South Coast Air Quality Management District
2004 Legislative Status Report
Last Update: 06.15.2004

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AB 338 (Levine) A-05/24/2004 05/25/2004-In committee: Hearing postponed by committee. (Refers to 5/25/2004 hearing)	**Recycling: crumb rubber.** Existing law requires the State Procurement Officer, in purchasing any materials to be used in paving or paving subbase for use by the Department of Transportation and any other state agency that provides road construction and repair services, to make contracts available that utilize recycled materials, including crumb rubber, unless the Director of Transportation determines that the use of the materials is not cost effective based on specified factors. This bill would require the Department of Transportation to require the use of crumb rubber in at least 15% of all state highway and construction projects. This bill contains other related provisions.		05/24/2004-S TRANS.
AB 392 (Montanez) A-01/22/2004 02/17/2004-Referred to Com. on TRANS.	**Environmental justice and community-based transportation planning grants.** Existing law states that it is the intent of the Legislature to allocate $10,000,000 annually to the Environmental Enhancement and Mitigation Program Fund. Under these provisions, local, state, and federal agencies and nonprofit entities may apply for and receive grants for environmental enhancement and mitigation projects related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities. This bill would create the Environmental Justice Subaccount and the Community-Based Transportation Planning Subaccount in the State Highway Account, which would be funded from funds transferred to the subaccounts from the local assistance program of the State Highway Account . Under the bill, local agencies, nonprofit entities, metropolitan planning organizations, regional transportation organizations, Native American tribal governments, community-based organizations, public universities, local transportation commissions, port authorities, airport commissions, and similar entities would be authorized to apply for and receive grants from funds for these purposes , not to exceed $300,000 for any single grant, to undertake environmental justice projects and community-based transportation planning projects meeting specified requirements. The bill would require the Department of Transportation to evaluate proposals and prepare a list of proposals recommended for funding .		02/17/2004-S TRANS.
AB 406 (Jackson) A-01/26/2004 02/17/2004-Referred to Com. on ENV. QUAL.	**Environmental quality.** The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the		02/17/2004-S ENV. QUAL.

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	environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA permits a lead agency to charge and collect a reasonable fee from a project applicant in order to recover estimated costs incurred by the lead agency in preparing a negative declaration or an environmental impact report for the project and for procedures necessary to comply with CEQA on the project . This bill would specifically authorize a lead agency also to charge and collect a reasonable fee from the project applicant to cover the estimated costs incurred by the lead agency in preparing a draft environmental impact report or mitigated negative declaration . This bill contains other related provisions and other existing laws.		
AB 653 (Nunez) A-01/07/2004 01/07/2004-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.	**Energy efficiency: public buildings.** Existing law authorizes the State Public Works Board, until January 1, 2005, to issue revenue bonds, notes, and bond anticipation notes to finance the cost of cogeneration equipment, alternative energy equipment, and conservation measures in public buildings. This bill would delete the repeal date of these provisions, thus making this authority permanent and would make projects that combine conservation measures and alternative energy equipment eligible for funding under these provisions. The bill would also require the board, in determining whether to authorize funding for projects pursuant to these provisions, to evaluate each project in its entirety and analyze the costs and the financial and energy savings over the full life of the project. It would authorize the board, when analyzing a project, to consider any additional value added by product warranties associated with the project.		01/07/2004-S APPR.
AB 1468 (Kehoe) A-05/24/2004 05/25/2004-Withdrawn from committee. Re-referred to Com. on RLS.	**California on the Move-Petroleum Demand Reduction Act.** Existing law requires the State Energy Resources Conservation and Development Commission and the State Air Resources Board to implement and administer various laws governing motor vehicle fuel conservation and emission reduction in this state. This bill would enact the California on the Move-Petroleum Demand Reduction Act, which would require the commission and the state board, not later than January 1, 2010, to jointly adopt and implement measures to achieve a petroleum demand reduction goal that would limit on-road petroleum fuel demand to a level not exceeding 2004 demand levels, and maintain or reduce demand levels for the years from 2010		05/25/2004-S RLS.

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	to 2020, inclusive, as provided. The bill would specify that the measures adopted and implemented by the commission and the state board shall not require the imposition by those agencies of any new or additional taxes on motor vehicles, petroleum fuel, or vehicle miles traveled. The bill would authorize the commission and the state board to work with other states, members of the United States Congress, and other federal agencies that are responsible for the administration and implementation of federal laws governing vehicle fuel economy to assist in the development of new standards and regulations designed to increase on-road light-duty vehicle fuel economy for new vehicles. The bill would require the commission and the state board, not later than January 1, 2008, to jointly prepare and submit to the Legislature a report containing specified information on the progress achieved in meeting the petroleum demand reduction goals prescribed in the act.		
AB 1804 (Dutra) A-03/23/2004 05/19/2004-In committee: Set, first hearing. Held under submission.	**Vehicle license fees.** The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state in the amount of 2% of the market value of that vehicle, as specified. The VLF Law offsets the annual vehicle license fee by 67.5% for those vehicle license fees with a final due date on or after July 1, 2001. Existing law requires the VLF offset to be proportionately reduced within 90 days of a finding that there are insufficient moneys available to be transferred from the General Fund to fully fund the vehicle license fee offset. This bill would, for vehicle license fees with a final due date on and after October 1, 2003, eliminate the requirement to proportionately reduce the VLF offset. This bill contains other related provisions and other existing laws.		05/11/2004-A APPR.
AB 1906 (Lowenthal) I-02/09/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Hazardous materials: petroleum: underground storage tanks: cleanup: fees.** Existing law requires the owner or operator of an underground petroleum storage tank, or other responsible party, to take corrective action, as defined, in response to an unauthorized release of petroleum from the tank. A person required to perform corrective action may apply to the State Water Resources Control Board for payment of specified portions of the costs of corrective action. Existing law establishes the Underground Storage Tank Cleanup Fund in the State Treasury and authorizes the money in the fund to be used, upon appropriation by the Legislature, to pay those claims, among other things. Existing law imposes certain petroleum storage fees upon the owner of an underground storage tank for which a permit is required and requires those		05/26/2004-S RLS.

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	fees to be deposited in the fund. This bill would increase a specified petroleum storage fee by $0.001 per gallon of petroleum stored, on and after January 1, 2005, and by and additional $0.001 per gallon of petroleum stored, on and after January 1, 2006. By operation of existing law, the revenue resulting from the increase would be required to be deposited in the fund and be available, upon appropriation, for expenditure for the purposes authorized under existing law for money in the fund.		
AB 1942 (Lowenthal) A-04/19/2004 05/27/2004-Referred to Com. on ENV. QUAL.	**Hazardous waste facilities permits.** Existing law allows the owner or operator of a permitted hazardous waste facility to change facility structures or equipment without modifying the facility's hazardous waste facilities permit, if the change to the structure or equipment is not within a permitted unit, or if the structure or equipment is not actively related to the treatment, storage, or disposal of hazardous waste, or the secondary containment of those hazardous wastes, as specified. This bill would authorize the owner or operator of a permitted facility to change the facility structures or equipment as a Class 1* permit modification, pursuant to the regulations adopted by the Department of Toxic Substances Control , if the department determines that the change to the structure or equipment is necessary to comply with requirements or the request of a state or federal agency or an air quality management or air pollution control district and if the change will decrease risks to human health and safety or the environment related to the management of the hazardous wastes in the structure or equipment.		05/27/2004-S ENV. QUAL.
AB 1966 (Campbell) A-04/13/2004 05/27/2004-Referred to Coms. on E.,U. & C. and ENV. QUAL.	**Air pollution: hydrogen refueling stations.** Existing law designates the State Air Resources Board as the entity with the responsibility for the control of air pollution from vehicular sources. Existing law authorizes the state board to adopt and implement motor vehicle emission standards and motor vehicle fuel specifications, and existing state board regulations establish specifications for alternative motor vehicle fuels, including hydrogen. Provisions of law that were repealed January 1, 2003, required the State Energy Resources Conservation and Development Commission, in collaboration with the Department of Transportation, the Public Utilities Commission, and the state board, to develop a consumer recharging and refueling infrastructure master plan to support development, production, and operation of alternative fuel. This bill would require the state board to adopt regulations establishing statewide guidelines for the production and licensing of hydrogen fuel cell refueling stations in the state, in		05/27/2004-S E. U., & C.

