

Date of Hearing: April 6, 2016

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

AB 1980 (Irwin) – As Amended March 28, 2016

SUBJECT: Memorial to California firefighters: modifications

SUMMARY: Authorizes the California Fire Foundation (CFF), in consultation with the Department of General Services (DGS), to prepare a plan to construct modifications to the existing memorial on the grounds of the California State Capitol, which may include the construction of a new wall at the memorial that would include the names of additional fallen firefighters. Specifically, **this bill:**

- 1) Requires DGS, if CFF prepares a plan to construct modifications to the California Firefighters Memorial (Memorial), to take specified actions to ensure that the design, review, inspection, and construction of the proposed modifications meet prescribed requirements:
 - a) Review preliminary design plans for the modifications and identify potential maintenance concerns.
 - b) Ensure that the proposed modifications comply with the requirements of the Americans with Disabilities Act of 1990 and other applicable safety laws and regulations.
 - c) Ensure that the proposed modifications comply with the requirements of the California Environmental Quality Act and any other applicable building standards for work to be carried out at the existing memorial.
 - d) Review the final construction documents to ensure that all applicable requirements are met.
 - e) Prepare the right-of-entry permit outlining the final area of work, final construction documents and permits, construction plans, and the name of the contractor who will perform the work, and verify that the contractor is properly licensed and insured, including maintaining adequate personal liability insurance for damage to state property.
 - f) Conduct inspections of the construction performed by the contractor selected by the foundation.
- 2) Requires CFF to submit a plan for the proposed modifications to the DGS for their review.
- 3) Requires CFF, in consultation with the DGS, 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 Emergency Management regarding the progress of the construction of the modifications.
- 4) Prohibits CFF from commencing construction of proposed modifications unless the Department of Finance (DOF) has verified that sufficient donations have been secured to complete construction of the modifications and DGS has approved the plan.

- 5) Requires that any modifications to the Memorial be funded exclusively by private donations secured by CFF.

EXISTING LAW:

- 1) 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
- 2) Requires firefighters' memorial ceremonies, including the dedication of the memorial at any subsequent ceremonies, to be conducted by the CFF, in consultation with the Assembly General Research Committee on Fire, Police, Emergency, and Disaster Services.

FISCAL EFFECT: Unknown**COMMENTS:**

Purpose of the bill: According to the author, firefighters have one of the highest rates of injury and death when compared to other careers. Regrettably, as a result of line of duty deaths, 15 to 20 new names, on average, are added to the Memorial Wall each year.

The average number of names added to the Wall in any given year includes those firefighters who died as a result of a line of duty death in the immediately preceding year, as well as those firefighters who died as a result of a line of duty death in years prior, but who only recently came to the attention of the Foundation. Oftentimes, this is a result of a surviving spouse or family member needing additional time to come to terms with the death of their loved one before they are comfortable with having their name inscribed on the wall. In other cases, prior year deaths are reported by the fallen firefighter's former fire department only after archived documentation surfaces demonstrating a line of duty incident. Ultimately, it is expected that there will be no more room to add names to the current wall in the near future.

The author states, the purpose of this bill is to ensure that the names of our state's fallen firefighters are inscribed on memorial wall space for decades to come. To ensure that Californians can continue to honor the brave professionals who keep our communities safe, it is imperative that ample, respectful space is available at the memorial site. AB 1980 achieves this important goal.

Background: CFF, a non-profit 501 (c)(3) organization, provides emotional and financial assistance to families of fallen firefighters, firefighters and the communities they protect. Formed in 1987 by California Professional Firefighters (CPF), the CFF's mandate includes an array of survivor and victim assistance projects and community initiatives, as well as the design, construction and maintenance of the California Firefighters Memorial (Memorial). Sponsored by the CFF, the Memorial was designed and built in 2002 to honor firefighters killed in the line of duty. The Foundation is the official recipient organization for proceeds from the state license plate and tax check-off funds earmarked for the Memorial.

Related Legislation: AB 3198 (Areias) of 1992. Requires the California Fire Foundation to create the Firefighters' Memorial Task Force. Additionally, the bill authorizes the construction of a memorial to California firefighters on the State Capitol grounds. (Version: 92 - Chaptered 9/30/1992).

REGISTERED SUPPORT / OPPOSITION:

Support

California Professional Firefighters (Sponsor)

California Fire Chiefs Association

Fire Districts Association of California

LIUNA Local 792

Orange County Professional Firefighters Association, Local 3631

Opposition

None on file

Analysis Prepared by: Kenton Stanhope / G.O. / (916) 319-2531