

A History of CSFA Legislation

I. Legislative Efforts -The First 8 Years

In the early 1900s, there was little organization among California firemen. There were a few local firemen's associations, but these were social groups without much potency in legislative matters. The fire service, in general, was inadequate; equipment was lacking and some cities still had "fire steamers." Those few that had aerial ladders had the first spring-loaded types that required six men to haul down. As far as training was concerned, the rule was to "watch the old-timers." Firemen worked continual shifts, with one or two days off a month. There were no requirements in getting a job, it was given by appointment, or how well you knew the mayor. There was no protection of hours or pensions, and wages could be raised or lowered according to the whim of the city fathers.

A typical firefighting scene might have consisted of a crew standing in the street squirting a straight stream through broken windows. If their chain-driven, solid-wheeled-pumper had too many r.p.m.s, the magneto might have fallen off. For the chief to take his men into the building would have been unthinkable. He was probably in his seventies, and walking across the street would have left him breathless. He should have been retired, but there was no pension. In those days, fire codes were virtually nonexistent, and legislation in all areas of the fire service was dreadfully lacking. There was a serious need for California firefighters to organize and start to professionalize the fire service and protect the rights of firefighters working in the state.

Forces were operating to change these things, and they began with the firemen themselves. In 1922, some 40 firemen formed two committees: one from San Diego, the other from Fresno. They composed a letter appealing to firemen to help organize and establish a statewide organization. Dues would be \$1.00 per year. The letters were forwarded to every known fire station in the state.

Success was immediate and the first convention convened in Oakland in 1923. Forty-four delegates arrived representing some 900 members from 50 fire departments. Their needs were reflected in their preamble to the constitution. Simply stated, they **"...resolved to promote and protect the best interests of firemen, to improve fire service, and campaign for fire prevention."** These objectives have changed little over the years. The first committee was formed at this convention and was called the Advisory Committee. Its five-member board had the job of passing legislation in Sacramento. Their first goals included statewide pensions, two-platoon systems, improved vacations and better traffic laws.

Perhaps the most colorful time in CSFA History was the early efforts of trying to obtain statewide pensions for firemen. A few large cities already had employee pensions, but for the most part, California firemen did not enjoy such a luxury. By the time the 1924 convention rolled around, membership was 3,000 and still growing and was the year Pasadena initiated CSFA's first attempt to pass a pension bill. A great deal of work went into it, and they proudly considered it a work of art. The bill required the insurance industry to finance it by calling for a 2% state tax on their gross premiums received. Hence, the bill became known as the "2% bill." The insurance companies were not thrilled by the idea and opposed it vigorously. The plan was not new. A dozen or so other states were financing firemen's pensions in such a manner already, and it only made sense for California to follow suit.

During CSFA's legislative efforts in 1925, the Advisory Committee chairman summed up the picture quite well, *"We can get all the promises in the world from the Senators and Assemblymen, but they will still fear the great insurance institutions."* CSFA failed in its first bid for approval through the Legislature but refusing to give up, they decided to go to the people.

This was the first attempt at an initiative petition and the problem was financing. Membership dues of \$1.00 per year barely kept the new organization going, however, at the Long Beach convention in 1926, firemen pledged their support and \$6,000 was raised, but it could not insure victory. It seemed that the petition-circulating firm hired by CSFA was unable to purchase the necessary performance bond guaranteeing the required number of signatures. No insurance company would sell them one.

Again turning to the Legislature in 1927, CSFA's efforts fell short. It was bad enough that the State Fire Chief's group did not support them but when the Senate approved the bill and the Assembly did not, it was a bitter pill to swallow. What frustrated everyone, was the fact that among the assemblymen, five were insurance agents. No doubt, they had influence on the vote and shortly afterward, when CSFA published its first issue of *The California Fireman*, they initiated another "first" by publishing the complete voting records of all legislators on the pension bill.

Unable to get their coveted pension bill through, they did create some attention. Cities started to think more about pensions and, slowly, they began to adopt more retirement systems for their employees. CSFA was interested in other legislative matters, particularly fire prevention, hours, vacations, fire protection districts and liability laws for drivers. On the latter, there were no requirements for cities to have liability insurance on apparatus drivers and, oftentimes, firemen found themselves in court as co-defendants with their cities, having been involved in an accident while responding to a fire. An El Centro chief had just such an experience. He lost everything he owned, including his home.

At the 1928 Redding convention, a new idea on the pension problem was adopted. A San Bernardino fireman stood up and stated plainly, "*...instead of making the insurance companies pay for their pensions, why not have the state set aside a portion of the taxes collected from insurance companies for it?*" The idea was certainly appropriate, and later, the insurance interests seemed receptive. The taxes would be set-aside by the state to pay for firemen's relief, pensions, health and compensation benefits. They immediately began working on the bill that would call for a constitutional amendment and voter approval.

The year 1929 proved CSFA was a potent force in Sacramento. It was the first great legislative success for CSFA. Barely in existence seven years, hard work and persistence paid off. The pension bill passed the Legislature and would appear on the 1930 ballot as Proposition #2. A final hurdle would still have to be overcome by getting the public to support and vote for the Proposition. Below is a compilation of CSFA legislation signed by the governor:

- AB 798** Legalized hundreds of fire districts; allowed unincorporated towns and villages to equip and maintain their own fire departments.
- AB 937** Amended the old 5-day vacation to 10 days per year; included fire district firemen.
- AB 973** Provided for reorganizing existing fire districts.
- AB 981** Required cities and counties to purchase liability insurance protecting firemen against lawsuits resulting from accidents while responding.
- SB 465** Exempted firemen where creditors "attached " pensions.

During the 1929 convention at Fullerton Governor C.C. Young addressed the members and praised their legislative victories. Many other state officials soon found the time to attend the confab. From that point on CSFA was no longer regarded as a fledgling employee organization, "standing-in-the-wings."

As for Proposition #2, the cards were stacked against the firemen. Having tacitly agreed, the insurance interests performed an "about-face" and opposed the proposition. The insurance companies exerted a great deal of pressure on the State Fire Marshal's office, which was solely supported (financially) by insurance interests. Political pressures were then exerted on local fire chiefs and subsequently on the fireman who belonged to CSFA and supported its objectives. Such conditions did not help as far as getting support on a proposition that insurance companies opposed and the proposition was defeated.

However, there was a great deal of statewide attention given to firemen's pensions. The impact inevitably helped firemen obtain pension systems as many local governments began enacting retirement plans. The state passed enabling acts and permissive legislation authorizing local agencies to adopt retirement systems. CSFA's efforts had generated these adoptions up and down the state.

With the early defeats and later, victories of the twenties, CSFA made greater strides in the thirties. Colorful lobbying battles took place between CSFA and other interest groups. Harmful legislation was fought "tooth and nail" and historic public employee legislation initiated and pushed by CSFA was passed. Look for little known facts such as these in the next article: "Legislation in the Thirties."

II. Legislation in the Thirties

As dedicated leaders "set the cornerstone" for future legislative efforts in the twenties, energetic committeemen made great strides in the thirties. This was an especially difficult undertaking. Besides the burdens of the depression, turmoil and strife within the CSFA membership marked the times. Various forces working to divide the members tried to get them to drop their memberships and the organization's financial status was poor and proved to be a difficult problem. The magazine had dropped its advertising and dues were raised from one to two dollars per year. These things took their toll, particularly among the membership. The membership stood at some 6,000 in 1930 and dropped to about 2,000 in 1932. It would take several years before the organization could recover such losses.

In spite of these drawbacks, CSFA still experienced its best years to date in its legislative programs. Nothing overshadowed tremendous successes that proved to be the factor that saved the organization. This article will attempt to show what these major legislative bills were and how they affected California firemen:

SB 1042 "The Compensation Insurance Bill" in 1935 was a genuine milestone among firefighter benefits. It compelled cities, for the first time, to pay a fireman, injured in the line of duty, a weekly sum equal to the difference between the amount paid under state compensation and the man's regular salary, while he recovered. It set a \$5,000 death benefit to the fireman's survivors and raised the compensation rates for volunteers.

SB 1042 was particularly satisfying to the third CSFA President H.K. Smith. As the first volunteer to be elected to that office, "Smitty" spearheaded the drive for this bill. Having previously lost an eye fighting a fire in Redding, he received \$4.16 weekly compensation for his troubles while recovering. This bill raised that figure to \$25.00 per week for firefighters. The bill got a great deal of its impetus early in 1931 when four Long Beach City firemen had been seriously burned while fighting a tanker fire in the oil fields. While recuperating in the hospital they found that their regular pay ceased, and worker's compensation took over, paying a much lesser \$25.00 per week. Such conditions penalized their efforts and anytime firemen were seriously injured their families also suffered from loss of income. Undoubtedly, such occurrences were the reasons for the success of SB 1042.

AB 734 "The Standard Coupling Act" and its provisions had been elusive for many years. Too many cities equipped their pumpers with different equipment, making firefighting difficult when in other jurisdictions. This CSFA initiated bill mandated "Pacific Standard Threads," ensuring that hook-ups could be made by firefighters when fighting fires outside of their jurisdictions.

AB 971 "The Cleaner and Dyers Act" improved the state's fire codes by placing restrictions on the use of flammable solvents by the dry cleaning industry. Of course, the dry cleaners were not thrilled with this and waged a long, unsuccessful, lobbying battle with CSFA against AB 971.

AB 1011 Allowed State Fire Marshal to inspect places of public assembly in unincorporated areas.

AB 1919 "The Hernia Bill" was another of the many precedent setting CSFA bills. It was the outcome of unfair practices by the State Compensation Board. Medical costs were paid, but no weekly benefits would be granted. This bill changed this by providing full awards in hernia cases,

prohibiting the use of "act of god" clauses. It placed the burden of proof on the insurance carrier rather than on the fireman. This bill also included policemen.

AB 2004 "The Civil Service Bill" brought California firemen under civil service for the first time by enabling firemen added protection of employee rights. Although only "permissive," this bill gave local agencies to use state machinery to regulate employment.

SB 294 Required fraternal organizations to register their "insignias" with the state. Abuse by unauthorized persons would now be a misdemeanor. Among other abuses, some individuals would join CSFA for one year only, just to obtain the metal helmet emblem for their cars.

We might note that there was no statewide law enforcement organization during these times. CSFA often worked with, and for, local law enforcement organizations including them in CSFA legislation. Sometimes they were inadvertently overlooked on various bills that required amendments in later years, however, CSFA did much to improve the lot of policemen as well as other public employees long before they themselves obtained such capacities.

AB 1970 Created the first personnel merit system under civil service and also called for the appointment of a civil service commissioner.

AB 2205 Restricted the use of signs using the words "Fire" and "Fire Department" on unauthorized vehicles. It seemed such signs were authorized by small community leaders for fees. Such abuses led to unqualified individuals placing red lights and sirens on their cars and responding to fires. This bill brought these activities to an end.

SB 895 A new insurance code had previously been approved in 1937 (SB 212) which made it illegal for firemen's organizations to sell insurance to their members. CSFA fought this strenuously opposing such provisions. This bill exempted firemen's organizations.

CSFA fought many battles on other bills in which they were defeated. This was particularly true on trying for reduced hours. Year after year, they submitted such legislation without results due to powerful opposition from the League of Municipalities. Similar experiences sometimes occurred with what CSFA considered harmful legislation, but not always. Here are a few examples where CSFA defeated legislation that would have compromised firemen's interests.

AB 404 An attempt by the dry cleaning industry to repeal the "Cleaners and Dyers Act," where cleaning, dyeing, sponging and spotting were regulated. This would have again allowed the use of flammable solvents.

**AB 145/
AB 889** These two bills attempting to prevent pensioners from holding other jobs..."if they accepted salaries, their pensions would stop." Many in public office as well as those in local government did not like paying welfare to the jobless who competed with pensioners for work. CSFA successfully stopped these bills.

AB 2291 Attempted to place the administration of transporting flammables under the jurisdiction of the motor vehicle department. CSFA felt it belonged under the State Fire Marshal's office and so convinced the Legislature.

It is interesting to note that CSFA "went to bat" for teachers in 1936. Their Proposition 11 called for civil service for California teachers. Teachers throughout the state had long been subject to unfair practices by the districts. Among many abuses, teachers often were discharged after three years then replaced by younger

teachers who could be hired for less money. CSFA got its members to support them and backed the teachers in its magazine. They played an important role in the passage Proposition 11.

- AB 640** "The Heart and Pneumonia Bill of 1939" was perhaps the greatest CSFA accomplishment to date. Like most CSFA bills, this originated as a conference resolution. The bill called for the presumption that heart and pneumonia cases were service related or connected, and that compensation was applicable.
- AB 1048** "California Uniform Fire Code - Signal - Bill of 1937" For ten years CSFA worked for such legislation. Their persistence paid off when uniform fire alarm systems for all California schools was mandated.
- AB 1221** One of many CSFA bills amending the state motor vehicle code called for drivers to yield to emergency vehicles; drive to right-hand curb, stop, etc.
- AB 1431** "The Fire Training Bill," a CSFA-sponsored bill, brought the first state vocational education program in fire service.
- AB 2505** After a 15-year fight, two-platoon system concepts was finally authorized. This bill called for 15-day vacations for firemen each year, and for at least four shifts off each month without reduction in wages.
- SB 377** Required adequate windshields for fire apparatus...a welcome relief for those firemen suffering the sting of bugs, dirt, wind and debris behind other units while responding.

