

AMENDED IN SENATE APRIL 13, 2016
AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1118

Introduced by Senator Berryhill
(Principal coauthor: Assembly Member Bigelow)

February 17, 2016

An act to amend Section 8686 of the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1118, as amended, Berryhill. Disaster relief.

The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs.

This bill would add the forest fires that occurred in the County of Calaveras in 2015 to the list of events for which the state share of state eligible cost is up to 100%.

This bill would incorporate changes to Section 8686 of the Government Code proposed by both this bill and SB 937, which would become operative only if both bills are enacted and become effective on or before January 1, 2017, and this bill is chaptered last.

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

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

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

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

(a) In 2015 the Butte Fire burned through the County of Calaveras for a total of 70,868 acres. The Butte Fire took the lives of two people and destroyed or damaged 965 structures at an estimated \$300 million in insured losses, making it the seventh most destructive wildfire to hit the state.

(b) On September 10, 2015, the Calaveras County Board of Supervisors ratified the Declaration of a Local Emergency in Calaveras County as a result of the September 9, 2015, wildland fire that caused damage to public and private property.

(c) On September 22, 2015, Governor Edmund G. Brown Jr. requested that the area burned in the Butte Fire be declared a federal major disaster.

(d) On September 23, 2015, President Barack Obama declared the Butte Fire a federal major disaster.

(e) Prior to the Butte Fire, the County of Calaveras had not fully recovered from the economic impacts of the 2007 recession when the secured property tax revenues declined 28 percent between the 2008–09 fiscal year and the 2012–13 fiscal year for a loss in annual General Fund revenue of nearly \$4 million, and since that time, property tax revenues have only recovered by 12.3 percent.

(f) The estimated property valuation loss due to the Butte Fire is \$53.8 million and the County of Calaveras is expected to experience continued decline in assessed property tax valuation and revenue losses for several years as the result of the number of properties and structures damaged.

(g) The County of Calaveras has, for the past eight years, adopted a deficit budget balanced with reductions to departmental budgets and the use of prior year carryover and one-time funds.

~~(f)~~

(h) The County of Calaveras is expected to have an estimated county share of cost for the Butte Fire response and recovery of \$1.4 million which will significantly impact the county's General Fund Reserve general fund reserve of \$2.4 million.

SEC. 2. Section 8686 of the Government Code is amended to read:

1 8686. (a) For any eligible project, the state share shall amount
2 to no more than 75 percent of total state eligible costs.

3 (b) Notwithstanding subdivision (a), the state share shall be up
4 to 100 percent of total state eligible costs connected with the
5 following events:

6 (1) The October 17, 1989, Loma Prieta earthquake.

7 (2) The October 20, 1991, East Bay fire.

8 (3) The fires that occurred in southern California from October
9 1, 1993, to November 30, 1993, inclusive.

10 (4) The January 17, 1994, Northridge earthquake.

11 (5) Storms that occurred in California during the periods
12 commencing January 3, 1995, and February 13, 1995, as specified
13 in agreements between this state and the United States for federal
14 financial assistance.

15 (6) The storms that occurred in California in December 1996
16 and early January 1997, as specified in agreements between this
17 state and the United States for federal financial assistance.

18 (7) The winter storms and flooding that occurred from February
19 1, 1998, to April 30, 1998, inclusive, as specified in agreements
20 between this state and the United States for federal financial
21 assistance.

22 (8) The wildfires that occurred in southern California
23 commencing October 21, 2003, as specified in agreements between
24 this state and the United States for federal financial assistance.

25 (9) The December 22, 2003, San Simeon earthquake, as
26 specified in agreements between this state and the United States
27 for federal financial assistance.

28 (10) The severe storms, flooding, debris flows, and mudslides
29 that occurred during December 27, 2004, to January 11, 2005,
30 inclusive, in southern California, as specified in agreements
31 between this state and the United States for federal financial
32 assistance.

33 (11) The severe storms, flooding, landslides, and mud and debris
34 flows that occurred in southern California during the period from
35 February 16, 2005, to February 23, 2005, inclusive, as specified
36 in agreements between this state and the United States for federal
37 financial assistance.

38 (12) The severe storms, flooding, mudslides, and landslides that
39 occurred in northern California during the period from December
40 17, 2005, to January 3, 2006, inclusive, as specified in agreements

1 between this state and the United States for federal financial
2 assistance.

