

FIRE Legislative Status Report

Report Date: 1/19/2007

AB 36 (Niello) Public employees' retirement: fraud. (1-12/04/2006 [html](#) [pdf](#))

Status:12/05/2006-From printer. May be heard in committee January 4.

Current Location:12/04/2006-A PRINT

Calendar Events:

Summary: Existing law provides that it is a crime to make a knowingly false material statement or representation for the purpose of obtaining workers' compensation, or supporting or denying a workers' compensation claim. The Public Employees' Retirement Law, the Teachers' Retirement Law, and the County Employees Retirement Law of 1937 prescribe the rights, benefits, and duties of members of the retirement systems established by those laws. This bill would make it a crime for a person to make or present false material statements and representations in connection with those retirement systems' benefits and applications, as specified, or to aid or abet someone in this regard. The bill would also make it a crime for a person to knowingly accept, with the intent to keep for personal benefit, a payment from any of those retirement systems with the knowledge that one was not entitled to the benefit. The bill would provide that a violation of these provisions is punishable by up to one year in a county jail, or a fine, or both, and restitution, as specified. The bill would require any restitution order imposed to be satisfied before any criminal fine imposed may be collected, and would further provide that its provisions are cumulative. By creating a new crime or expanding an existing crime, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
FIRE	RHeim	Watch			

AB 38 (Nava) State agencies: Office of Homeland Security. (1-12/04/2006 [html](#) [pdf](#))

Status:12/05/2006-From printer. May be heard in committee January 4.

Current Location:12/04/2006-A PRINT

Calendar Events:

Summary: Existing law establishes the Office of Homeland Security within the office of the Governor. This bill would transfer the Office of Homeland Security to become a division of the Office of Emergency Services and would make conforming changes.

Organization	Assigned	Position	Priority	Subject	Groups
FIRE	RHeim	Watch			

AB 81 (Torrico) Child protection: safe surrender. (1-12/04/2006 [html](#) [pdf](#))

Status:12/05/2006-From printer. May be heard in committee January 4.

Current Location:12/04/2006-A PRINT

Calendar Events:

Summary: Existing law designates certain locations as safe-surrender sites for the safe surrender of newborn children who are 72 hours of age or younger. This bill would expand the scope of those provisions to apply to children who are 30 days old or younger. The bill would permit the governing body of a city to designate a safe-surrender site and would also designate any fire station with a paramedic or emergency medical technician on duty at all times as a safe-

surrender site. The bill would specify that a safe-surrender site and its personnel have no liability for a surrendered child prior to taking actual physical custody of the child. The bill would also appropriate \$5,000,000 to the State Department of Social Services to conduct a statewide awareness campaign, to establish and operate a toll-free telephone number for assistance, and to allocate \$1,000,000 in the form of competitive grants to county social service agencies that conduct safe surrender site program outreach. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>	<i>Support</i>			

AB 108 **(Benoit) Taxation: California Fallen Firefighters Assistance Tax Clarification Act of 2006.** (A-01/18/2007 [html](#) [pdf](#))

Status:01/18/2007-From committee: Amend, and do pass as amended. (Ayes 11. Noes 0.) (1/18). Art. IV, Sec. 8(b) of the Constitution suspended. Read 2nd time and amended. Read 2nd time. To 3rd reading. Read 3rd time, passed, and to Senate.

Current Location:01/18/2007-S SENATE

Calendar Events:

Summary: The Corporation Tax Law exempts certain organizations from taxation, as provided. This bill would provide that payments made by an exempt organization, as defined, on or after October 26, 2006, and before June 1, 2007, to any family member of a firefighter who died as a result of the October 2006 Esperanza Incident fire in Southern California would be treated as payments made in furtherance of the charitable purpose of that organization. This bill would make a legislative finding and declaration relating to the public purpose served by the bill. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>	<i>Support</i>			

AB 113 **(Beall) Hospitals: reduction or elimination of emergency medical services: notice.** (I-01/08/2007 [html](#) [pdf](#))

Status:01/09/2007-From printer. May be heard in committee February 8.

Current Location:01/08/2007-A PRINT

Calendar Events:

Summary: Existing law, with certain exceptions, requires a hospital that plans to reduce or eliminate emergency medical services to notify various entities at least 90 days before it takes that action. Violation of these provisions is a crime. This bill would, instead, require the hospital to notify those entities at least 180 days before a planned reduction or elimination of the level of emergency medical services. By changing the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>				

AB 124 **(Price) Meal and rest periods.** (I-01/10/2007 [html](#) [pdf](#))

Status:01/11/2007-From printer. May be heard in committee February 10.