Stubborn opposition was exerted by the then called, League of California Municipalities and they bitterly fought the incidence of heart attacks and pneumonia among firefighters. It was a thrill for CSFA leaders to stand beside Governor Culbert Olson as he signed this "for firemen only" bill. No longer would firemen in California, broken in health by such diseases acquired in the line of duty, be forced out of the fire service without just compensation. In the June 1939, issues of California Firemen, a few barbs were tossed:

"In the prolonged fight for the passage of AB 640, the League saw fit to align itself against us and opposed the bill with its full strength at every opportunity. To their utter dismay and chagrin, however, justice was triumphant. We also want to award a "fur-lined-burg" to Long Beach City officials for being the only city in the state to send a lobbyist to Sacramento to oppose AB 640."

- AB 436** Established a new retirement act for fire protection districts, county fire wardens and foresters.
- AB 1058** Amended Labor Code (4850) providing that any fireman or policeman injured in the line of duty shall be entitled to a leave of absence while disabled without loss of pay, for up to one full year.
- AB 1059** Was an enabling act allowing cities to place employees into the State Retirement System, or to adopt their own system.

Both AB 1058 and 1059 were compromise bills between the League of Cities and CSFA. The League had refused to recognize greater benefits for firemen and policemen, as well as a 20-year retirement. Our pension committee, then chaired by Charlie Hildebrand, worked long hours on these bills. They did obtain improved benefits for "safety employees," a reduced age for retiring and the "4850" clause.

- AB 475** Regulated the sale of fireworks.

- AB 687** Amended the pension enabling act making it impossible for undesirable pension laws being forced upon public employees without their collective approval.
- AB 799** Amended the 1881 Fire District Act to permit expenditures for maintenance of equipment and paying of salaries.
- SB 1171** Another example of harmful legislation CSFA defeated. It would have allowed cities to purchase life, health and accident policies for the employee and deduct the cost from the employee's paycheck without consent.
- AB 1722** Required observance of seniority rights in civil service. It helped control many abuses of civil service concepts by requiring notices and hearing before salary reductions or changes in employees positions.
- AB 2143** Permitted payroll deductions for group insurance, but only with employee consent.
- AB 2147** Restricted the transportation of flammable liquids, an act to protect the motoring public.
- SB 250** One of many CSFA bills that increased the minimum and maximum death benefits under workman's compensation.
- SB 547** Enacted the "Health and Safety Code" further fulfilling CSFA desires to write fire laws protecting the public. This bill also led to the compilation of all fire laws in "Laws Relating to Fires and Firemen," State of California, 1939.
- SB 301** Another of the dozens of bills passed improving the state fire codes prohibited to releasing of balloons carrying burning material.

As you can readily see, the thirties were a boon for firemen's benefits, as well as for fire service and the public. CSFA had emerged into a powerful lobby, despite of its internal setbacks. In closing, we'll quote one CSFA leader during the period who, most fittingly, describe the times:

"The association has endured its troubles, whether economic or internal, because it was and is needed. It withstood these tiny erosions, as the lighthouse withstands the lapping of the tides. CSFA has become a rational, responsible group with a high batting average. All eyes were upon us in 1922, to see what direction we would take. This is well known today, and the association is respected...We have not allowed ourselves to be stampeded into unwise moves, because we shun bizarre and spectacular legislation. Our methods have remained dignified; not only as enhancers of firemen, but as guardians of the people; because we would rather suffer defeat than to stoop to corrupt practices. This is a reputation worth keeping."

- Cecil Lochard
President, March 1937.

III. Legislation in the Forties

Do we often realize how many benefits we now enjoy began as resolutions at CSFA conferences? Firemen throughout California submitted these resolutions. This continues to be the case where hundreds of bills create, amend and improve the dozens of California Government Codes. Among these, the most commonly affected, have been the Labor, Health and Safety, Motor Vehicle, Penal and Government Codes.

For those who are old enough to remember the days of World War II, we can recall the safety campaigns, civilian defense programs, war bonds and stamps and the ration books on just about everything. Many CSFA leaders suddenly found themselves in the military service, and some even lost their lives in the process. Others "held the fort" in providing fire protection at home. Some firemen, who had been retired for years, were called back into temporary civil service at military installations. Throughout California, firemen began training civilians as auxiliary firemen (wardens) and become experts at such subjects as sabotage, incendiary bombs, chemical warfare and air raid protection.

Although CSFA "treaded water" on some legislation during the duration, they enjoyed many successes with each "every other year" legislative session. To list all of these bills would be too lengthy. We will attempt to give a sampling of the more important ones passed during this period:

1941

- AB 6** Provided for the first time, a state salary for the State Fire Marshal's position. This finally corrected a one-sided situation where insurance interest paid all salaries and expenses of this office. Abuses had become evident, until this CSFA bill was passed.
- AB 7** An act that improved the fire protection in state hospitals (It had been a case of overcrowding, blocked exits, poor equipment and lack of manpower.).
- AB 285** Allowed leaves of absence for firemen in the military (for the first time).
- AB 640** Prohibited employers from discriminating against employees who filed applications with or testified before the Industrial Accident Commission.
- AB 1287** Required proper brakes on all fire apparatus (Many older units were still in service during this time and most had poor brakes.).
- AB 2386** Amended County Forestry, Wardens, Fire District Firemen's Pension Act to allow members to affiliate with the State Employees Retirement System SERS was later changes to PERS.
- SB 227** Established the California State council of Defense, a far-reaching civilian defense program.
- SB 912** Cancelled license and registration fees on all fire apparatus in the state.
- SB 1013** An act providing that 51% approval by property owners in unincorporated areas could affiliate them with a fire protection district.
- SB 1033** With nearly every legislative session, CSFA has obtained increases on disability benefits. This bill amended the compensation law raising service connected death benefits to \$6,000 for volunteers.

SB 1122 Required control and diffusion valves of refrigeration plants to be labeled showing the type refrigerant being used.

CSFA often found itself exerting just as much "muscle" opposing legislation as did in supporting it. Here are three such examples where CSFA successfully defeated what was considered "harmful" legislation.

AB 2184 Would have eliminated the accident liability exemption and the exemption of obeying traffic laws while responding to emergencies. Strangely, this bill originated with a disgruntled attorney-assemblyman who had charged that a police motorcycle officer had gone home to lunch "code 3." It was later proved that he actually had been responding to an emergency.

AB 2339 An act cutting out any pensions received when the retiree was employed in any other endeavor where his pension was over \$100 per month.

AB 2619 Would have abolished the position of State Fire Marshal and the Division of Fire Safety, and would have put both into the hands of the State Insurance Commissioner (One of several attempts by the insurance lobby to intimidate firemen's interests.).

The next legislative session saw the following CSFA bills passed:

1943

AB 165 Added the CHP to heart trouble and pneumonia law.

AB 500 Increased death benefits to \$300 on state compensation (This doubled the previous \$150 allowance).

SB 4 Required counties and townships to reinstate employees who entered the service (one of many bills to assist returning vets who had been firemen or public employees previously).

SB 37 Prohibits the following of responding (code 3) fire apparatus within 300 feet of a fire.

SB 48 Provided civil service promotional and entrance exam points for returning vets.

SB 280 Required any political subdivision to reinstate previous employees who had joined the service, as long as they applied within six months of discharge.

SB 324 Allowed participation in campaigns for propositions or ballot measures affecting the welfare of any public employee.

SB 497 Amended SERS to allow continuation in the system when changing jobs between contracting agencies.

SB 855 Provided that state employees on promotional lists going into military could maintain their status.

SB 1044 Increased disability from \$25 to \$30 per week.

1945

- AB 684** Gave volunteers the same protection under workmen's comp laws as regular firemen, only with a different formula based on pay (this was a great victory for volunteers who still made up most of CSFA's membership).
- AB 725** Required fireproofing of tents and awnings used for public gatherings.
- AB 872** Called for penalties for delaying payment of disability benefits.
- AB 1343** Enabled the provision for paying attorney's fees on workmen's comp (disability) cases.
- SB 51** Reduced the minimum retirement age to 55 under SERS (considered a milestone even though only permissive legislation).
- SB 57** Provided, for the first time, the election of the various options afforded under SERS, for retirees.
- SB 330** Was against the sale or manufacture of cloth fabric and materials containing highly flammable synthetic fibers.
- SB 578** Required permits for fireworks displays.
- SB 899** Improved vacation and hours law for firemen.
- SB 1177** Made it unlawful to lock parked cars with incompetent persons inside (a great child protection measure).
- SB 2044** Brought penalties for violations of safety precautions regarding welding torches etc.

1947

- AB 61** Required reporting of fires to the State Fire Marshal's office (for the first time).
- AB 1058** The "Mutual Aid Bill" allowed fire departments to aid outside city departments and protected regular employees benefits (this particular bill was one of those rare instances where the California League of Cities and CSFA worked together to pass a worthwhile bill).
- AB 1077** Gave fire officers powers to investigate and enforce the Health and Safety Code.
- AB 1080** Allowed public employees elections on their inclusion into SERS and also required an estimate of costs to be furnished employees, on request.
- AB 1682** Improved upon the 1939 bill including city firemen into the SERS.
- AB 4047** A number of bills amending and improving the Health and Safety Code on dry cleaner's use of solvents, boilers; prescribed license fees, penalties, etc.
- SB 796** Allowed firemen to sue their employing city for disability, when injured on duty (provided the

legal means to obtain more fair settlement).

1949

- AB 407** Unlawful to drive over fire hose.
- SB 578** Gave the same benefits under workmen's comp to minors or others impressed into fire control service, as that enjoyed by volunteers.
- AB 589** Provided for greater emphasis on fire prevention education in public schools.
- AB 616** Restricted the use of red lights and sirens to emergency vehicles only.
- AB 630** Relieved firemen from liability in removing injured persons from highways; required the exercise of ordinary care and precaution.
- SB 153** A County Retirement Enabling Act (this was an important bill greatly affecting the Los Angeles City peace officers and firemen).
- SB 234** Another Fire Training Bill setting up schools and permanent state fire training centers throughout the state; employed firemen as instructors.

In 1949, CSFA also successfully "killed" two bills considered harmful to firemen and fire service.

- AB 1377** Would have destroyed the protection afforded in the Uniform Building Code as well as the effectiveness of the State Fire Marshal's office (CSFA defeated this bill after what was considered one the bitterest fights ever, in the state legislature.).
- AB 2344** Would have changed the benefits under "4850," permitting the receiving of one year's full salary for service connected sickness or injury. An attempt to insert the word "may" instead of "shall."

IV. Legislation in Fifties

The 1950s, for the most part, was a decade of growth and prosperity for many Americans. World War II was over and the economy was booming. Even though the League of California Cities continued to threaten hard fought benefits by introducing legislation to reduce them, CSFA still enjoyed another prosperous decade legislatively speaking. Below are a sample of CSFA legislative victories in the 1950s and a sample of bills “killed” by the association.

1951

- AB 686** Required public utilities to notify local fire departments when hydrants or water systems went out of service for repairs, installations, etc.
- AB 1188** Required state mental hospitals and penal institutions to notify the Bureau of Criminal Investigation and the State Forestry upon the release of persons with records of arson.

1953

- AB 303** Provided that firemen would not suffer liability when giving first aid.
- AB 686** Permissive legislation granting one half-full retirement to widows under SERS.
- AB 712** Required that local agencies could not force safety members to retire on SERS disability before one year after injury unless requested by the employee (one of many CSFA "counteracting" bills attempting to stop public agency abuses of "4850").
- AB 3237** Legalized the use of revolving red lights.
- SB 147** Reduced the SERS retirement age to 50 with 20 years service (this bill did not include policemen, who had to wait another 13 years before they could obtain similar legislation).
- SB 159** Penalties for disobeying traffic direction by firemen, in the absence of police officers.
- SB 751** Required employers engaging in business requiring their employees to handle flammable liquids to provide means to extinguish a fire.

Throughout the years CSFA has faced powerful opposition in the insurance, fireworks, dry cleaning, and municipality's interests. Many times they have forced CSFA to turn its attention towards fighting bills intended to weaken fire service, or compromise firemen's interests. The following bill is one example in 1953:

- SB 207** This League of California Cities sponsored bill would have made it unlawful for public agencies to maintain or permit cooking facilities, beds, or any other eating or sleeping facilities in or on the grounds of any fire station; it would also have prevented firemen from accepting other employment while employed as firemen (many believe such bills are designed purely to harass public employees).

1955

- SB 574** Required the installation of safety belts on front seats of all emergency vehicles.
- AB 576** Set up the requirements allowing employees of SERS contracting agencies to elect SERS Board members.
- AB 1805** Gave firemen legal right to protect personnel and equipment at all times.
- AB 3656** Protected the continuation of benefits and other rights of safety employees when "taken over" by counties or fire districts.
- SB 572** Prohibited "U-turns" in front of fire stations.
- SB 711** Required SERS benefits to be calculated based on the average wages for the three highest consecutive years.

Here are five bills defeated in the legislature by CSFA in 1955:

- AB 977 &
AB 3117** Would have destroyed weekly compensation payments to volunteers.
- SB 664 &
AB 999** Would have weakened the Labor Code relating to firemen and would have nearly nullified Section 3212, the heart trouble and pneumonia presumptions.
- AB 2363** Would have reduced the number of state holidays.

