability of the district’s retirement and disability benefit systems at the earliest possible time.