Current Location:01/10/2007-A PRINT

Calendar Events:

Summary:

respecting wages, hours, and working conditions. This bill would extend the protections afforded to employees covered by an order of the commission to lifeguards and stage assistants who are employed by the state or any political subdivision thereof. By imposing new requirements on local employers of lifeguards and stage assistants, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>				

AB 136 (Emmerson) Search and Rescue Memorial. (I-01/16/2007 [html](#) [pdf](#))

Status:01/17/2007-From printer. May be heard in committee February 16.

Current Location:01/16/2007-A PRINT

Calendar Events:

Summary: Existing law prescribes various duties for the Department of General Services in connection with development and maintenance of the park around the State Capitol Building. This bill would make the department, in consultation with the California Search and Rescue Association, responsible for the planning and construction of a memorial in the Capital Historic Region in honor of California search-and-rescue volunteers who have died in the line of duty. It would require that the planning, construction, and maintenance of the memorial be funded with private donations through a nonprofit foundation to be established. It also would prohibit construction of the memorial until the master plan of the State Capitol park is approved and adopted by the Joint Committee on Rules.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>				

ACA 2 (Walters) Eminent domain. (I-12/04/2006 [html](#) [pdf](#))

Status:12/05/2006-From printer. May be heard in committee January 4.

Current Location:12/04/2006-A PRINT

Calendar Events:

Summary: The California Constitution authorizes private property to be taken or damaged for public use only when just compensation has been paid to, or into court for, the owner of the property. This measure would instead permit private property to be taken or damaged only for a stated public use and only when just compensation has been paid to, or into court for, the owner of the property. The measure would also prohibit, with respect to both new and pending eminent domain projects that involve the exercise of the power of eminent domain, a community redevelopment agency, community development commission, or joint powers agency that has the power of eminent domain from exercising that power to acquire any real property if ownership of the property will be transferred to a private party or private entity, except as specified.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>	<i>Watch</i>			

SB 41 (Battin) Taxation: California Fallen Firefighters Assistance Tax Clarification Act of 2006. (I-12/21/2006 [html](#) [pdf](#))

Status:01/18/2007-Art. IV, Sec. 8(a), of Constitution dispensed with. Joint Rule 55 suspended. Art. IV, Sec. 8(b), of Constitution dispensed with. Read second time. Read third time. Passed. (Ayes 36. Noes 0.) To Assembly.

Current Location:01/18/2007-A ASSEMBLY

Calendar Events:

Summary: The Corporation Tax Law exempts certain organizations from taxation, as provided. This bill would provide that payments made by an exempt organization, as defined, on or after October 26, 2006, and before June 1, 2007, to any family member of a firefighter who died as a result of the October 2006 Esperanza Incident fire in southern California would be treated as payments made in furtherance of the charitable purpose of that organization. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>				

SB 65 (Cedillo) Mobilehome parks: health and safety standards. (I-01/16/2007
[html](#) [pdf](#))

Status:01/17/2007-From print. May be acted upon on or after February 16.

Current Location:01/16/2007-S PRINT

Calendar Events:

Summary: Existing law requires the Department of Housing and Community Development to adopt regulations to govern the use and occupancy of manufactured homes, mobilehomes, and recreational vehicles located in special occupancy parks. This bill would make technical, nonsubstantive changes to this requirement.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>				

SCA 1 (McClintock) Eminent domain: condemnation proceedings. (I-12/04/2006
[html](#) [pdf](#))

Status:01/18/2007-To Coms. on JUD. and E., R. & C.A.

Current Location:01/18/2007-S JUD.

Calendar Events:

Summary: The California Constitution authorizes governmental entities to take or damage private property for public use only when just compensation, ascertained by a jury unless waived, has first been paid to, or into court for, the owner of the property. It also authorizes the Legislature to provide for possession by the condemnor following commencement of the eminent domain proceedings upon deposit in court, and prompt release to the owner of the property, of the money determined by the court to be the probable amount of just compensation. This measure would further provide that private property may be taken or damaged only for a stated public use, and not without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. The measure would also require that property acquired in eminent domain be owned and occupied by the condemnor, except as specified, and be used only for the public use stated at the time of the taking. This bill contains other related provisions.

Organization	Assigned	Position	Priority	Subject	Groups
<i>FIRE</i>	<i>RHeim</i>	<i>Watch</i>			