1957

- AB 528** Provided relief against unfair partial compensation benefits then practiced by the Industrial Accident Commission.
- AB 994** A "widow's clause" for County Retirement Systems.
- AB 709** CSFA's "Hogging Bill" generated nationwide interest. It called for penalties for those holding telephone party lines that were needed for reporting emergencies; it also made it an offense to ask for a line when no emergency existed.
- AB 1558** Gave police the power to have cars, parked by hydrants, towed away.
- AB 1969** Included both police and firemen as single unit under the O.A.S.I. retirement system.
- AB 2537** An enabling act for firemen under O.A.S.I. to integrate with SERS.
- AB 2755** Standardization of 1 1/2" threads to National Threads.
- SB 812** Called for penalties for fraudulent impersonation of firemen.
- SB 815** Made it unlawful to plug gasoline tank spouts with wood, paper or cloth objects.

1959

- AB 2357** Required inspections of public buildings for the prevention of fire and panic.
- SB 108** Required access for fire apparatus to buildings and ground areas enclosed by gates.
- SB 153** Permitted agencies to install hydrants and emergency phones on freeways.
- SB 757** Prohibited the use of carbon tetrachloride extinguishers on buses in lieu of other types.

V. Legislation in the Sixties

Efforts were afoot during this time to consolidate police and fire services. Fortunately, both police and fire organizations fought strenuously against this. With the exception of a few jurisdictions, the idea never got "off the ground." During the summer of 1965, the aftermath of the Watts riots resulted in several important pieces of legislation protecting firemen.

The legislative successes in the 1960s proved a boon in benefits for firemen, public safety and for the fire service in general. The following represents a majority of those bills for this period that were either initiated, co-sponsored, or actively supported by CSFA:

1961

- AB 132** Prohibited the filing of glass containers with gasoline, etc.
- AB 613** Gave county safety employees "five year heart presumption."
- AB 943** Removed local agency controls over retirees on disability, i.e., yearly physicals and reduced allowances if earning extra income on outside employment (Culmination of years of work by CSFA).
- SB 1045** Changed SERS benefit structures relating to safety members.

1963

- AB 318** Gave cost of living increases (from 2% to 10%) for SERS retirees for the first time; money came from interest income of the system.
- AB 535** Stopped use of carbon tetrachloride in fire extinguishers.
- AB 589** Required continuous burning red lights on emergency vehicles; also allowed red light use when backing into quarters.
- SB 187** Required minimum equipment and standards for ambulances.
- SB 244** The "Mobile Park Fire Prevention Bill" allowed fire inspectors to inspect and control substandard conditions.
- SB 434** Required proper labeling of vehicles transporting flammables.
- SB 643** Required spark arrestors on vehicles traveling in brush areas.
- SB 877** Gave Section 4850 (one-year salary while recovering from job related injury) to firemen in fire districts (one of 14 CSFA bills on behalf of fire districts).

1965

- AB 930** Allowed county firemen to retire after 25 years service, regardless of age.
- AB 1026** Authorized inclusion of county firemen into County Employee Retirement law and gave them 4850 benefits.
- AB 1736** Provided 2% cost of living to retired county employees.
- AB 1776** Clarified "subrogation rights" in public employee retirement systems (eliminated difficulties in third party suits and filing for compensation and retirement benefits).
- AB 2023** Changed name of Industrial Accident Commission to Workers' Compensation Appeals Board; set up medical testimony allowance and medical advisory committee.
- AB 2081** "2% at age 55 bill" under PERS was a new formula granting higher benefits for safety employees (A major improvement).
- AB 3032** Required all new institutional facilities except hospitals to be protected by automatic sprinklers.
- SB 676** Required PERS to pay widows additional amounts of money when firemen were killed in the line of duty; also included dependent children.
- SB 1320** Shortened period of time in drawing first pension payment (had often taken up to 12 months to obtain).

1966

With the passage of Proposition 1A, Legislators began meeting each year rather than every other year.

- AB 8** Provided stiff penalties for offenses in interfering with the duties of firemen.
- AB 9** Penalties for arson, possession of firebombs, etc.
- AB 128** Allowed policemen 1/2 pay at age 50 (CSFA had obtained this benefit for firemen in 1953) under PERS.

1967

- AB 140** Provided penalties for giving false reports on fires or emergencies.
- AB 183** Gave county retirees up to 3% cost of living increases.
- AB 938** Permissive legislation changing the minimum retirement age for county employees from 55 to 50.
- AB 1224** Authorized contracting agencies in PERS to contract for state contracted medical hospital insurance plan for their retiring safety members Meyers-Geedes Medical Care Act).
- SB 186** Changed title of State Employees Retirement System (SERS) to Public Employees Retirement

System (PERS) a 1965 CSFA resolution.

1968

- AB 508** Gave PERS retirees cost of living increase based upon consumer price index (up to 1/2%). This became a part of the law, and did not require contracting agencies to modify their contracts.
- AB 1049** Provided for disability allowance increases.
- SB 535** Required emergency ambulances to be equipped with resuscitators.
- SB 1228** "The MMB Act," or the Meyer, Milias, Brown Act, was the culmination of 31 collective bargaining bills before the legislature in 1968. CSFA had tried since 1957 for similar legislation and played a major role in this bill. The MMB Act left much to be desired because it was weak legislation. However, it was "compromise" legislation and did get our "foot in the door" for public employee negotiations in this state. It required agencies to meet and confer in good faith, to endeavor to reach an agreement and to put agreements into writing. It strengthened the employee's basic right to have a voice in determining their working conditions. It also provided the base for future bills.

1969

- AB 102** Allowed full workers' compensation benefits for minors working on forest fires (CSFA fought a long battle to get coverage for minors.).
- AB 284** Extended retirement benefits to retiree's dependents by raising maximum age limits from age 18 to 22, if full time students.
- AB 307** Allowed the State Fire Marshal to adopt NFPA Standards of Fire Alarms and Sprinklers.
- AB 374** "The 2% at age 50 bill" allowed contracting agencies to modify their systems for safety employees providing up to 75% compensation and required retirement at age 60.
- AB 439** Provided disability benefits when firemen (volunteers, paid call) perform their duties anywhere in the state (a 1968 CSFA resolution).
- AB 1272** Removed the 3% cost of living maximum allowance for county retirees and allowed the use of consumer price index figures.
- SB 666** Allowed public employees to transfer from one retirement system to another, without loss of benefits (this was a tremendous CSFA victory at obtaining reciprocity for all public employees).
- SB 1413** Restored peace officer status to firemen when such had been inadvertently removed at a previous legislative session (firemen have been able to enforce fire laws through such status for over 50 years).

VI. Legislation in the Seventies

Although the 1960s were over, America was still in a quandary over the war in Vietnam. Even with all of the strife engulfing America, CSFA continued to win many legislative battles. The decade would start with CSFA legislation establishing the State Board of Fire Services. CSFA also opposed the push on the national level to force public employees in California into mandatory social security; lobbied Congress to enact a resolution paying tribute to firefighters throughout the United States and declaring October 7, 1979 as "Firefighter Memorial Sunday." CSFA helped derail an initiative drive that would have prohibited public employees from using dues, fees, assessments or other charges of any kind to be allocated for political purposes. The initiative did not qualify, but was an earlier precursor to Proposition 226; and helped derail the "Wilson Initiative" that would have prevented police and firefighter strikes, inserted right to work language and banned arbitration in California for public employees.

The decade would eventually end with the passage of Proposition 13, significantly reducing property tax revenues in the state and impacting local governments ability to adequately fund the fire service.

1970

- AB 3** Raised automatic cost of living payments to PERS retirees per the consumer price index up to 2% per year. This was a major CSFA victory which granted at least a 6% increase to two thirds of the retirees and was automatic for those who retired before 1966.
- AB 303** Gave 2% at age 55 retirement benefits to forestry firemen (PERS)(CSFA spent many years attempting to pass such legislation).
- AB 335** Provided for final retirement compensation (PERS) to be based on any one year elected by member instead of final three.
- AB 338** Provided free state college or university tuition to surviving children of safety members killed in the line of duty.
- AB 498** Modified MMB Act requiring agencies to not unreasonably withhold recognition of petitioning employee organizations.
- AB 1524** Corrected an inequity under PERS where if no beneficiary had been designated by the deceased fireman, his benefits would automatically go to his parents rather than to his children (A 4-year effort by CSFA to correct).
- SB 67** "The One-half Widow & Continuance Bill" for miscellaneous public employees was a CSFA co-sponsored bill with the city of Oakland. It is interesting to note that oftentimes we had to support bills for miscellaneous members in order to obtain like benefits for safety members at the local level. Cities were reluctant to accept safety member changes without including other city employees.
- SB 356** Enabling bill related to employer contributions to health plans (this bill allowed increased contributions).
- SB 685** Increased miscellaneous members benefits from 1/60th to 1/50th at age 60. This bill meant about a 20% increase in miscellaneous employees benefits; in addition, it created better conditions for local safety members to obtain increased benefits.

- SB 958** Permissive legislation establishing paramedics in this state. Allowed LA County to coordinate the first mobile intensive care units.
- SB 1114** Prohibited general law cities, counties, and fire districts from imposing residency requirements on their employees.

1971

- AB 114** Dropped state forestry weekly hours from 96 to 84 (a result of efforts since the establishment of CSFA to get legislation reduction of hours).
- AB 207** Increase 1959 Survivors Benefits allowances.
- AB 414** Brought university firemen under workers' compensation benefits on extra-territorial coverage.
- AB 421** Improved safety member benefits under PERS by standardizing contribution rate at 7% with the 2% at age 55 plan.
- AB 486** Increased temporary disability benefits to paid and volunteer firemen; temporary disability from \$52.50 to \$87.50.
- AB 1031** Raised the county retirement lump sum death benefit (one time burial fee) from \$400 to \$1,000.
- AB 3036** Required all existing hotels, motels, and apartments to conform to basic minimum safety standards; later to prove a milestone in improved public safety legislation in California.
- SB 116** Gave state institutional firemen safety membership in PERS.

1972 - 1973

- AB 176** Reduced fees for paramedic training.
- AB 213** Provision for employees to report complaints on unsafe working or living conditions.
- AB 311** Placed university firemen under the heart-pneumonia presumption.
- AB 383** PERS change creating one miscellaneous and two safety classes (This long sought legislation gave much needed protection of the safety classification concept.).
- AB 515** A bill mandating one telephone number "911" as emergency call number of police, fire and ambulance by 1982.
- AB 1033** Expanded offenses against firemen to include fire department employees engaged in rescue of persons during emergencies.
- AB 1120** Changes the word "widower" to "spouse" in PERS standards (helps female employee, policewomen, clerical employees, etc.).

- SB 135** Increased retirement benefits by 5% in addition to cost of living for those who retired or died before 12-31-70. The legislation was permissive.
- SB 543** Recodified state fireworks law; updates fees.
- SB 941** Required State Fire Marshal to establish minimum standards for fire safety in existing and new high rise; strengthened enforcement of AB 3036 of 1971.

1974 – 1975

- AB 1730** Required all safety personnel and lifeguards to obtain refresher courses every three years and CPR every year with no cost to employees.
- AB 1805** Established State Board of Fire Services; comprised of 15 members from fire labor organizations, insurance, State Fire Marshal, forestry, fire chiefs and city and county interests. Creates better coordination and unification among fire service interest; will conduct studies and make recommendations to the Legislature on minimum educational, training, entrance standards, fire science, equipment and technology factors. CSFA spent eight years on legislative efforts to bring California's fire service organizations together under such legislation.
- AB 2008** First attempt to correct discrepancies of SB 90 (the 1972 bill that limited revenues of public agencies).
- SB 1566** Makes it permissive for employees under PERS to use any one-year for final compensation instead of last three years (must be adopted by contracting agency).

1976 – 1977

- AB 416** Created 911 emergency telephone users tax fund with the monies being appropriated to local public agencies.
- AB 2750** Increased state PERS contribution rate with respect to state safety members.
- SB 483** Classified automatic fire extinguishing systems into five classes and prescribed backflow protection equipment for each class.
- SB 1197** Made it unlawful (misdemeanor) to impersonate a paramedic.

1978 –1979

- AB 2588** Increased the penalty for vandalizing firefighter protection equipment.
- AB 2659** Would have imposed binding arbitration for public safety employees. This bill was sponsored by CSFA and PORAC. This bill died in Legislature.
- SB 164** Would have imposed binding arbitration for public safety employees. This bill was sponsored by CSFA and PORAC. This bill died in the Legislature

SB 532 Established the Volunteer Firefighter Length of Service Award.

SCR 38 Declared that the Legislature shall construct a firefighter memorial on the grounds of the state capitol.

- CSFA opposed the push on the national level to force public employees in California into mandatory social security;
- Lobbied Congress to enact a resolution paying tribute to firefighters throughout the United States and declaring October 7, 1979 as “Firefighter Memorial Sunday.”
- CSFA also helped derail an initiative drive that would have prohibited public from using dues, fees, assessments or other charges of any kind to be allocated for political purposes. The initiative did not qualify, but was an earlier precursor to Proposition 226.; and
- Helped derail the “Wilson Initiative” that would have prevented police and firefighter strikes, right to work language and banned arbitration in California for public employees.

In closing, the successes we enjoyed during the sixties and the first half of the seventies were indeed numerous and far-reaching. Although initial acceptances of bills were given through both the Assembly and Senate chambers, greater victories may have been realized without the dozens of Governor "vetoes" that stopped important legislation.

VII. Legislation in the Eighties

The early 1980s were spent trying to backfill the property tax losses to local governments as a result of Proposition 13. The money shifting worked for a while, then, in the late 1980s it all caught-up and Governor Deukmejian left the state in a precarious financial situation. CSFA also led the way in the defeat of Proposition 61 that would have rolled back the salaries of all public employees receiving more than 80 percent of the new amount proposed for the Governor in the initiative, and would have severely restricted the accumulation of sick leave and vacation time. It would have had a significant impact on current and future salary and benefits of all public employees.

