

South Coast Air Quality Management District 2005-06 Legislative Status Report

AB 32 (Pavley) **Greenhouse Gas Emissions: California Climate Action Registry.** (I-12/06/2004)
Status: 03/01/2005-From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 6. Noes 2.)
 (February 28).
Current Location: 03/01/2005-A APPR.

Summary: Existing law requires the Secretary of the Resources Agency to establish the California Climate Action Registry (hereafter registry) as a public benefit nonprofit corporation, and makes legislative findings and declarations relating to the registry. Existing law requires the registry to perform various functions, including, among other things, the adoption of procedures and protocols for the reporting and certification of greenhouse gas emission reductions resulting from a project or an action of a participant in the registry. This bill would revise the functions and duties of the registry by requiring the registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols both for monitoring, estimating, calculating, reporting, and certifying greenhouse gas emission reduction projects, and for monitoring, estimating, calculating, reporting, and certifying greenhouse gas emissions resulting from specified industrial sectors, as provided. This bill would require the registry to coordinate with state agencies to promote the development of harmonized reporting standards, as specified, and would require the registry, to the extent possible, to coordinate with other states and regions to ensure that businesses and organizations operating both in this state and out of state follow uniform protocols when reporting to multiple registries, states, or regions. This bill contains other related provisions.

AQMD Position:

AB 38 (Tran) **State boards and commissions: salaries: suspension.** (I-12/06/2004)
Status: 01/06/2005-Referred to Com. on B. & P.
Current Location: 01/06/2005-A B. & P.

Summary: Existing law provides for the payment of specified salaries to the members of various boards and commissions. A member of a board or commission may receive a per diem salary at a specified rate, except for a member whose salary is set pursuant to certain provisions of law. This bill would specify that members appointed to specified state boards and commissions shall receive no salary for the 2005-06, 2006-07, and 2007-08 fiscal years, except that they may receive a per diem payment set pursuant to these provisions during that time.

AQMD Position:

AB 90 (Laird) **2005-06 Budget.** (I-01/10/2005)
Status: 01/24/2005-Referred to Com. on BUDGET.
Current Location: 01/24/2005-A BUDGET

Summary: This bill would make appropriations for support of state government for the 2005-06 fiscal year. This bill contains other related provisions.

AQMD Position:

AB 177 (Bogh) **Solid waste: biomass conversion: transformation.** (I-01/24/2005)
Status: 01/31/2005-Referred to Com. on NAT. RES.
Current Location: 01/31/2005-A NAT. RES.

Summary: The existing California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board. The act defines the term "biomass conversion" as meaning the controlled combustion of specified materials, when separated from other solid waste and used for producing electricity or heat, but excludes from that definition the controlled combustion of recyclable pulp or recyclable paper materials, or materials that contain sewage sludge, industrial sludge, medical waste, or specified hazardous or radioactive waste. The act also defines the term "transformation" as meaning incineration, pyrolysis, distillation, or biological conversion other than composting. The act provides that "transformation" does not include composting, gasification, or biomass conversion. This bill would revise the definition of biomass conversion to instead mean the controlled combustion, thermal conversion, chemical conversion, or biological conversion, other than composting, of biomass waste used for producing electricity, heat, or a reconstituted product that meets the quality standards for use in the marketplace. The bill would define the term "biomass waste" as meaning organic material that is source separated from the municipal solid waste stream

or that is separated at a centralized facility. The bill would also revise the definition of transformation to mean the incineration of mixed solid waste, excluding composting, gasification, or biomass conversion. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 184

(Cogdill) Air quality: gross polluting vehicles. (I-01/24/2005)

Status: 01/25/2005-From printer. May be heard in committee February 24.

Current Location: 01/24/2005-A PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular services. Existing law generally designates the State Air Resources 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. This bill would express the intent of the Legislature to establish a pilot program to improve air quality by removing gross polluting vehicles from the roadways, as provided.

AQMD Position:

AB 189

(Horton, Shirley) HOT lanes: demonstration projects. (I-01/26/2005)

Status: 01/31/2005-Referred to Com. on TRANS.

Current Location: 01/31/2005-A TRANS.

Summary: Existing law authorizes the Department of Transportation or local agencies with respect to highways under their jurisdiction to designate certain lanes for exclusive use by high-occupancy vehicles (HOVs). Existing law also authorizes the San Diego Association of Governments (SANDAG) to conduct, administer, and operate a value pricing and transit development program on 2 transportation corridors in San Diego County, under which single-occupant vehicles may use a designated HOV lane at certain times of day upon obtaining a permit and paying a fee, otherwise known as a "high-occupancy toll (HOT) lane." This bill would expand the number of authorized SANDAG HOT lane demonstration projects from 2 to 3.

AQMD Position:

AB 236

(Bermudez) Sales and use taxes: exemptions: fuel and petroleum products: air common carriers. (I-02/07/2005)

Status: 02/15/2005-Referred to Com. on REV. & TAX.

Current Location: 02/15/2005-A REV. & TAX

Summary: The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax, including an exemption for the gross receipts from the sale of, and the storage, use, or other consumption of, fuel and petroleum products sold to an air common carrier for immediate consumption or shipment in the conduct of its business on an international flight. This bill would, for calendar years beginning on or after January 1, 2006, and before January 1, 2010, exempt from those state taxes the gross receipts in excess of \$0.632 per gallon derived from the sale in this state of, and the storage, use, or other consumption in this state of, fuel and petroleum products sold to or purchased by an air common carrier on a domestic flight, as specified. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 264

(Chan) Schools: asthma management. (I-02/08/2005)

Status: 03/03/2005-Referred to Com. on ED.

Current Location: 03/03/2005-A ED.

Summary: Existing law requires the governing board of any school district to give diligent care to the health and physical development of pupils. This bill would require the State Department of Education to supply each school district and each county office of education with a copy of the report titled Guidelines for the Management of Asthma in California Schools. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 338

(Levine) Recycling: crumb rubber. (I-02/10/2005)

Status: 02/24/2005-Referred to Com. on TRANS.

Current Location: 02/24/2005-A TRANS.

Summary: 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 define the term "asphalt containing crumb rubber" and would require the department to require the use of asphalt containing crumb rubber at a specified percentage, by ton, of the total amount of asphalt paving materials used for state highway and construction projects that use asphalt as a construction material. The bill would require the amount of asphalt containing crumb rubber, on and after January 1, 2007, to be not less than 20% of the total amount of asphalt paving materials used. The bill would require the Secretary of Business, Transportation and Housing, on or before January 1, 2010, to prepare a specified analysis comparing the cost differential between asphalt containing crumb rubber and conventional asphalt, including specified information. The bill would require the secretary to continue to prepare that analysis annually until the time that the secretary determines that the cost of asphalt containing crumb rubber does not exceed 10% of the cost of conventional asphalt. This bill contains other related provisions.

AQMD Position:

AB 343 (Huff) **Utility user taxes: exemption.** (I-02/10/2005)
Status: 03/07/2005-Referred to Com. on REV. & TAX.
Current Location: 03/07/2005-A REV. & TAX

Summary: Existing law authorizes the board of supervisors of any county to levy a utility user tax on the consumption of electricity, gas, water, sewer, telephone, telegraph, and cable television services in the unincorporated area of the county. This bill would exempt from any utility user tax imposed by any jurisdiction, as defined, the consumption of compressed natural gas by a local agency or a school district for transportation purposes. This bill would make legislative findings and declarations regarding the statewide purposes of the bill.

AQMD Position:

AB 383 (Montanez) **Air pollution: motor vehicle inspection program: repair assistance.** (I-02/11/2005)
Status: 02/22/2005-Referred to Com. on TRANS.
Current Location: 02/22/2005-A TRANS.

Summary: 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 provides for a repair assistance program available to (1) an individual whose maximum income level is 185% of the federal poverty level and whose vehicle has failed a smog check inspection or who was issued a notice to correct for an alleged violation of unlawful motor vehicle exhaust discharge, if the vehicle subject to that notice has failed a smog check inspection subsequent to receiving that notice, or both, and (2) an owner of a motor vehicle that has failed a smog check inspection and that is directed to a test-only facility. This bill would make the repair assistance program available solely to an individual who meets the criteria in (1) above. This bill would also make a conforming change in the definition of "low income motor vehicle owner" regarding the owner's income level as a percentage of the federal poverty level.

