

AMENDED IN ASSEMBLY MARCH 28, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1980

Introduced by Assembly Member Irwin

(Principal coauthors: Senators Galgiani, Jackson, and Roth)

**(Coauthors: Assembly Members Bigelow, Dahle, Linder, Mayes,
and Steinorth)**

(Coauthor: Senator Cannella)

February 16, 2016

An act to add Section 13082 to the Health and Safety Code, relating to the memorial to California firefighters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1980, as amended, Irwin. Memorial to California firefighters: modifications.

Existing law authorizes the construction of a memorial to California firefighters on the grounds of the State Capitol, but prohibits the expenditure of state funds for purposes of the memorial.

This bill would authorize the California Fire Foundation, a nonprofit organization that provides assistance to the families of fallen firefighters, in consultation with the Department of General Services, to prepare a plan to construct modifications to the existing memorial on the grounds of the State Capitol, which may include the construction of a new wall at the memorial that would include the names of additional fallen firefighters. The bill would require the Department of General Services, if the foundation prepares a plan pursuant to those provisions, to take specified actions to ensure that the design, review, inspection, and

construction of the proposed modifications meet prescribed requirements. The bill would require the foundation, if it undertakes responsibility to modify the memorial pursuant to these provisions, in consultation with the Department of General Services, to establish a schedule for the design and construction, implement procedures to solicit designs, devise a process for the choice of design for the proposed modifications, and report to the Joint *Legislative* Committee on ~~Rules~~ *Emergency Management* regarding the progress of the construction of the modifications. The bill would require the California Fire Foundation to submit a plan for the proposed modifications to the Department of General Services, the Department of Finance, and the Joint Committee on ~~Rules for their~~ *Services for its* review. The bill would prohibit the foundation from commencing construction of any proposed modifications to the memorial unless the *Department of Finance has verified that sufficient private donations have been secured to complete the modifications and the Department of General Services and the Department of Finance have* approved the plan. The bill would require that any modifications to the memorial be funded exclusively by private donations secured by the foundation.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

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

- 1 SECTION 1. Section 13082 is added to the Health and Safety
- 2 Code, to read:
- 3 13082. (a) The California Fire Foundation may, in consultation
- 4 with the Department of General Services, prepare a plan to
- 5 construct modifications to the memorial to California firefighters
- 6 on the grounds of the State Capitol, which may include the
- 7 construction of a new wall at the memorial that would include the
- 8 names of additional fallen firefighters.
- 9 (b) If the California Fire Foundation prepares a plan to modify
- 10 the memorial pursuant to this section, the Department of General
- 11 Services shall do all of the following:
- 12 (1) Review preliminary design plans for the modifications and
- 13 identify potential maintenance concerns.
- 14 (2) Ensure that the proposed modifications comply with the
- 15 requirements of the Americans with Disabilities Act of 1990 (42

1 U.S.C. Sec. 12101 et seq.) and other applicable safety laws and
2 regulations.

3 (3) Ensure that the proposed modifications comply with the
4 requirements of the California Environmental Quality Act (Division
5 13 (commencing with Section 21000) of the Public Resources
6 Code) and any other applicable building standards for work to be
7 carried out at the existing memorial.

8 (4) Review the final construction documents to ensure that all
9 applicable requirements are met.

10 (5) Prepare the right-of-entry permit outlining the final area of
11 work, final construction documents and permits, construction plans,
12 and the name of the contractor who will perform the work, and
13 verify that the contractor is properly licensed and insured, including
14 maintaining adequate personal liability insurance for damage to
15 state property.

16 (6) Conduct inspections of the construction performed by the
17 contractor selected by the foundation.

18 (c) If the California Fire Foundation undertakes responsibility
19 to modify the memorial to California firefighters pursuant to this
20 section, it shall, in consultation with the Department of General
21 Services, establish a schedule for the design and construction,
22 implement procedures to solicit designs, devise a selection process
23 for the choice of the design for the modifications, and report to
24 the Joint *Legislative Committee on Rules Emergency Management*
25 regarding the progress of the construction of the modifications.

26 (d) The California Fire Foundation shall submit a plan for
27 proposed modifications of the memorial prepared pursuant to this
28 section to the Department of General ~~Services, the Department of~~
29 ~~Finance, and the Joint Committee on Rules for their review.~~
30 *Services for its review.* The California Fire Foundation shall not
31 commence construction of any proposed modifications unless the
32 *Department of Finance has verified that sufficient private donations*
33 *have been secured to complete construction of the modifications*
34 *and the Department of General Services and the Department of*
35 *Finance have has approved the plan following that review and*
36 ~~unless not less than 30 days have elapsed following the submission~~
37 ~~of the plan to the Joint Committee on Rules.~~ *plan.*

38 (e) Any modifications to the memorial carried out pursuant to
39 a plan prepared pursuant to this section shall be funded exclusively

1 through private donations secured by the California Fire
2 Foundation.

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