

Date of Hearing: March 15, 2017

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

AB 289 (Gray) – As Introduced February 2, 2017

SUBJECT: Office of Emergency Services: State Emergency Plan: update

SUMMARY: Would require the Office of Emergency Services (Cal OES) to update the State Emergency Plan (SEP) on or before January 1, 2019, and every 5 years thereafter.

EXISTING LAW:

- 1) Establishes the Cal OES by the Governor's Reorganization Plan No. 2, operative July 1, 2013.
- 2) Requires Cal OES to perform a variety of duties with respect to specified emergency preparedness, mitigation, and response activities in the state, including emergency medical services.
- 3) Specifies that the SEP shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.
- 4) Requires the Governor to coordinate SEP and those programs necessary to mitigate the effects of an emergency.
- 5) Requires the Governor to coordinate the preparation of plans and programs for the mitigation of the effects of an emergency by the political subdivisions of the State of California, such plans and programs to be integrated into and coordinated with SEP and the plans and programs of the federal government and of other states to the fullest possible extent.
- 6) Specifies that the Governor may, in accordance with SEP, authorize programs for the mitigation of the effects of an emergency, as specified.
- 7) Requires Cal OES to update SEP, on or before January 1, 2015, to include proposed best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs, during an emergency or natural disaster.

FISCAL EFFECT: Unknown

COMMENTS:

Purpose of the bill: According to the author's office, this bill will help to ensure that SEP reflects recent advances in emergency management capabilities and changes in the Emergency Services Act (Act). The overall plan has not been updated since 2009; specific provisions of SEP were scheduled to be updated in 2014. An updated SEP can take into consideration developments in mitigation, preparedness, response, and recovery activities. In addition, revision of this plan will

reflect changes in the structure and function of California governmental agencies. This includes changes in roles, responsibilities, and the addition of new departments. Revisions to SEP would also reflect federal government agency roles, which have changed and/or been modified.

The author's office states, California has long been a leader in preparing for emergencies and disasters, both natural and human-caused. An updated SEP will further provide a framework for the best possible management of emergencies and assistance to all Californians when disaster strikes.

Background:

Disaster Acts in California: The California Disaster Act was enacted by the State Legislature in 1945. The Act combined responsibility for planning and preparing for emergencies, whether natural, technological and human-caused into a single state agency. The California Emergency Services Act was enacted in 1970 to supersede the California Disaster Act. The new Act established the Governor's Office Emergency Services with a Director reporting to the Governor. The office was given responsibility to coordinate statewide emergency preparedness, post emergency recovery and mitigation efforts, and the development, review, approval, and integration of emergency plans.

In 2009, the California Legislature merged the powers, purposes, and responsibilities of the former Cal OES with those of the Office of Homeland Security (OHS) into the newly- created California Emergency Management Agency (CalEMA). On July 1, 2013, Governor Edmund G. Brown Jr.'s Reorganization Plan #2 eliminated Cal EMA and restored it to the Governor's Office, renaming it the California Governor's Office of Emergency Services (CalOES), and merging it with the Office of Public Safety Communications. Today, Cal OES is responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities within the state.

State Emergency Plan (SEP): On June 23, 2009, Governor Arnold Schwarzenegger promulgated the 2009 edition of the State of California Emergency Plan. The plan, in accordance with the California Emergency Services Act (CESA) addresses the state's response to extraordinary emergency situations associated with natural disasters or human-caused emergencies. The SEP is a management document intended to be read and understood before an emergency occurs. In accordance with the Act, the plan describes the methods for carrying out emergency operations, the process for rendering mutual aid, the emergency services of governmental agencies, how resources are mobilized, how the public will be informed and the process to ensure continuity of government during an emergency or disaster.

The SEP is designed to outline the activities of all California jurisdictions within a statewide emergency management system and it embraces the capabilities and resources in the broader emergency management community that includes individuals, businesses, non-governmental organizations, tribal governments, other states, federal government and international assistance.

Prior legislation: AB 1346 (Gray) of 2015/2016 Legislative Session. Required Cal OES to update the SEP on or before January 1, 2018, and every 5 years thereafter, and would require the plan to be consistent with specified state climate adaptation strategies. (Senate Inactive File)

AB 918 (Cooley), Chapter 187, Statutes of 2013. Required Cal OES, on or before July 31, 2015, to update SEP to include proposed best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs during an emergency or natural disaster.

AB 2327 (Caballero), Chapter 361, Statutes of 2008. Required disaster-related services and assistance agencies to strive to ensure that all victims receive the assistance they need and for which they are eligible. It requires public employees to assist evacuees and others in securing disaster-related assistance and services without eliciting any information or document that is not strictly necessary to determine eligibility under state and federal laws.

AB 1421 (Levine), 2007-2008 Legislative Session. Required OES to develop a requirement for specified local agencies to develop a registry for each California County of elderly and non-elderly disabled so that those people could be notified and assisted in evacuations. (Held in Assembly Appropriations)

SB 1451 (Kehoe), Chapter 600, Statutes of 2006. Required the Director of OES to appoint representatives of the disabled community to serve on State Emergency Management System committees, ensure committee recommendations include the needs of people with disabilities, produce a report containing recommendations for evacuating the disabled, and work on producing informational materials.

REGISTERED SUPPORT / OPPOSITION:**Support**

American Red Cross

Opposition

None on file

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