The following represents those bills for this period that were either initiated, co-sponsored, or actively supported by CSFA and signed into law. Vetoed bills, bills that failed passage or hostile bills “killed” by CSFA are included and are noted.

1980

- AB 1342** Permitted PERS to establish a home loan program for currently employed members and annuitants.
- AB 2674** Provided a 10 percent COLA for PERS members who retired before 1/1/80.
- AJR 61** Memorialized the US Congress to outlaw the sale and use of Bottle Rockets and other assorted fireworks.
- SB 46** Would have imposed a means test on Industrial Disability Retirements. This bill was actively opposed by CSFA and defeated in the Legislature.

1981 – 1982

- AB 568** Volunteer Firefighters Length of Service Award – defined “certified prior service credit” and permitted each contracting entity to elect to offer the credit if the electorate approves.
- AB 630** Removed the sunset date on benefit assessments for police and fire protection services.
- AB 2503** The bill defined classes of automatic fire sprinkler systems.
- AB 2504** Established statewide standards for the servicing and testing of fire protection equipment
- AB 2753** Authorized fire protection districts to levy an assessment for fire suppression services instead of for fire protection and prevention services and would provide that the assessment may be made for obtaining, furnishing, operating and maintaining fire suppression equipment or for payment of salaries and benefits of firefighter personnel.
- AB 3011** Cancer presumption legislation. A CSFA conference resolution.
- SB 88** Corrected oversight in AB 2674 passed in 1980 allowing a 10 percent PERS increase for two years. The original bill omitted some widows inadvertently and SB 88 corrected the oversight.

- SB 181** Authorized an increased penalty for assault and alternative felony/misdemeanor punishment for battery on an emergency medical technician, mobile intensive care paramedic, nurse or physician.
- SB 700** Required owners and operators of privately owned high-rise structures and hotels or motels to provide persons entering those buildings with emergency procedures to be followed in the event of a fire.
- SB 1481** Made it unlawful to sell or transfer any projected emergency signaling device to any person who is 18 years of age or younger.

1983 – 1984

- AB 91** Would have enacted the Firefighters' Procedural Bill of Rights similar to the Peace Officers Bill of Rights. This bill was vetoed by governor.
- AB 393** Eliminated fire department liability when providing emergency services, including but not limited to, first aid and medical services, rescue procedures and transportation and other related activities necessary to insure the health and safety of the person receiving the service.
- SB 35** Permits model rocket products designed and sold for the purpose of propelling recoverable model rockets to be sold or transferred pursuant to regulations adopted by the State Fire Marshal.
- SB 168** Repealed the sunset date from the Volunteer Firefighter Length of Service Award.

1985 – 1986

- AB 140** Amended the Labor Code to require compensation coverage for safety personnel who perform first aid and CPR services to the public including prophylactic treatment for known exposures to contagious diseases.
- AB 268** Afforded volunteer firefighters certain grievance procedures for job actions taken against them.
- AB 296** Comprehensive hazardous substance legislation that clarified, simplified and updated all hazardous materials law.
- AB 389** Requires CalPERS to provide an annual report to all its members.
- SB 94** Eliminated the Social Security offset related to service connected disability payments.
- SB 1490** The bill deleted the exception in the Volunteer Firefighters Length of Service Award Act that requires voter approval of resolutions providing prior service credits.
- SB 1518** Added paramedics, lifeguards and firefighters to the list of people to be notified when they are exposed to persons afflicted with a contagious disease.

1987 – 1988

- AB 205** Would have required three more representatives from the fire service to be placed on the State EMS Commission. This bill was vetoed by governor.
- AB 216** Requires state to provide free training classes and/or materials needed to train employees to enforce California Administration Code – Titles 19 and 24.
- AB 316** Repealed sunset on code section requiring uniform standards for fire extinguishers testing, maintenance and servicing.
- AB 405** Requires State Fire Marshal to gather and analyze information pertaining to all medical aid and hazardous materials incidents and distribute a report annually related to the information gathered.
- AB 1284** Authorized the director of OES to acquire new or used firefighting apparatus and equipment for resale to any city, county or special district providing fire protection services or for resale to any fire company.
- AB 3049** Would have provided presumption in Workers' Compensation law for firefighters and peace officers regarding HIV. This bill failed passage in the Legislature.
- AB 3174** Requires employers to provide portable protective CPR masks to firefighters and emergency medical personnel.
- SB 191** Requires the State Fire Marshal's building standards to incorporate requirements for placement of distinctive devices, signs or other means, to identify exits that can be felt or seen near the floor.
- SB 208** Enable a public agency to recover costs of fire suppression from flagrant violators of fire code ordinances.

1989

- AB 326** Prohibited an employer from discharging or in any manner discriminating against an employee for taking time off to perform emergency duty as a volunteer firefighter. It further provided that any volunteer firefighter so discriminated against shall be entitled to reinstatement and reimbursement for lost wages and work benefits.
- SB 27** Requires OES, CDF and the State Fire Marshal's office to jointly establish and administer the FIRESCOPE program for improving firefighting resources.
- SB 216** Enacted exception to existing law for local safety members that limited the amount of benefits paid to widows and children of a deceased employee who is a member of PERS.
- SB 217** Increased the membership to the Commission on Emergency Medical Services by adding an active member of CSFA or CPF.

VIII. Legislation in the Nineties

The 1990s started with three years of billion dollar budget deficits that led to \$3 billion of local property tax monies being redirected to schools. This allowed the state to “back-out” an equal amount of money so they could balance their budget. The Governor and the Legislature also raided the PERS fund and stole \$1.6 billion.

The property tax shifts hit local governments hard. They were already facing budget deficits of their own and the property tax transfer only exacerbated the problem. It also pitted different local governmental entities against each other, i.e. public safety vs. Health and Welfare, etc., for scarce local resources. Public safety groups, tired of constantly having to fight for funds, put Proposition 172 on the ballot. Proposition 172 passed overwhelmingly allocating a ½ cent sales to local governments to fund public safety services (present value being \$2.2 billion). Unfortunately, approximately 95 percent of those funds go to law enforcement since there was no mandatory allocation formula other than the money had to be spent on public safety services. This is ironic of course, since one of the main reasons it passed was because of the severe firestorms that were engulfing Southern California at the time.

The raiding of the PERS fund led to Proposition 162 that was strongly supported by CSFA and other labor groups. The Proposition made it impossible for the Governor or Legislature to raid the PERS fund and gave the PERS Board greater autonomy over CalPERS operations.

We also helped defeat Proposition 226 an anti-labor initiative (Governor Wilson strongly supported) that essentially would have disallowed union/association dues deductions to be spent on political activities by requiring unions/associations to annually obtain permission from each member before collecting money to be used for political purposes. This would have been a serious blow to our ability to effectively participate in the political arena. With our help, and the help of every major employee organization in the state, Proposition 226 was soundly defeated.

During the 1998 campaign year, CSFA produced the first ever, statewide firefighter voter guide (one in the primary and one in the general election). It reached over 2 million registered voters and was credited with helping defeat Proposition 226 and electing a number of statewide and legislative candidates, including but not limited to, Governor Gray Davis, Lt. Governor Cruz Bustamante, Attorney General Bill Lockyer and State Treasurer Phil Angelides.

The following represents those bills for this period that were either initiated, co-sponsored or actively supported by CSFA and signed into law. Vetoed bills or bills that failed passage or hostile bills “killed” by CSFA are included and are noted.

1990

- AB 83** Would have applied special circumstance penalty to arson. This bill died in committee.
- AB 264** Authorizes the DMV to issue a license restricted to the operation of firefighting equipment to firefighters, including volunteers.
- AB 3402** Would have required governing bodies of any regularly organized volunteer fire department to adopt regulations governing the removal of volunteer firefighters from the department. This bill was vetoed by the governor.
- AB 3715** Would have required any agency responsible for installing and maintaining fire hydrants to

install and maintain blue reflective hydrant markers. This bill was vetoed by the governor.

SB 27 The bill would have required OES in cooperation with DOF and the State Fire Marshal to establish and administer the FIRESCOPE program for improving firefighting resources. This bill was vetoed by the governor.

SB 286 Extended the current weight, size and load exemptions for fire vehicles to non-emergency situations for vehicles purchased before January 1, 1991.

1991 – 1992

AB 113 Deleted repeal date of provisions requiring state and local pension systems to provide an annual report on the investments and earnings of the system to any member upon request.

AB 933 Would have extended the application of workers' compensation benefits to any firefighter proceeding to, or engaging in, a fire suppression, rescue operation or the protection or preservation of life or property anywhere out of state. This bill was vetoed by the Governor.

AB 1798 Authorizes an active firefighter, or his/her surviving dependants, in the event of the firefighter's death, to bring action for damages if the firefighter's death or injury is caused by the employers knowing use of defective aerial firefighting device or knowing failure to properly maintain an aerial firefighting device. This bill died in the Assembly.

AB 2168 Authorizes a local safety member to appeal the determination of the governing body as it relates to the granting of Industrial Disability retirement.

AB 2942 Mandated the labeling of all 4 to 6 gallon industrial containers, warning that they are hazardous and that small children can drown in them.

SB 305 Repealed the provision limiting accrual of Length of Service Award credit for volunteer firefighters after 60 years of age and, instead, permits a volunteer firefighter upon attaining 60 years of age to continue to serve and accrue credit up to a maximum of 20 years of service or apply for the award once the 10-year minimum has been accrued and continue to serve without accruing any additional credit.

SB 306 Permits a supplemental amount, not to exceed \$60, to be added to the Volunteer Firefighters Length of Service Award, based on the condition of the fund as determined by the Board of Administration of CalPERS.

SB 837 Would have eliminated the need to establish a nexus between a carcinogen and the type of cancer contracted by a firefighter regarding the cancer presumption in workers' compensation law for firefighters. This bill was vetoed by the governor.

1993 – 1994

AB 12 Would have provided immunity from liability to dispatch operators for injuries caused by CPR instructions given in good faith. The bill died in the Senate.

AB 153 Prohibited the transportation of any person in or on the back of a pick-up truck or flatbed

motortruck unless the person is secured with a restraint system.

- SB 312** Would have provided immunity from liability to dispatch operators for injuries caused by CPR instructions given in good faith. This bill was vetoed by the Governor.
- AB 1551** Increases awards that can be offered in cases of attempted murder of a firefighter and created a higher level of reward that can be offered to citizens who turn in arsonists.
- AB 2788** Proposition 172 follow-up legislation to ensure base year funding for all local public safety services.
- AB 3123** Requires that the statewide examination and licensure for EMT-P personnel be the single sufficient examination and licensure required for practice in that personnel category by those persons who hold statewide licensure. Also required EMT-P licenses to be renewed every two years with proof of compliance with continuing education.
- AB 3132** Among other things, required emergency vehicle manufacturers to reimburse local agencies for repairs if the repair was made due to a manufacturer's defect. Also, allows a person who has been issued a valid and appropriate class drivers license or restricted driver's license, but does not have it in his/her possession to operate firefighting equipment under specified conditions.

1995– 1996

- AB 461** Authorizes a peace officer to arrest a person without a warrant when the peace officer reasonably believes that the person has committed certain crimes against a peace officer or firefighter, et.al.
- AB 591** Would have made hepatitis a presumption for firefighters and peace officers with regard to workers' compensation. The bill died in the Senate.
- AB 616** Created the Fire Behavior and Fire Spread Study Matching Fund Account within the office of the State Treasurer.
- AB 1519** Removed the remarriage penalty from PERS law for all firefighters and peace officers killed in the line of duty.
- AB 2360** Revised the definition of "firefighting equipment" to clarify the law regarding the ability of firefighters to drive emergency vehicles to and from emergency scenes.
- AB 3131** Requires disclosure to purchasers of burglar bars of the proper installation procedures, specifically that at least one exit window be equipped with a quick release mechanism.
- SB 658** Provided for a tuberculosis presumption for peace officers and firefighters.

1997 - 1998

- AB 51** Sentence enhancement for certain hate crimes involving arson.
- AB 267** Would have required automatic fire detection equipment in all new schools. This bill was vetoed by the Governor.

- AB 840** Would have made hepatitis a presumption for firefighters and peace officers with regard to workers' compensation. The bill died in the Senate
- AB 958** Would have prohibited employment contracts entered into on or after January 1, 1998 from including as a condition of employment a requirement that an employee reimburse or compensate his/her employer for expenses the employer may incur in hiring and training firefighters. This bill was vetoed by the Governor.
- AB 1670** Would have provided a non-rebuttable cancer presumption for fire fighters specifically for leukemia. The bill died in the Senate
- AB 2586** Would have allowed cities to provide/determine their own level of ambulance transport services within their city boundaries. This bill died in the Assembly.
- SB 2056** Made it easier to obtain a blood or patient sample for testing if a firefighter/paramedic sustains a significant exposure incident in the course and scope of employment.
- SB 1406** Would have made hepatitis a presumption in workers' compensation law for firefighters and peace officers. This bill was vetoed by the Governor.
- SCA 30** Would have prevented the contracting-out of public safety services. The bill died in the Senate
- Helped obtain \$5 million appropriation for OES fire engines and tried to get \$9 million appropriated for Structural and Wildland Fire Equipment which was not made available due to other budgetary priorities.