3 (13) The severe storms and flooding that occurred in northern
4 and central California during the period from March 29, 2006, to
5 April 16, 2006, inclusive, as specified in agreements between this
6 state and the United States for federal financial assistance.

7 (14) The forest fires that occurred in the County of Calaveras
8 in 2015.

9 (c) For any federally declared disaster subsequent to January 1,
10 1995, that the Legislature has designated in subdivision (b), the
11 state shall assume the increased share specified in subdivision (b)
12 in those cases where the Federal Emergency Management Agency
13 or another applicable federal agency has approved the federal share
14 of costs.

15 (d) The state shall make no allocation for any project application
16 resulting in a state share of less than two thousand five hundred
17 dollars (\$2,500) under this section.

18 SEC. 2.5. Section 8686 of the Government Code is amended
19 to read:

20 8686. (a) For any eligible project, the state share shall amount
21 to no more than 75 percent of total state eligible costs.

22 (b) Notwithstanding subdivision (a), the state share shall be up
23 to 100 percent of total state eligible costs connected with the
24 following events:

25 (1) The October 17, 1989, Loma Prieta earthquake.

26 (2) The October 20, 1991, East Bay fire.

27 (3) The fires that occurred in southern California from October
28 1, 1993, to November 30, 1993, inclusive.

29 (4) The January 17, 1994, Northridge earthquake.

30 (5) Storms that occurred in California during the periods
31 commencing January 3, 1995, and February 13, 1995, as specified
32 in agreements between this state and the United States for federal
33 financial assistance.

34 (6) The storms that occurred in California in December of 1996
35 and early January of 1997, as specified in agreements between this
36 state and the United States for federal financial assistance.

37 (7) The winter storms and flooding that occurred from February
38 1, 1998, to April 30, 1998, inclusive, as specified in agreements
39 between this state and the United States for federal financial
40 assistance.

1 (8) The wildfires that occurred in southern California
2 commencing October 21, 2003, as specified in agreements between
3 this state and the United States for federal financial assistance.

4 (9) The December 22, 2003, San Simeon earthquake, as
5 specified in agreements between this state and the United States
6 for federal financial assistance.

7 (10) The severe storms, flooding, debris flows, and mudslides
8 that occurred during December 27, 2004, to January 11, 2005,
9 inclusive, in southern California, as specified in agreements
10 between this state and the United States for federal financial
11 assistance.

12 (11) The severe storms, flooding, landslides, and mud and debris
13 flows that occurred in southern California during the period from
14 February 16, 2005, to February 23, 2005, inclusive, as specified
15 in agreements between this state and the United States for federal
16 financial assistance.

17 (12) The severe storms, flooding, mudslides, and landslides that
18 occurred in northern California during the period from December
19 17, 2005, to January 3, 2006, inclusive, as specified in agreements
20 between this state and the United States for federal financial
21 assistance.

22 (13) The severe storms and flooding that occurred in northern
23 and central California during the period from March 29, 2006, to
24 April 16, 2006, inclusive, as specified in agreements between this
25 state and the United States for federal financial assistance.

26 (14) The forest fires that occurred in the County of Calaveras
27 in 2015.

28 (15) The forest fires that occurred in the County of Lake in
29 2015.

30 (c) For any federally declared disaster subsequent to January 1,
31 1995, that the Legislature has designated in subdivision (b), the
32 state shall assume the increased share specified in subdivision (b)
33 in those cases where the Federal Emergency Management Agency
34 or another applicable federal agency has approved the federal share
35 of costs.

36 (d) The state shall make no allocation for any project application
37 resulting in a state share of less than two thousand five hundred
38 dollars (\$2,500) under this section.

39 SEC. 3. Section 2.5 of this bill incorporates amendments to
40 Section 8686 of the Government Code proposed by both this bill

1 and Senate Bill 937. It shall only become operative if (1) both bills
2 are enacted and become effective on or before January 1, 2017,
3 (2) each bill amends Section 8686 of the Government Code, and
4 (3) this bill is enacted after Senate Bill 937, in which case Section
5 2 of this bill shall not become operative.

6 SEC. 4. This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or safety within
8 the meaning of Article IV of the Constitution and shall go into
9 immediate effect. The facts constituting the necessity are:

10 In order to timely provide essential relief to those persons who
11 have suffered damage or loss as a result of the forest fires that
12 occurred in the County of Calaveras in 2015, it is necessary that
13 this act take effect immediately.