

AMENDED IN ASSEMBLY MARCH 27, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1873**

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**Introduced by Assembly Member Galgiani**

February 22, 2012

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An act relating to mutual aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1873, as amended, Galgiani. County costs: 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 appropriate ~~an unspecified sum~~ \$90,000 from the General Fund to the County of San Joaquin and Calaveras County to reimburse those counties for the costs they incurred during 2012 for the excavation and recovery of victims of a serial killing and costs incurred for assistance provided by outside agencies that offered mutual aid. *The bill would make specified legislative findings and declarations.*

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

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. (a) *The Legislature finds and declares all of the*  
2 *following:*

3 (1) *Numerous victims went missing from northern California*  
4 *and throughout California’s rural Central Valley prior to the*  
5 *arrest of a team of two serial killers in 1999. In December 2011,*  
6 *one of the subjects began revealing information about the locations*  
7 *of homicide victims and leading investigators to burial sites*  
8 *containing an unknown number of victims.*

9 (2) *The search and recovery effort occurred in a remote area*  
10 *in Calaveras County and an abandoned well in a cattlefield in San*  
11 *Joaquin County from December 2011 to February 2012.*

12 (3) *This case may lead to the reopening of numerous missing*  
13 *persons cases in perhaps as many as 72 missing person cold case*  
14 *files in up to 21 Northern California counties.*

15 (4) *The United States Congress has granted the Federal Bureau*  
16 *of Investigations with the authority to investigate serial killings in*  
17 *accordance with Section 540B of Title 28 of the United States*  
18 *Code.*

19 (5) *The Federal Bureau of Investigations is assisting the*  
20 *Sheriffs’ Departments of Calaveras and San Joaquin counties with*  
21 *the investigation, search, and recovery effort, due to the need to*  
22 *continue the search of other sites, the need to process the volume*  
23 *of remains and evidence being recovered, and the need to*  
24 *communicate information between multiple jurisdictions.*

25 (6) *The recovery of additional evidence in the initial search was*  
26 *a matter of statewide interest as additional evidence likely would*  
27 *have led to additional charges, and probable convictions against*  
28 *one of the serial killers prior to his suicide. This subject was*  
29 *-serving the final eight months of his parole term, and was due to*  
30 *be released to the general population in September 2012.*

31 (b) *The Legislature further finds and declares all of the*  
32 *following:*

1 (1) *The recovery of remains of missing victims is of utmost*  
2 *importance to show respect to the victims, and to ease the suffering*  
3 *of the victims families.*

4 (2) *A search and recovery effort for missing loved ones should*  
5 *not be hampered or delayed by any lack of funds or resources*  
6 *available to a county for such purposes.*

7 **SECTION 1.**

8 ~~SEC. 2. An unspecified~~ *The sum of ninety thousand dollars*  
9 *(\$90,000) is hereby appropriated from the General Fund to the*  
10 *County of San Joaquin and Calaveras County to reimburse those*  
11 *counties for the costs they incurred during 2012 for the excavation*  
12 *and recovery of victims of a serial killing and costs incurred for*  
13 *assistance provided by outside agencies that offered mutual aid.*

14 ~~SEC. 2.~~

15 *SEC. 3. This act is an urgency statute necessary for the*  
16 *immediate preservation of the public peace, health, or safety within*  
17 *the meaning of Article IV of the Constitution and shall go into*  
18 *immediate effect. The facts constituting the necessity are:*

19 *In order to provide the County of San Joaquin and Calaveras*  
20 *County with urgently needed fiscal assistance at the earliest*  
21 *possible time, it is necessary that this act take effect immediately.*