

AMENDED IN SENATE MAY 11, 2006

AMENDED IN SENATE JUNE 20, 2005

AMENDED IN ASSEMBLY JUNE 1, 2005

AMENDED IN ASSEMBLY MARCH 30, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 669

Introduced by Assembly Member La Suer

February 17, 2005

~~An act to add Section 13159.11 to the Health and Safety Code, relating to fire safety, and declaring the urgency thereof, to take effect immediately.—An act to add Section 2253.5 to the Business and Professions Code, relating to abortions.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 669, as amended, La Suer. ~~Firefighter training and standards.~~
Physician and surgeons: abortions: followup medical care.

Existing law, the Reproductive Privacy Act, makes a surgical abortion unauthorized unless it complies with provisions of the Medical Practice Act that makes performance of an abortion by a person without a physician and surgeon's certificate subject to the provisions relating to the unauthorized practice of medicine. Violation of these provisions constitutes unprofessional conduct and is a crime.

This bill would require a physician and surgeon who performs an abortion to advise the patient that she should seek followup medical care, as prescribed. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~(1) Existing law requires the State Fire Marshal with policy guidance and advice from the State Board of Fire Services to, among other things, make fire services training and education programs available on a voluntary basis to fire departments through the California Fire Service and Education Program and to establish and validate recommended minimum standards for fire protection personnel and fire protection instructors at all career levels through the California Fire and Arson Training Act.~~

~~This bill would create the California Firefighter Training Standards Task Force, composed of specified state agency heads and representatives from other associations and entities, to coordinate with participating agencies and stakeholders to conduct a statewide needs assessment and make recommendations for the implementation and funding of a comprehensive, continuing training and education structure that meets the needs of the disciplines within the fire service profession.~~

~~The bill would also require the task force to make a specified report to the Legislature no later than December 31, 2005.~~

~~(2) This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~-yes.

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

- 1 *SECTION 1. Section 2253.5 is added to the Business and*
- 2 *Professions Code, to read:*
- 3 *2253.5. (a) A physician and surgeon who performs an*
- 4 *abortion shall advise the patient to seek followup medical care*
- 5 *from the physician and surgeon, from her personal physician and*
- 6 *surgeon, or from any other physician and surgeon of her choice.*
- 7 *(b) Violation of this section constitutes unprofessional*
- 8 *conduct.*

1 *SEC. 2. No reimbursement is required by this act pursuant to*
2 *Section 6 of Article XIII B of the California Constitution because*
3 *the only costs that may be incurred by a local agency or school*
4 *district will be incurred because this act creates a new crime or*
5 *infraction, eliminates a crime or infraction, or changes the*
6 *penalty for a crime or infraction, within the meaning of Section*
7 *17556 of the Government Code, or changes the definition of a*
8 *crime within the meaning of Section 6 of Article XIII B of the*
9 *California Constitution.*

10 ~~SECTION 1. The Legislature finds and declares all of the~~
11 ~~following:~~

12 ~~(a) The Governor's Blue Ribbon Fire Commission reported in~~
13 ~~April of 2004, that the training of California's firefighters is~~
14 ~~complex and diverse and has many agencies participating in the~~
15 ~~development and delivery of firefighter training programs.~~

16 ~~(b) Many state agencies and other associations play key roles~~
17 ~~in providing firefighter training and educational opportunities for~~
18 ~~California firefighters. These entities include the California~~
19 ~~Firefighter Joint Apprenticeship Program, the Department of~~
20 ~~Forestry and Fire Protection, the State Fire Marshal, the~~
21 ~~Governor's Office of Emergency Services, the state Emergency~~
22 ~~Medical Services Authority, CAL/OSHA, the California~~
23 ~~Community Colleges, the California State Firefighters'~~
24 ~~Association, the California Fire Chiefs Association, the~~
25 ~~California Fire Districts Association, the United States Fire~~
26 ~~Administration, the National Fire Academy, and local~~
27 ~~jurisdictions that provide fire services.~~