AQMD Position:

AB 399 (Montanez) **Recycling: multifamily dwellings.** (I-02/15/2005)
Status: 02/24/2005-Referred to Com. on NAT. RES.
Current Location: 02/24/2005-A NAT. RES.

Summary: 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 May 1, 2006, to make available one or more model ordinances that may be adopted by a local agency to facilitate solid waste reduction, reuse, and recycling programs at multifamily dwellings, as defined, and to post specified information on the board's Internet Web site. The bill would require a local agency, when issuing a building permit to an owner or a manager of a

multifamily dwelling, after July 1, 2006, to provide specified information to the owner or manager on programs that can be implemented to reduce, reuse, and recycle solid waste materials generated at the multifamily dwelling, thereby imposing a state-mandated local program by imposing a new duty on a local agency. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 400 (Gordon) CEQA: environmental impact reports: energy facilities. (I-02/15/2005)

Status: 02/16/2005-From printer. May be heard in committee March 18.

Current Location: 02/15/2005-A PRINT

Summary: The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would declare the intent of the Legislature to streamline the process for obtaining an environmental impact report on a project in order to expedite the construction of new renewable energy facilities or repower existing renewable energy facilities.

AQMD Position:

AB 426 (Bogh) HOV lanes. (I-02/15/2005)

Status: 02/24/2005-Referred to Com. on TRANS.

Current Location: 02/24/2005-A TRANS.

Summary: Existing law authorizes the Department of Transportation or local agencies with respect to highways under their respective jurisdictions to designate certain lanes for exclusive use by high-occupancy vehicles (HOVs). This bill would require the department and local agencies to convert all HOV lanes that currently operate on a 24 - hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 451 (Yee) Local sales tax: jet fuel: place of sale. (I-02/15/2005)

Status: 03/03/2005-Referred to Com. on REV. & TAX.

Current Location: 03/03/2005-A REV. & TAX

Summary: The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose sales and use taxes pursuant to the adoption of local ordinances. That law provides, for purposes of applying a local sales tax imposed under that law to sales of jet fuel, that the point of sale of that jet fuel is the point of delivery of the jet fuel to the aircraft if, both the principal negotiations for that sale are conducted in this state, and the retailer of that jet fuel has more than one place of business in this state. This bill would provide that the point of sale of jet fuel is the point of delivery of that jet fuel to the aircraft if the principal negotiations for the sale are conducted in this state, and would delete the requirement that the retailer of the jet fuel also have more than one place of business in this state.

AQMD Position:

AB 453 (Benoit) Grade separation projects. (I-02/15/2005)

Status: 02/24/2005-Referred to Com. on TRANS.

Current Location: 02/24/2005-A TRANS.

Summary: Existing law requires the California Transportation Commission to make allocations for grade separation projects, as defined. Existing law requires a railroad to agree to contribute 10% of the cost of a project in order for an allocation to be made for projects that eliminate an existing crossing, or alter or reconstruct an existing grade separation. Existing law requires, in order for an allocation for construction costs, or for preconstruction costs if not already allocated, to be made, that a local agency furnish certain evidence satisfactory to the Department of Transportation, including that all matters prerequisite to the award of the construction contract can be accomplished within one year after the allocation. This bill would instead require a railroad to agree to contribute 5% of the cost of a project in order for those allocations to be made. The bill would require, in order for an allocation for construction costs, or for preconstruction costs if not already allocated, to be made, that a local agency furnish evidence satisfactory to the department that all matters prerequisite to the award of a construction contract can be accomplished within two years after the allocation.

AQMD Position:

AB 489 (Bermudez) Ports: transportation network. (I-02/16/2005)
Status: 02/24/2005-Referred to Com. on TRANS.
Current Location: 02/24/2005-A TRANS.

Summary: Existing law requires the Port of Los Angeles and the Port of Long Beach to evaluate changes to the goods movement network to gauge adherence by those ports 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. Existing law requires the ports to report to the Business, Transportation and Housing Agency, the Office of Goods Movement of the Department of Transportation, and the Assembly and Senate Committees on Transportation in this regard by January 31, 2005, and annually thereafter through 2007. This bill would instead require the ports to provide those reports by January 1, 2006, and annually thereafter through 2008. Because the bill would place increased duties on the ports, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 509 (Richman) Regional transportation agencies. (I-02/16/2005)
Status: 02/28/2005-Referred to Com. on TRANS.
Current Location: 02/28/2005-A TRANS.

Summary: Existing law authorizes the Department of Transportation or local agencies with respect to highways under their respective jurisdictions to designate certain lanes for exclusive use by high-occupancy vehicles (HOVs). Existing law also authorizes certain local agencies to conduct, administer, and operate value pricing and transit development programs, under which single-occupant vehicles may use designated HOV lanes at certain times of day upon obtaining a permit and paying a fee, otherwise known as a "high-occupancy toll (HOT) lane." This bill would authorize regional transportation agencies to enter into agreements to finance regional user-fee based transportation projects.

AQMD Position:

AB 566 (Bermudez) Vehicle Inspection and Repair Fund: training. (I-02/16/2005)
Status: 02/28/2005-Referred to Com. on B. & P.
Current Location: 02/28/2005-A B. & P.

Summary: Existing law, the Automotive Repair Act, provides for the registration of automotive repair dealers by the Director of Consumer Affairs. The act creates the Vehicle Inspection and Repair Fund where all fees and revenue collected under the act's provisions are deposited. The act makes the revenue in the fund available for expenditure by the Department of Consumer Affairs upon appropriation by the Legislature. This bill would create the Education Account in the fund. The bill would authorize the director to deposit revenues in the account for expenditure for training purposes when appropriated.

AQMD Position:

AB 567 (Aghazarian) Hazardous waste: alternative standards. (I-02/16/2005)
Status: 02/28/2005-Referred to Com. on E.S. & T.M.
Current Location: 02/28/2005-A E.S. & T.M.

Summary: Existing law the hazardous waste control law, establishes various standards for management and control of hazardous waste. Existing law authorizes the Department of Toxic Substances Control to exempt by regulation, until January 1, 2008, a hazardous waste management activity from certain statutory requirements related to hazardous waste management, upon complying with specified procedures and analyses. This bill would authorize the department to adopt regulations that establish hazardous waste management standards as an alternative to one or more of the standards specified in the hazardous waste control law. The bill would permit the regulations to exempt a hazardous waste management activity that only involves hazardous wastes meeting specified criteria. The bill would require the department, before adopting an alternative management regulation, to make findings, prepare an analysis to support those findings, make the analysis available to the public, and notify the public, as specified. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 574 (Wolk) Recycled concrete. (I-02/16/2005)

Status: 02/28/2005-Referred to Com. on B. & P.

Current Location: 02/28/2005-A B. & P.

Summary: Existing law requires the Department of Toxic Substances Control to adopt, by regulations, criteria and guidelines for the identification of hazardous waste. Existing law excludes from classification as a hazardous waste cementitious material that is a nonaqueous waste, is managed in a specified manner at the cement manufacturing facility where it was generated, and would otherwise be classified as a hazardous waste based solely on a specified test concerning the corrosivity of a waste. This bill would authorize the use of recycled concrete, as defined, if the end user has been fully informed that the concrete is recycled concrete.

AQMD Position:

AB 578

(Horton, Shirley) Air pollution: Smog check: test-only stations. (I-02/16/2005)

Status: 02/28/2005-Referred to Com. on TRANS.

Current Location: 02/28/2005-A TRANS.

Summary: Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs, that provides for the inspection of all motor vehicles, except those specifically exempted from the program. Existing law requires, among other things, the Department of Consumer Affairs to establish a network of test-only stations pursuant to contract and requires the department to increase the capacity of the program so that the capacity exists to commence, by January 1, 1996, the testing at test-only facilities of that portion of the state vehicle fleet that is subject to inspection and is registered in the enhanced program area, as specified. This bill would permit, rather than require, the department to increase the capacity of the program for testing at test-only facilities of that portion of the state fleet that is subject to inspection and that is registered in the enhanced program area, after completing an open and public review and consideration of the impacts of sending vehicles to test-only facilities, including, but not limited to, consumer costs, additional wait times, additional testing fees, impacts on small businesses, relative environmental benefits, if any.

AQMD Position:

AB 597

(Montanez) Response actions: brownfield sites. (I-02/17/2005)

Status: 03/03/2005-Referred to Com. on E.S. & T.M.

Current Location: 03/03/2005-A E.S. & T.M.