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	collaboration with the department, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission. The bill would require those agencies to perform those activities utilizing existing funding resources.		
AB 1971 **(Lowenthal)** A-03/15/2004 05/13/2004-Referred to Coms. on TRANS. and ENV. QUAL.	**Air pollution: marine terminals.** This bill would make several clarifying changes to those provisions regarding the application of the above requirements with respect to both idling and queuing. This bill contains other related provisions and other existing laws.		05/13/2004-S TRANS.
AB 1991 **(Lowenthal)** A-03/18/2004 04/19/2004-In committee: Set, second hearing. Hearing canceled at the request of author.	**Petroleum infrastructure projects.** This bill would include petroleum infrastructure projects , as defined, in the existing certification process. The bill would require, if an application is for a marine terminal, as defined, the commission to transmit a copy of the application to the State Lands Commission and to the administrator of the state oil response program. This bill contains other related provisions and other existing laws.	**Oppose. Author has withdrawn bill**	03/22/2004-A NAT. RES.
AB 2024 (Bermudez) A-05/20/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Ports: transportation network.** Existing law provides that the Department of Transportation in the Business, Transportation and Housing Agency has full possession and control of all state highways. Existing law requires the department to engage in various transportation planning activities, including activities related to identification of intermodal corridors of economic significance. This bill would require the Port of Los Angeles and the Port of Long Beach to evaluate changes to the goods movement network to gauge adherence to the certain state goals relative to utilization of and congestion at ports and to collect statistics regarding compliance with federal, state, and local efforts to achieve certain related objectives, subject to the availability of sufficient funds from private sources for these and related purposes . The bill would also require the Business, Transportation and Housing Agency to prepare recommendations to implement additional incentives for movement of port-related cargo during off-peak hours, disincentives for movement of port-related cargo during peak hours, hours for operation of port terminals, railroads, trucks, and distribution centers, and other related matters. The bill would require the recommendations to be submitted to the Legislature in a report by January 1, 2006. The bill would require the cost of the report to be borne by assessments on the ports ,		05/26/2004-S RLS.

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	and would provide that the agency's duties are contingent on receipt on those funds .		
AB 2041 **(Lowenthal)** A-05/06/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Ports: congestion.** Existing law authorizes 2 or more harbor agencies, as defined, to form a joint powers authority for the purpose of establishing an infrastructure fund and financing port or harbor infrastructure, as specified. This bill would establish the Port Congestion Management District as an entity of local government, governed by a board consisting of 7 specified members appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing (Secretary) . This bill contains other related provisions and other existing laws.	**4/19/04 Legis. Comm: Support** **6/04/04 Legis. Comm: Support w/Amendments**	05/26/2004-S RLS.
AB 2042 **(Lowenthal)** A-05/03/2004 05/20/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Ports: Port of Los Angeles: Port of Long Beach: air pollution.** Existing law provides for the regulation of ports and harbors. This bill would require the south coast district to establish a baseline for air quality in the Port of Long Beach that is based on the port's emission inventory for 2002 , and a baseline for air quality in the Port of Los Angeles that is based on that port's emission inventory for 2001 , covering emissions from oceangoing vessels and harbor craft, cargo handling equipment, locomotives, and commercial vehicles, as defined. This bill contains other related provisions and other existing laws.	**4/9/04 Legis Comm: Support**	05/20/2004-S RLS.
AB 2043 **(Lowenthal)** A-05/20/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Maritime Port Strategic Master Plan Task Force.** Existing law provides for the regulation of ports and harbors. This bill would require the State Lands Commission to request the California Marine and Intermodal Transportation System Advisory Council, as defined, to meet on an unspecified basis, hold public hearings, and compile data on certain issues relating to the growth and congestion of maritime ports. The bill would require the commission to request the council to compile specified information and submit its findings in a report to the Legislature not later than January 1, 2006, including recommendations on methods to better manage the growth of maritime ports and address the environmental impacts of moving goods through those ports. This bill contains other related provisions.	**5/14/04 Legis. Comm: Support with Amendments**	05/26/2004-S RLS.
AB 2077 (Cogdill) I-02/17/2004 02/18/2004-From printer. May be heard in committee March 19.	**Air pollution: agricultural burning: biomass.** Existing law declares the intent of the Legislature to reduce air pollution from open-field burning in the state, and to improve air quality and protect the public health through new incentives for biomass facilities to increase the use of agricultural waste that would otherwise be burned in open fields in the state. This bill would further declare the intent of the Legislature to address the		02/17/2004-A PRINT

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	problems facing the viability of the utilization of biomass, and those facing agricultural owners and operators that are required to reduce open-field burning, while continuing to encourage cleaner air in the state.		
AB 2128 (Jackson) A-05/20/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	Air pollution: smog check: voluntary vehicle retirement incentives. Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs and the State Air Resources Board, that provides for the inspection of all motor vehicles, except those specifically exempted from the program, upon registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law establishes the High Polluter Repair or Removal Account in the Vehicle Inspection and Repair Fund for use by the department and the state board to establish and implement a program for the repair or replacement of high polluting vehicles. Existing law designates the state board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. This bill would, instead, deposit $4 of the revenues generated from the $6 annual smog abatement fee into the High Polluter Repair or Removal Account in the Vehicle Inspection and Repair Fund and would deposit the remaining $2 of that fee into the Vehicle Inspection and Repair Fund . The bill would make the moneys deposited under the bill in the High Polluter Repair or Removal Account available for appropriation by the Legislature to provide financial incentives to vehicle owners to voluntarily retire a motor vehicle as part of the Consumer Assistance Program. The bill would authorize a financial incentive within that program in an amount not to exceed $1,000 for each vehicle retired, and would authorize an incentive in an amount not to exceed $1,500 for each vehicle that is retired and replaced by a new advanced technology partial		05/26/2004-S RLS.

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	electric vehicle or a new zero-emission vehicle that meets or exceeds the standards adopted by the state board for that type of vehicle. This bill contains other existing laws.		
AB 2176 (Montanez) 06/03/2004 Env. Qual	Existing law, the California Integrated Waste Management Act of 1989, establishes an integrated waste management program administered by the California Integrated Waste Management Board. The act requires each city, county, city and county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. On and after January 1, 2000, the element is required to divert 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities. This bill would require the board, by June 30, 2005, to make available one or more model local agency ordinances to facilitate resource management activities at large venues and large events, consult with specified entities while developing the model ordinances, and post specified information on the board's Internet Web site. This bill contains other related provisions and other existing laws.		06/10/2004. In committee. Hearing cancelled at the request of the author
AB 2198 (Liu) I-02/18/2004 04/13/2004-In committee: Set, first hearing. Hearing canceled at the request of author.	**State agencies: reports: electronic format.** Existing law requires state agencies to prepare and submit various reports to the Legislature, the Governor, and other recipients. This bill would provide that when a state agency is requested or required to submit a report, and the resolution or statute does not require that each specified recipient receive a physical copy of the report, then, in the case of a report to the Governor, a physical copy shall be submitted to the Governor, in the case of a report to the Legislature, a physical copy shall be submitted to the Clerk of the Assembly and the Secretary of the Senate, and in the case of a report to a specified committee of the Legislature, a physical copy shall be submitted to the chairperson and vice chairperson of the committee. It also would require that each report a state agency is required to submit be available in an electronic format and specify an Internet Web site where the report may be downloaded and a telephone number to call to order a physical copy of the report.		03/01/2004-A B. & P.
AB 2209 (Wiggins) A-05/20/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Rental cars.** Existing law requires, among other things, that motor vehicles be registered and that the appropriate fees be paid before the motor vehicle may be driven, moved, or left standing upon a highway. This bill would provide that, notwithstanding any other provision of law, a rental company, as defined, may rent in California a passenger vehicle that is registered in another state or in the District of Columbia, subject to certain conditions. This bill would require		05/26/2004-S RLS.

