

AMENDED IN ASSEMBLY MARCH 26, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1863

Introduced by Assembly Member Chesbro

February 22, 2012

An act to amend Sections 8680.3 and 8685 of the Government Code, relating to mutual aid, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1863, as amended, Chesbro. Mutual aid: reimbursement.

The California Emergency Services Act provides for the rendering of mutual aid by the state government and by the political subdivisions of this state to mitigate the effects of natural, manmade, or war-caused emergencies. The act requires aid to be rendered in accordance with approved emergency plans during any state of war emergency or state of emergency when the need arises for outside aid in any county, city and county, or city. The act authorizes state agencies and political subdivisions to exercise mutual aid powers in accordance with the Master Mutual Aid Agreement and local ordinances, resolutions, agreements, or plans in periods other than a state of war emergency, a state of emergency, or a local emergency.

This bill would make certain findings and declarations regarding a 36-day manhunt that occurred in Mendocino County in 2011. This bill would appropriate \$40,827.29 from the General Fund to Mendocino County to reimburse the county for the costs it incurred during the manhunt. ~~This bill would state the intent of the Legislature to enact legislation that would establish reimbursement procedures for statewide law enforcement mutual aid.~~

The act defines the term “disaster” to mean a fire, flood, storm, tidal wave, earthquake, terrorism, epidemic, or other similar public calamity that the Governor determines presents a threat to public safety.

This bill would additionally define the term “public calamity” for purposes of the definition of the term “disaster.”

The act additionally authorizes funds appropriated for purposes of the act to be used to provide financial assistance for, among other things, local agency personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities incurred as a result of a state of emergency proclaimed by the Governor, as specified.

This bill would additionally authorize funds appropriated for purposes of the act to be used for the costs of food and lodging for mutual aid responders.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) A 36-day manhunt occurred in Mendocino County from late
4 August 2011 to October 1, 2011, for a suspect in the murders of
5 community member Matthew Coleman and Fort Bragg City
6 Council Member Jere Melo.

7 (b) Law enforcement agencies throughout California, assisted
8 by fellow emergency responders, engaged in an unprecedented
9 manhunt. The search for the suspect centered four miles east of
10 Fort Bragg in remote and rugged terrain. The multiagency search
11 operation, the parameters of which were focused along the
12 Highway 20 corridor, between Willits and Fort Bragg into the
13 Noyo Basin, depleted the scarce financial resources of the
14 Mendocino County Sheriff’s Office.

15 (c) The Mendocino County Sheriff’s Office incurred special
16 expenses for outside agencies that came at Mendocino County’s
17 request for mutual aid, including lodging, food, and logistical
18 expenditures in the amount of \$40,827.29.

19 SEC. 2. The sum of forty thousand eight hundred twenty-seven
20 dollars and twenty-nine cents (\$40,827.29) is hereby appropriated
21 from the General Fund to Mendocino County to reimburse the

1 county for the costs it incurred for the food and lodging of outside
2 agencies that offered mutual aid to the county in the 2011 manhunt
3 for the suspected killer of Matthew Coleman and Fort Bragg City
4 Council Member Jere Melo.

5 *SEC. 3. Section 8680.3 of the Government Code is amended*
6 *to read:*

7 8680.3. “Disaster” means a fire, flood, storm, tidal wave,
8 earthquake, terrorism, epidemic, or other similar public calamity
9 that the Governor determines presents a threat to public safety. A
10 *public calamity includes, but is not limited to, an uncommon*
11 *situation that requires law enforcement, that is or threatens to*
12 *become of serious epidemic proportions, and for which local*
13 *resources are inadequate to protect the lives and property of*
14 *citizens or to enforce the law. A public calamity does not include*
15 *the perceived need for planning or other activities related to crowd*
16 *control for general public safety projects, or a situation requiring*
17 *the enforcement of laws associated with scheduled public events,*
18 *including, but not limited to, political conventions and sporting*
19 *events.*

20 *SEC. 4. Section 8685 of the Government Code is amended to*
21 *read:*

22 8685. From any moneys appropriated for that purpose, and
23 subject to the conditions specified in this article, the secretary shall
24 allocate funds to meet the cost of any one or more projects as
25 defined in Section 8680.4. Applications by school districts shall
26 be submitted to the Superintendent of Public Instruction for review
27 and approval, in accordance with instructions or regulations
28 developed by the California Emergency Management Agency,
29 prior to the allocation of funds by the secretary.

30 Moneys appropriated for the purposes of this chapter may be
31 used to provide financial assistance for the following local agency
32 and state costs:

33 (a) Local agency personnel costs, equipment costs, ~~and~~ the cost
34 of supplies and materials used during disaster response activities,
35 *and the costs of food and lodging for mutual aide responders*
36 incurred as a result of a state of emergency proclaimed by the
37 Governor, excluding the normal hourly wage costs of employees
38 engaged in emergency work activities.

39 (b) To repair, restore, reconstruct, or replace facilities belonging
40 to local agencies damaged as a result of disasters as defined in

1 Section 8680.3. Mitigation measures performed pursuant to
2 subdivision (b) of Section 8686.4 shall qualify for funding pursuant
3 to this chapter.

4 (c) Matching fund assistance for cost sharing required under
5 federal disaster assistance programs, as otherwise eligible under
6 this act.

7 (d) Indirect administrative costs and any other assistance deemed
8 necessary by the director.

9 (e) Necessary and required site preparation costs for
10 mobilehomes, travel trailers, and other manufactured housing units
11 provided and operated by the Federal Emergency Management
12 Agency.

13 ~~SEC. 3. It is the intent of the Legislature to enact legislation~~
14 ~~that would establish reimbursement procedures for statewide law~~
15 ~~enforcement mutual aid.~~