Summary: Existing law, the California Land Reuse and Revitalization Act of 2004, provides that an innocent landowner, a bona fide purchaser, or a contiguous property owner, as defined, qualifies for immunity from liability for response costs or damage claims with regard to a site in an urban infill area, if the innocent purchaser, bona fide purchaser, or contiguous property owner meets specified conditions. The act defines the term "agency" as meaning the Department of Toxic Substances Control, the State Water Resources Control Board, or a California regional water quality control board. This bill would revise the public participation procedures that are required to be included in the response plan, including requiring the agency to notify all other appropriate governmental entities and local agencies, including, but not limited to, the department, a regional board, or redevelopment agency, that is not party to the response plan regarding the proposed response action. The bill would require the regional board to provide reasonable public notice in English and other languages commonly spoken in the area, if appropriate, for public review and comment. The bill would also require the regional board to hold a public meeting in the area to receive comments if a public meeting is requested. The bill would require the regional board to consider and respond to all comments prior to acting on the response plan and to consider the use of factsheets, electronic copies of the response plan and site assessment, public notices, and additional public meetings or workshops. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 644

(Houston) CEQA: public agencies. (I-02/17/2005)

Status: 02/18/2005-From printer. May be heard in committee March 20.

Current Location: 02/17/2005-A PRINT

Summary: Existing law, the California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would make a technical, nonsubstantive change in those provisions.

AQMD Position:

AB 645 (Houston) CEQA: environmental impact reports: information. (I-02/17/2005)**Status:** 02/18/2005-From printer. May be heard in committee March 20.**Current Location:** 02/17/2005-A PRINT

Summary: Existing law, the California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA further requires that specified information be contained in an environmental impact report, as provided. This bill would make a technical, nonsubstantive change in those provisions requiring that specified information be contained in an environmental impact report.

AQMD Position:**AB 679 (Calderon) Air resources: Heavy-duty motor vehicles: findings and declarations. (I-02/17/2005)****Status:** 02/28/2005-Referred to Com. on TRANS.**Current Location:** 02/28/2005-A TRANS.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources and generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law imposes emission standards on used motor vehicles, including heavy-duty diesel motor vehicles. Existing law makes legislative findings and declarations relating to reductions in diesel emissions from motor vehicles. This bill would revise those findings and declarations to relate to diesel emission reductions from after treatment traps and catalysts, improvements to diesel engine technology, and federal adoption of ultra clean diesel fuel standards, as provided.

AQMD Position:**AB 694 (Chan) Motor vehicle air pollution control: district fees: Bay Area Air Quality Management District. (I-02/17/2005)****Status:** 02/28/2005-Referred to Com. on TRANS.**Current Location:** 02/28/2005-A TRANS.

Summary: Existing law requires specified motor vehicle fee revenues generated in the Bay Area Air Quality Management District to be subvended to the bay district and used for specified projects or programs, including the implementation of low-emission and zero-emission vehicle programs. Existing law requires the bay district to allocate those fee revenues to cities, counties, the Metropolitan Transportation Commission, transit districts, or any other public agency responsible for implementing one or more of the specified projects or programs. This bill would delete from those specified projects and programs the implementation of low-emission and zero-emission vehicle programs, and would, instead, add the implementation of projects to reduce mobile source emissions, and of advanced technology demonstration projects to reduce mobile source emissions, thereby creating a state-mandated local program by imposing new duties on the bay district. The bill would authorize the bay district to allocate fee revenues for those mobile source emissions projects to entities that include, but are not limited to, public agencies, consistent with applicable policies adopted by the governing board of the bay district. This bill contains other related provisions and other existing laws.

AQMD Position:**AB 721 (Nunez) Metal plating facilities: pollution reduction fund. (I-02/17/2005)****Status:** 02/18/2005-From printer. May be heard in committee March 20.**Current Location:** 02/17/2005-A PRINT

Summary: The California Integrated Waste Management Act of 1989 establishes a comprehensive program implemented by the California Integrated Waste Management Board and local agencies to reduce, recycle, and reuse solid waste in an efficient and cost-effective manner. This bill would require the Business, Transportation and Housing Agency to establish a loan program or a loan guarantee program, or both, for chrome plating facilities. The bill would create the Chrome Plating Pollution Prevention Account in the State Treasury, and would require that the money in the account be expended by the agency, upon appropriation by the Legislature, to make specified loans and loan guarantees. The bill would require the agency to make loans or loan guarantees available only to a generator that is a small business and meets other requirements. This bill contains other related provisions and other existing laws.

AQMD Position:**AB 728****(Negrete McLeod) Electricity: biogas digester customer-generators: net metering. (I-02/17/2005)****Status:** 03/03/2005-Referred to Com. on U. & C.**Current Location:** 03/03/2005-A U. & C.

Summary: Under existing law, electric service providers, as defined, are required to provide eligible customer-generators with net energy metering, as defined. Under existing law, electrical corporations are required, only until January 1, 2006, to provide eligible biogas digester customer-generators with net energy metering, as defined, under a pilot program. Existing law defines an "eligible biogas digester customer-generator," in part, as a customer of an electrical corporation that uses a biogas digester electrical generating facility, as defined, with a capacity of not more than one megawatt, that is located on or adjacent to the customer's premises, is interconnected and operates in parallel with the electric grid, and is sized to offset part or all of the customer's own electrical requirements and that receives certain funding. This bill would extend indefinitely the operation of the biogas customer-generator program, as well as references to the program being a pilot program. The bill would modify the definition of an "eligible biogas digester customer-generator," to authorize a biogas digester electrical generating facility with a capacity of not more than 10 megawatts. This bill contains other related provisions and other existing laws.

AQMD Position:**AB 739****(Nation) Political expenditure disclosure. (I-02/17/2005)****Status:** 02/18/2005-From printer. May be heard in committee March 20.**Current Location:** 02/17/2005-A PRINT

Summary: Existing provisions of the Political Reform Act of 1974, as amended by Proposition 34 of the November 7, 2000, statewide general election, require a person who pays or promises to pay \$50,000 or more for an issue advocacy communication, which clearly identifies a candidate for elective state office but does not expressly advocate the election or defeat of the candidate, made within 45 days of an election, to file a specified disclosure report online or electronically with the Secretary of State within 48 hours of making or promising the payment. This bill would require this filing by a person who pays or promises to pay \$10,000 or more under the same circumstances. This bill contains other related provisions and other existing laws.

AQMD Position:**AB 810****(Parra) Income and corporation taxes: environmental credit: deduction: ultra-low sulfur diesel fuel. (I-02/18/2005)****Status:** 03/03/2005-Referred to Com. on REV. & TAX.**Current Location:** 03/03/2005-A REV. & TAX

Summary: 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 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. This bill would also, under both laws, for a period beginning on January 1, 2005, and ending on January 1, 2009, 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.

AQMD Position:**AB 825****(Levine) Air resources: binational committee. (I-02/18/2005)****Status:** 03/03/2005-Referred to Com. on NAT. RES.**Current Location:** 03/03/2005-A NAT. RES.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. This bill would require the state board, in conjunction with the Legislature, to work towards creating a binational committee with Mexico to work on issues relating to air quality, including, but not limited to, the collection and interpretation of data pertinent to air quality and the effects of air quality on human health.

AQMD Position:

AB 841 (Arambula) Air quality: particulate monitoring. (I-02/18/2005)
Status: 02/20/2005-From printer. May be heard in committee March 22.
Current Location: 02/18/2005-A PRINT

Summary: Existing law requires the State Air Resources Board to develop and conduct an expanded and revised program of particulate monitoring. Existing law requires that the program be designed to accomplish specified conditions, including, among others, that the monitoring network used in the program site monitors so as to characterize population exposure, background conditions, and transport influence, and attain any other objective identified by the state board as necessary to understand conditions and provide information for the development of control strategies. This bill would require that the monitoring network have sufficient monitors and that the monitors be sited for all areas within an air basin.