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	the rental company to submit to the department and to the State Air Resources Board, under penalty of perjury, a comprehensive report for each month of the year ending the preceding December 31 indicating certain matters. This bill contains other related provisions and other existing laws.		
AB 2290 (Chavez) A-04/16/2004 05/27/2004-Referred to Com. on ENV. QUAL.	**Local agency fees: state agencies: solid waste collection services.** Existing law exempts certain public entities from various fees imposed by local agencies. This bill would authorize a solid waste enterprise that provides solid waste collection services to a state agency to deduct from the sum of specified local fees, the total fee amount attributable to the services provided to the state agency, subject to specified conditions.		05/27/2004-S ENV. QUAL.
AB 2304 (Richman) I-02/19/2004 05/20/2004-Referred to Com. on E.,U. & C.	**Energy resources.** Existing law requires the State Energy Resources Conservation and Development Commission to submit quarterly reports to the Legislature summarizing the amount of methyl tertiary-butyl ether (MTBE) used in gasoline by each refinery during the preceding quarter and comparing that amount to the amount of MTBE used in gasoline by each refinery during the previous quarter. This bill would delete this reporting requirement. This bill contains other related provisions and other existing laws.		05/20/2004-S E. U., & C.
AB 2305 (Richman) I-02/19/2004 04/20/2004-In committee: Hearing postponed by committee. (Refers to 4/19/2004 hearing)	**Petroleum infrastructure: permitting process.** The Warren-Alquist State Energy Resources Conservation and Development Act establishes a permitting process for powerplants. This bill would require the State Energy Resources Conservation and Development Commission (Energy Commission) to make recommendations to the Legislature for establishing a streamlined permitting process for petroleum-related infrastructure.	**3/12/04 Legis. Comm: Oppose. Continue monitoring**	03/18/2004-A NAT. RES.
AB 2311 (Jackson) A-03/30/2004 05/27/2004-Referred to Com. on G.O.	**Energy efficiency: sustainable building.** Existing law establishes various state programs to encourage conservation and energy efficiency in public buildings. This bill would provide that the state sustainable building goal is to site, design, demolish, construct, renovate, operate, and maintain state buildings that are models of energy, water, and materials efficiency, while providing healthy, productive, and comfortable indoor environments and long-term benefits to the residents of the state. The bill would require the Secretary for State and Consumer Services to facilitate the incorporation of sustainable building practices into the planning, operations, policymaking, and regulatory functions of state agencies and, no later than July 1, 2005, submit a report to the Governor with a recommended strategy for achieving this objective.		05/27/2004-S G.O.

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AB 2353 (Leslie) A-05/18/2004 05/27/2004-Referred to Com. on TRANS.	**Neighborhood Electric Vehicles.** Existing law defines "low-speed vehicle" for purposes of the Vehicle Code as a motor vehicle, other than a motor truck, with 4 wheels on the ground that is capable of a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour on a paved level surface and that has an unladen weight of 1800 pounds or less. Existing law imposes certain restrictions on the use of low-speed vehicles on public streets and highways, and generally requires an operator of a low-speed vehicle to have a driver's license. A violation of the Vehicle Code is an infraction, unless otherwise specified. This bill would authorize, until January 1, 2009, the City of Lincoln or any other city in the County of Placer or the County of Placer to establish a neighborhood electric vehicle (NEV) transportation plan subject to the same review process established for a golf cart transportation plan . The bill would define "neighborhood electric vehicle" for these purposes to have the same meaning as the above definition of "low-speed vehicle." The bill, among other things, would provide for the plan to authorize the use of state highways by NEVs under certain conditions. The bill would require a report to the Legislature by January 1, 2008. The bill would enact other related provisions. Because the bill would revise the definition of a crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.		05/27/2004-S TRANS.
AB 2366 (Chan) A-03/24/2004 05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Registration fees: additional: pollution control.** Existing law requires the Department of Motor Vehicles to collect additional fees upon the registration or renewal of registration of any motor vehicle registered in a county air pollution control district, air quality management district, or unified or regional air pollution control district, if requested by the district and if the district imposes the additional fees and implements a corresponding program under the California Clean Air Act of 1988. This bill would authorize the Bay Area Air Quality Management District to also impose a $1 fee on the initial registration and renewal of registration of motor vehicles in the bay area district. The bill would require the bay area district to expend moneys generated by the fee only to reduce emissions from vehicular sources. This bill contains other related provisions and other existing laws.		05/26/2004-S RLS.
AB 2424 (Malfa, La) A-04/13/2004 04/19/2004-In committee: Set, first	**Air pollution: mobile sources: emission inventory: vehicle retirement.** This bill would make additional legislative findings and declarations that the mobile source emission inventory should be calculated on the basis of a median data, rather than mean data, for any given vehicle model year,		04/14/2004-A TRANS.

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hearing. Hearing canceled at the request of author.	category, and emission certification level. The bill would require the state board, in developing the methodology, to ensure that the methodology does not overstate or misrepresent the verified ambient mobile source emissions reductions achieved due to actual in-use operation of the fleet median vehicle for any specified vehicle model year, category, and emission certification level. This bill contains other related provisions and other existing laws.		
AB 2434 (Bates) A-03/24/2004 03/25/2004-Re-referred to Com. on TRANS.	**Public Utilities Commission: railroad crossings.** Existing law prohibits the construction of any railroad crossing without the permission of the Public Utilities Commission. This bill would require the commission to approve specified railroad crossings in the City of San Clemente on or before June 30, 2004. This bill contains other related provisions.		03/25/2004-A TRANS.
AB 2466 (Committee on Environmental Safety and Toxic Materi) I-02/19/2004 05/13/2004-Referred to Com. on RLS.	**California Environmental Protection Agency.** Existing law authorizes the Governor to appoint 3 deputies to the Secretary for Environmental Protection, one of whom is a deputy secretary for law enforcement and counsel and one of whom is a deputy secretary for external affairs. This bill would make nonsubstantive technical changes in those provisions.		05/13/2004-S RLS.
AB 2482 (Campbell) A-04/12/2004 04/20/2004-In committee: Set second hearing. Failed passage. Reconsideration granted.	**State reports: electronic format.** Existing law provides that any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally, but not to a committee or other specified entity within the Legislature, shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly, and include a summary of its contents. A state or local agency is deemed to have complied with these requirements if it submits one hard copy of the report to these entities. This bill instead would require a state agency to submit reports as specified under these provisions, including reports to a committee or other specified entity within the Legislature, in electronic form, and to submit the summary in the form of a physical copy. It would require the agency to post the report on its Web site, and to provide a physical copy of a report to a committee or other specified entity in the Legislature upon request.		04/13/2004-A B. & P.
AB 2485 (Chan) A-04/26/2004 05/27/2004-Referred to Coms. on ED. and	**Schools: environmental and endangerment assessments.** The This bill would authorize the governing board of a school district to make a written request to any person, corporation, public utility, local publicly owned utility or governmental agency for information necessary or useful to		05/27/2004-S ED.

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AB 2526 (Oropeza) I-02/20/2004 05/19/2004-In committee: Set, second hearing. Held under submission.	**Carl Moyer Memorial Air Quality Standards Attainment Program: diesel fuel tax money.** The Carl Moyer Memorial Air Quality Standards Attainment Program provides grants to offset the incremental cost of projects that reduce emissions of NOx from covered sources in California. The Carl Moyer Memorial Air Quality Standards Attainment Trust Fund is established to make money in the fund available for purposes of the program upon appropriation by the Legislature. The Diesel Fuel Tax Law imposes a tax upon diesel fuel and requires the money derived therefrom, with a specified exception, to be deposited in the State Treasury to the credit of the Motor Vehicle Fuel Account in the Transportation Tax Fund. This bill would require a portion of the money derived from the diesel fuel tax to be deposited into the Carl Moyer Memorial Air Quality Standards Attainment Trust Fund, as provided.		04/21/2004-A APPR. SUSPENSE FILE
AB 2541 (Frommer) A-04/15/2004 05/19/2004-In committee: Set, second hearing. Held under submission.	**Low Emission Contractor Incentive Program.** Existing law requires the State Energy Resources Conservation and Development Commission, the Department of General Services, and the State Resources Board to develop and adopt fuel-efficiency specifications governing the purchase of state motor vehicles and replacement tires that will reduce petroleum consumption of the state vehicle fleet to the maximum extent practicable and cost-effective . This bill would require the Department of General Services, in consultation with the State Air Resources Board, to develop and implement a statewide Low Emission Contractor Incentive Program on or before July 1, 2005 , to be applied to all state agencies and	**5/14/04 Legis. Comm: Support with Amendments**	05/05/2004-A APPR. SUSPENSE FILE

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	departments in contracting for construction, the procurement of goods, or the delivery of services . The bill, with limited exceptions, would require every advertisement or notice for bids on contracts within the program to include program requirements that specify the minimum bonus or preference that would be awarded in the evaluation and scoring of bids for bidders who meet specified requirements , including the obtaining of low-emission status for its vehicles or equipment, as provided .		
AB 2585 (Parra) A-05/20/2004 05/28/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**San Joaquin Valley Air Pollution Control District: Joint Strike Fighter Impact Zone.** Existing law requires the air quality management districts and air pollution control districts, subject to the powers and duties of the State Air Resources Board, to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. Existing law establishes the San Joaquin Valley Unified Air Pollution Control District, formed by the Counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare, and consisting of the Counties of Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare, and that portion of the County of Kern that is within the San Joaquin Valley Air Basin, as a single integrated agency. Existing law establishes the Air Pollution Control Fund in the State Treasury. This bill would state the Legislature's intent to encourage the United States Navy to select Lemoore Naval Air Station as the Navy's West Coast Operations Center to house the F-35 Joint Strike Fighter. This bill would authorize the San Joaquin Valley Unified Air Pollution Control District to develop and adopt by regulation, not later than January 1, 2008, a program to fund projects that the district determines will provide measurable reductions in emissions of air contaminants from stationary or mobile sources in the district, to offset or mitigate any increase in air pollution that may result if the United States Navy selects the Lemoore Naval Air Station to house the F-35 Joint Strike Fighter. This bill contains other related provisions.		05/28/2004-S RLS.
AB 2602 (Calderon) I-02/20/2004 02/22/2004-From printer. May be heard in committee March 23.	**Railroad safety.** Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including railroad corporations, and authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. This bill would state the intent of the Legislature, in subsequent amendments to the bill, to place the responsibility of this state for railroad safety in the hands of the federal government.		02/20/2004-A PRINT

