

**SEISMIC SAFETY COMMISSION**

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July 3, 2002

**Memorandum**

**To:** Commissioners  
**From:** Henry Sepulveda  
Director of Legislation  
**Subj:** Legislative Report

This report updates the Commission on legislative issues and bills affecting Commission business that are pending before the Legislature and the Governor. The report is divided into three sections.

**Section I** presents a status report on Commission-sponsored bills.

**Section II** describes recent activity on legislation of interest to the Commission, including bills on which the Commission has taken an official position.

**Section III** is a table summary report of all bills being monitored.

**I. Commission's Current Legislative Package**

**AB 2002 (Alquist)** directs the Commission, in consultation with the Director of the Office of Emergency Services (OES), to establish a USAR<sup>1</sup> Emergency Response Advisory Committee to prepare and submit a strategy plan with recommendations. This plan would address the resource needs of emergency USAR units.

- The bill was amended on June 25 to clarify the scope and intent of the bill: to convene an Advisory Committee led by the Commission to develop a strategic plan to address the resource needs of the local USAR units. Representatives from four enforcement agencies were added to the make-up of the committee.
- Committee's report is due September 2003.

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<sup>1</sup> Urban Search and Rescue.

- The bill was approved by Senate Governmental Organization Committee (by unanimous vote) on June 24.
- Next hearing is before Senate Appropriations Committee (tentative date of hearing: July 8).
- California Professional Firefighters is a co-sponsor of this bill.

**AB 977 (Alquist)** proposes full, ongoing funding for the Commission's Earthquake Emergency Investigations Account. The bill is on the Suspense File of the Senate Appropriations Committee.

- The bill may be heard by the Senate Appropriations Committee in August 2002.
- Staff prepared a draft letter for Assemblywoman Alquist requesting that the Appropriations Committee take up the bill in August.

**SB 717 (Speier)** authorizes the issuance of \$600 million in state bonds to finance seismic retrofits of residential housing and local government buildings. It was approved by the full Senate and is on the Suspense File in the Assembly Appropriations Committee.

- The bill may be heard by the Assembly Appropriations Committee in August 2002.

## **II. Updates on Legislation of Interest to the Commission**

This section provides a description of recent activity (generally, since the Commission's last meeting) on selected legislation. Please refer to the summary tables in Section III for a description of the bills referenced below.

**SB 1500 (Johnson)**, relating to disclosure requirements for property in Seismic Hazard Zones, was amended on June 26 pursuant to changes accepted by the author when the bill was before the Assembly Housing and Community Development Committee. At the June Commission meeting, the Commission voted to take an "Oppose unless amended" position on SB 1500 because of ambiguities in the disclosure terms. The June 26 amendments:

- Clarify the role of local government in approving mitigation actions; and
- Cross-reference to the California Building Code in the absence of local agency requirements.

**SB 1992 (Perata)**, relating to the installation of gas shut-off valves in residential properties, was amended to remove the requirement for mandatory installation of gas shut-off valves in new residential construction (and re-construction). The June 11 and June 26 amendments:

- Direct the State Department of Housing and Community Development, State Architect, and the State Fire Marshal to consider proposing a statewide mandate for gas shut-off valves

**AB 557 and AB 1156 (Aroner)**, were amended. The prior versions of the bill related to the issuance of state bonds for hospital seismic safety. The Commission had a “support” position on these versions. The hospital-related provisions have been stricken from the bills, and they now relate to other subject areas.

**AB 1000 (Simitian)**, relating to design-build authority for projects on community college campuses, had an “Oppose unless amended” position from the Commission. The Commission’s suggested changes were included in the June 10 amendments. Consequently, the Commission modified its position to “neutral” at the June Commission meeting.

**AB 2406 (G.O. Committee)** re-names the state’s Natural Disaster Assistance Act to the Disaster Assistance Act. Because of concerns that the change could affect the availability of earthquake disaster-related funds, the Commission voted to take an “Oppose” position on the bill. In response to the Commission’s action, OES provided additional information to the Commission addressing the concerns. After conferring with the Commission Chairman and Legislative Committee Chairman, staff contacted the author’s office to remove the opposition.