AQMD Position:

AB 888 (De La Torre) Air pollution: South Coast Air Quality Management District: rail yard equipment emissions. (I-02/18/2005)
Status: 02/20/2005-From printer. May be heard in committee March 22.
Current Location: 02/18/2005-A PRINT

Summary: 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 (south coast 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 a state to adopt and enforce standards relating to motor vehicles or motor vehicle engines or to nonroad vehicles or nonroad engines, if a state determines that its standards are at least as protective of human health as the federal standards. This bill would authorize the south coast district to establish a rail yard equipment emission reduction program by permitting the south coast district to adopt regulations requiring the owner or lessee of any heavy-duty motor vehicle, nonroad engine, or nonroad vehicle to install retrofit controls or replace existing equipment with clean technologies to reduce emissions of air contaminants to the maximum extent feasible, if that vehicle or engine operates substantially in a rail yard within the south coast district, as determined by the south coast district. The bill would specify that a regulation adopted pursuant to the bill that is applicable to motor vehicles shall not be implemented until January 1, 2007. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 898 (Maze) Air pollution: smog check: test-only stations. (I-02/18/2005)
Status: 03/03/2005-Referred to Com. on TRANS.
Current Location: 03/03/2005-A TRANS.

Summary: Existing law establishes a motor vehicle inspection and maintenance program (smog check), administered by the Department of Consumer Affairs, 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 prohibits the repair of vehicles at test-only facilities, except for certain specified minor repairs. Existing law requires a smog check technician to pass a qualification examination administered by the department and meet prerequisite minimum experience and training criteria in order to be qualified to perform tests or making repairs under the smog check system. This bill would require the department, with respect to the qualification tests for test-only technicians in the enhanced program areas, to (1) review the qualification tests imposed on test-only technicians in enhanced program areas in other states and make the testing requirements imposed in this state as consistent as possible with those in other states, to (2) establish prerequisite training for test-only technicians and permit an individual who completes 40 hours of that training to take a qualification examination, and to (3) revise the qualification requirements to permit applicants to become smog check technicians at test-only stations by completing the prerequisite training and passing the smog check qualification examination that would be required to be as consistent as possible with those in other states and appropriate for a test-only technician.

AQMD Position:

AB 936 (Wyland) **Energy resources: transportation fuels: supply.** (I-02/18/2005)
Status: 02/20/2005-From printer. May be heard in committee March 22.
Current Location: 02/18/2005-A PRINT

Summary: Existing law requires the California Energy Resources Conservation and Development Commission to adopt an integrated energy policy report that contains an overview of major energy trends and issues facing the state, including supply, demand, pricing, reliability, efficiency, and impacts on public health and safety, the economy, resources, and the environment. For purposes of the report, 'energy markets and systems' includes, among other things, transportation fuels, technologies, and infrastructure. This bill would establish, until January 1, 2010, the Office of Special Counsel on Transportation Fuels in the Office of the Governor, and the Governor's Council on Transportation Fuels Policies in state government. This bill contains other related provisions.

AQMD Position:

AB 942 (Cogdill) **Air quality: agricultural burning: San Joaquin Valley.** (I-02/18/2005)
Status: 03/07/2005-Referred to Com. on NAT. RES.
Current Location: 03/07/2005-A NAT. RES.

Summary: Existing law prohibits any person from knowingly setting or permitting agricultural burning unless he or she has a valid permit designated by the State Air Resources Board to issue a permit in the area where the burning is to take place. Existing law prohibits the issuance of any permit to a person to burn certain categories of agricultural waste, as defined, within the jurisdiction of the San Joaquin Valley Unified Air Pollution Control District, commencing on the date specified for each category. Existing law allows the district to postpone the commencement dates if specified requirements are met, including a requirement that the district determines that there is no economically feasible alternative means of eliminating the waste, as provided. This bill would define "economically feasible" in an unspecified manner for purposes of the above provision.

AQMD Position:

AB 962 (Nunez) **Railroad safety.** (I-02/18/2005)
Status: 02/20/2005-From printer. May be heard in committee March 22.
Current Location: 02/18/2005-A PRINT

Summary: Existing law sets forth the powers and duties of railroad corporations. Existing law authorizes the Public Utilities Commission, after a hearing, to require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the health and safety of its employees, passengers, customers, and the public. Existing law requires the commission to require every railroad corporation operating in this state to develop a protocol for rapid communications with certain entities in an endangered area if there is a runaway train or any other uncontrolled train movement that threatens public health and safety. Existing law requires a railroad corporation to promptly notify those entities if there is a runaway train or other uncontrolled train movement, in accordance with the communications protocol developed. This bill would impose certain requirements on a railroad corporation regarding signage, markers, and flagging systems. The bill would prohibit a railroad corporation from leaving a train containing hazardous materials unattended outside of its terminal property, or permitting such a train to cross a grade crossing unattended. The bill would require a railroad corporation to notify the commission and the collective bargaining representative of any affected employee of any new utilization of remote control locomotives. The bill would require a railroad corporation to notify the commission of any accident involving one of its trains, and to submit its current operating rules and any subsequent amendments to the commission.

AQMD Position:

AB 969 (Karnette) **Business, Transportation and Housing Agency: transportation planning.** (I-02/18/2005)
Status: 03/07/2005-Referred to Com. on TRANS.
Current Location: 03/07/2005-A TRANS.

Summary: Existing law establishes the Business, Transportation and Housing Agency. Under existing law, the agency's secretary is required to resolve significant policy conflicts among state, local, or federal transportation plans and programs that impede the effective implementation of state transportation policy. This bill would require the secretary to develop a strategy to accomplish specified transportation objectives.

AQMD Position:

AB 984 (Laird) Private nuisance: remedies. (I-02/18/2005)
Status: 02/20/2005-From printer. May be heard in committee March 22.
Current Location: 02/18/2005-A PRINT

Summary: Existing law specifies the remedies for a private nuisance. This bill would make technical, nonsubstantive changes to that provision.

AQMD Position:

AB 993 (Canciamilla) Planning and forecasting: liquified natural gas. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Existing law requires the State Energy Resources Conservation and Development Commission to prepare an integrated energy policy report every 2 years. Existing law also requires the commission to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices, including electricity and natural gas forecasting and assessment activities. This bill would require the commission to assess the role of liquified natural gas in meeting California's natural gas needs, including, but not limited to, a cost/benefit analysis.

AQMD Position:

AB 1007 (Pavley) Air quality: alternative fuels. (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. This bill would require, not later than January 1, 2007, the state board, in consultation with specified state agencies, to develop and adopt recommendations for a state plan to increase the use of alternative fuels, as defined. This bill would also permit the state board to adopt regulations that consider the need for the state to increase the use of alternative transportation fuels to reduce the state's dependency on petroleum fuels.

AQMD Position:

AB 1031 (Niello) Vehicles: Biennial Inspection of Terminals Program. (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: Existing law requires a motor carrier who directs the operation of, or maintains, certain commercial vehicles in this state to designate one or more terminals in this state where vehicles can be inspected by the Department of the California Highway Patrol and where vehicle inspection and maintenance records and driver records will be made available for inspection. Existing law designates this program the Biennial Inspection of Terminals Program or BIT. This bill would designate this program the California Inspection of Terminals Program or CIT.

AQMD Position:

AB 1051 (Benoit) Nonhighway vehicles: restrictions. (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Existing law regulates the operation of vehicles and combinations of vehicles upon the highways, imposes certain disclosure requirements on the sale of motor vehicles and vehicles by licensed dealers, and imposes sanctions for violating these regulations and requirements. This bill would require a manufacturer or retailer who sells, furnishes, or gives a nonhighway vehicle, as defined by the bill, to provide the buyer or recipient of that vehicle a specified written disclosure indicating that the operation of a nonhighway vehicle on a highway is prohibited. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1067 (Frommer) Vehicles: railroad grade crossings: violations: penalties. (I-02/22/2005)**Status:** 02/24/2005-From printer. May be heard in committee March 26.**Current Location:** 02/22/2005-A PRINT

Summary: Existing law authorizes a court in a county with a population greater than 500,000 persons to order a person convicted of certain traffic violations relating to rail transit to attend a traffic school that offers, as a part of its curriculum, a film on rail transit safety, and to pay certain fines in addition to the fines regularly imposed for a violation. This bill would permit a court described above to order attendance, instead, at a traffic safety school that includes a rail safety presentation or Internet rail safety test. The bill would add additional rail transit-related violations to the existing list of rail transit-related violations that are subject to the above described law. This bill contains other related provisions and other existing laws.

AQMD Position:**AB 1101 (Oropeza) Air pollution: diesel magnet sources. (I-02/22/2005)****Status:** 02/24/2005-From printer. May be heard in committee March 26.**Current Location:** 02/22/2005-A PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources 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, including stationary sources. Existing law establishes the Protect California Air Act of 2003, and provides that the primary mechanism for controlling stationary sources is the existing new source review program of the districts. This bill would express the legislature's intent to define diesel magnet sources to include ports, airports, rail yards, distribution centers, and intermodal sites, and to establish the time frame for districts to review and, if necessary, revise policies and procedures, and for the largest diesel magnet sources to comply with the requirements applicable to traditional stationary sources. This bill would also make legislative findings and declarations relating to diesel magnet sources of air pollution.