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AB 2628 (Pavley) A-04/01/2004 05/20/2004-Referred to Com. on TRANS.	**Vehicles: preferential lanes.** Existing law permits the use of exclusive or preferential use of highway lanes or highway access ramps by ultra low-emission vehicles (ULEV) and super ultra-low emission vehicles (SULEV), that have displayed a distinctive decal, label, or other identifier issued by the Department of Motor Vehicles. This bill would include a hybrid vehicle that meets California's advanced technology partial zero-emission vehicle (AT PZEV) standard for criteria pollutant emissions and has a 45 miles per gallon or greater fuel economy highway rating , and a hybrid vehicle that was produced during the 2004 model year or earlier and has a 45 miles per gallon or greater fuel economy highway rating and meets California's ultra-low emission vehicle (ULEV) , super ultra-low emission vehicle (SULEV), or partial zero-emission vehicle (PZEV) standards for exhaust emissions, within the scope of vehicles permitted to be issued a decal, label, or other identifier to use the exclusive or preferential highway lanes or highway access ramps and toll-free and reduced-rate passage on specified bridges. To the extent that this would increase the level of service of the commission, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	**3/12/04 Legis. Comm: Support with amendments**	05/20/2004-S TRANS.
AB 2643 (Canciamilla) A-03/26/2004 05/20/2004-Referred to Com. on E.,U. & C.	**Energy: natural gas.** Existing law requires the State Energy Resources Conservation and Development Commission to perform certain planning functions relating to the siting and design of electric power generating and related facilities. Existing law requires the commission to adopt an integrated energy policy report, beginning November 1, 2003, and every 2 years thereafter. This bill would require the commission, in consultation with the Public Utilities Commission, to prepare , as a component of the 2005 integrated energy policy report, an assessment regarding the costs and benefits of siting liquefied natural gas facilities within the state.		05/20/2004-S E. U., & C.
AB 2644 (Oropeza) A-05/24/2004 05/24/2004-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-	**Air pollution: schoolbus idling and idling at schools.** This bill would codify those regulations , and would make any violation of the provisions of the bill subject to those civil and administrative penalties, but would specify that the minimum civil penalty that would be imposed for a violation would be $100. This bill contains other existing laws.	**5/14/04 Legis Comm: Support**	05/24/2004-S TRANS.

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referred to Com. on TRANS.			
AB 2652 (Bates) A-04/15/2004 04/20/2004-From committee: Do pass, and re-refer to Com. on NAT. RES. Re-referred. (Ayes 12. Noes 0.) (April 19).	**Electricity: Repowering powerplants.** The Public Utilities Act imposes various duties and responsibilities on the Public Utilities Commission and prohibits any electrical corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require that construction. This bill would require the commission to expedite regulatory review and approval of repowering facilities, as defined , including the issuance of any necessary certificate of public convenience and necessity. This bill contains other related provisions and other existing laws.		04/20/2004-A NAT. RES.
AB 2683 (Lieber) A-05/20/2004 05/27/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Air pollution: smog check.** Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs and the State Air Resources Board, that provides for the inspection of all motor vehicles, except those specifically exempted from the program, upon registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law requires the Department of Motor Vehicles to require any motor vehicle subject to those requirements to demonstrate compliance with those requirements. Existing law also establishes an enhanced motor vehicle inspection and maintenance program (smog check II) in each urbanized area of the state, any part of which is classified by the United States Environmental Protection Agency as a serious, severe, or extreme nonattainment area for specified air contaminants. Existing law also requires the smog tests to include, at minimum, loaded mode dynamometer testing in enhanced areas, and 2-speed testing in all other program areas, and a visual or functional check of emission control devices specified by the department. Existing law exempted from those requirements, until January 1, 2003, any motor vehicle manufactured prior to the 1974 model-year, and after that date, any motor vehicle that is 30 or more model-years old. This bill would instead , commencing April 1, 2005, exempt from the smog check requirements, and the smog check compliance requirements, any motor vehicle manufactured prior to the 1976 model-year. This bill contains other related provisions and other existing laws.	**4/02/04 Watch**	05/27/2004-S RLS.
AB 2685 (Oropeza) A-05/20/2004	**Energy resources: State Clearinghouse.** Existing law provides for the restructuring of California's electric power		05/26/2004-S RLS.

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05/26/2004-In Senate. Read first time. To Com. on RLS. for assignment.	industry so that the price for the generation of electricity is determined by a competitive market. Under existing law, the Office of Planning and Research is required to coordinate, in conjunction with appropriate state, regional, and local agencies, the development of objectives, criteria, and procedures for the orderly evaluation and report of the impact of public and private actions on the environmental quality of the state and as a guide to the preparation of environmental impact reports. This bill would require, upon request, the Office of Planning and Research to facilitate the California Environmental Quality Act (CEQA) review process for renewable energy generation facilities . The bill would authorize the Office of Planning and Research to convene appropriate state, regional, or local agencies for the purpose of streamlining the CEQA review process . The bill would not authorize the Office of Planning and Research to reduce existing environmental or other regulatory requirements.		
AB 2701 (Runner) A-05/06/2004 05/20/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Environmental protection: reports.** Existing law requires the California Environmental Protection Agency, and its boards, departments, and offices to prepare and submit to the Governor and the Legislature various reports containing specified information on the implementation and effectiveness of certain programs, policies, and projects to ensure the protection of natural resources in the state. This bill would require the California Integrated Waste Management Board, in consultation with state agencies that are affected by the changes made by the bill, to develop and implement guidelines, by January 1, 2005, to provide and produce reports and other documentation, including guidance documents, fact sheets, and other publications and written materials, in the most efficient and environmentally sustainable manner possible. The bill would require the guidelines to include the distribution of reports and other documentation by electronic means and compact discs, information on posting reports and other documentation on state agency Web sites, and techniques for the production of reports and other documentation that will reduce and encourage the use of recycled goods, materials, and supplies , specified cost reduction options, and the distribution of a reasonable number of printed reports to ensure public access. This bill contains other related provisions and other existing laws.		05/20/2004-S RLS.
AB 2794 (McCarthy) A-05/06/2004 05/19/2004-In committee: Set, first	**Income and corporation taxes: environmental credit: deduction: ultra-low sulfur diesel fuel.** The Personal Income Tax Law and the Corporation Tax Law authorize various deductions and credits in computing the taxes imposed by those laws. This bill		05/11/2004-A APPR.

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hearing. Held under submission.	would, under both laws, for taxable years beginning on or after January 1, 2006, and before January 1, 2012, allow an environmental tax credit in an amount equal to 5 for each gallon of ultra-low sulfur diesel fuel produced by a small refiner, as defined, at any facility located in this state. a This bill would also, under both laws, beginning on January 1, 2004, authorize a small refiner to elect to treat 75% of qualified capital costs, as defined, as expenses not chargeable to capital account and expenses that may be deducted, as provided. This bill contains other related provisions.		
AB 2809 (Canciamilla) I-02/20/2004 03/11/2004-Referred to Com. on NAT. RES.	**Air pollution: confined animal facilities.** Existing law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards in the state. Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, and, subject to the powers and duties of the State Air Resources Board, requires that districts adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. Existing law requires the state board, on or before July 1, 2005, to review all available scientific information, including, but not limited to, emissions factors for confined animal facilities, and the effect of those facilities on air quality in the basin and other relevant scientific information, and develop a definition for the source category of a "large confined animal facility." Existing law requires each district that is designated as a federal nonattainment area for ozone as of January 1, 2004, to adopt, implement, and submit for inclusion in the state implementation plan, not later than July 1, 2006, a rule or regulation that requires the owner or operator of a large confined animal facility, as the definition of that term is developed by the state board, to obtain a permit from the district to reduce, to the extent feasible, emissions of air contaminants from the facility. This bill would prohibit a district from issuing a permit for a confined animal facility prior to the completion of the scientific review by the state board. The bill would also make a technical, nonsubstantive change to delete redundant provisions within those requirements.	**4/9/04 Legis. Comm: Oppose**	03/11/2004-A NAT. RES.
AB 2847 (Oropeza) A-04/27/2004 05/19/2004-In committee: Set, first	**Gasoline and motor vehicle diesel fuel fee.** The Motor Vehicle Fuel License Tax Law imposes a tax of 18 per gallon of fuel, and requires, if the federal fuel tax is reduced below the rate of 9 per gallon and federal financial allocations to this state are reduced or eliminated,		05/04/2004-A APPR.