28 ~~(c) While California has led the way in developing better~~
29 ~~training programs for firefighters, these programs have not been~~
30 ~~coordinated in a uniform manner. Currently, the State Board of~~
31 ~~Fire Services recommends voluntary minimum statewide service~~
32 ~~level or training standards to the State Fire Marshal. There are no~~
33 ~~mandates for the maintenance of performance standards or~~
34 ~~continuing education on firefighting.~~

35 ~~SEC. 2. Section 13159.11 is added to the Health and Safety~~
36 ~~Code, to read:~~

37 ~~13159.11. (a) The State Fire Marshal shall convene the~~
38 ~~California Firefighter Training Standards Task Force which is~~
39 ~~herein established to coordinate with participating agencies and~~
40 ~~stakeholders to conduct a statewide needs assessment and make~~

- 1 ~~recommendations for the implementation and funding of a~~
2 ~~comprehensive, standardized, continuing education structure on~~
3 ~~firefighting that meets the needs of all disciplines within the fire~~
4 ~~service profession, including, but not limited to, all of the~~
5 ~~following:~~
- 6 ~~(1) Urban and wild land fire suppression.~~
 - 7 ~~(2) Fire prevention.~~
 - 8 ~~(3) Agency communication.~~
 - 9 ~~(4) Emergency medical services.~~
- 10 ~~(b) The task force shall consist of the following:~~
- 11 ~~(1) The State Fire Marshal.~~
 - 12 ~~(2) The Director of Forestry and Fire Protection.~~
 - 13 ~~(3) The Director of the Office of Emergency Services.~~
 - 14 ~~(4) The Director of the Emergency Medical Services~~
15 ~~Authority.~~
 - 16 ~~(5) The Director of CAL/OSHA.~~
 - 17 ~~(6) The Chair of the California Firefighter Joint~~
18 ~~Apprenticeship Program.~~
 - 19 ~~(7) A fire service representative selected by the California~~
20 ~~State Firefighters' Association.~~
 - 21 ~~(8) One fire chief selected by the California Fire Chiefs~~
22 ~~Association.~~
 - 23 ~~(9) One fire chief selected by the California Fire Districts~~
24 ~~Association.~~
 - 25 ~~(10) One fire service labor representative selected by the~~
26 ~~California Labor Federation.~~
 - 27 ~~(11) One fire service labor representative selected by the~~
28 ~~California Professional Firefighters.~~
 - 29 ~~(12) One fire service labor representative selected by the~~
30 ~~International Association of Fire Fighters.~~
 - 31 ~~(13) One fire service labor representative selected by the~~
32 ~~California Department of Forestry Firefighters.~~
 - 33 ~~(14) One fire service representative selected by the League of~~
34 ~~California Cities.~~
 - 35 ~~(15) One fire service representative selected by the California~~
36 ~~State Association of Counties.~~
 - 37 ~~(16) A representative, appointed by the State Fire Marshal,~~
38 ~~from the United States Fire Administration.~~
 - 39 ~~(17) A representative, appointed by the State Fire Marshal,~~
40 ~~from the National Fire Academy.~~

1 ~~(e) The State Fire Marshal shall serve as the chair of the task~~
2 ~~force.~~

3 ~~(d) The task force shall prepare a report to the Legislature~~
4 ~~regarding the establishment of minimum training and continuing~~
5 ~~education standards on firefighting no later than December 31,~~
6 ~~2005.~~

7 ~~SEC. 3. This act is an urgency statute necessary for the~~
8 ~~immediate preservation of the public peace, health, or safety~~
9 ~~within the meaning of Article IV of the Constitution and shall go~~
10 ~~into immediate effect. The facts constituting the necessity are:~~

11 ~~In order to implement a comprehensive, continuing training~~
12 ~~and education structure that meets the needs of the disciplines~~
13 ~~within the fire service profession, at the earliest possible time, it~~
14 ~~is necessary that this act take effect immediately.~~