AQMD Position:**AB 1165 (Bogh) Energy resources: certification: environmental documents. (I-02/22/2005)****Status:** 02/24/2005-From printer. May be heard in committee March 26.**Current Location:** 02/22/2005-A PRINT

Summary: The existing Warren-Alquist State Energy Resources Conservation and Development Act requires that the State Energy Resources Conservation and Development Commission be the lead agency for all projects that require certification under the act, and for projects that are exempted from certification. The act requires any other public agency that must make a decision that is subject to the California Environmental Quality Act (CEQA), if the commission prepares a document or documents in the place of an environmental impact report or negative declaration under a regulatory program certified pursuant to CEQA, on a site or related facility, to use the document or documents, in the same manner as it would use an environmental impact report or negative declaration prepared by a lead agency. This bill, instead, would require any other agency that must make a decision that is subject to CEQA, on a site or related facility, if the commission's regulatory program is certified pursuant to CEQA, to use the final staff assessment or any other environmental document, prepared in advance of the final decision under the commission's certified regulatory program, that describes the project, analyzes the significant environmental impacts of the project, and discusses feasible alternatives and mitigation measures that could avoid or minimize the project's significant adverse impacts, in the same manner as it would use an environmental impact report or negative declaration prepared by a lead agency. The bill would require the commission or its staff, prior to completing the final staff assessment or other environmental document, to consult with all agencies that inform the commission of the need to review an environmental document to make a decision on a site or related facility.

AQMD Position:**AB 1190 (Canciamilla) Energy: agency consolidation. (I-02/22/2005)****Status:** 02/23/2005-From printer. May be heard in committee March 25.**Current Location:** 02/22/2005-A PRINT

Summary: The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires it to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate

projected demand for power statewide. Under that act, the Energy Commission also administers existing law with respect to energy conservation and renewable electricity generation sources. This bill would enact the Energy Code and would establish the Energy Agency under the administration of the Secretary of Energy, who would be appointed by the Governor and subject to confirmation by the Senate. The agency would be responsible for the planning, development, and implementation of all major aspects of the state energy policy to ensure an adequate, reasonably priced supply of electricity and natural gas. The secretary, in consultation with the Independent System Operator (ISO), would be required to determine appropriate reserve levels needed to maintain the reliability and stability of the electrical transmission and distribution grid and the Public Utilities Commission would be required to ensure that electrical corporations meet the reserve levels determined to be appropriate by the secretary. The bill would require the Secretary of Energy to establish goals for energy conservation and resource efficiency that will achieve or exceed the conservation and efficiency goals in the Energy Action Plan jointly adopted by the Consumer Power and Conservation Financing Authority, the Energy Resources Conservation and Development Commission, and the Public Utilities Commission and to be responsible for coordination of energy conservation and resource efficiency programs and to consolidate those programs, where desirable. The bill would require the Secretary of Energy, within 90 days following confirmation, to report to the Legislature regarding liquefied natural gas, natural gas conservation measures, and other options to improve the supply and distribution of a reliable natural gas supply in California. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1220

(Jones) Air quality: portable equipment registration. (I-02/22/2005)

Status: 02/23/2005-From printer. May be heard in committee March 25.

Current Location: 02/22/2005-A PRINT

Summary: Existing law authorizes air pollution control districts and air quality management districts to establish a permit system requiring persons who build, erect, alter, operate, or use any article, machine, equipment, or contrivance that may cause the issuance of air contaminants to obtain a permit to ensure compliance with applicable air quality standards. This bill would require the state board to instead include a uniform statewide district fee schedule for the recovery of the actual costs of enforcement, as provided. This bill would require districts to approve and submit to the state board the actual costs of enforcement and would require the state board to adjust its fees to fully reimburse districts for those actual costs, as part of the state's next billing cycle. This bill would permit district boards to require hour meters to determine engine use and additional notification by operators of engine movement into and within an air district to ensure proper enforcement of the statewide registration program. This bill would also require, not later than July 31, 2007, that the state board submit to the Legislature and affected districts, a report containing information relating to emission limitations and emission control requirements, as provided. This bill contains other related provisions and other existing laws.

AQMD Position:

AQMD Position:

AB 1221

(Jones) Air pollution: State Air Resources Board. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: Existing law generally designates the State Air Resources 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 states that the state board is in the California Environmental Protection Agency, and requires the state board to consist of 11 specified members. This bill would increase the membership of the state board to modify that provision to require the state board to 12 members. The additional member would be required to be a board member from either the Sacramento Metropolitan Air Quality Management District, the Placer County Air Pollution Control District, the Yolo-Solano Air Quality Management District, the Feather River Air Quality Management District, or the El Dorado County Air Pollution Control District.

AQMD Position:

AQMD Position:

AB 1222

(Jones) Air pollution: Locomotive Air Pollution Control: High-Polluting Locomotive Program. (I-02/22/2005)

Status: 02/23/2005-From printer. May be heard in committee March 25.

Current Location: 02/22/2005-A PRINT

Summary: 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. This bill would establish the High-Polluting Locomotive Program, and would require the State Air Resources Board to encourage voluntary testing, repair, maintenance, or replacement of high-polluting locomotives by their owners or operators, as provided. This bill would, among other things, require the state board to establish a remote sensing program to determine the levels of air contaminants emitted by locomotives during operations, and would require the state board to identify and notify the public and the owners and operators of the operation of a high-polluting locomotive, as defined. This bill contains other related provisions.

AQMD Position:

AQMD Position:

AB 1223 (Leno) Manufacture: direct sales: low-emission vehicles. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Existing law makes it unlawful for a vehicle manufacturer to sell vehicles for resale to persons who are not licensed by the Department of Motor Vehicles under the occupational provisions of the Vehicle Code. This bill would allow a vehicle manufacturer or its agent to engage in the business of directly selling to an unlicensed person the manufacturer's new motor vehicle that meets the state's super ultra-low-emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporation emission standard.

AQMD Position:

AQMD Position:

AB 1229 (Nation) Air pollution: new motor vehicles: air pollution label. (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: Existing law permits the State Air Resources Board to adopt a regulation to prohibit the sale and registration of any new motor vehicle certified by the state board to which there has not been affixed on a side window to the rear of the driver or, if it cannot be so placed, to the windshield, a decal disclosing specified emissions information, including, for 1976 and subsequent model year motor vehicles, the exhaust emissions, as provided. Existing law requires the state board to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from motor vehicles. Existing law also prohibits the sale and registration of a new motor vehicle unless a decal that discloses a smog index for the vehicle is affixed, as specified. This bill would expand the requirement to place the exhaust emissions information for 1976 and subsequent model year motor vehicles on the emissions index decal to affix to the emissions as provided, of any new motor vehicle. The bill would require the decal to be affixed to the driver's side window or, if it cannot be so placed, to the windshield. The bill would require a specified, emissions index and a global warming index to be included on the emissions information decal that the state board is authorized, by regulation to require. This bill would require state decal to be renamed the air pollution label, and would subject to those provision, at a minimum, all passenger cars and light-duty trucks with a gross vehicle weight of 8,500 pounds or less, and all vehicles that are subject to those regulations adopted by the state board pertaining to greenhouse gases. This bill contains other related provisions.

AQMD Position:

AB 1231 (Horton, Jerome) Air pollution. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources 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 requires the South Coast Air Quality Management District board (south coast district board) to adopt rules and regulations relating to air pollution, not in conflict with state laws and federal laws and rules and regulations. This bill would require the south coast district board to adopt rules and regulations,

not in conflict with state and federal laws, rules, and regulations.

AQMD Position:

AB 1249 (Blakeslee) Waste tire facility permit. (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Under existing law, the California Integrated Waste Management Board, in consultation with the State Fire Marshal and the State Department of Health Services, is required to adopt emergency regulations setting forth procedures and requirements necessary to obtain a major waste tire facility permit. Existing law specifies the content of regulations for a major waste tire facility permit. This bill would, instead, require the board, in consultation with the State Department of Health Services, to adopt those regulations. The bill would require the State Fire Marshall, in consultation with the board, to adopt fire prevention regulations for the storage of waste and used tires. The bill would require the major waste tire facility permit regulations to include by reference the fire prevention regulations adopted by the State Fire Marshall. The bill would make related and technical, nonsubstantive changes.