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hearing. Held under submission.	that the tax rate be increased so that the combined state and federal tax rate per gallon equals 27 . The Diesel Fuel Tax Law imposes an excise tax for the use of fuel at a rate of 18 per gallon, and requires that, if the federal fuel tax is reduced below the rate of 15 per gallon and specified federal financial allocations to this state are reduced or eliminated, the tax rate be increased by an amount so that the combined state and federal tax rate per gallon equals 33 per gallon. i This bill would also, until January 1, 2008, impose a fee of an unspecified amount on each gallon of gasoline subject to the Motor Vehicle Fuel License Tax Law and each gallon of motor vehicle diesel fuel subject to the Diesel Fuel Tax Law. The revenues from the fee would be deposited in the Highway Fee Fund created by the bill. The bill would require the fee to be imposed on those persons and entities subject to and would be collected pursuant to the same procedures set forth in the Motor Vehicle Fuel License Tax Law and the Diesel Fuel Tax Law. The bill would require revenues from the fee, except for refunds, to be used, upon appropriation by the Legislature, only to finance the maintenance, operation, improvement, and construction of the state highway and local street and road system, and to finance environmental programs that mitigate the air impacts of motor vehicles. a This bill would declare that it is to take effect immediately as an urgency statute.		
AB 2863 (Pavley) A-05/04/2004 05/19/2004-In committee: Set, second hearing. Held under submission.	**School facilities: indoor air quality.** Existing law authorizes the Occupational Safety and Health Standards Board to adopt occupational safety and health standards and orders. Other existing law, the Leroy F. Greene School Facilities Act of 1998 (Greene Act), requires the State Allocation Board to allocate to applicant school districts funding for construction of school facilities, including funding for new construction and modernization. This bill would require a school district applying for funds pursuant to the Greene Act to include in its plans and specifications for the new construction or modernization of a school building an indoor air quality construction management plan. The bill would also require a school district to submit a plan to implement the Tools for Schools Program of the United States Environmental Protection Agency or an equivalent program equal in style and effectiveness to the State Allocation Board within one year of completion of the new construction or modernization. This bill contains other related provisions and other existing laws.		05/12/2004-A APPR. SUSPENSE FILE
AB 2880 (Pavley) I-02/20/2004 05/26/2004-In Senate.	**Vehicles: registration: fees: increase.** Existing law requires the Department of Motor Vehicles, if requested by an air pollution control district or an air quality management district, to impose and	**4/02/04 Watch**	05/26/2004-S RLS.

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Read first time. To Com. on RLS. for assignment.	collect a surcharge of not more than $4 on the registration fees for every motor vehicle registered in that district, as specified by the governing body of the district. This bill would increase the specified fee amount to $6.		
AB 2899 (Horton, Shirley) A-04/12/2004 05/19/2004-In committee: Set, second hearing. Held under submission.	**Biodiesel.** Existing law generally imposes restrictions upon the sale of nonconforming fuel products. Existing law exempts developmental engine fuels authorized by the Department of Food and Agriculture from these restrictions, as specified. This bill would specify standards for biodiesel and biodiesel blends, as defined. The bill would provide that no person shall sell at retail to the general public, specified biodiesel fuel from any place of business in this state unless there is displayed in a conspicuous place on the dispensing apparatus at least one sign stating the concentration of biodiesel, as specified. This bill would also create a voluntary CO2 labeling program for petroleum, biodiesel, and finished fuel blends containing biodiesel in order to provide distributors and retailers of petroleum, biodiesel, and biodiesel blended fuels the ability to voluntarily display a pump or tank label displaying recognized CO2 life-cycle reductions and fuel efficiency . Because a violation of the provisions relating to petroleum is a misdemeanor, this bill would create a new crime, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.		05/05/2004-A APPR. SUSPENSE FILE
AB 2906 (Nation) A-04/29/2004 05/20/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Air pollution: vehicles: global warming gases.** Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of emissions of air contaminants from motor vehicles. Existing law authorizes the state board to adopt a regulation to prohibit the sale and registration in the state of any new motor vehicle without a securely affixed smog index label or decal on which the manufacturer discloses emission standards applicable to the motor vehicle, and for 1976 and subsequent model year motor vehicles, the exhaust emissions based on quality audit tests of assembly line motor vehicles, or, if required by the state board, as determined by the factory assembly line test for that motor vehicle, and at the beginning of each model year, based on certification fleet data. This bill would require the state board, not later than January 1, 2007, to revise those regulations to require that the smog index label required by those regulations include, for 2009 and subsequent model year motor vehicles, the emissions of global warming gases, as that term is defined by the bill, from passenger cars and light-duty trucks for the same model year. The bill would require the smog index label to be accompanied by a brief explanation,		05/20/2004-S RLS.

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	prepared by the state board, of the cause of emissions of global warming gases from vehicles, and how those emissions can be reduced .		
AB 2924 (Wiggins) A-04/13/2004 05/27/2004-In Senate. Read first time. To Com. on RLS. for assignment.	**Energy: photovoltaic generation grant program.** The existing Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) with the policy and intent of promoting all feasible means of energy conservation and all feasible uses of alternative energy supply sources. This bill would require the Energy Commission to report to the Legislature, on or before July 1, 2005, with recommendations for establishment of a program to provide grants to fund all expenses for the purchase and installation of photovoltaic electrical generating panels on publicly subsidized residential housing units that the Energy Commission deems to be appropriate sites for photovoltaic panels.		05/27/2004-S RLS.
AB 2939 (Diaz) A-04/27/2004 05/05/2004-In committee: Set, first hearing. Hearing canceled at the request of author.	**Unemployment insurance: Employment Training Panel.** Existing law provides for the establishment of an employment training program and the Employment Training Panel in the Employment Development Department. This bill would require, until January 1, 2007, the Employment Training Panel to initiate an aerospace and defense industry supplier improvement pilot project, as provided.		04/28/2004-A L. & E.
AB 2953 (Canciamilla) A-05/03/2004 05/20/2004-Referred to Com. on ENV. QUAL.	**Air pollution: Carl Moyer Memorial Air Quality Standards Attainment Program: eligibility criteria.** Existing law, the Carl Moyer Memorial Air Quality Standards Attainment Program, administered by the State Air Resources Board and delegable to air pollution control and air quality management districts, provides grants to offset the incremental costs of eligible projects that reduce emissions of oxides of nitrogen from covered vehicles and covered engines, as defined, in the state. Under existing law, eligible projects include the purchase of new very low or zero-emission covered vehicles or covered engines, emission-reducing retrofit of covered engines, or replacement of old engines powering covered sources with newer, cleaner engines, purchase and use of emission-reducing add-on equipment for covered vehicles, and development and demonstration of practical, low-emission retrofit technologies, repower options, and advanced technologies for covered engines and vehicles with very low emissions of oxides of nitrogen. Existing law prohibits the program from funding a new purchase, retrofit, repower, or add-on equipment if it is required by any local, state, or federal statute, rule, regulation, memoranda of	**4/9/04 Legis. Comm: Oppose**	05/20/2004-S ENV. QUAL.