### **III. Legislative Tracking Report**

The tables in this section describe the nature of the Commission-tracked bills, including staff comments.

**Exhibit 1** summarizes Commission-sponsored bills; **Exhibit 2** highlights Assembly bills; **Exhibit 3** describes pending Senate bills, including current Commission positions on those bills.

Exhibit 1  
**SEISMIC SAFETY COMMISSION**  
 Legislative Tracking Report (July 2002)

Assembly Bills	Location	Summary	Comments
<p><b>AB 977 (Alquist)</b></p> <p>Earthquake Emergency Investigation Account</p> <p><u>Sponsor</u></p>	<p>Senate Appropriations Committee</p>	<p>Proposes full, ongoing funding for the Commission's Earthquake Emergency Investigations Account.</p>	<p>Pending before Senate Appropriations Committee (Suspense File) since 2001.</p>
<p><b>AB 2002 (Alquist)</b></p> <p>Urban Search and Rescue Advisory Committee</p> <p><u>Sponsor</u></p>	<p>Senate Appropriations Committee</p>	<p>Directs the Commission to form an advisory group consisting of USAR representatives, State law enforcement agencies, and State emergency officials. The advisory group would collaborate to develop a strategy and plan to address the resource needs of California's USAR teams. Report due Sept. 2003.</p>	<p>Co-sponsored by the Calif. Professional Firefighters. Approved by the Senate Governmental Organization Committee on June 24 (8-0 vote). Tentative July 8 hearing.</p>
<p><b>SB 717 (Speier)</b></p> <p>Calif. Seismic Safety Bond Act of 2002</p> <p><u>Sponsor</u></p>	<p>Assembly Appropriations Committee</p>	<p>Authorizes the issuance of \$600 million in state General Obligation bonds to finance seismic retrofits of residential housing and local government (essential services) buildings.</p>	<p>Approved by the full Senate and Assembly policy committee. Currently on the Suspense File in the Assembly Appropriations Committee.</p>

Exhibit 2  
**SESIMIC SAFETY COMMISSION**  
 Legislative Tracking Report (July 2002)

Assembly Bills	Location	Summary	Comments
AB 16 (Hertzberg)	Chapter 33, Statutes of 2002	<p>Public Education Facilities Bond Act of 2002 and 2004: Directs the Commission to convene an “Advisory Group” to study the feasibility of a process by which existing buildings that do not conform to the Field Act may be used as school facilities without compromising “pupil safety.” The Advisory Group must meet by August 19, 2002 and present its findings to the Commission by December 31, 2002. The Commission is to report its findings to the Governor and Legislature by January 8, 2003.</p>	<p><b><u>Signed into law.</u></b> Commission has commenced work on this Act (using existing resources). Plans call for reimbursement of addition Commission expenses from the proceeds of the sale of the bonds. Bond proposal will be on the November 2002 ballot.</p>
AB 940 (Keeley)  CA Earthquake Authority  <u>Watch</u>	Senate Inactive File	<p>Adds two voting members to the California Earthquake Authority Board (one representative from the State Senate and one representative from the State Assembly). Reporting requirements are also changed to include submittals to the Assembly Judiciary Committee and the Joint Legislative Audit Committee.</p>	Inactive