AQMD Position:

AB 1269 (Pavley) Clean Air, Clean Water, Coastal Protection, and Parks Act of 2007. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. This bill would enact the Clean Air, Clean Water, Coastal Protection, and Parks Bond Act of 2007 which, if adopted, would authorize, for purposes of financing an air and water quality, coastal protection, and parks program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$____. This bill contains other related provisions.

AQMD Position:

AB 1282 (Mullin) Local sales and use tax: jet fuel: place of sale. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose sales and use taxes pursuant to the adoption of local ordinances. That law provides, for purposes of applying a local sales tax imposed under the Bradley-Burns Uniform Local Sales and Use Tax Law to sales of jet fuel, with respect to a retailer that has more than one place of business in the state, that the point of sale of that fuel is the point of delivery of that fuel to the aircraft, if the principal negotiations for that sale are conducted in this state. That law also provides for specific allocations of local sales tax collected with respect to specified sales of jet fuel delivered to aircraft located at a multijurisdictional airport, as defined. This bill, would, with the exception of sales of jet fuel deemed to occur at the Ontario International Airport, delete the provisions that require allocations of local sales taxes, with respect to jet fuel delivered to aircraft located at a multijurisdictional airport, between the local government operating the multijurisdictional airport and the local government in which the multijurisdictional airport is located. This bill contains other related provisions.

AQMD Position:

AB 1283 (DeVore) State highways: reversible lanes. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Existing law provides that the Department of Transportation has full possession and control of all state highways and all associated property. This bill would require the department, prior to adding conventional mixed-flow or high-occupancy vehicle lanes to state highways, to conduct a study of the feasibility of adding one or more reversible lanes separated by concrete barriers from other traffic on the affected state highway segment. The bill would require the results of each study to be submitted to the Legislature.

AQMD Position:

AB 1292 (Evans) School facilities: air quality. (I-02/22/2005)

Status: 02/23/2005-From printer. May be heard in committee March 25.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires schoolsite councils, at schools participating in school-based program coordination, to develop a school plan including specified components. This bill would require schoolsite councils to include in their school plans guidelines for the improvement of indoor air quality. This bill would require that the guidelines describe the actions that district staff, teachers, and schoolsite staff plan to take to assure good indoor air quality. This bill would require that, once approved by the school district's governing board, the guidelines be distributed to all teachers at the schoolsite and to members of the public upon request. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1317 (Ruskin) Environmental laboratories. (I-02/22/2005)

Status: 02/23/2005-From printer. May be heard in committee March 25.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires a laboratory that performs analysis for regulatory purposes of drinking water, wastewater, air, hazardous waste, and contaminated soils or sediments to obtain certification by the State Department of Health Services or, in the alternative, if appropriate, to obtain accreditation under the National Environmental Laboratory Accreditation Program (NELAP). This bill would repeal, recast, and reenact those provisions. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1330 (Karnette) Redevelopment: Los Angeles Harbor District. (I-02/22/2005)

Status: 02/24/2005-From printer. May be heard in committee March 26.

Current Location: 02/22/2005-A PRINT

Summary: The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight, as defined, in those communities. This bill would establish the Harbor District Development Authority in the City of Los Angeles and authorize the City Council of the City of Los Angeles, by resolution, to designate the Los Angeles Board of Harbor Commissioners as the redevelopment agency for the Los Angeles Harbor District. The bill would specify conditions that characterize blight as applied to the Los Angeles Harbor District. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1332 (Gordon) Distributed generation: efficiency standards. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires the commission, in consultation with the State Energy Resources Conservation and Development Commission, to administer, until January 1, 2008, a self-generation incentive program for distributed generation resources. This bill would declare the intent of the Legislature to establish policies to ensure that distributed generation systems used by Californians meet reasonable efficiency standards.

AQMD Position:

AB 1340 (Committee on Environmental Safety and Toxic Materi) California Environmental Protection Agency. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: 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.

AQMD Position:

AB 1357 (Ruskin) State motor vehicle fleets. (I-02/22/2005)

Status: 02/24/2005-From printer. May be heard in committee March 26.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires the Director of General Services to compile and maintain prescribed information on the nature of vehicles owned or leased by the state, including the number of alternatively fueled vehicles and hybrid vehicles purchased or leased by the state during the year, and the total number owned or leased as of December 31 of each year. This bill, in addition, would require the Director of General Services to compile and maintain prescribed information on the number of bifuel natural gas and bifuel propane vehicles purchased or leased by the state during the year, the total number owned or leased as of December 31 of each year, and the total amount of fuel used during the year by those vehicles, itemized by type of fuel, as of December 31 of each year.

AQMD Position:

AB 1365 (Ruskin) Greenhouse gas emission levels. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires the Governor to prepare, maintain, and regularly review a comprehensive State Environmental Goals and Policy Report, which is to contain, among other information, a statement of approved state environmental goals that are required to be consistent with state planning priorities. Existing law specifies that the state planning priorities are, among others, to promote infill development, protect environmental and agricultural resources, and to encourage efficient development patterns. This bill would include as an additional state planning priority to provide for the reduction in greenhouse gas emissions of at least 7% by 2010 and 10% by 2020 based on the 1990 greenhouse gas emission levels.

AQMD Position:

AB 1406 (Karnette) Ports and harbors: freight security fee. (I-02/22/2005)

Status: 02/24/2005-From printer. May be heard in committee March 26.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires the Governor to appoint, to serve at his or her pleasure, an executive officer as the Director of Homeland Security. Existing law requires the director to be in charge of homeland security and to be the state coordinator of all homeland security activities, including homeland security strategy, information analysis related to terrorism, and protection of critical infrastructure from terrorism. This bill, on and after January 1, 2007, would impose a fee of \$10 per intermodal freight container on every freight container processed through a port or harbor in the state. The bill would require the fee to be paid to the marine terminal operator processing the container by the person contracting for shipment of the container. The bill would require each marine terminal operator in the state that processes freight containers to transmit the fees and certain related information to the Office of Homeland Security (OHS) on or before the 10th business day of each month. This bill contains other related provisions.

AQMD Position:

AB 1407 (Oropeza) California Environmental Health and Air Quality Funding Act of 2005. (I-02/22/2005)

Status: 02/24/2005-From printer. May be heard in committee March 26.

Current Location: 02/22/2005-A PRINT

Summary: Under the Diesel Fuel Tax Law, a tax is imposed on the removal of diesel fuel from various storages, as specified. This bill would enact the California Environmental Health and Air Quality Funding Act of 2005. The act would require a supplier of dyed diesel fuel to pay an air quality fee in an unspecified amount per gallon for the removal or sale of dyed diesel fuel or blended dyed diesel fuel, as specified. The act would also require an ultimate vendor to pay an air quality fee in an unspecified amount per gallon on each gallon of undyed diesel fuel sold by the ultimate vendor to a farmer in a specified transaction. The act would require a user of undyed diesel fuel to pay an air quality fee in an unspecified amount per gallon on each gallon of undyed diesel fuel for which the user claims a refund of the diesel fuel tax, as specified. The bill would require the State Board of Equalization to administer the fees imposed. This bill contains other related provisions.

AQMD Position:

AB 1414 (Berg) Children's Environmental Health Center. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: Existing law establishes the Children's Environmental Health Center within the Environmental Protection Agency, and provides the center with advisory and other duties relating to the effect of the environment on children's health. This bill would make a technical nonsubstantive change to the provisions relating to the Children's Environmental Health Center.

AQMD Position:

AB 1430 (Goldberg) Air Contaminants. (I-02/22/2005)

Status: 02/25/2005-From printer. May be heard in committee March 27.

Current Location: 02/22/2005-A PRINT

Summary: Existing law requires the State Air Resources Board to develop and adopt, at a public hearing, a methodology for use by air pollution control districts and air quality management districts to calculate the value of credits issued for emission reductions from stationary, mobile, indirect, and areawide sources, including those issued under market-based incentive programs, when those credits are used interchangeably, with certain requirements. This bill would prohibit this methodology from permitting credits to be used to perpetuate human exposure to air contaminants in communities within a district, or elevated risks associated with air contaminants, including, but not limited to, airborne toxics and particulate matter in low-income communities and communities with a significant minority population

AQMD Position:

AB 1546 (Hancock) Environment: Department of Environmental Management. (I-02/22/2005)

Status: 02/24/2005-From printer. May be heard in committee March 26.

