

Date of Hearing: April 19, 2021

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Freddie Rodriguez, Chair

AB 1568 (Committee on Emergency Management) – As Introduced March 3, 2021

SUBJECT: California Emergency Services Act: Office of Emergency Services: statewide registry

SUMMARY: Requires the California Office of Emergency Services (Cal OES) to establish a statewide registry of private businesses and organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to assist in disaster response and recovery. Specifically, **this bill:**

- 1) Requires Cal OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to foster collaboration between the private and public sector to enhance disaster preparedness.

EXISTING LAW:

- 1) Establishes in state government, within the office of the Governor, Cal OES. Requires Cal OES to be under the supervision of the Director of Emergency Services, who has all rights and powers of a head of an office and is referred to as the Director of Emergency Services.
- 2) Requires Cal OES to be responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property.
- 3) Authorizes the Governor to make, amend, and rescind orders and regulations necessary to carry out the provisions of the California Emergency Services Act, requires the orders and regulations to have the force and effect of law, and requires orders and regulations, or amendments or rescissions to orders and regulations, issued during a state of war emergency or state of emergency to be in writing and to take effect immediately upon their issuance.
- 4) Authorizes the Governor, during a state of war emergency or a state of emergency, to suspend any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency, where the Governor determines and declares that strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay the mitigation of the effects of the emergency.
- 5) Requires the Standardized Emergency Management System (SEMS) for managing multiagency and multijurisdictional responses to emergencies in California. State agencies are required to use SEMS and local government entities must use SEMS in order to be eligible for any reimbursement of response-related costs under the state's disaster assistance programs
- 6) Authorizes Cal OES to, as appropriate, include private businesses and nonprofit organizations within its responsibilities to prepare the state for disasters.

- 7) Authorizes the office to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to further collaboration between the private and public sector.

FISCAL EFFECT: Unknown.

COMMENTS:

Purpose of the bill: According to the author, “the COVID-19 pandemic has made it clear that, in order to best prepare and protect the citizens of the state and ensure that we are prepared for and can respond to emergencies, government and the private sector need to work together. The public sector alone is incapable of meeting California’s preparedness needs. The private and nonprofit sectors have vast stores of medical supplies, building and construction materials, food, water and other goods, as well as services that would be essential following a catastrophic event.”

“The private sector owns or has access to substantial response and support resources. Community Based Organizations or Non-Governmental Organizations also provide valuable resources before, during, and after a disaster. These resources can be effective assets before, during and after emergencies. We should make it as easy as possible for the private sector to donate their goods and services to enhance California’s disaster preparedness,” concludes the author.

Ongoing and complex disasters are the new normal: In recent written testimony provided to the House of Representatives Committee on Appropriations, California’s OES Director states “the State of California arguably faces the most complex and severe disaster conditions in the nation and these challenges and complexities grow in magnitude each year. In the past decade, California has experienced every conceivable type of natural and manmade disaster including drought, earthquake, flood, catastrophic wildfire, mudslides, dam failure, cyber security attacks, oil spills, natural gas leak, civil unrest, terrorism, and tsunamis. However, the COVID-19 pandemic has put our emergency management system to the test.

The Director continued, “COVID-19 has severely impacted California. As of March 11, 2021, the State had a cumulative total of over 3.5 million cases and over 54,800 COVID-related deaths. Before the pandemic, California had record low unemployment. After the first few months of the pandemic, the State faced a 16.4% unemployment rate. As essential workers risked their lives to keep our vital systems working, while other Californians were confined to their homes, government and businesses fundamentally changed the way they operate. This change extended to emergency management. The impacts of the virus forced the State to reevaluate standard operating procedure and implement plans to respond to later surges, and even concurrent disasters.”

Unprecedented Wildfire Activity: In *Cal FIRE’s 2020 Fire Siege Report*, the Director states, “at the end of 2020, we closed the book on, arguably, the worst fire year ever experienced on the west coast, and specifically in California. Since 2015, the term “unprecedented” has been used year over year as conditions have worsened, and the operational reality of a changing climate sets in. In California, the 2020 Fire Siege claimed the lives of 28 civilians and three firefighters, destroyed 9,248 structures and consumed 4.2 million acres. California experienced its first “Giga-fire,” with the August Complex consuming over one million acres alone. In August, the

SCU and LNU Lightning Complexes were burning at the same time and at the time of containment, were the 3rd and 4th largest fires in California history. The Creek Fire grew to be the largest single fire in California history that did not originate as a complex of fires. Watersheds were eradicated, communities decimated, and the quality of life for 40 million Californians temporarily diminished.” Additionally, increased residential development in the wildland-urban interface (WUI) has placed more residents in the potential path of destruction. In total, over 11 million people (approximately 25 percent of the state’s population) live in high fire-risk areas, including the WUI.

Emergency Preparedness and Response: Cal OES is responsible for addressing natural, technological, or manmade disasters and emergencies, and preparing the State to prevent, respond to, quickly recover from, and mitigate the effects of both intentional and natural disasters. As part of their overall preparedness mission, Cal OES is required to develop a State Emergency Plan (SEP), State Hazard Mitigation Plan (SHMP), and maintains Standardized Emergency Management System (SEMS) and the Emergency Management Mutual Aid System (EMMA). Cal OES, in coordination with FEMA and local partners, has developed four Catastrophic Plans to augment the State Emergency Plan.

Cal OES’s Office of Private Sector and Non-Governmental Organization: In 2015, Cal OES established the Office of Private Sector and Non-Governmental Organization (NGO) Coordination. This office designs, coordinates, and implements statewide outreach programs to foster relationships with businesses, associations, companies, academia, as well as non-profit and philanthropic organizations. It works within Cal OES to maximize inclusion and effective use of private sector and NGO staff and resources in all phases of emergency management.

Prior legislation: AB 2796 (Nava), Chapter 363, Statutes of 2008. Authorizes Cal OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to further collaboration between the private and public sector.

SB 546 (Dutton), Chapter 232, Statutes of 2005. Authorizes OES to develop a program that promotes the collaboration between the public and private sector to better prepare for, respond to, and recover from disasters.

Urgency clause: This bill has an urgency clause due to the ongoing pandemic, threat of catastrophic wildfires, earthquakes, floods and other hazards.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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