

Last year, the Legislature introduced 60 bills addressing disaster response and recovery. This year, approximately 80 disaster and emergency response bills were introduced. The Legislature is considering how to address the costs of disasters, and prepare and respond to catastrophic events.

Bills of Interest

- **AB 41 (Gallagher) Disaster relief: Camp Fire (Support)**
Requires the state to cover the local portion of the cleanup and repair costs associated with the Camp Fire.
- **AB 291 (Chu) Emergency Preparedness (Pending Support)**
Establishes a \$500 million statewide Local Emergency Preparedness and Hazard Mitigation fund to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency preparedness goals and boost local emergency preparedness programs throughout the state that remain underfunded or neglected.
- **AB 429 (Nazarian) Seismically Vulnerable Buildings: Inventory (Support)**
Requires the Alfred E. Alquist Seismic Safety Commission (SSC) to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings.
- **SB 45 (Allen) Wildfire, Drought, and Flood Protection Bond Act of 2020 (Pending)**
Proposes to place a \$4.3 billion bond for wildfire, drought, and flood protection on the 2020 ballot. Grant funds would be available for local and state agencies.
- **SB 46 (Jackson) Emergency Services: Telecommunications (Support)**
Authorizes cities to obtain the contact information of its residents from their local public utility, or from their own public records, for purposes of enrolling residents into the local emergency alert warning system and only for that purpose.
- **SB 182 (Jackson) Local Government: Planning and Zoning: Wildfires (Pending)**
Imposes additional planning responsibilities on local governments, requires cities and counties to make specified findings prior to permitting development in very high fire hazard severity zones and other areas designated as the Wildland-Urban Interface.
- **SB 209 (Dodd) Wildfire: California Wildfire Warning Center: Weather Monitoring (Support)**
Establishes the California Wildfire Warning Center, to among other things, oversee the development and deployment of a statewide network of automated weather and environmental stations to monitor weather conditions that contribute to high wildfire risk.
- **SB 670 (McGuire) Telecommunications: Outages Affecting Public Safety (Support)**
Requires telecommunications providers to notify the California Office of Emergency Services (CalOES) of 911 service or emergency warning outages.

Liability for Utility-Caused Wildfires: Inverse Condemnation

On Friday April 12, the Governor released the “Wildfires and Climate Change: California’s Energy Future” report. This report outlines steps the state can take to reduce the incidence and severity of wildfires, including renewing the state’s commitment to clean energy and actions to hold the state’s utilities accountable, while recommending changes to stabilize California’s utilities to meet the energy needs of California. Within this report, Governor Newsom identifies three potential concepts for allocating responsibility for wildfire costs, including:

- 1) A liquidity-only fund that would provide liquidity for utilities to pay wildfire damage claims pending CPUC determination of cost recovery potentially coupled with modification of cost recovery standards;
- 2) Modifying the Constitutional inverse condemnation standard to a fault-based standard;
- 3) Creation of a catastrophic wildfire fund coupled with a revised cost recovery standard to spread the cost of catastrophic wildfires more broadly among stakeholders.

While the report does not endorse any of the concepts, the League along with other local government, insurers, and fire victims’ groups strongly believe that the current constitutionally protected liability standard

under inverse condemnation is one of the very best tools to decrease the risk of catastrophic wildfires. It incentivizes safety and facilitates actions that reduce wildfire risk as we adapt to our changing environment and become more resilient.

Action: Urge legislators to oppose any changes to the inverse condemnation standard. Inverse condemnation incentivizes public and private utilities to focus on safety and requires them to pay damages to fire victims, including residents and local governments that suffer losses resulting from a utility fire.

Governor's Proposal FY 2019-20 Budget – Disaster and Emergency Preparedness

The Governor has proposed \$415 million in funding for emergency preparedness and response for fiscal year 2019-20 budget. Of the \$415 million, \$305 million is new funding for emergency planning. The remaining \$110 million would be carried over from last year, and one-time funding repeated from last year's appropriations.

Major program changes include:

- Increasing Fire Prevention – \$213.6 million to (1) complete more fuel reduction projects through the operation of prescribed fire crews and grants for forest health projects, (2) implement the recently enacted wildfire prevention and recovery legislative package, which streamlines regulatory barriers for fuel reduction projects, and (3) dispose of illegal and dangerous fireworks.
- Enhancing Aviation Resources – \$120.8 million to add aircraft with increased tactical capabilities to the California Department of Forestry and Fire Protection (CAL FIRE)'s aviation fleet to meet the challenges associated with more severe wildfire activity.
- Expanding Firefighting Surge Capacity – \$64.4 million to enhance CAL FIRE's fire protection capabilities, including resources to (1) add 13 new year-round fire engines in highest fire risk areas, (2) expand heavy fire equipment operator staffing during emergency wildfire events, (3) accelerate the replacement of fire engines and other mobile equipment, and (4) operate five additional CAL FIRE/California Conservation Corps fire crews.
- Supporting Emergency Responders – \$6.6 million to expand CAL FIRE's health and wellness program and to provide medical and psychological services, as well as peer support, to firefighters.
- Improving Use of Technology – 9.7 million for (1) dedicated staff to review data gathered via remote sensing technology, which will support CAL FIRE's incident commanders, and (2) 100 additional fire detection cameras that will be linked into the existing command centers.

Action: Urge legislators to support the Governor's budget proposals that increase funds for disaster and emergency response.