Current Location: 02/22/2005-A PRINT

Summary: Under existing law, the Site Designation Committee in the California Environmental Protection Agency is authorized to designate an administering agency for oversight of a remedial action to a hazardous substance release. This bill would require the Governor to convene a Cleanup Agency Consolidation Task Force, which would consist of a representative from the Department of Toxic Substances Control, the State Department of Health Services, and the California regional water quality control boards. The bill would require the task force to draft an organization and business plan to provide for the creation and structuring of a Department of Environmental Management. The bill would require the plan to provide for the transfer of specified authority and duties to that department. The bill would provide for a 90-day public comment period for comments and hearings regarding the draft plan and would require the task force, after reviewing and incorporating into the plan any comments as appropriate, to issue a final organization and business plan for the creation and structuring of that department. This bill contains other existing laws.

AQMD Position:

AB 1547 (Levine) Energy: renewable energy: solar generation of electricity. (I-02/22/2005)

Status: 02/23/2005-From printer. May be heard in committee March 25.

Current Location: 02/22/2005-A PRINT

Summary: The existing Public Utilities Act requires the Public Utilities Commission (CPUC) to require Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison to identify a separate electrical rate component to fund programs that enhance system reliability and provide in-state benefits. This rate component is a nonbypassable element of local distribution and collected on the basis of usage. The funds are collected to support cost-effective energy efficiency and conservation activities, public interest research and development not adequately provided by competitive and regulated markets, and renewable energy resources. Existing commission resolutions refer to the nonbypassable rate component as a "Public Goods Charge" (PGC). Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to transfer funds collected by electrical corporations for in-state operation and development of existing and new and emerging renewable resources technologies into the Renewable Resource Trust Fund, to fund specified programs. Existing law requires that 17.5% of the money collected under the renewable energy PGC be used to fund the Emerging Renewable Resources Account within the Renewable Resource Trust Fund for the purpose of a multiyear, consumer-based program to foster the development of emerging renewable technologies in distributed generation applications. This bill would enact the Solar Energy Peak Procurement Act. The bill would except moneys expended through the Emerging Renewable Resources Account from the requirement that the Energy Commission prepare an investment plan on or before March 31, 2006, and would authorize the commission to advance moneys to the Emerging Renewable Resources Account and to expend those moneys without further legislative action,

subject to certain existing repayment provisions, thereby making an appropriation. The bill would require the Energy Commission to ensure proportional program support through the Emerging Renewable Resources Account, for affordable housing units, within certain limits. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1576 (Nunez) California Alternative Energy and Advanced Transportation Financing Authority. (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: Existing law, the California Alternative Energy and Advanced Transportation Financing Authority Act, establishes the California Alternative Energy and Advanced Transportation Financing Authority and prescribes the duties of the authority. Existing law defines "alternative sources" of energy, for purposes of the act, to mean the application of cogeneration technology, as defined; the conservation of energy; or the use of solar, biomass, wind, geothermal, certain hydroelectricity, or any other source of energy, the efficient use of which will reduce the use of fossil and nuclear fuels. The bill would include in that definition the use of electricity from an existing electrical generating facility repowered for increased efficiency.

AQMD Position:

AB 1611 (Ridley-Thomas) Liquefied natural gas (LNG) facility: permitting process. (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: Under existing law, the State Energy Resources Conservation and Development Commission has the exclusive power to certify all sites and related powerplant facilities in the state, whether a new site and related facility or a change or addition to an existing facility. This bill would state the intent of the Legislature to enact legislation with respect to the Liquefied Natural Gas (LNG) Interagency Permitting Work Group in order to ensure communication among and support for agencies potentially involved in the permitting process of a LNG facility in the state.

AQMD Position:

AB 1623 (Klehs) Alameda County Congestion Management Agency: congestion management and environmental mitigation fee. (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles. This bill would authorize the Alameda County Congestion Management Agency to impose an annual fee of up to \$4 on motor vehicles registered within Alameda County for a program for the management of traffic congestion and the mitigation of environmental impacts of motor vehicles within that county. The bill would require the agency to have an independent audit performed on the program and to provide its findings to the Legislature. The bill would require a program with performance measures and a budget before the fee may be imposed. The bill would require the Department of Motor Vehicles, if requested, to collect the fee and distribute the proceeds, after deduction of specified administrative costs, to the agency. The bill would require that the fees collected may only be used to pay for programs bearing a relationship or benefit to the motor vehicles paying the fee, and would require the agency to make a specified finding of fact by a 2/3 vote. The fee would terminate on January 1, 2012.

AQMD Position:

AB 1629 (Bermudez) Taxation: credit. (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws. In addition, the Sales and Use Tax Law authorizes exemptions from the taxes imposed under that law. This bill expresses the Legislature's intent to enact legislation to provide tax incentives for the purchase and installation of particulate traps for diesel fuel trucks, as specified.

AQMD Position:

AB 1632 (Blakeslee) **Energy resources.** (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: The Warren-Alquist State Energy Resources Conservation and Development Act declares, among other things, that it is the policy of the state to establish and consolidate the state's responsibility for energy resources. This bill would declare the intent of the Legislature to enact legislation relating to thermal power plants.

AQMD Position:

AB 1660 (Pavley) **Vehicular air pollution: alternative fuel vehicle purchasing program.** (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Existing law provides for the High Polluter Repair or Removal Program, a voluntary vehicle retirement program that requires the Department of Consumer Affairs to establish and implement a program for the repair or replacement of high polluters. Existing law requires the program to provide for the payment to the owner of a high polluter of up to 80% of the total costs of repair, not to exceed \$450, or the market value of a high polluter being removed. This bill would create the California Energy Efficient Vehicle Group Purchase Program in the Department of General Services to encourage the purchase of energy-efficient vehicles, as defined, by local and state agencies through a group-purchasing program. This bill would require the Department of General Services to negotiate the lowest possible purchase price, with one or more vendors, for energy-efficient vehicles on behalf of state and local agencies that are interested in obtaining those vehicles. This bill would require the director of the department to establish an advisory committee by February 15, 2006, meet with the advisory committee, notify all affected entities about the purchasing program, and negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy-efficient vehicles at the lowest possible price from one or more reliable vendors. This bill would require the department to administer the program in accordance with regulations adopted by the department, including a regulation to recover actual administrative costs from program participants.

AQMD Position:

AB 1678 (Saldana) **Ports and harbors: cruise ships: docking: plug-in energy source.** (I-02/22/2005)
Status: 02/24/2005-From printer. May be heard in committee March 26.
Current Location: 02/22/2005-A PRINT

Summary: Existing law regulates the operation of ports and harbors. This bill would set forth legislative intent relating to infrastructure that requires provision for a plug-in energy source for docked cruise ships.

AQMD Position:

AB 1693 (Matthews) **California Pollution Control Financing Authority** (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: The California Pollution Control Financing Authority Act establishes the California Pollution Control Finance Authority, to finance pollution control facilities, assist counties and cities to develop and implement growth policies and programs that reduce pollution hazards and the degradation of the environment or promote infill development, and assist with the financing of the costs of assessment, remedial planning and reporting, technical assistance, and the cleanup, remediation, or development of brownfield sites, or other similar or related costs. This bill would require a project financed by the authority to result in a quantifiable reduction of pollution. The bill would require the pollution reduction attributable to a project to be certified by an independent 3rd party. The bill would require the authority to prepare and submit to the Legislature an annual report on the amounts and types of pollution reduced through the actions of the authority pursuant to the act. This bill contains other related provisions.

AQMD Position:

AB 1697 (Pavley) **Day care centers licensure: location.** (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: The California Child Day Care Facilities Act, administered by the State Department of Social Services provides for the licensure and regulation of child day care facilities, including, among others, day care centers, as

defined. This bill would prohibit the department, or any licensing agency with which it contracts for licensing, from granting a license to operate a day care center in a facility that is located within 1,000 feet of a state highway, interstate freeway, or industrial site. This bill would exempt previously granted licenses from this prohibition.

AQMD Position:

AB 1721 (Pavley) Environmental education. (I-02/22/2005)
Status: 02/23/2005-From printer. May be heard in committee March 25.
Current Location: 02/22/2005-A PRINT

Summary: Existing law establishes the Office of Education and the Environment within the California Integrated Waste Management Board, and requires the office to develop and implement a unified education strategy on the environment for elementary and secondary schools. Existing law requires school district governing boards, when adopting instructional materials for use in schools, to include only materials that accurately portray the educational principles for the environment. This bill would repeal that instructional materials requirement. This bill contains other related provisions and other existing laws.