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<p>AB 1000 (Simitian)</p> <p>Design-build (Community Colleges)</p> <p><b><u>Neutral</u></b></p>	<p>Senate Appropriations Committee</p>	<p><u>Amended 6/28.</u> Authorizes Community Colleges to enter into design-build contracts for projects exceeding \$10 million on four specified campuses. Includes a 2008 sunset date. Also directs the Chancellor to inform Community Colleges of this option.</p>	<p>The 6/11 amendments addressed the Commission's prior concerns with this bill. At the June meeting, the SSC changed its position to "neutral."</p>
<p>AB 1362 (Wiggins)</p> <p>Calif Building Rehabilitation</p> <p><b><u>Watch</u></b></p>	<p>Senate Housing and Community Development Committee</p>	<p>Establishes the California Building Rehabilitation Code Advisory Council to advise the State Building Standards Commission on whether the development of state building rehabilitation guidelines will improve the re-use and safety of existing buildings. Includes a 2006 sunset date.</p>	
<p>AB 1815 (Frommer)</p> <p>CA Homeland Defense Bonds</p> <p><b><u>Support</u></b></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>Declares legislative authority to authorize the issuance of up to \$500 million in state G.O. bonds ("California Homeland Defense Bonds"); Proceeds to be used to fund anti-terrorism activities by local firefighting agencies, police depts., and local emergency services agencies. Bonds would have short (5-year) maturities and be patterned after US Savings EE bonds.</p>	<p>Held in Committee.</p>

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<p>AB 2035 (Frommer)</p> <p>Disaster Response Hospital Act</p> <p><u>Support</u></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>Establishes the Disaster Response Field Hospitals Act and directs the state Emergency Services Management Authority (EMSA) to operate three disaster response field hospitals (one each in Northern, Central and Southern California) staffed by local, regional and state personnel. <u>Subject to Budget Act funding</u>, the field hospitals are to be operational by January 1, 2004. Bill also requires each general acute care hospital to submit an HEICS plan by July 1, 2003.</p>	<p>The field hospitals are intended to improve the state's preparedness to respond to a disaster or terrorism incident.</p>
<p>AB 2046 (Corbett)</p> <p>School Safety Advisory Council</p> <p><u>Support</u></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>This bill creates the School Safety Advisory Council to consider issues of school safety and report to the State Department of Education and to the Legislature. The Council sunsets on January 1, 2004.</p>	<p>Held in Committee.</p>

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<p>AB 2201 (Corbett)</p> <p>Emergency Manager/Schools</p> <p><b><u>Support</u></b></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>This bill requires school districts to appoint an emergency manager to develop and manage emergency plans. This would create a state-mandated program.</p>	<p>Held in Committee.</p>
<p>AB 2233 (Wright)</p> <p>Firefighting Equipment Bond Act</p> <p><b><u>Support</u></b></p>	<p>Assembly Appropriations Committee</p> <p><i>(Suspense File)</i></p>	<p>This bill, the Firefighting Equipment Bond Act of 2002, would authorize the issuance of an unspecified amount of State general obligation bonds for the purpose of financing firefighting equipment, including –specifically–thermal imaging equipment.</p>	<p>Held in Committee.</p>
<p>AB 2406 (G.O.Committee)</p> <p><b><u>Neutral</u></b></p>	<p>Senate Appropriations Committee</p>	<p>Renames the Natural Disaster Assistance Act to the Disaster Assistance Act. This expands the uses of the appropriated monies in this fund to include other disasters, such as terrorism.</p>	<p>Since notifying OES about the Commission’s concerns, staff has received additional information clarifying the scope of the bill. Based on that additional information, the Commission has changed its position and withdrew its “Opposed” position.</p>

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<p>AB 2708 (Mountjoy)</p> <p>School Safety Plans</p> <p><u>Support</u></p>	<p>Chapter 91, Statutes of 2002</p>	<p>Specifies that a new school campus that begins offering classes to pupils after March 1, 2001, must comply with requirements to adopt a comprehensive school safety plan.</p>	<p><b><u>Signed into law.</u></b> According to author, the bill is intended to close loopholes in current law and reinforce the importance of schools' adopting a comprehensive school safety plan, which covers all disasters, including earthquakes</p>
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Exhibit 3  
**SEISMIC SAFETY COMMISSION**  
 Legislative Tracking Report (July 2002)

