

Assembly Bill No. 2231

Passed the Assembly August 30, 2006

Chief Clerk of the Assembly

Passed the Senate August 29, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 8593.6 to the Government Code, relating to emergency services information, and making an appropriation therefor.

LEGISLATIVE COUNSEL’S DIGEST

AB 2231, Pavley. Accessibility of emergency services information: working group.

Existing law requires the Office of Emergency Services to perform various activities concerning preparedness for, and the provision of services during, emergencies. These activities include coordination with state and local agencies.

This bill would require the Director of the Office of Emergency Services to convene a working group consisting of a specified membership to consider and make recommendations with respect to a system for the transmission of emergency alerts to the public through a public-private partnership, subject to specified criteria. It would require the director to report the working group’s findings and recommendations to the Legislature within one year of the date the working group is convened.

The bill would appropriate \$150,000 for the term of the 2006–07 and 2007–08 fiscal years from specified funds in the Federal Trust Fund to the Office of Emergency Services for the purposes of the bill.

Appropriation: yes.

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

SECTION 1. (a) The Legislature finds and declares the following, as also set forth in the Governor’s Executive Order S-04-06:

(1) California has successfully responded to earthquakes, floods, fires, freezes, outbreaks of infectious disease, droughts, pestilence, civil unrest, mudslides, chemical spills, and the threat of terrorist action, including 19 major disasters between 1989 and

2006, and more than 1,200 proclaimed states of emergency between 1950 and 2006, affecting every county in the state.

(2) State government and many local governments, nonprofit organizations, and businesses have already taken proactive steps to prepare for disasters in California.

(3) California is a recognized leader in emergency management, and the federal government has now adopted California's Standardized Emergency Management System as the core of their emergency response system.

(4) State and local government agencies must continue to strengthen efforts to prepare for catastrophic disasters.

(5) Public-private partnerships are essential to preparing for, responding to, and recovering from disasters.

(6) More needs to be done to educate Californians about what they can do to be better prepared for the next disaster.

(7) The efficient mobilization of federal, private sector, and nonprofit resources is critical to effectively prepare for, respond to, and recover from disasters.

(b) The Legislature further recognizes the federal policy set forth in the President's Executive Order of June 26, 2006: "Public Alert and Warning System," to have an effective, integrated, flexible, and comprehensive warning system that takes appropriate account of the functions, capabilities, and needs of the private sector and all levels of government, and to that end establish or adopt common alerting and warning protocols, standards, terminology, and operating procedures for that system.

(c) It is the intent of the Legislature in enacting this act to provide for a working group under the direction of the Director of the Office of Emergency Services, to develop policies and procedures that will provide a framework for instituting a public-private partnership with providers of mass communications systems to enhance public access to emergency alerts.

SEC. 2. Section 8593.6 is added to the Government Code, to read:

8593.6. (a) No later than six months after securing funding for the purposes of this section, the Director of the Office of Emergency Services shall convene a working group for the purpose of assessing existing and future technologies available in the public and private sectors for the expansion of transmission

of emergency alerts to the public through a public-private partnership. The working group shall advise the director and assist in the development of policies, procedures, and protocols that will lay the framework for an improved warning system for the public.

(b) (1) The working group shall consist of the following membership, to be appointed by the director:

(A) A representative of the Office of Homeland Security.

(B) A representative of the Attorney General's office.

(C) A representative of the State Department of Health Services.

(D) A representative of the State Emergency Communications Committee.

(E) A representative of the Los Angeles County Office of Emergency Management, at the option of that agency.

(F) A representative or representatives of local government, at the option of the local government or governments.

(G) Representatives of the private sector who possess technology, experience, or insight that will aid in the development of a public-private partnership to expand an alert system to the public, including, but not limited to, representatives of providers of mass communication systems, first responders, and broadcasters.

(H) Additional representatives of any public or private entity as deemed appropriate by the Director of the Office of Emergency Services.

(2) In performing its duties, the working group shall consult with the Federal Communications Commission, and with respect to grants and fiscal matters, the Office of Homeland Security.

(c) The working group shall consider and make recommendations with respect to all of the following:

(1) Private and public programs, including pilot projects that attempt to integrate a public-private partnership to expand an alert system.

(2) Protocols, including formats, source or originator identification, threat severity, hazard description, and response requirements or recommendations, for alerts to be transmitted via an alert system that ensures that alerts are capable of being utilized across the broadest variety of communication technologies, at state and local levels.

(3) Protocols and guidelines to prioritize assurance of the greatest level of interoperability for first responders and families of first responders.

(4) Procedures for verifying, initiating, modifying, and canceling alerts transmitted via an alert system.

(5) Guidelines for the technical capabilities of an alert system.

(6) Guidelines for technical capability that provides for the priority transmission of alerts.

(7) Guidelines for other capabilities of an alert system.

(8) Standards for equipment and technologies used by an alert system.

(9) Cost estimates.

(10) Standards and protocols in accordance with, or in anticipation of, Federal Communications Commission requirements and federal statutes or regulations.

(11) Liability issues.

(d) The director shall report the findings and recommendations of the working group to the Legislature no later than one year from the date the working group is convened.

(e) The director may accept private monetary or in-kind donations for the purposes of this section.

SEC. 3. To the extent permitted by federal law, the sum of one hundred fifty thousand dollars (\$150,000) is hereby appropriated for the term of the 2006–07 and 2007–08 fiscal years from the Federal Trust Fund, from funds received from the federal government for implementation of homeland security programs, to the Office of Emergency Services for the purposes of emergency response and preparedness.

Approved _____, 2006

Governor