1999

- SB 32** Would make hepatitis a presumption in workers' compensation law for firefighters and peace officers. This is CSFA's follow-up to last years SB 1406 (Peace) which was vetoed by Governor Wilson. Governor Davis has stated publicly that he will sign the legislation in a *Wall Street Journal* article dated September 23, 1998.
- SB 498** SB 498 would increase retirement cap for public safety employees from 75 percent of final compensation to 90 percent of final compensation. This bill was held in Senate Appropriations for "fiscal" reasons.
- SB 400** This is CalPERS Benefit Equity legislation signed by Governor Davis and co-sponsored by CSFA, allows, among other things, locals to negotiate for two new safety retirement contract options – three percent at 50 and three percent at 55.
Signed by Governor, Chapter 555, Statutes of 1999
- SB 402** Would establish interest based binding arbitration statewide for firefighters and peace officers. For the past 16 years, binding arbitration has been "off the table" because the two previous governors refused to sign such legislation. With the election of Gray Davis, it is back on the table and Senator Burton, Pro Tem of the Senate has agreed to carry the bill.
- This is a coalition bill being supported by CSFA, PORAC, CPF, Los Angeles Deputy Sheriffs Association (ALADS) CAHP and a host of other public safety organizations. It is a two-year bill and its outcome will be decided

- SB 800** Increases the retirement cap for local public safety employees under CalPERS from 75 percent of final compensation to 85 percent of final compensation. CSFA and PORAC were the sources of this legislation that started out as SB 498, turned into SB 339 and eventually landed on the Governor's desk in the form of SB 800. The journey was difficult and full of pot-holes, however, it ended in victory with Governor Davis' signature.
Signed by Governor, Chapter 633, Statutes of 1999
- SB 888** Would increase the membership of the EMS Commission from 16 to 19 by adding more labor/firefighter representative to the commission. SB 888 is a two-year bill.
- SCA 10** Would prohibit the contracting-out of local public safety services. This is a follow-up to last year's SCA 30 (Lockyer) that would have done the same thing. However, due to the inclusion of State Correctional Officers, the Senate Public Safety Committee voted down the bill.
- AB 539** A follow-up to the original cancer presumption legislation co-sponsored by CSFA that eliminates the reasonable link language in the current statute requiring that a nexus be established between the type of cancer and exposure to a known carcinogen that causes the cancer. The new amendment apply to claims for benefits filed or pending on or after January 1, 1997, including, but not limited to, claims for benefits filed on or after this date that have previously been denied or that are being appealed following denial.
Signed by Governor, Chapter 595, Statutes of 1999
- AB 1411** This is being modeled after the Public Safety Officers Bill of Rights (POBR) and will add procedural protections for firefighter when being investigated for disciplinary reasons. Unfortunately last year POBR came under fire from legislators since many felt it gave correctional officers too much protection from being disciplined as a result of their wrong doing in a number of cases that were being investigated by the State. This may have an adverse impact on the measure.
Failed Passage
- SCA 10** Contracting-Out would prohibit the contracting-out of local public safety services. This is a follow-up to last year's SCA 30 (Lockyer) that would have done the same thing. However, due to the inclusion of State Correctional Officers, the Senate Public Safety Committee voted down the bill.
Failed Passage
- **Firefighter Funding:** This is a two-year project we are working on with CPF to establish a secure funding source for the fire service. Since we receive very little, if any, Prop 172 money and no \$100 million in COPS funding we are seeking to return property tax money back to local governments with a portion to be designated for the fire service.
 - **HR 2490 and HR 329:** CSFA is supporting these bills in Congress that will prohibit flammable children's sleepwear from being imported into the United States if it does not meet the strict fire-safety standard that was in effect from 1972 to 1996 banning the sale of unsafe children sleepwear.
 - **H.R. 1168;** The Firefighter Investment and Response Enhancement (FIRE) is strongly supported by CSFA. The passage of this landmark bill would help correct the federal government's historical lack of commitment to the fire service. The legislation, introduced by Congressmen Curt Weldon (R-PA) and Bill Pascrell (D-NJ), would authorize \$6 billion in grants to fire departments over 6 years (\$1 billion each year for six years). It will attempt to give firefighters the level of funding the federal government has provided

to law enforcement, educators, and other professionals. For fiscal year 1999, the federal government will spend approximately \$32 million on fire prevention and training. Comparatively, the federal government will spend over \$11 billion on law enforcement!

IX. Legislation in the new Millenium

The new millennium has started. The California Legislature is dominated by Democrats, both in the Senate and the Assembly and Governor Gray Davis, also a Democrat, occupies the corner office. The year 2000 is the last year of the 1999-2000 legislative session and many of the bill listed under 2000 were held over from 1999, or as we call them - two-year bills. We had many successes in 2000 and look forward to many more as the decade progresses.

2000

AB 1009 AB 1009 guarantees that the Purchasing Power Protection Account (PPPA) benefit provided to all retirees of CalPERS local contracting agencies will restore 80 percent of their original purchasing power (instead of the current 75 percent). The Current PPPA program provides purchasing power protection to retirees whose retirement benefits have been eroded by inflation to less than 75 percent of their original value.

To date the 1.1% of employee earnings funding mechanism has generated sufficient funds to maintain all retirees' benefits at 75% of their original purchasing power and, according to CalPERS, will continue to do so as long as inflation does not exceed an average rate of 4.5%. In the event that inflation does exceed the 4.5% average, the 1.1% funding level will not be adequate to maintain the current 75% PPP. The PPA benefit level would decline to whatever percentage could be funded by the 1.1% funding mechanism on a pro rata basis (i.e. 74%, 72% etc.). This bill, along with increasing the PPPA to 80% would provide that the cost of the program shall be paid entirely by the retiree's former employer(s).

Signed by Governor, Chapter 483, Statutes of 2000

AB 1937 Grants safety members in counties operating under the 1937 retirement Act the ability to negotiate for 3% at 50 and 3% at 55. It also allows local CalPERS contracting agencies and 37 Act Counties to provide a 1 percent to 6 percent ad hoc benefit allowance to their retired or deceased members depending on the date of retirement.

Signed by Governor, Chapter 237, Statutes of 2000

AB 1524 This bill would have enacted the Rapid Disaster Response Act of 2000, to authorize the director of OES to acquire, (and CDF to retrofit) as necessary, any type of helicopter appropriate for use in response to any fire, flood, earthquake, or other form of disaster. It would require the director to assign helicopters acquired pursuant to these provisions to qualified fire protection agencies of the state and its political subdivisions, by written agreement between the director and the assignee. This bill was co-sponsored by CSFA.

Vetoed by Governor

AB 1852 This bill prohibits a public agency from implementing a memorandum of understanding when it has reached impasse in collective bargaining and is not required to proceed to interest arbitration. It also provides that the unilateral implementation of a public agency's last, best, and final offer shall not deprive a recognized employee organization of the right each year to meet and confer on matters within the scope of representation prior to the public agency adopting its budget, or as otherwise required by the law.

Signed by Governor, Chapter 316, Statutes of 2000

AB 2115 Would have required new school construction projects to include automated fire detection, alarm and sprinkler systems. Requires school modernization projects to include automated fire detection and alarm systems. Requires the State Allocation Board to establish, review and

adjust the per-pupil grant amount to accommodate 50% of the cost of the fire systems required by this bill.

Vetoed by Governor

- AB 2176** Authorizes the board of supervisors in any '37 Act county to elect to discontinue deducting retirement contributions from any member who has 30 years of service credit.
Signed by Governor, Chapter 317, Statutes of 2000
- AB 2325** CSFA's bill allocating \$100 million from the state general fund to local fire departments for the purchase of necessary equipment, hiring new personnel and for the enhancement of fire personnel salaries and benefits.
This bill failed passage
- AB 2331** While initially not a sponsored bill, we amended language into the bill at the end of session concerning CSFA Resolution #10-99 – defining compensation earnable in '37 Act Counties. *“Compensation earnable” shall not include overtime premium pay other than premium pay for hours worked within the normally scheduled or regular working hours that are in excess of the statutory maximum workweek or work period applicable to the employee under Section 201 and following of Title 29 of the United States Code.*
Signed by Governor, Chapter 966, Statutes of 2000
- AB 2535** Provides that an employee who is a volunteer firefighter, who works for an employer employing 50 or more employees, shall be permitted to take leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training.

It also would extend the protections contained in Labor Code Section 230.3, subsection (b) entitling the volunteer firefighter to reinstatement and reimbursement for lost wages and work benefits who are discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against for taking the time-off for training purposes.

Signed by Governor, Chapter 361, Statutes of 2000

- SB 32** Makes hepatitis a presumption in workers' compensation law for firefighters and peace officers. This is CSFA's follow-up to last years SB 1406 (Peace) which was vetoed by Governor Wilson. Governor Davis has stated publicly that he will sign the legislation in a *Wall Street Journal* article dated September 23, 1998.
Signed by Governor, Chapter 490, Statutes of 2000

- SB 402** Establishes interest based binding arbitration statewide for firefighters and peace officers. For the past 16 years, binding arbitration has been “off the table” because the two previous governors refused to sign such legislation. With the election of Gray Davis, it is back on the table and Senator Burton, Pro Tem of the Senate has agreed to carry the bill.

The bill defines “Scope of Arbitration” as: *“...economic issues, including salaries, wages and overtime pay, health and pension benefits, vacation and other leave, reimbursements, incentives, differentials, and all other forms of remuneration. The scope of arbitration shall not include any issue that is protected by what is commonly referred to as the ‘management rights’ clause contained in Section 3504 of the Government Code. Notwithstanding the foregoing, any employer subject to this title that is not exempt under Section 1299.9 may supersede this subdivision by adoption of an ordinance that establishes a broader definition of ‘scope of arbitration.’”*

The bill also states that “...it does not apply to any employer that is a city, county, or city and county governed by a charter that was amended prior to January 1, 2001, to incorporate a procedure requiring the submission of all unresolved disputes relating to wages, hours and other terms and conditions of employment within the scope of arbitration to an impartial and experienced neutral person or panel for final and binding arbitration determination, provided however that the charter amendment is not subsequently repealed or amended in a form that would no longer require the submission of all unresolved disputes relating to wages, hours, and other terms and conditions of employment within the scope of arbitration to an impartial and experienced neutral person or panel, for final and binding determination.

This is a coalition bill being supported by CSFA, PORAC, CPF, Los Angeles Deputy Sheriffs Association (ALADS) CAHP and a host of other public safety organizations. It is a two-year bill and its outcome will be decided

Signed by Governor, Chapter 906, Statutes of 2000

SB 739

Transfers jurisdiction for the resolution of unfair labor practice charges and representation disputes under the MMBA to PERB. Authorizes an agency shop agreement to take effect either through a negotiated agreement between a public agency and a recognized employee organization or without a negotiated agreement if a petition is signed by 30 percent of the employees in the applicable bargaining unit and the agency shop agreement is approved by a majority of the employees.

Applies the petition procedures to the rescission of agency shop agreements, and repeals existing limitations on the duration of agency shop fee agreements, authorizing agency fee deductions indefinitely beyond the expiration of collective bargaining agreements.

Signed by Governor, Chapter 901, Statutes of 2000

SB 1312

This bill was a challenge – Originally drafted and passed last year as “Back-DROP” the bill was placed on the Senate inactive file due to the Governor’s concerns regarding its application to state employees. Eventually, to avoid any conflict with the state, we amended AB 2030 (Correa) to implement a “Back-DROP” for locals only. We thought we had it all figured out until the Senate Appropriations Committee refused to set and hear the bill in the final hours of session. So we amended locals back into SB 1312, the state employee Back-DROP bill, and sent it to the governor on the last night of session.

The bill allows contracting agencies of CalPERS to offer a back-DROP supplemental benefit to their local employees. This benefit would allow an employee to terminate employment and retire simultaneously. The employee, however, would direct CalPERS to calculate his or her retirement as if it took place up to several years prior. The accrued benefit for the years between this retirement date and termination would then be paid into a DROP account, which would accrue interest and be paid to the employee as one lump sum.

Vetoed by Governor

2001

AB 70

This bill establishes in the office of OES the thermal imaging equipment purchasing program and requires the office to acquire firefighting thermal imaging equipment on behalf of local and state agencies that provide fire suppression services and are interested in obtaining this equipment. The bill requires any participating local agency to pay 1/2 of the price of equipment

purchased on its behalf by the state. The governor signed the bill but eliminated the money to buy the equipment.

Signed by Governor

AB 196 The County Employees Retirement Law of 1937 provides that, for purposes of qualification for disability retirement benefits, the development of a blood-borne infectious disease by specified safety members, firefighters, and members in active law enforcement, as defined, shall be presumed to arise out of and in the course of employment if the member demonstrates that he or she was exposed to blood or blood products as a result of performance of job duties. This bill eliminates the requirement that the member demonstrate that exposure for purposes of that presumption. Also creates a blood-borne exposure presumption in workers' comp law.

Signed by Governor

AB 197 Existing law provides for the Volunteer Firefighters Length of Service Award System Fund, which is administered by the Board of Administration of the Public Employees' Retirement System and funded by contributions from contracting departments. This bill additionally requires the board to pay a lump-sum benefit of \$3,000 upon the firefighter's death to his or her designated beneficiary or estate, if the firefighter has accrued 10 years of service.

Signed by Governor

AB 345 This bill would exempt from that tax diesel fuel sold by a supplier to a public safety department, as defined, for use in an authorized emergency vehicle, as defined, and make other conforming and related changes, as provided. This bill contains other related provisions.

Died in Assembly

AB 417 Existing law establishes the Public Safety Officers Procedural Bill of Rights, which permits public safety officers to engage in political activity, as specified and which provides specified procedures and conditions for the investigation and interrogation of a public safety officer that could lead to punitive action. This bill would extend similar rights to firefighters.