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	agreement or understanding, or other legally binding document, but authorizes the funding of an otherwise qualified project that the State Implementation Plan assumes that the change in equipment, vehicles, or operations will occur, only if the change is not required by a statute, regulation, or other legally binding document in effect as of the date the grant is awarded. This bill would authorize, until January 1, 2008 , notwithstanding that prohibition, any district that is designated a serious nonattainment area for the federal ambient air quality standard for particulate matter , or any district that is designated a severe or extreme nonattainment area for the federal ambient air quality standard for ozone , to adopt and implement, after a public hearing and workshop, rules and regulations for eligibility criteria that authorizes the funding through the program of a new purchase, retrofit, repower, or add-on equipment for agricultural sources of air pollution that is also required by any local, state, or federal statute, rule, regulation, memoranda of agreement or understanding, or other legally binding document. The bill would authorize in those districts the funding under the program of an otherwise qualified project for agricultural sources of air pollution if the State Implementation Plan assumes that the change in equipment, vehicles, or operations will occur, even if the change is required by a statute, regulation, or other legally binding document in effect on the date the grant is awarded. This bill contains other related provisions.		
AB 2983 (McCarthy) I-02/20/2004 02/22/2004-From printer. May be heard in committee March 23.	**Air pollution: Clean Schoolbuses, Healthy Kids Program.** Existing law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law designates the state board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing regulations adopted by the state board establish the Lower-Emission School Bus Program, administered by the state board. This bill would declare the intent of the Legislature to establish the Clean Schoolbuses, Healthy Kids Program, to be administered by the state board in conjunction with the existing Lower-Emission School Bus Program.		02/20/2004-A PRINT
AB 3011 (Laird) A-04/01/2004 05/19/2004-In committee: Set,	**Santa Clara Valley Transportation Authority: vehicle fee for traffic congestion management.** Existing law authorizes air districts and other local agencies to impose fees on the registration of motor vehicles in certain areas of the state that are in		05/12/2004-A APPR. SUSPENSE FILE

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second hearing. Held under submission.	addition to basic vehicle registration fee collected by the Department of Motor Vehicles. This bill would authorize the Santa Clara Valley Transportation Authority to impose an annual fee of up to $4 on motor vehicles registered within Santa Clara County for a program for the management of traffic congestion and for street and highway purposes within that county commencing on July 1, 2005. The bill would require a program with performance measures and a budget before the fee may be imposed, and would require an independent audit and a report to the Legislature. The bill would require the Department of Motor Vehicles to collect the fee and distribute the proceeds, after deduction of specified costs, to the authority. The authority to impose the fee would terminate on January 1, 2010.		
AB 3104 (Firebaugh) A-05/20/2004 05/24/2004-Re-referred to Com. on APPR. by unanimous consent.	**Air pollution: Carl Moyer Memorial Air Quality Standards Attainment Program.** This bill would declare the intent of the Legislature to expand the Carl Moyer program to include projects that reduce emissions of reactive organic gases or particulate matter from covered sources, to expand the covered sources to include onroad and offroad internal combustion engines and gasoline engine categories, to fund cost effective programs through new light- and heavy-duty vehicle repair, retrofit, and scrap programs and the Lower-Emission School Bus Program, and to ensure that reductions in covered emissions are credited in any applicable state implementation plan . This bill contains other existing laws.	**5/14/04 Legis. Comm: Support in Concept**	05/24/2004-A APPR.
ACA 21 (Bogh) I-01/07/2004 04/19/2004-In committee: Set, first hearing. Hearing canceled at the request of author.	**Motor vehicle fuel sales tax revenue.** Existing provisions of the California Constitution require that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund and used for transportation purposes, but allow the transfer of these revenues to be suspended in whole or in part for a fiscal year under specified circumstances by a statute enacted by a 2/3 vote of the membership of each house of the Legislature. This measure would change the vote requirement to 4/5 of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of this particular revenue from the General Fund to the Transportation Investment Fund.		03/25/2004-A TRANS.
SB 537 (Romero) A-01/20/2004 05/06/2004-To Com. on NAT. RES.	**Solid waste: management: Los Angeles County Sanitation Districts.** This bill would require the Sanitation Districts of the County of Los Angeles, by July 1, 2004, to report to the Legislature on specified information relating to the design of a solid waste system planned to be developed in the		05/06/2004-A NAT. RES.

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	jurisdiction of the districts. The bill would impose a state-mandated local program by imposing a new duty on a local agency. This bill contains other related provisions and other existing laws.		
SB 706 (Florez) A-05/17/2004 05/17/2004-To Com. on HUM. S.	**Foster care.** Existing law establishes the Foster Family Home and Small Family Home Insurance Fund and provides that the fund shall consist of all moneys appropriated by the Legislature, and provides that the purpose of the fund is to pay, on behalf of foster family homes and small family homes, claims of foster children, their parents, guardians, or guardians ad litem resulting from occurrences peculiar to the foster-care relationship and the provision of foster-care services. This bill would rename the fund and extend the scope of foster care entities for which the fund may be used. This bill contains other related provisions and other existing laws.		05/17/2004-A HUM. S.
SB 1211 (Ortiz) A-04/01/2004 04/27/2004-Set, first hearing. Failed passage in committee. (Ayes 3. Noes 2. Page 3473.) Reconsideration granted.	**Air pollution: stationary sources: prosecution of violations.** Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Existing law subjects any person that violates any rule, regulation, permit, or order of the state board or a district pertaining to emissions of air contaminants or toxic air contaminants to fines, imprisonment, and civil penalties. Existing law provides that the recovery of a civil penalty for an air quality violation precludes criminal prosecution. Existing law also provides that the filing of a criminal complaint requires the dismissal of any civil action for the same offense, but exempts from that requirement any portion of a civil action requesting injunctive relief. This bill would instead specify that the recovery of a civil penalty for an air quality violation does not preclude criminal prosecution for the same offense, and would specify that when a district refers a violation to a prosecuting agency, the filing of a criminal complaint for an air quality violation is not grounds for prohibiting the filing of, or for requiring the dismissal of, any civil action brought for the same offense. This bill contains other related provisions and other existing laws.	**3/12/04 Legis. Comm: Support with amendments**	04/13/2004-S PUB. S.
SB 1214 (Kuehl) A-03/26/2004 05/17/2004-To Com. on W.,P. & W.	**Salton Sea Restoration: restoration study.** Existing law enacts the Salton Sea Restoration Act. Existing law requires the Secretary of the Resources Agency, in consultation with the Department of Fish and Game, the Department of Water Resources, the Salton Sea Authority, appropriate air quality districts, and the Salton Sea Advisory Committee, to		05/17/2004-A W.,P. & W.

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	undertake a restoration study to determine a preferred alternative for the restoration of the Salton Sea ecosystem. Existing law requires that the study establish an evaluation of, and suggested criteria for, a selection of alternatives that will allow for consideration of a range of alternatives, including, but not limited to, an alternative designed to sustain avian biodiversity at the Salton Sea, but not maintain elevation for the whole sea, an alternative to maintain salinity at or below current conditions and elevation near 230 feet below mean sea level under a variety of inflow conditions, and a most cost-effective technical alternative. This bill would recast the required evaluation to require that the study establish an evaluation of alternatives for the restoration of the Salton Sea that includes consideration of strategies for salinity control, habitation creation and restoration, and different shoreline elevations and surface area configurations. The bill would require the evaluation to include suggested criteria for selecting and evaluating alternatives consistent with the Salton Sea Restoration Act and would require the evaluation to include, but not be limited to, at least one most cost-effective, technically feasible, alternative. This bill contains other related provisions and other existing laws.		
SB 1224 (Ortiz) A-04/14/2004 04/28/2004-Set, first hearing. Hearing canceled at the request of author.	**Hazardous waste : school facilities.** Existing law prohibits the governing board of a school district from approving a project involving the acquisition of a schoolsite by a school district, unless the school district complies with specified requirements relating to the detection of hazardous materials. This bill would also prohibit the governing board of a school district from approving a project involving the construction or alteration of an elementary or secondary school, unless the school district complies with those requirements. This bill contains other related provisions and other existing laws.		04/21/2004-S ED.
SB 1247 (Soto) A-06/01/2004 06/01/2004-From committee with author's amendments. Read second time. Amended. Re-referred to committee.	**Air pollution: Large Emission Reduction Program.** Existing This bill would establish the Large Emission Reduction Program to reduce unhealthful air emissions from internal combustion engines through the application of financial incentive-based programs. The program would be administered by the state board and implemented by the state board and the districts. The bill would establish the Large Emission Reduction Program Trust Fund in the State Treasury, and would make moneys in the trust fund available, upon appropriation by the Legislature, to carry out the purposes of the program. The bill would authorize moneys from the fund to be expended to provide grants to offset the incremental cost of projects that reduce oxides of nitrogen, reactive organic gases, or particulate matter from onroad vehicles,	**AQMD Sponsored Bill**	04/27/2004-S TRANS.