<b>Senate Bills</b>	<b>Location</b>	<b>Summary</b>	<b>Comments</b>
SB 27 (McPherson)  Terrorism Training  <i><u>Support</u></i>	Assembly Governmental Organization Committee	Requires OES to develop terrorism and bio-terrorism training curriculum for local agency "first responders." Creation of a network of statewide trainers to be completed by June 30, 2002	
SB 332 (Sher)  Straw Bale Structures  <i><u>Neutral</u></i>	Chapter 31, Statutes of 2002	Specifies building guidelines that apply to structures constructed of baled rice straw, subject to specific findings made by the local building agencies.	<b><u>Signed into law.</u></b>
SB 355 (Escutia)  Construction Liability  <i><u>Neutral</u></i>	Assembly Judiciary Committee 7/1/02	<u>Amended 6/27.</u> This measure would add to the statutes a definition of "construction defects."	<u>Prior</u> version of bill related to overturning court decision relating to liability of contractors for residential construction defects.
SB 709 (Alpert)  Field Act  <i><u>Oppose</u></i>	Assembly Appropriations Committee	Deletes existing Jan 1, 2003 deadline for use of leased nonconforming school buildings (certified by a structural engineer as in "substantial compliance" with Field Act). Expands existing exemptions to include leased commercial buildings (initial construct. permit issued on or after Jan 1, 1976).	Inactive. Bill was suspended in favor of Commission study in AB 16 relating to the use of non-Field Act-compliant buildings as classrooms.

Exhibit 3  
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 Legislative Tracking Report (July 2002)

<p>SB 842 (Speier)</p> <p>Hospital Seismic Safety</p> <p><b><u>Support if amended</u></b></p>	<p>Assembly Inactive File</p>	<p>Allows five-year extensions (to 2013) of existing hospital seismic safety deadlines if the hospital agrees to comply with 2030 requirements by 2013. Also authorizes OSHPD to grant up to five-year extensions on a case-by-case basis so long as the hospital submits a compliance plan that includes specific work progress milestones.</p>	<p>Inactive since end of 2001 session.</p>
<p>SB 928 (Dunn)</p> <p>Hospital Seismic Safety/ GO Bonds</p> <p><b><u>Support</u></b></p>	<p>Assembly Health Committee</p>	<p>States legislative intent to provide public funding (by the issuance of state general obligation bonds) to not-for-profit hospitals to comply with SB 1953 (hospital seismic safety) requirements.</p>	<p>Inactive.</p>
<p>SB 1350 (McPherson)</p> <p>Terrorism Training</p> <p><b><u>Support</u></b></p>	<p>Assembly Governmental Organization Committee</p>	<p><u>Amended 6/26.</u> Establishes the Emergency Response Training Advisory Committee to develop specific training dealing with terrorism awareness training and response using federal funding.</p>	

Exhibit 3  
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<p>SB 1500 (Johnson)</p> <p>Seismic Hazard Mapping Act (Disclosure Statement)</p> <p><i>Oppose</i> (June 2002)</p>	<p>Assembly Floor (3<sup>rd</sup> Reading)</p>	<p><b><u>As amended on June 26</u></b>, the bill makes changes to disclosure statement sellers must make to inform prospective buyers about seismic hazards.</p>	<p>Commission approved an “Oppose” position on the pre-6/26 version of the bill. Current version addresses the Commission’s areas of concern.</p> <p><b><u>Staff Recommendation:</u></b> Remove Opposition.</p>
<p>SB 1629 (Soto)</p> <p>Firefighter Training Grants</p> <p><b><u>Support</u></b></p>	<p>Assembly Appropriations Committee</p>	<p><b><u>Amended 6/26</u></b>. Requires the Emergency Medical Services Authority to provide grants to local agencies for training to upgrade the skills of firefighters and emergency personnel funding.</p>	
<p>SB 1992 (Perata)</p> <p>Gas Shut-off Valves</p> <p><b><u>Watch</u></b></p>	<p>Assembly Appropriations Committee</p>	<p>Directs the State Department of Housing and Community Development to study proposals that the State Building Standards Commission adopt regulations for the installation of gas shut-off devices in residential dwellings.</p>	<p>Prior version of bill required statewide mandatory installation of gas shut-off devices. SSC concerns relayed to policy committee and author. Bill was subsequently amended to call for a study by departments.</p>