

AMENDED IN SENATE MAY 29, 2012

SENATE BILL

No. 1065

Introduced by Senator ~~Alquist~~ *Kehoe*

February 13, 2012

~~An act to add and repeal Section 8870.56 of the Government Code, relating to emergency preparedness. An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1065, as amended, ~~Alquist Kehoe. Emergency preparedness: earthquakes and fires: water supplies. State claims.~~

Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when a sufficient appropriation is not available for the payment of a claim against the state allowed by the board.

This bill would appropriate \$167,329.15 from the General Fund to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. The bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the specified Budget Act item of appropriation identified in the bill to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2012.

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

~~Existing law creates within state government the Alfred E. Alquist Seismic Safety Commission as an independent entity within the State and Consumer Services Agency. Existing law requires the commission~~

to initiate a comprehensive program to prepare the state for responding to major earthquakes and earthquake hazard mitigation:

This bill would require the commission to formulate a task force on postearthquake firefighting with regard to water supplies, as specified. The bill would require the task force to recommend statewide guidelines and an implementation plan on postearthquake firefighting and water supplies, and report those findings to the Governor and the Legislature by July 1, 2013.

Vote: majority^{2/3}. Appropriation: ~~no~~yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. (a) The sum of one hundred sixty-seven thousand
2 three hundred twenty-nine dollars and fifteen cents (\$167,329.15)
3 is hereby appropriated from the fund specified in subdivision (b)
4 to the Executive Officer of the California Victim Compensation
5 and Government Claims Board for the payment of claims accepted
6 by the board in accordance with the schedule set forth in
7 subdivision (b).

8 (b) Pursuant to subdivision (a), claims accepted by the
9 California Victim Compensation and Government Claims Board
10 shall be paid in accordance with the following schedule:

11		
12	Total for Fund: General Fund (0001)	\$167,329.15
13		
14		

15 SEC. 2. Upon the request of the California Victim
16 Compensation and Government Claims Board, in a form prescribed
17 by the Controller, the Controller shall transfer surcharges and
18 fees from the Budget Act items of appropriation identified in
19 subdivision (b) of Section 1 of this act to Item 1870-001-0001 of
20 Section 2.00 of the Budget Act of 2012. For each Budget Act item
21 of appropriation, this amount shall not exceed the cumulative total
22 of the per claim filing fees authorized by subdivision (c) of Section
23 905.2 of the Government Code and the surcharge authorized by
24 subdivision (f) of Section 905.2 of the Government Code. For those
25 items in subdivision (b) that do not reflect a Budget Act
26 appropriation, the Controller shall transfer an amount not to
27 exceed the cumulative total of the per claim filing fees authorized

1 *by subdivision (c) of Section 905.2 of the Government Code and*
2 *the surcharge authorized by subdivision (f) of Section 905.2 of the*
3 *Government Code. This amount shall be transferred for the support*
4 *of the board as reimbursements to Item 1870-001-0001 of Section*
5 *2.00 of the Budget Act of 2012. The board shall provide a report*
6 *of the amounts recovered pursuant to this authority to the*
7 *Department of Finance within 90 days of the enactment of this act.*

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

12 *In order to settle claims against the state and end hardship to*
13 *claimants as quickly as possible, it is necessary for this act to take*
14 *effect immediately.*

15 ~~SECTION 1. The Legislature finds and declares all of the~~
16 ~~following:~~

17 ~~(a) Fires following earthquakes are a significant problem in~~
18 ~~California.~~

19 ~~(b) California, its people, and businesses are all highly exposed.~~
20 ~~About nine and one-half million residential and one million~~
21 ~~commercial property insurance policies were in effect in 2009,~~
22 ~~with a total value of insured property of \$4.7 trillion dollars.~~

23 ~~(c) Historically, every significant earthquake in California has~~
24 ~~resulted in multiple simultaneous fires that have strained, and, at~~
25 ~~least in 1906, overwhelmed, the fire service.~~

26 ~~(d) Studies show that a major earthquake in a metropolitan area~~
27 ~~of California, such as the Los Angeles, San Diego, or San Francisco~~
28 ~~Bay area regions, will result in numerous ignitions and numerous~~
29 ~~water distribution breaks.~~

30 ~~(e) Without water, firefighters may be able to save some lives,~~
31 ~~but will be severely challenged in carrying out rescue, response,~~
32 ~~and recovery missions.~~

33 ~~(f) Increased coordination between California's fire service and~~
34 ~~water purveyor community is necessary to foster a level of~~
35 ~~preparedness for fire following major earthquakes.~~

36 ~~SEC. 2. Section 8870.56 is added to the Government Code, to~~
37 ~~read:~~

38 ~~8870.56. (a) The commission shall initiate, with the assistance~~
39 ~~and participation of other federal, state, and local government~~
40 ~~agencies, a joint fire-water agency task force composed of key~~

1 senior urban California fire chiefs and managers of water purveyor
 2 departments to develop postearthquake firefighting water target
 3 goals. On or before July 1, 2013, the task force shall recommend
 4 statewide guidelines and an implementation plan for postearthquake
 5 firefighting water supplies, and shall report those findings to the
 6 Governor and the Legislature pursuant to Section 9795.

7 (b) ~~In implementing this section, the commission shall consult~~
 8 ~~with the following agencies:~~

- 9 (1) ~~California Emergency Management Agency.~~
- 10 (2) ~~Public Utilities Commission.~~
- 11 (3) ~~Department of Forestry and Fire Protection.~~
- 12 (4) ~~Department of Water Resources.~~

13 (c) ~~The commission may, at its discretion, invite stakeholders~~
 14 ~~to participate in the development of the statewide guidelines and~~
 15 ~~implementation plan described in subdivision (a), including~~
 16 ~~stakeholders in any of the following areas:~~

- 17 (1) ~~Emergency management and disaster response.~~
- 18 (2) ~~Utility service, infrastructure, and management.~~
- 19 (3) ~~Fire prevention, engineering, enforcement, and response.~~
- 20 (4) ~~Water storage, management, safety, reliability, and~~
 21 ~~ecosystems.~~

22 (d) ~~The commission shall operate within its current budget as~~
 23 ~~it initiates the task force and implements subdivision (a).~~

24 (e) ~~Any department or agency that participates in the task force~~
 25 ~~shall operate within its current budget.~~

26 (f) ~~This section shall remain in effect only until January 1, 2017,~~
 27 ~~and as of that date is repealed, unless a later enacted statute, that~~
 28 ~~is enacted before January 1, 2017, deletes or extends that date.~~