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	off-road equipment and vehicles, locomotives, diesel marine vehicles, stationary agricultural engines, and other high-emitting engine sources, through funding projects for specified heavy-duty sources, the Lower-Emission School Bus Program, light-duty vehicle programs, lawnmower electrification programs, and projects to retrofit or replace agricultural engines and pumps. This bill contains other related provisions and other existing laws.		
SB 1252 (Alarcon) I-02/12/2004 02/26/2004-To Com. on RLS.	**Solid waste: gasification.** Existing law defines the term "gasification" to mean a technology that uses a noncombustion thermal process to convert solid waste to a clean burning fuel for the purpose of generating electricity, and that meets specified requirements. This bill would make technical, nonsubstantive changes in those provisions, and would make declarations of legislative intent concerning the need to promote and develop incentives for the use of gasification and biomass technology.		02/26/2004-S RLS.
SB 1257 (McClintock) I-02/12/2004 02/26/2004-To Com. on RLS.	**Vehicles: high-occupancy vehicle lanes.** Existing law authorizes the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles, as specified. This bill would make technical, nonsubstantive changes in existing law.		02/26/2004-S RLS.
SB 1264 (Committee on Natural Resources and Wildlife) A-04/29/2004 05/27/2004-To Coms. on W.,P. & W. and NAT. RES.	**Natural resources.** Existing law requires the Department of Boating and Waterways to make a grant of funds to Lake County to conduct a pilot project until December 31, 1999, of aquatic weed control on Clear Lake in Lake County, under specified conditions. This bill would repeal that provision. This bill contains other related provisions and other existing laws.		05/27/2004-A W.,P. & W.
SB 1272 (Ortiz) A-04/27/2004 05/20/2004-Set, first hearing. Failed passage in committee. (Ayes 4. Noes 5. Page 3846.) Reconsideration granted.	**Special districts.** Existing law requires the county auditor to either make or contract for an annual audit of the accounts and records of every special purpose district within the county for which an audit is not otherwise provided. This bill would require these audits to be performed in accordance with government auditing standards for financial and compliance audits and would impose various other requirements on these audits, thus imposing a state-mandated local program. The bill would require the Controller to review the audits under specified procedures and would make an annual appropriation to the Controller from the		05/10/2004-S APPR. SUSPENSE FILE

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	General Fund of up to $600,000 for that purpose. This bill contains other related provisions and other existing laws.		
SB 1389 **(McPherson)** I-02/18/2004 03/04/2004-To Com. on RLS.	**Permits.** Existing law designates the air quality management districts and air pollution control districts as having the primary responsibility for the control of air pollution from stationary sources in the state, subject to the powers of the State Air Resources Board. Each district is authorized to establish, by regulation, a permit system that requires that before any person builds, erects, alters, replaces, operates or uses any article, machine, or other contrivance that may cause the issuance of air contaminants, the person obtain a permit to do so from the applicable district. Existing law requires the state board to implement a program to assist districts to improve efficiencies in the issuance of permits, including a process, developed in coordination with the districts, for the state board to precertify simple, commonly used equipment and processes as being in compliance with applicable air quality rules and regulations. This bill would make a technical, nonsubstantive change to those provisions.		03/04/2004-S RLS.
SB 1397 (Escutia) A-04/29/2004 05/26/2004-In Assembly. Read first time. Held at Desk.	**Air pollution: South Coast Air Quality Management District: emissions of air contaminants: locomotives and rail yards.** Existing law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law generally designates the state board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law, the Lewis-Presley Air Quality Management Act, designates the South Coast Air Quality Management District as the sole and exclusive authority within the South Coast Air Basin with the responsibility for comprehensive air pollution control. Existing law, the federal Clean Air Act, prohibits any state from adopting or enforcing any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines, but requires the Administrator of the federal Environmental Protection Agency to waive that prohibition, or authorize California to adopt and enforce standards relating to nonroad vehicles and locomotives, if California determines that the state standards are at least as protective of human health as the federal standards. This bill would, notwithstanding any other provision of law, and to the extent permissible under federal law, authorize the south coast district to adopt regulations	**AQMD Sponsored Bill**	05/26/2004-A DESK

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	requiring the owner or lessee of any heavy-duty motor vehicle, nonroad engine, and nonroad vehicle, as those terms are defined in federal law, to install retrofit controls to reduce emissions of air contaminants to the maximum extent feasible, if that vehicle or engine operates substantially in a rail yard in the south coast district and is part of a fleet of 15 or more vehicles or engines that are operated by a single owner or lessee. The bill would prohibit any regulation adopted pursuant to that authority that is applicable to motor vehicles from having an implementation date prior to January 1, 2007. The bill would require the state board to submit any regulations adopted by the south coast district to the federal Environmental Protection Agency for a waiver from, or the authorization to enforce the state standards in lieu of, any existing federal standards. This bill contains other related provisions and other existing laws.		
SB 1446 (Escutia) A-05/12/2004 05/25/2004-In Assembly. Read first time. Held at Desk.	**Environmental health data tracking.** Existing law establishes the Environmental Health Surveillance System through an interagency agreement between the State Department of Health Services, the California Environmental Protection Agency, and the University of California if authorized by the regents, for the purpose of, among other things, tracking and evaluating a variety of chronic diseases in relation to environmental exposures. This bill would require , pursuant to that interagency agreement, the establishment of the Interagency Office of Environmental Health Tracking within the department's Division of Environmental and Occupational Disease Control for the purpose of implementing the California Health Tracking Program. The bill would require the department and the Cal/EPA to each provide one 50% time research scientist as staff for the new office. The bill would prescribe the office's objectives over a 3-year period and would require the office to complete certain duties for the 2004-05 fiscal year .		05/25/2004-A DESK
SB 1542 (Figueroa) A-03/22/2004 05/20/2004-To Com. on B. & P.	**Bureau of Automotive Repair.** The Automotive Repair Act creates the Bureau of Automotive Repair in the Department of Consumer Affairs, with certain powers and duties relative to the licensing and regulation of automotive repair dealers and various other licensees. Existing law requires the Joint Legislative Sunset Review Committee to hold a public hearing every 4 years to receive testimony from the Director of Consumer Affairs and the bureau, and to evaluate the bureau's effectiveness and efficiency. Existing law requires the bureau to design and approve a required sign at all automotive repair dealer locations advising the public of the bureau's telephone number and other related matters. A violation		05/20/2004-A B. & P.

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	of the Automotive Repair Act is a crime. This bill would also require the sign to include the bureau' s Internet address. By changing the definition of a crime, the bill would impose a state-mandated local program. The bill would make nonsubstantive changes to the provisions governing the Joint Legislative Sunset Review Committee's review of the bureau . This bill contains other related provisions and other existing laws.		
SB 1614 (Torlakson) A-04/29/2004 05/04/2004-Set, second hearing. Hearing canceled at the request of author.	**Motor vehicle fuel license taxes: diesel fuel taxes.** The Motor Vehicle Fuel License Tax Law imposes a tax of 18 per gallon of fuel, and requires, if the federal fuel tax is reduced below the rate of 9 per gallon and federal financial allocations to this state are reduced or eliminated, that the tax rate be increased so that the combined state and federal tax rate per gallon equals 27 . The Diesel Fuel Tax Law imposes an excise tax for the use of fuel at a rate of 18 per gallon, and requires that, if the federal fuel tax is reduced below the rate of 15 per gallon and specified federal financial allocations to this state are reduced or eliminated, the tax rate be increased by an amount so that the combined state and federal tax rate per gallon equals 33 per gallon. This bill would also impose a storage tax equal to the increase in tax on each gallon of tax paid motor vehicle and diesel fuel, in storage, as provided. Existing law provides that a portion of the amounts collected under the Motor Vehicle Fuel License Tax Law and the Diesel Fuel Tax Law are continuously appropriated for expenditure for specified purposes. Since this bill would permit an increase in the taxes collected under that law and thereby make additional moneys available for continuous expenditure, it would make an appropriation. This bill contains other related provisions and other existing laws.		03/04/2004-S TRANS.
SB 1615 (Denham) I-02/20/2004 05/17/2004-To Com. on TRANS.	**Air pollution: smog check: out-of-state vehicles.** Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs and the State Air Resources Board, that provides for the inspection of all motor vehicles, except those specifically exempted from the program, upon registration, biennially upon renewal of registration, upon transfer of ownership, and in certain other circumstances. Existing law also establishes an enhanced motor vehicle inspection and maintenance program (smog check II) in each urbanized area of the state, any part of which is classified by the United States Environmental Protection Agency as a serious, severe, or extreme nonattainment area for specified air contaminants. Existing law also requires the smog tests to include, at minimum, loaded mode dynamometer	**3/1/04 Legis. Comm: Oppose**	05/17/2004-A TRANS.