Died in Assembly

AB 1015 This bill prohibits employers from disciplining employees for lawful conduct when not on the job.

Signed by Governor

AB 1022 This bill establishes in each county treasury a Supplemental Firefighting Services Fund (SFSF) and requires that money from this fund be allocated to local agencies in accordance with specified requirements for specified front line fire service activities.

Died in Assembly

SB 90 Increases the retirement cap for local public safety personnel participating in the CalPERS retirement system to 90 percent of final compensation.

Signed by Governor

SB 193 This bill establishes the Deferred Retirement Option Program as a voluntary program in the Public Employees' Retirement System for those local safety members whose employing agency elects to be subject to the program, as specified. The program would provide eligible members access, upon retirement, to a lump sum in addition to a monthly retirement allowance, as specified. The bill would require the board of administration of the system to be prepared to implement the program no later than January 1, 2003, except as specified.

Vetoed by Governor

- SB 448** This bill revises this provision of the “Fireman’s Rule” to require that the conduct causing injury be one that violates a statute, ordinance, or regulation, and that the conduct causing the injury was itself not the event that precipitated either the response or presence of the peace officer, firefighter, or emergency medical personnel.
Signed by Governor
- SB 486** This bill requires an owner, manager, or operator of a working warehouse, as defined, to secure merchandise stored on shelves higher than 10 feet above the sales floor, as defined, by installing safety devices such as rails , fencing , netting, or binding materials and prevent customers from entering aisles before removing the safety devices from those aisles. The bill requires that a safety zone that blocks customers from entering areas where merchandise could fall be temporarily established when heavy machinery is used to remove items from a shelf. The bill requires all working warehouses to comply with these provisions by no later than July 1, 2002.
Signed by Governor
- SB 575** Require all new schools and schools that are currently being repaired to be outfitted with automatic fire detection equipment.
Signed by Governor
- SB 730** Provides an additional \$10,000 in scholarship money per year for 4 years to each eligible dependent of peace officers or firefighter killed in the performance of his or her duty or if death or permanent disability is suffered as a result of his or her duty , and would delete the eligibility limitation for the scholarship that requires demonstration of financial need to the Student Aid Commission for those dependents.
Signed by Governor
- SB 822** This bill would provide that the sheriff of each county has search and rescue responsibility in any unincorporated area of the county, including any rural and wilderness environment. The bill also would authorize a sheriff to transfer this search and rescue responsibility to another agency or jurisdiction through a written agreement. By requiring that sheriffs have search and rescue responsibility, this bill would constitute a state-mandated local program. This bill contains other related provisions and other existing laws.
CSFA Opposed and Killed the bill
- SB 1207** This bill was brought forward at the 2000 conference by the Committee for Volunteers and requires CalOSHA standards apply to volunteer firefighters.
Signed by Governor

2002

- AB 2423** The bill helps protect first responders by allowing blood and patient samples taken during the course of treatment to be tested for communicable diseases if a first responder is exposed, despite the permission of the patient. AB 2423 successfully moved through the legislature without a single “no” vote. Rich, who proposed the resolution at last year’s CSFA conference in Redondo Beach, called the Governor’s office to remind them of the conversation that he personally had with Governor Gray Davis about this bill in which Davis assured Rich he would sign the bill. **Signed by the Governor, state law effective January 1, 2003**

- SB 1826** The Sales and Use Tax Law imposes a tax on the gross receipts from the sale, storage, use, or other consumption in this state of tangible personal property. That law provides various exemptions from the tax. This bill would exempt the gross receipts from sales or purchases of specified emergency equipment purchased by a local emergency service provider, as defined. **Failed 2 aye to 2 no votes in Senate Revenue and Taxation Committee.**
- AB 1821** This bill will limit the liability of fire departments that want to donate surplus equipment to volunteer departments. Lowenthal courageously authored the bill despite initial strong opposition from the powerful Trial Lawyers Association. Lowenthal's leadership and bill could change the way surplus equipment is dealt with in the state of California. FLAG Trustees, with confirmation from the CSFA Board of Directors agreed to re-institute an annual presentation of Legislator Of The Year. This year's recommended Legislator Of The Year, upon approval by the Board of Directors at their September Pre-Conference meeting, will be Assemblymember Alan Lowenthal. **Signed by the Governor, state law effective January 1, 2003**
- AB 1748** This bill would require that all contracts entered into by the department to retain the services of pilots to fly firefighting aircraft contain an explicit provision that if the pilot dies while performing his or her duties under the contract, the contractor or their insured shall pay a one-time lump sum death benefit, as specified, to the eligible survivors, as defined, of the pilot. **Signed by the Governor, state law effective January 1, 2003**
- SB 1311** Authorizes a commercial mobile service provider to enter a contract with a public safety agency and would give them priority of service over other persons. During difficult policy committee hearings, Nida and Senator Kuehl pointed out that during large emergency incidents it is very easy for all possible radio channels to be assigned and to be busy with traffic. During these situations, emergency personnel sometimes use mobile telephones to relay information, but if it is a major incident, civilians will also likely be on the phone using all of the lines in the telephone spectrum. Nida testified that some departments have been told by some mobile service providers that they do not have the authority to provide priority service to public safety agencies. **Signed by the Governor, state law effective January 1, 2003**
- SB 1608** Would exempt emergency vehicles from the state tax on fuels. School buses, municipal transportation vehicles, state government vehicles and federal government vehicles are exempt from California state highway fuel tax on diesel. This bill would have saved fire districts and departments thousands of dollars. **Failed 2-2 in Senate Revenue and Taxation Committee**
- SB 1688** Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund (SLESF) and requires that moneys from this fund be allocated to local agencies in accordance with specified requirements for, among other things, front line law enforcement services. This bill would establish in each county treasury a Supplemental Firefighting Services Fund (SFSF) and require that moneys from this fund be allocated to local agencies in accordance with specified requirements for specified front line fire service activities. This bill would become operative only when funding is provided in the annual Budget Act. **Failed to pass Senate Appropriations Committee**
- AB 1815** Enacts the California Homeland Defense Bonds Act of 2002 with the proceeds from the sale of the bonds, up to \$500,000,000, to be available for appropriation by the Legislature and allocated by specified state agencies to fund anti-terrorism activities, as defined, by local

firefighting agencies, local police departments, and local emergency services agencies, subject to specified criteria. **Failed to pass Assembly Appropriations Committee**

- AB 1820** Provides a disputable presumption that tuberculosis or meningitis that so develops or manifests itself in and arises out of, and in the course of employment, and expands the scope of these provisions to include firefighting personnel who are volunteers or are employed on a partly paid basis. **Signed by the Governor, state law effective January 1, 2003**
- AB 1847** This bill would provide that, for purposes of qualification for disability benefits, the development of an illness due to exposure to a biochemical substance, as defined, by specified peace officer or firefighter members is presumed to arise out of, and in the course of, employment. **Signed by the Governor, state law effective January 1, 2003**
- AB 1919** Authorizes a disease immunization program administered by a local EMS agency under which an EMT-P who has satisfied certain training requirements established by the authority, is permitted to administer immunizations during a state of emergency or disaster under state or local law. **Failed to be set for a committee hearing**
- AB 2118** Existing law, effective January 1, 2002, provides that the California Occupational Safety and Health Act apply to volunteer firefighters. This bill would delay the applicability of the act as to volunteer firefighters until January 1, 2004 , except as to claims that arose between January 1, 2002, and the effective date of this bill. **Signed by the Governor, state law effective September 5, 2002**
- AB 2233** Authorizes \$85 million in state general obligation bonds-subject to voter approval at the November 2002 statewide election-to finance the purchase of firefighting equipment, including thermal imaging equipment. Requires the Office of Emergency Services (OES) to assess the equipment needs of state and local firefighting agencies, institute a state equipment-purchasing program for any items selling for more than \$5,000, and distribute the purchased equipment among fire agencies based on established factors. **Failed to pass Assembly Appropriations Committee**
- SB 1279** Enacts the California Antiterrorism Safety Bond Act of 2002 and authorizes the issuance of \$2 billion in General Obligation Bonds for the purpose of financing a program for antiterrorism safety. Local government building retrofit projects require a 20% match. The Bond Act is subject to a vote of the people. **Failed to pass Senate Appropriations Committee**
- SB 1359** Prohibits a local government agency from adopting any policy or regulation that prohibits or restricts an employee of that agency from displaying any emblem or depiction of the American flag on his or her person, in the workplace, or an agency vehicle. **Signed by the Governor, state law effective January 1, 2003**
- SB 1409** This bill would establish the Deferred Retirement Option Program as a voluntary program in the Public Employees' Retirement System for those local safety members whose employing agency elects to be subject to the program. Provides eligible members access, upon retirement, to a lump sum or additional monthly payments in addition to a monthly retirement allowance, as specified. The bill would require implementation no later than January 1, 2004. **Vetoed by the Governor**

2003

WOW!

2003 has been one of the craziest political years in the last century.

- The largest state deficit in recent memory: \$38 Billion.
- Complete sweep of all statewide elected constitutional officers by Democrats.
- Loss of SB 402 Binding Arbitration in the State Supreme Court.
- Recall of Governor Gray Davis, only second recall of any U.S. Governor in

- AB 904** Bill requires a person to register as an arsonist in California if the person is convicted out of State. **Assembly Public Safety Committee**
- AB 1211** This bill amends last years AB 2018 by stating that any model memorandum of understanding developed by the Public Safety Radio Strategic Planning Committee would not have to be adopted by a local agency. **Signed into law by Governor Gray Davis**
- AB 272** Provides a state sales and use tax exemption for single items of equipment that are purchased by specified emergency service providers at a cost of at least \$10,000 each. **Assembly Revenue and Taxation Committee**
- AB 1612** Requires San Diego County to establish the Regional Public Safety Fund to receive funds from the Public Safety Augmentation Fund, and would require the board of supervisors to annually allocate \$4,500,000 to the Regional Public Safety Fund for a regional fire-based helicopter and for reimbursement of emergency fire dispatches. **Assembly Appropriations Committee**
- AB 1113** Establishes a Supplemental Firefighting Services Fund, and requires that money from this fund be allocated to local agencies for specified front line fire service activities. **Assembly Local Government Committee**
- AB 659 & 901** This bill would require various agencies to adopt regulations, provide training and develop emergency response plans specific to the transportation of high-level radioactive waste and spent nuclear fuel. **Senate Transportation Committee**
- SB 53** This bill would increase this benefit limitation to 100% of final compensation for local safety members and, subject to a specified cost analysis, for patrol members and peace officer/firefighter members in State Bargaining Unit 8. **Senate Floor**
- SB 108** Would collect a \$0.05 per drink fee for allocation to local emergency medical services providers for reimbursement of expenses incurred in providing services for alcohol-related emergencies. Potentially \$500-700 million to fire and EMS. **Senate Rules Committee**

- SB 351** Allows the Director of Finance to transfer any moneys in the Federal Trust Fund to the OES if moneys are made available by the United States for expenditure by the state for the purpose of providing financial assistance to rural fire departments. **Senate Appropriations Committee**
- AB 28** Establishes in OES, a Firefighting Hazardous Materials Response Team Equipment Program to provide funding for the purchase of hazardous materials response apparatus and equipment to state and local agencies. **Assembly Appropriations Committee**
- AB 55** Authorizes '37 Act members to purchase up to 5 years of service credit for additional retirement credit. **Signed by the Governor**
- AB 472** This bill would requires any federal funding received by the state for bioterrorism preparedness and emergency response is continuously appropriated to the department for those purposes. **Assembly Appropriations Committee**
- AB 933** Prohibits the Regents of the University of California and the Trustees of the California State University from requiring tuition and fees from any surviving stepchild of a deceased law enforcement officer killed in the line of duty. **Assembly Desk**
- AB 1690** Authorizes local governments to form a public safety finance agency to supplement fire and police protection services. **Senate Desk**

2004

- AB 1153** Falsely purporting to be a public safety officer would result in a misdemeanor. **Signed by Governor Arnold Schwarzenegger**

2004 ANNUAL REPORT

Major Political Issues

- Governor Arnold Schwarzenegger repeals Vehicle License Fee
- Budget Deficit of \$18 Billion
- Constitutional Local Government Budget Protection Ballot Referendum
- Governor's Blue Ribbon Fire Commission on Southern California Fires
- Governor Arnold Schwarzenegger Re-Writes Worker's Compensation

This has also been a very busy year for the Firefighters Legislative Action Group. FLAG is an integral aspect of CSFA and is responsible for much of the legislative and political success CSFA has enjoyed in its distinguished history.

Among the highlights of the FLAG activities for 2004:

- On January 12th, FLAG hosted the annual Legislative Reception at the Capitol Plaza Holiday Inn in Sacramento. Firefighters from around the state were greeted by approximately 100 legislators and staff. Some of the highest-ranking members of the legislature were in attendance and included: Assemblymember Marco Firebaugh (Majority Floor Leader), Assemblymember Paul Koretz (Labor Committee Chair), Assemblymember Gloria Negrete McLeod (PERS Chair), Senator Debra Bowen, Assemblymember Alan Lowenthal, Assemblymember Nicole Parra, Assemblymember Christine Kehoe, and their staff.
- At the Legislative Reception, FLAG awarded Assemblymember Christine Kehoe (D-San Diego) as its "2003 Legislator of the Year". Assemblymember Kehoe was willing to author the CSFA sponsored AB 1612. Assemblymember Kehoe was willing to join the CSFA and stand up to the San Diego County Supervisors and Sheriff by requiring that fire in San Diego County receive a small portion of Prop 172 money to purchase a helicopter. In the end, the fire service lost another Prop 172 battle. However, we found someone willing to fight alongside with the fire service: Assemblymember Christine Kehoe.

