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**AB-1980 Memorial to California firefighters: modifications.** (2015-2016)

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**Assembly Bill No. 1980**

**CHAPTER 688**

An act to add Section 13082 to the Health and Safety Code, relating to the memorial to California firefighters.

[ Approved by Governor September 27, 2016. Filed with Secretary of State September 27, 2016. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1980, Irwin. Memorial to California firefighters: modifications.

Existing law authorizes the construction of a memorial to California firefighters on the grounds of the State Capitol, but prohibits the expenditure of state funds for purposes of the memorial.

This bill would authorize the California Fire Foundation, a nonprofit organization that provides assistance to the families of fallen firefighters, in consultation with the Department of General Services, to prepare a plan to construct modifications to the existing memorial on the grounds of the State Capitol, which may include the construction of a new wall within the existing footprint of the memorial that would include the names of additional fallen firefighters. The bill would require the Department of General Services, if the foundation prepares a plan pursuant to those provisions, to take specified actions to ensure that the design, review, inspection, and construction of the proposed modifications meet prescribed requirements. The bill would require the foundation, if it undertakes responsibility to modify the memorial pursuant to these provisions, in consultation with the Department of General Services, to establish a schedule for the design and construction, implement procedures to solicit designs, devise a process for the choice of design for the proposed modifications, and report to the Joint Committee on Rules on the proposed modifications. The bill would require the California Fire Foundation to submit a plan for the proposed modifications to the Department of General Services and the Joint Committee on Rules for their review and approval. The bill would prohibit the foundation from commencing construction of any proposed modifications to the memorial until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, or January 1, 2021, whichever occurs first. The bill would prohibit the commencement of any approved modifications unless the Joint Committee on Rules and the Department of Finance have verified that sufficient private donations have been secured to complete construction of the modifications. The bill would require that any modifications to the memorial be funded exclusively by private donations secured by the foundation.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 13082 is added to the Health and Safety Code, to read:

**13082.** (a) The California Fire Foundation may, in consultation with the Department of General Services, prepare a plan to construct modifications to the memorial to California firefighters on the grounds of the State Capitol, which may include the

construction of a new wall within the existing footprint of the memorial that would include the names of additional fallen firefighters.

(b) If the California Fire Foundation prepares a plan to modify the memorial pursuant to this section, the Department of General Services shall do all of the following:

(1) Review preliminary design plans for the modifications and identify potential maintenance concerns.

(2) Ensure that the proposed modifications comply with the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and other applicable safety laws and regulations.

(3) Ensure that the proposed modifications comply with the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and any other applicable building standards for work to be carried out at the existing memorial.

(4) Review the final construction documents to ensure that all applicable requirements are met.

(5) Prepare the right-of-entry permit outlining the final area of work, final construction documents and permits, construction plans, and the name of the contractor who will perform the work, and verify that the contractor is properly licensed and insured, including maintaining adequate personal liability insurance for damage to state property.

(6) Conduct inspections of the construction performed by the contractor selected by the foundation.

(c) If the California Fire Foundation undertakes responsibility to modify the memorial to California firefighters pursuant to this section, it shall, in consultation with the Department of General Services, establish a schedule for the design and construction, implement procedures to solicit designs, devise a selection process for the choice of the design for the modifications, and report to the Joint Committee on Rules on the proposed modifications.

(d) The California Fire Foundation shall submit a plan for proposed modifications of the memorial prepared pursuant to this section to the Department of General Services and the Joint Committee on Rules for their review and approval. The California Fire Foundation shall not commence construction of any proposed modifications until the master plan of the State Capitol Park is approved and adopted by the Joint Committee on Rules, or until January 1, 2021, whichever occurs first. Any approved modifications shall not commence unless the Joint Committee on Rules and the Department of Finance have verified that sufficient private donations have been secured to complete construction of the modifications.

(e) Any modifications to the memorial carried out pursuant to a plan prepared pursuant to this section shall be funded exclusively through private donations secured by the California Fire Foundation.