

Assembly Bill No. 908

Passed the Assembly May 3, 2007

Chief Clerk of the Assembly

Passed the Senate June 18, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 8557 and 8558 of, to amend the heading of Article 9.8 (commencing with Section 8609) of Chapter 7 of Division 1 of Title 2 of, and to repeal Sections 8588.8 and 8609.2 of, the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL’S DIGEST

AB 908, Adams. California Emergency Services Act: Year 2000 Problem.

The California Emergency Services Act includes within those events constituting a state or local emergency for purposes of the act, complications resulting from the Year 2000 Problem, as defined, and provides for specified activities in preparation or response to that event.

This bill would delete those provisions relating to the Year 2000 Problem.

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

SECTION 1. Section 8557 of the Government Code is amended to read:

8557. (a) “Emergency Council” means the California Emergency Council.

(b) “State agency” means any department, division, independent establishment, or agency of the executive branch of the state government.

(c) “Political subdivision” includes any city, city and county, county, district, or other local governmental agency or public agency authorized by law.

(d) “Governing body” means the legislative body, trustees, or directors of a political subdivision.

(e) “Chief executive” means that individual authorized by law to act for the governing body of a political subdivision.

(f) “Disaster council” and “disaster service worker” have the meaning prescribed in Chapter 1 (commencing with Section 3201) of Part 1 of Division 4 of the Labor Code.

(g) “Public facility” means any facility of the state or a political subdivision, which facility is owned, operated, or maintained, or any combination thereof, through moneys derived by taxation or assessment.

(h) “Sudden and severe energy shortage” means a rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, or natural disasters, and which has statewide, regional, or local impact.

SEC. 2. Section 8558 of the Government Code is amended to read:

8558. Three conditions or degrees of emergency are established by this chapter:

(a) “State of war emergency” means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

(b) “State of emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a “state of war emergency,” which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

(c) “Local emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake,

or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

SEC. 3. Section 8588.8 of the Government Code is repealed.

SEC. 4. The heading of Article 9.8 (commencing with Section 8609) of Chapter 7 of Division 1 of Title 2 of the Government Code is amended to read:

Article 9.8. Disaster Preparedness

SEC. 5. Section 8609.2 of the Government Code is repealed.

Approved _____, 2007

Governor