2004 CONFERENCE LEGISLATIVE REPORT & RESOLUTIONS UPDATE (2003-2004 LEGISLATIVE SESSION)

By Afrack Vargas, CSFA Legislative Advocate

The 2004 legislative session ended August 28 at nearly 3 am. September 30th is the last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in his possession on or after Sept. 1. Please see Afrack Vargas for the most recent and up-to-date legislation, or visit www.CSFA.net.

RESOLUTIONS INTRODUCED INTO LEGISLATION

2-03 Post Traumatic Stress Disorder

Kevin Nida, LA City FD

AB 1923 Assemblymember Alan Lowenthal (D-Long Beach)

Requires an employer of emergency response personnel to make counseling services available to its employees for the purpose of relieving stress suffered by those employees generated by exposure, in the line of duty, to a critical incident. Encourages fire departments to seek federal assistance to aid the departments in making counseling service available

Senate Appropriations Committee

9-02 Administrative Costs of Volunteer Length of Service Award Program

Richard Reed, Stanislaus County Consolidated FPD Ret.

AB 2330 Assemblymember Steve Samuelian (R-Clovis)

Declares that funding, up to a specified amount, for the payment of the costs of administration of the Volunteer Firefighters Length of Service Award System shall be provided, upon appropriation in the annual Budget Act, from the General Fund.

15-02 Radio Interoperability

Kevin Nida, Los Angeles City FD

AB 1831 Assemblymember Rudy Bermudez (D-Norwalk)

This bill requires the Governors Office of Homeland Security, in consultation with the California Statewide Interoperability Executive Committee in the Office of Emergency Services and the Public Safety Radio Strategic Planning Committee to adopt a plan for the funding of a statewide integrated, interoperable public safety communication network. The bill requires any local agency that purchases digital public radio communication equipment with state or federal funds to ensure that it meets prescribed standards.

Senate Appropriations Committee

03-01 Sales Tax Exemptions for Emergency Equipment

Ted Kakuris, El Cajon Fire Department

SB 1126 Senator Tom McClintock (R-Thousand Oaks)

Creates a sales and use tax exemption for the sale of or storage of fire equipment purchased by a local fire department.

Senate Revenue and Taxation Committee

11-01 Public Safety Augmentation Fund (Prop. 172): San Diego County

Mike Diaz, Escondido FD

AB 1612 Assemblymember Christine Kehoe (D-San Diego)

Requires San Diego County to establish the Regional Public Safety Fund to receive funds from the Public Safety Augmentation Fund, and would require the board of supervisors to annually allocate \$4,500,000 to the Regional Public Safety Fund for a regional fire-based helicopter and for reimbursement of emergency fire dispatches.

Assembly Appropriations Committee, will was gutted and amended

07-99 Supplemental Firefighting Services Fund

CSFA Board of Directors

AB 1113 Assemblymember Bonnie Garcia (R-Imperial)

Establishes a Supplemental Firefighting Services Fund, and requires that money from this fund be allocated to local agencies for specified front line fire service activities.

Assembly Local Government Committee

SPONSORED/CO-SPONSORED AND ACTIVELY SUPPORTED BILLS (*Partial List*)

SB 351 Senator Denis Moreno Ducheny (D-San Diego) Federal Funding for Rural Fire Departments

Allows the Director of Finance to transfer any moneys in the Federal Trust Fund to the OES if moneys are made available by the United States for expenditure by the state for the purpose of providing financial assistance to rural fire departments.

Senate Appropriations Committee

AB 968 Assemblymember Lou Correa (D-Anaheim) Bioterrorism Preparedness

Provides that any adverse reaction, injury, disability or death incurred by an employee as a result of a vaccination or medication administered at the request or direction of the employer or pursuant to federal law to prevent the transmission of, infection by, or exposure to a biochemical substance or blood-borne infectious disease shall be deemed to have arisen out of and in the course of employment for purposes of workers' compensation.

Vetoed by Governor Arnold Schwarzenegger

AB 1153 Assemblymember Rudy Bermudez (D-Norwalk) Impersonation of a Public Safety Office

Falsely purporting to be a public safety officer would result in a misdemeanor.

Signed into law by Governor Arnold Schwarzenegger

AB 1145 Assemblymember Shirley Horton (R-San Diego) Automated External Defibrillators

Requires the Department of General Services to apply for specified federal funds for the purchase of automated external defibrillators to be located within state-owned and leased buildings. Requires the department, in consultation with the several designated entities, to develop and adopt policies and procedures, consistent with State regulations, relative to the placement and use of automated external defibrillators in state-owned and leased buildings.

Signed into law by Governor Arnold Schwarzenegger

AB 1898 Assemblymember George Nakano (D-Torrence)

CO-SPONSORED WITH CPF

Would permanently add a CSFA and CPF member to the Emergency Medical Services Authority.

Vetoed by Governor Arnold Schwarzenegger

AB 2065 Assemblymember George Nakano (D-Torrence)

Requires adult residential facilities and residential care facilities for the elderly that house or care for no more than 6 clients or residents, to have an approved, operable automatic fire sprinkler system on and after January 1, 2010, if they are licensed as of December 31, 2005. Requires every facility for which a license was issued on or after January 1, 2006, to have such system on and after the date of issuance. Requires the adoption of regulations to implement these provisions.

Senate Appropriations Committee

AB 2343 Assemblymember Joe Nation (D-San Rafael)

Requires an automatic sprinkler system to be installed in facilities modernized pursuant to the Leroy F. Greene School Facilities Act under certain circumstances. Permits the State Allocation Board to waive the requirement that a project include an automatic sprinkler system, under certain circumstances.

Governor Arnold Schwarzenegger's Desk

AB 2406 Assemblymember Rudy Bermudez (D-Norwalk)

CO-SPONSORED WITH CPF

Requires the State Fire Marshal to adopt revised regulations to require the statistical information furnished by chief fire officials relating to each fire that occurs within his or her area of jurisdiction to be compatible with the National Fire Incident Reporting System and to include other specified information. Requires the State Fire Marshal to analyze the data and compile a report and to make it available on the State Fire Marshal Web site. Includes information to be in report.

Governor Arnold Schwarzenegger's Desk

SB 53 Senator Joe Dunn (D-Santa Ana)

Relates to the Public Employees' Retirement Law that states benefits for local safety members, patrol members and peace officer/firefighter members may not exceed 90% of final compensation. Increases this benefit limitation to 100% of final compensation for local safety members and, subject to a specified cost analysis, for patrol members and peace officer/firefighter members in State Bargaining Unit 8. Makes a technical change.

Senate Floor

2005 CONFERENCE LEGISLATIVE REPORT

Major Political Issues

- Governor Arnold Schwarzenegger proposes to delete firefighter and public employee pensions
- Governor Arnold Schwarzenegger attempts to repeal death and disability benefits
- Governor Arnold Schwarzenegger calls historic special election
- Proposition 75 attempts to limit firefighter political voice

This has been a very busy year for the Firefighters Legislative Action Group. FLAG is an integral aspect of CSFA and is responsible for much of the legislative and political success CSFA has enjoyed in its distinguished history.

Among the highlights of the FLAG activities for 2005:

- FLAG decided to change its name to the California State Firefighters' Association Political Action Committee, or CSFA PAC. We felt that this would help make our association more consistent, and would help with marketing and “branding”. We believe this move will clarify that we are the political arm of CSFA. This move will be complete once the CSFA Constitution and By-Laws are changed.
- FLAG has supported many of the rallies and protests that have sprung up to help dog Governor Arnold Schwarzenegger. It was through this type of political pressure that helped cast the Governor into a negative light, forcing him to retreat from working towards a 2005 pension overhaul initiative.
- FLAG hosted the annual Legislative Reception at the Capitol Plaza Holiday Inn in Sacramento. Firefighters from around the state were greeted by approximately 100 legislators and staff. Some of the highest-ranking members of the legislature were in attendance and included:
Assemblymembers: Joe Baca Jr., Ron Calderon, Doug La Malfa, Nichole Parra, and Cindy Montanez. Senators Jeff Denham, Debra Bowen, and Nell Soto were among the many that also stopped by.
- At the Legislative Reception, FLAG awarded Assemblymember Gloria Negrete McLeod (D-Chino) and Assemblymember Rudy Bermudez (D-Norwalk) as its “2004 Legislators of the Year”. Assemblymember Negrete McLeod chaired the Assembly Public Employee Retirement System Committee, and was the lead on defeating attacks on firefighter pensions. Assemblymember Bermudez authored legislation on public safety radio interoperability and on 4-0 staffing and response times. We also awarded the first ever “Legislative Staff of the Year”. The inaugural award recipient was obvious: Patrick Moran. Pat works as the highest ranking staffer to Assembly Speaker Fabian Nunez. Pat has been an integral part of public safety legislation for years, and has been a great resource for information.
- FLAG fielded several calls from firefighters and associations looking for assistance in establishing Political Action Committees. FLAG also answered questions regarding fire assessment fee campaigns.
- FLAG Trustees contributed articles to the [California Fire Service](#). FLAG provided information on the importance of getting involved in campaigns and politics to continue the successes firefighters have made at the state capitol and in local city halls.
- FLAG continues to make candidate endorsements and donations to candidates that are supportive of the fire service, and that are supported by their local firefighter organizations.
- FLAG is looking forward to hosting another political workshop, likely in early 2006. The workshop will cover several topics including how to set up a PAC, run a campaign, and interview candidates. FLAG trustees will organize the event, as well as lead discussion groups and teach many of the lectures. At the conference, please be sure to visit the FLAG table. FLAG will be singing people up to attend the workshop. Also, please visit the FLAG table to sign on to the mailing list for updates, and to buy a new FLAG polo shirt.
- FLAG continues its campaign fundraising efforts to help defray the cost of the “No in November” campaign. The fundraiser will help grow the PAC, which goes towards political contributions. This year, we have received large checks from the following associations:
 - \$4,800 from the Santee Firefighters Association

- o \$2,500 from the Lakeside Firefighters Association
- o \$1,000 from the Bakersfield Firefighters

(2004-2005 LEGISLATIVE SESSION)

By Afrack Vargas, CSFA Legislative Advocate

The 2005 legislative session ended September 8th. October 9th is the last day for Governor to sign or veto bills passed by the Legislature before Sept. 9th and in his possession on or after Sept. 9th. Please see Afrack Vargas for the most recent and up-to-date legislation, or visit www.CSFA.net.

RESOLUTIONS INTRODUCED INTO LEGISLATION

15-02 Radio Interoperability

Kevin Nida, Los Angeles City FD

CA AB 1559 **AUTHOR:** Gordon [D]
TITLE: Homeland Security Communications Development Act
LOCATION: Senate Appropriations Committee
SUMMARY:
 Enacts the Homeland Security Communications Interoperability Development Act of 2005 which requires the Statewide Interoperability Executive Committee and the Public Safety Radio Strategic Planning Committee to form a joint committee to prepare a specified report to the Legislature with findings and recommendations for implementing a statewide communications and interoperability system.

11-04 Workers' Compensation, Firefighter Presumptions

George Stillman, North Central FPD (retired)

Michael D. Esparza, Riverside City FD

CA AB 1331 **AUTHOR:** Umberg [D]
TITLE: Workers Compensation: Apportionment: Presumptions
LOCATION: Assembly Appropriations Committee
SUMMARY:
 Relates to workers' compensation law. Exempts hernia, heart trouble and pneumonia for certain public safety members and employees from the application of existing law that requires any physician who prepares a report addressing the issue of permanent disability due to a claimed industrial injury to address the issue of causation of the permanent disability and limits the employer's liability to the percentage of permanent disability directly caused by the injury.

SPONSORED/CO-SPONSORED AND ACTIVELY SUPPORTED BILLS (*Partial List*)

CA ACA 16 **AUTHOR:** Gordon [D]
TITLE: Taxation to Supplement Public Safety Funding
LOCATION: Assembly Third Reading File
SUMMARY:
 Proposes a Constitutional amendment that allows a local government to impose, extend, or increase any special tax for the purpose of providing supplemental funding for sheriff, police, or fire protection services, if that tax is submitted to the electorate and approved by a 55% vote of the voters on the measure. Prohibits the revenue derived from such a tax from being expended to supplant any other funding source for these services.

CA AB 178 **AUTHOR:** Koretz [D]
TITLE: Cigarette Fire Safety and Firefighter Protection
LOCATION: Signed into Law
SUMMARY:
Prohibits the sale of cigarettes unless the manufacturer of those cigarettes certifies to the State Fire Marshal that the cigarettes have been tested in accordance with certain standards and no more than 25% of the cigarettes it manufactures exhibit full-length burns when tested. Requires manufacturers to mark packages to show compliance. Requires allowing the Board of Equalization to inspect the markings. Provides a civil penalty for failure or refusal to allow an inspection to use to offset related costs.

CA AB 186 **AUTHOR:** Bogh [R]
TITLE: Occupational Safety and Health: Fines
LOCATION: Signed into Law
SUMMARY:
Establishes a refund plan for civil and administrative penalties imposed against public police and city, county or special district fire departments and the California Department of Forestry and Fire Protection. Requires that, if a police or fire department or the Department of Forestry and Fire Protection does not apply for a refund, the unclaimed funds from the civil and administrative penalties be allocated to designated public entities to be used to fund grants for specific purposes.