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	testing in enhanced areas, and 2-speed testing in all other program areas, and a visual or functional check of emission control devices specified by the department. Existing law exempted from those requirements, until January 1, 2003, any motor vehicle manufactured prior to the 1974 model-year, and after that date, exempts any motor vehicle that is 30 or more model-years old. Existing law requires the Department of Motor Vehicles to require that, upon registration of a motor vehicle subject to the smog check program that was previously registered outside this state, a person obtain a valid certificate of compliance or noncompliance. This bill would repeal that provision requiring a person to obtain a certificate of smog check compliance upon the registration of a motor vehicle that was previously registered outside this state. The bill would make related conforming changes and delete obsolete references from existing law.		
SB 1652 (Murray) A-05/04/2004 05/24/2004-To Com. on H. & C.D.	**Residential solar energy systems.** Existing law requires a solar energy system to meet applicable standards and requirements imposed by state and local permitting authorities. This bill would require, on and after January 1, 2006, at least ____ of all single-family residences , constructed as part of a development of at least 25 homes that is offered for sale, to be constructed with a solar photovoltaic energy system for each unit.		05/24/2004-A H. & C.D.
SB 1656 (Karnette) I-02/20/2004 03/04/2004-To Com. on RLS.	**Land use: development fees.** The Mitigation Fee Act requires a local agency, in establishing, increasing, or imposing a fee as a condition of approval of a development project, to identify the purpose of the fee and the use to which it is to be put. This bill would declare the Legislature's intent to enact legislation to impose fees or develop regulations that reduce community impacts including, but not limited to, traffic congestion and community blight.		03/04/2004-S RLS.
SB 1706 (Murray) I-02/20/2004 03/11/2004-To Com. on RLS.	**Building Standards: solar energy.** Existing law requires a solar energy system to meet applicable standards and requirements imposed by state and local permitting authorities. This bill would declare the intent of the Legislature to enact legislation that would require new commercial buildings to use solar energy systems, including any photovoltaic solar collector or other photovoltaic solar energy device whose primary purpose is to provide for the collection, distribution, and storage of solar energy for electric generation.		03/11/2004-S RLS.
SB 1722 (Ducheny) A-04/27/2004	**Proposition 65: enforcement: judgments.** The existing Safe Drinking Water and Toxic Enforcement Act of 1986		05/20/2004-A E.S. & T.M.

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05/20/2004-To Coms. on E.S. & T.M. and JUD.	(Proposition 65) prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from discharging or releasing such a chemical into any source of drinking water, except as specified. The act imposes civil penalties upon persons who violate those prohibitions, and provides for the enforcement of those prohibitions by the Attorney General, a district attorney, or specified city attorneys or prosecutors, and by any person in the public interest. Existing law requires 75% of all civil and criminal penalties collected pursuant to the act be deposited in the Safe Drinking Water and Toxic Enforcement Fund in the State Treasury, which may be expended by the director of the lead agency, who is designated by the Governor to implement the act, to implement and administer the act, upon appropriation by the Legislature. Existing law requires 25% of all civil and criminal penalties collected pursuant to the act be paid to the prosecuting office or the person who brought the action in the public interest. The act requires any person bringing an action in the public interest, or any private person filing an action in which a violation of the act is alleged, to notify the Attorney General that such an action has been filed. This bill would provide that where a court finds that the doctrine of res judicata bars the relitigation of an issue or a cause of action, a later action would be barred . This bill contains other related provisions.		
SB 1732 (Hollingsworth) A-04/22/2004 04/28/2004-Set, first hearing. Held in committee without recommendation.	**Dairy: environmental quality.** Existing law generally regulates the sanitation of dairy farms and milk product plants. This bill would state findings and declarations of the Legislature with respect to the importance of dairy farms to the state. The bill would create within the Department of Food and Agriculture a California Dairy Farmer Environmental Enhancement Program. The purpose of this program would be to add to the protection of this state's resources, including, but not limited to, surface and ground water, air and air quality, and animal and fish habitat, by providing on-farm dairy environmental enhancement. This bill would also create the California Dairy Farmer Environmental Enhancement Program Fund Account within the Department of Food and Agriculture Fund. Funds collected pursuant to this program would be expended as specified.		04/21/2004-S ENV. QUAL.
SB 1776 (Bowen) I-02/20/2004 05/24/2004-In Assembly. Read first	**Electrical energy: thermal powerplants.** Existing law provides for the restructuring of California's electric power industry so that the price for the generation of electricity is determined by a competitive market. Existing law, until January 1, 2004, required the State		05/24/2004-A DESK

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time. Held at Desk.	Energy Resources Conservation and Development Commission (Energy Commission) to establish a process for the expedited review of applications to construct and operate thermal powerplants and related facilities and for the expedited review of repowering projects. This bill would, until January 1, 2007, reinstate those provisions for establishing a process for the expedited review of applications to construct and operate thermal powerplants and related facilities and for the expedited review of repowering projects.		
SB 1805 (Murray) A-03/31/2004 04/29/2004-Set, first hearing. Hearing canceled at the request of author.	**Solar energy systems.** Existing law requires a solar energy system to meet applicable standards and requirements imposed by state and local permitting authorities. Existing law also requires a solar energy system for heating water to be certified by a nationally recognized certification agency and a solar energy system for producing energy to meet specified safety and performance standards. Notwithstanding these requirements, a homeowners association may impose reasonable provisions that require the owner of a separate interest in a common interest development to obtain association approval of a solar energy system in a separate interest owned by another. This bill would require an association to provide this approval if the solar energy system otherwise meets the above described requirements for certification or safety and performance standards.		04/14/2004-S H. & C.D.
SB 1851 (Bowen) I-02/20/2004 06/01/2004-To Coms. on B. & P. and NAT. RES.	**State buildings and publicly funded schools: standards.** Existing law requires all new state public buildings and publicly funded schools to be models of energy efficiency and to be designed, constructed, and equipped with all energy efficiency measures, materials, and devices that are feasible and cost-effective over the life of the building. Existing law also requires all state public buildings and publicly funded schools, when renovated or remodeled, to be retrofitted to meet specified building standards. This bill would require until July 1, 2007, all new state public buildings for which design and construction begins after January 1, 2005, except for publicly funded schools, to exceed the minimum building energy efficiency standards mandated by the California Building Standards Code if the measures achieve certain cost savings. This bill contains other related provisions.		06/01/2004-A B. & P.
SB 1860 (Bowen) A-05/24/2004 05/26/2004-In Assembly. Read first time. Held at Desk.	**Community-based foster care pilot program.** Existing law relating to foster care placement declares the intent of the Legislature to preserve and strengthen a child's family ties whenever possible, and to remove a child from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public.		05/26/2004-A DESK

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	Existing law also makes provision for the certification, licensing, and training of foster care providers. This bill would declare legislative intent to establish a community-based foster care pilot program, modeled after the Neighbor to Neighbor Program implemented in Chicago. The bill would require the State Department of Social Services to award a grant to a nonprofit organization for the establishment and implementation of the 3-year pilot program, for which foster care providers would be recruited from the community and provided with training, salary, and benefits. The bill would set forth other components of the pilot program, relating to, among other things, keeping sibling groups together, involvement of birth parents, reunification services, and case management duties. This bill contains other related provisions.		
SB 1863 (Knight) I-02/20/2004 03/11/2004-To Com. on RLS.	**Land use.** Under the Planning and Zoning Law, in construing the provisions regarding the scope of general plans, the Legislature states an intent that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. This bill would make technical, nonsubstantive changes to this provision.		03/11/2004-S RLS.
SB 1883 (Committee on Environmental Quality) I-03/01/2004 05/10/2004-In Assembly. Read first time. Held at Desk.	**Air quality: emission reductions: workshops and hearings.** Existing law requires the State Air Resources Board to endeavor to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the state standards at the earliest practicable date, and in doing so, to adopt standards and regulations that will result in the most cost-effective combination of control measures on all classes of motor vehicles and motor vehicle fuel. This bill would delete the obsolete requirement that the state board adopt a workshop and hearing schedule for purposes of considering the adoption of the standards and regulations.		05/10/2004-A DESK
H.R. 4517 6/4/2004—Introduced 6/14/2004 Rules Committee Resolution H. Res. 671 Reported to House. Rule provides for consideration of H.R. 4503 and H.R. 4517 with 1 hour of general	**To provide incentives to increase refinery capacity in the United States.** United States Refinery Revitalization Act of 2004 - Directs the Secretary of Energy to designate as a Refinery Revitalization Zone any area that: (1) has experienced mass layoffs at manufacturing facilities or contains an idle refinery; and (2) has an unemployment rate of at least 20 percent above the national average, as set forth at the time of designation as a Refinery Revitalization Zone. Designates the Department of Energy (DOE) as Lead Agency for coordinating Federal authorizations and related environmental reviews of the facility upon request of an applicant for a Federal authorization related to the siting and operation of a refinery facility within a Refinery		

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debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.	Revitalization Zone. Directs DOE, as lead agency, to prepare a single environmental review document to be used as the basis for all decisions on the proposed project. Directs the Secretary and the appropriate heads of Federal agencies to enter into Memoranda of Understanding to ensure timely, coordinated review and permitting of refinery facilities within a Refinery Revitalization Zone. Permits interested Indian Tribes and State and local agencies to enter into such Memoranda as well.		