CA AB 260 **AUTHOR:** Bermudez [D]
TITLE: State Fire Marshal: Fire Response Time: Reports
LOCATION: Assembly Appropriations Committee
SUMMARY:
Requires the State Fire Marshall to adopt revised regulations to require the statistical information for chief fire officials on and after January 1, 2007, to include response time and staffing level information that is compatible with the National Fire Incident Reporting System and to include other specified information.

CA AB 287 **AUTHOR:** Negrete McLeod [D]
TITLE: Rapid Disaster Response Act of 2005
LOCATION: Veto
SUMMARY:
Enacts the Rapid Disaster Response Act of 2005. Requires the Director of Forestry and Fire Protection to draw upon eligible federal funds to augment any state funds appropriated by the Legislature for the purpose of replacing the department's aging helicopter fleet.

CA AB 456 **AUTHOR:** Torrico [D]
TITLE: Public Employees' Retirement: Fraud
LOCATION: Assembly Inactive File
SUMMARY:
Makes it a crime for a person to make or present false material statements and representations in connection with public retirement benefits and applications or to aid or abet someone in this regard. Makes it a crime for a person to knowingly accept, with the intent to keep for a personal benefit, a payment from the system with the knowledge that one was not entitled to the benefit Provides penalties for violations. Requires any restitution be satisfied before any criminal fine may be collected.

CA AB 566 **AUTHOR:** Bermudez [D]
TITLE: State Fire Marshal: Fire Response: Reports
LOCATION: Veto
SUMMARY:
Requires the State Fire Marshal to adopt revised regulations to require that statistical information relating to each fire that is submitted by chief fire officials to include response time and staffing level information that is compatible with the National Fire Incident Reporting System and to include other specified information. Requires the Fire Marshal's report of the date compilation to chief fire officials to include a comparison of response times for each reporting department.

CA AB 642 **AUTHOR:** Negrete McLeod [D]
TITLE: Workers' Compensation: Bioterrorism
LOCATION: Assembly Appropriations Committee
SUMMARY:
Requires that any adverse reaction, injury, disability, or death incurred by employees as a result of a vaccination or medication administered at the request or direction of the employer or to prevent the transmission of, infection by, or exposure to, a biochemical substance, or blood-born infectious disease be deemed to have arisen out of, and in the course of, employment for the purposes of workers' compensation benefits.
Position: Co-Sponsor

CA AB 1507 **AUTHOR:** Pavley [D]
TITLE: Cardiac Health: Automatic External Defibrillators
LOCATION: Signed into Law
SUMMARY:
Requires every health studio to acquire an automatic external defibrillator, provides immunity for providing the devices, and establishes standards for providing the devices, including, but not limited to, maintenance and staff training regarding proper use. Requires each studio that continues the installation after a specified date, to maintain and train personnel in the use of the equipment and to provide related immunity.
Position: Sponsor

CA AB 1655 **AUTHOR:** Horton J [D]
TITLE: Public Postsecondary Education Fees and Tuition Waiver
LOCATION: Signed into Law
SUMMARY:
Relates to an existing law providing a waiver to excuse the mandatory systemwide tuition and fees of any surviving spouse or surviving child of deceased law enforcement and firefighting personnel. Adds a surviving stepchild who, at the time of the death of that deceased person was living or domiciled with the deceased person and claimed on a tax form filed by or on behalf of that deceased person, to the categories of survivors for whom the waiver of mandatory systemwide fees or tuition is authorized.

CA SB 516 **AUTHOR:** Ortiz [D]
TITLE: Fire Protection: Residential Facility for the Elderly
LOCATION: Senate Appropriations Committee
SUMMARY:
Requires residential care facilities for the elderly that house or care for no more than 6 clients or residents, to have an approved, operable automatic fire sprinkler system if they are licensed as of January 1, 2009. Requires the State Fire Marshal to adopt regulations to implement these provisions, including addressing those fire safety features no longer required of a licensee after an operable automatic fire sprinkler system has been installed.

CA SB 955 **AUTHOR:** Soto [D]
TITLE: Public Safety: Firefighting
LOCATION: Senate Appropriations Committee
SUMMARY:
Requires the Office of Emergency Services to acquire 150 additional multiple discipline response engines and assign them to the Department of Forestry and Fire Protection and fire protection agencies pursuant to a written agreement on such terms as shall be determined by the director of OES. Requires the director to assign or reassign multiple discipline response engines in a manner that promotes rapid mobilization, organization, and operation within strategically located geographic regions of the state.

Major Legislation CSFA Opposed

CA ACA 5	AUTHOR:	Richman [R]
	TITLE:	Public Retirement Systems
	LOCATION:	Assembly Public Employees, Retirement and Social Security Committee
	SUMMARY:	Proposes a Constitutional amendment to establish the California Public Employee Defined Contribution Plan. Provides that on and after July 1, 2007, any person hired as a new employee by a public agency may enroll only in a defined contribution plan of a public pension or retirement system, and is prohibited from enrolling in a defined benefit plan. Limits employer contributions to a defined contribution plan to an unspecified percentage of employer payroll.
CA AB 1295	AUTHOR:	Bermudez [D]
	TITLE:	Fireworks: Sale: Disposal
	LOCATION:	Assembly Appropriations Committee
	SUMMARY:	Authorizes the sale of certified safe and sane fireworks from 9 a.m. December 26 through January 1 pursuant to a license issued by the State Fire Marshal, if authorized by a city or county ordinance or resolution that may also restrict the hours of use of such fireworks.

2006

In 2006, CSFA played a major role in several ballot proposition campaigns. Along with being featured in many free and earned media, CSFA also sponsored a campaign mailer that was seen by over 2 million voters.

NO Prop 86 (Tobacco Tax Initiative) - - In 2005 CSFA was successful in passing the historic AB 178 that requires the sale of only “fire safe cigarettes” which are wrapped in a special paper that slows the burning of cigarettes when not being puffed. Prop 86 levies a tax so large, that law enforcement officials fear the creation of a large black market which would not be “fire safe”. Also, even though CSFA has been a strong partner in previous coalitions to help hospitals find new funding sources, we were not included in any of the planning or writing of this initiative and firefighters receive no funding for training, equipment, or un-reimbursed costs.

NO Prop 87 (Oil Tax Initiative) - - Prop 86 levies a new tax on oil. CSFA was approached by firefighters from Kern County and other fire departments in “oil country” and was asked to oppose prop 86. County governments receive a large amount of revenue through property tax from oil producers. A new tax would greatly reduce the property tax to these counties, thereby forcing cuts in government services. Also, the passage of prop 86 would ultimately cause the price of gas to rise even higher. Prop 86 is a bad idea, at the worst possible time.

No Prop 89 (Campaign Finance) - - Would impose an increase in corporate taxes to pay for public financing of candidates for state office. Candidates would be eligible for public-financing by collecting a specified number of \$5 contributions. Unfortunately, the initiative does nothing to stop the wealthy from contributing whatever they want on their own campaigns or to ballot measures like last year’s Prop 75.

No Prop 90 (Taxpayer Trap) - - Hurts funding for fire and law enforcement, hindering the ability of local government to plan communities and revitalize blight. The initiative is also so poorly written that both Republicans and Democrats oppose prop 90.

RESOLUTIONS INTRODUCED INTO LEGISLATION

04-99 Fuel Tax Exemption for Emergency Vehicles

Ted Kakuris, El Cajon Fire Department, Peter Liebig, Lakeside FD Ret.

SB 1522 (Aanestad)

Status: Senate Transportation Committee

This bill exempts local emergency services providers from payment of diesel fuel excise taxes, makes related conforming changes, and takes effect immediately as a tax levy.

15-02 Radio Interoperability

Kevin Nida, Los Angeles City FD

AB 1848/Bermudez, Homeland Security: Interoperable Public Safety Communications Network

STATUS: Enacted - Chapter #728

This bill would designate the annual Public Safety Radio Strategic Planning Committee legislative report to serve as the state strategic plan for establishing a statewide integrated, interoperable public safety communications network.

11-04 Workers' Compensation, Firefighter Presumptions

George Stillman, North Central FPD (retired)

Michael D. Esparza, Riverside City FD

AB 1368 (Betty Karnette, D-Long Beach) - Prohibits physicians who prepare permanent disability reports regarding presumptive injuries from reducing an injured firefighter's permanent disability rating in a manner that would otherwise attribute a portion of the injury causation to other factors that may have occurred both before and subsequent to the industrial injury.

Signed into law Chapter #836

6-03 CalPERS Service Credit

Scott Coykendall, Costa Mesa FD

AB 3033 (Sally Lieber, D-Mountain View) – Allows a CalPERS contracting agency or a '37 Act county to permit its eligible firefighter members to purchase past federal firefighter time as prior public service for additional retirement credit in that employer's retirement system who once served as civilian federal firefighters, but were terminated as a consequence of federal military installation closure or downsizing.

2-05 Residential Fire Sprinkler Water Meter Standby Fees

John Haberek, Los Angeles County FD

AB 2943 Salinas Water charges: residential fire sprinkler systems.

This bill would prohibit a local water supplier that supplies water to retail customers from imposing or increasing water charges solely due to the installation of a residential fire sprinkler system.

SPONSORED/CO-SPONSORED AND ACTIVELY SUPPORTED BILLS *(Partial List)*

AB 1610 Simitian, Emergency Incident Zone

Establishes an emergency incident zone as the area on a freeway that is within 500 feet of, in the direction of travel of, a stationary emergency vehicle that has its emergency lights activated.

Signed into law.

Residential Care Facilities: Fire Sprinklers

AB 2836 (Karnette) Requires residential care facilities for the elderly (RCFEs) that house or care for four or more clients or residents, to have an approved, operable automatic fire sprinkler system on and after January 1, 2014, if they are licensed as of January 1, 2010. Requires every facility for which a license is newly issued on or after January 1, 2010, to have an approved, operable automatic fire sprinkler system on and after the date of issuance.

Vetoed

AB 586/McLeod, Medical Disaster Mobilization

STATUS: Enacted - Chapter #703

This bill would allow for appointment of a Medical Health Operation Area Coordinator in each disaster operational area and requires regulations and establishment of an advisory committee for disaster activities.

AB 2083/Vargas, Emergency medical services: automatic external defibrillators

STATUS: Enacted – Chapter #85

This bill would extend the sunset date to January 1, 2013, on the operative provisions of existing law governing the use of AEDs.

AB 2554/Ridley-Thomas, Emergency Medical Technicians: certificates: discipline

STATUS: Vetoed

This bill would prohibit a medical director of a local EMS agency from suspending or revoking any EMT-I certificate issued by a public safety agency or place on probation a EMT-I certificate holder in which the public safety agency has issued the certificate until certain policies and procedures are developed by the medical director and approved by EMSA.

AB 2138 Garcia Public employees' retirement: benefits.

Status: Assembly Rules

This bill would state the intent of the Legislature to enact legislation to address special death benefits, if a member dies in the line of duty, for a member whose principal duties consist of active fire suppression or law enforcement service.

SB 156 (Nell Soto, D-Pomona) – Extends the same authority to the State Fire Marshal granted to the OES Director in SB 1350 (Chapter No. 612, 2002), while also facilitating the intent of the Legislature to promptly develop and make terrorism preparedness training available to all California's fire service first responders.

AB 2132 (Lloyd Levine, D-Van Nuys) – Enables a retired CalPERS' annuitant, after reinstating to active employment and retiring for a second time, to preserve the option to retain the employer-paid PEMHCA health care contribution that he or she already earned through service with the employer that they first retired from.

AB 2544 (Fran Pavley, D-Agoura Hills) - Ensures that when a PEMHCA contracting employer establishes a lesser monthly employer-paid health care contribution for its retirees than for its active employees, such retiree contributions will equal active employee contributions within a period of not more than twenty calendar years, as the Legislature originally intended.

AB 2068 (Pedro Nava, D-Santa Barbara) – Maintains the right of injured workers to pre-designate their treating physicians and see their own doctors if they get injured on the job. **SIGNED INTO LAW**

AB 2231 (Fran Pavley, D-Agoura Hills) - Upon receipt of specified federal funds, this bill requires the Director of Emergency Services to convene a working group to assess technologies for the expansion of the transmission of emergency alerts to the public. **SIGNED INTO LAW**

SB 1040 Dunn (D) This bill amends the definition of stepchildren for purposes of receiving fee waivers for students attending the University of California and the California State University, who are the surviving children of a police officer or fire fighter killed during active duty.

Signed into law Chapter #395

Major Legislation CSFA Opposed

SB 1443 (Ashburn) 90% CAP ON SAFETY RETIREMENT FOR STATE EMPLOYEES

Would cap, at 90% of final compensation, the cumulative California Public Employees Retirement System (PERS) allowance under multiple retirement formulas for individuals serving the State of California in the state patrol, peace officer/firefighter, or state safety membership categories.

Resolutions Satisfied Other Than By Legislation

10-05 Technology Reconciliation/Electronic Signatures

Jim Robinson, Los Angeles County FD

Tim Karp, Los Angeles County FD

Government Code Section 16.5 and these proposed regulations affect public entities in California, which are defined by the Government Code as: the State, the Regents of the University of California, a county, city, district, public authority, public agency, and any other political subdivision or public corporation in the State.

6-05 Tactical EMS Scope of Practice

Jacob Heflin

Jake has a task force working on this issue to see if it should be done through the regulatory process or through legislation.

9-05 DMV Employee Training Program (ETP)

Ken Wuchner

Firefighters who are ETP trainers are exempted from losing their trainer status even if they go longer than 90 days with out conducting a test.