AQMD Position:

AB 1732 (La Malfa) Natural gas: Gas Consumption Surcharge Fund. (I-02/22/2005)
Status: 02/25/2005-From printer. May be heard in committee March 27.
Current Location: 02/22/2005-A PRINT

Summary: Under existing law, the California Public Utilities Commission (CPUC) has regulatory authority over public utilities, including gas corporations. Existing law establishes a surcharge on all natural gas consumed in the state to fund certain low-income assistance programs, cost-effective energy efficiency and conservation activities, and public interest research and development. Existing law requires a public utility gas corporation, as defined, to collect the surcharge from natural gas consumers, as specified. The money from the surcharge is deposited in the Gas Consumption Surcharge Fund and is continuously appropriated to specified entities, including the CPUC, or an entity designated by the CPUC, to fund low-income assistance programs, cost-effective energy efficiency and conservation activities, and public interest research and development not adequately provided by the competitive and regulated markets. This bill would provide that if the Energy Commission is designated by the CPUC to receive funds from the Gas Consumption Surcharge Fund for public interest research and development, the Energy Commission is authorized to administer the program pursuant to the Public Interest Research, Development, and Demonstration Program. This bill contains other related provisions and other existing laws.

AQMD Position:

ACA 4 (Plescia) Transportation Investment Fund (I-12/06/2004)
Status: 12/07/2004-From printer. May be heard in committee January 6.
Current Location: 12/06/2004-A PRINT

Summary: Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund for allocation to various transportation purposes. Article XIX B authorizes this transfer to the Transportation Investment Fund to be suspended in whole or in part for a fiscal year during a fiscal emergency pursuant to a proclamation by the Governor and the enactment of a statute by a 2/3 vote in each house of the Legislature if the statute does not contain any unrelated provision. This measure would delete the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.

AQMD Position:

ACA 7 (Nation) Local governmental taxation: special taxes: voter approval. (I-12/06/2004)
Status: 12/07/2004-From printer. May be heard in committee January 6.
Current Location: 12/06/2004-A PRINT

Summary: The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would change the 2/3 voter-approval requirement for special taxes to instead authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. This measure would also make technical, nonsubstantive changes to these provisions.

AQMD Position:**ACA 10 (Nunez) Transportation Investment Fund. (I-02/15/2005)****Status:** 02/16/2005-From printer. May be heard in committee March 18.**Current Location:** 02/15/2005-A PRINT

Summary: Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes. Article XIX B authorizes the transfer of these revenues to the Transportation Investment Fund to be suspended in whole or in part for a fiscal year during a fiscal emergency pursuant to a proclamation issued by the Governor and the enactment of a statute by a 2/3 vote of each house of the Legislature if the statute does not contain any unrelated provision. This measure would make a nonsubstantive change to these provisions.

AQMD Position:**ACA 11 (Oropeza) Transportation funds: loans. (I-02/16/2005)****Status:** 02/17/2005-From printer. May be heard in committee March 19.**Current Location:** 02/16/2005-A PRINT

Summary: Article XIX of the California Constitution requires excise taxes on motor vehicle fuel and certain fees imposed on motor vehicles to be used only for specified transportation and vehicle-related purposes, but authorizes these excise tax revenues to be loaned to the General Fund under certain conditions, including a requirement that the funds be repaid within 3 years. Article XIX A of the California Constitution provides that funds in the Public Transportation Account, which are derived from certain sales taxes on motor vehicle fuels, may be loaned to the General Fund or any other state fund or account under certain conditions, including a requirement that the funds be repaid within 3 years. This measure would require interest to be paid on a loan of revenues subject to either Article XIX or XIX A if the loan is not repaid during the same fiscal year in which it was made. The measure would require a loan made pursuant to Article XIX or XIX A to be made pursuant to a statute establishing the terms for repayment and would prohibit the enactment of a statute making a new loan pursuant to Article XIX or XIX A prior to the full repayment of each previous loan under Article XIX or XIX A, respectively. The measure would also prohibit a loan from being authorized by a statute during more than 2 fiscal years within any period of 10 consecutive fiscal years. The measure would also authorize tax revenues subject to Article XIX or XIX A to be loaned to other state funds or accounts in addition to the General Fund. This bill contains other related provisions and other existing laws.

AQMD Position:**ACR 23 (Garcia) Intrastate trucking: traffic congestion. (I-02/22/2005)****Status:** 03/03/2005-Referred to Com. on TRANS.**Current Location:** 03/03/2005-A TRANS.

Summary: This measure would urge the Department of Transportation, in consultation with the cities of the state, to examine the flow of traffic to develop commercial trucking routes that would provide for the most direct movement through a city in order to reduce the time that trucks are in city limits and the level of pollution that is created, and would urge cities to incorporate this process as part of the revisions to their general plans.

AQMD Position:**AJR 5 (Oropeza) Corporate average fuel economy standards. (I-01/31/2005)****Status:** 02/07/2005-Referred to Com. on TRANS.**Current Location:** 02/07/2005-A TRANS.

Summary: This measure would memorialize the Congress and the President of the United States to take necessary action to increase corporate average fuel economy standards by at least 1.5 miles per gallon per annum until total average fuel economy for the new light-duty motor vehicle fleet sold in California is double today's average.

AQMD Position:**AJR 8 (Canciamilla) Marine pollution. (A-03/07/2005)****Status:** 03/07/2005-From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Amended.

Current Location: 03/07/2005-A E.S. & T.M.

Summary: This measure would urge the Congress of the United States to ratify treaty provisions known as Annex VI of MARPOL 73/78, and the United States Environmental Protection Agency to pursue the creation of a North America Sulfur Emission Control Area.

AQMD Position:

SB 1

(Murray) Energy: renewable energy resources: Million Solar Roofs Initiative. (A-02/28/2005)

Status: 02/28/2005-From committee with author's amendments. Read second time. Amended. Re-referred to committee.

Current Location: 01/27/2005-S E. U., & C.

Summary: Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to expand and accelerate development of alternative sources of energy, including solar resources. Existing law requires the Energy Commission, until January 1, 2006, and to the extent that funds are appropriated for that purpose in the annual Budget Act, to implement a grant program to accomplish specified goals, including making solar energy systems cost competitive with alternate forms of energy. This bill would establish the Million Solar Roofs Initiative, administered by the Energy Commission, with the goals of placing 1,000,000 solar energy systems, as defined, on new and existing residential and commercial customer sites, or its generation capacity equivalent of 3,000 megawatts, establishing a self-sufficient solar industry in 10 years, and placing solar energy systems on 50 % of new home developments in 13 years. The bill would establish the Million Solar Roofs Initiative Trust Fund and would continuously appropriate moneys deposited into the fund to the Energy Commission for purposes of carrying out the Million Solar Roofs Initiative. The program would require the Energy Commission to award incentives, pursuant to a declining schedule to be adopted by the Energy Commission, and would authorize certain other incentive programs, to support the installation of eligible solar energy systems. The bill would require the Energy Commission to establish eligibility criteria for solar energy systems and to establish conditions for incentives. The bill would require the Energy Commission to adopt guidelines governing the program at a publicly noticed meeting. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 8

(Soto) Political Reform Act of 1974: conflicts of interest. (I-12/06/2004)

Status: 02/28/2005-Set for hearing March 16.

Current Location: 01/27/2005-S E., R. & C. A.

Calendar Events: 03/16/05 9:30 a.m. - Room 3191 SEN ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS

Summary: Existing law, the Political Reform Act of 1974 prohibits former members of a state administrative agency and former members of a district board, as defined, from representing any persons before the state administrative agency, or the district board, under specified conditions. This bill would also prohibit a local elected official, chief administrative officer of a county, city manager or administrator, or general manager or chief administrator of a special district, who held a position with a local government agency as defined, for a period of one year after leaving that office or employment, from acting as an agent or attorney for, or otherwise representing, for compensation, any other person, by appearing before, or communicating with, that local government agency, or any committee, subcommittee, or present member of that local government agency, or any officer or employee of the local government agency, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 44

(Kehoe) General plans: air quality element. (A-02/23/2005)

Status: 03/02/2005-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 4. Noes 3. Page 262.) Re-referred to Com. on APPR.

Current Location: 03/02/2005-S APPR.

Summary: Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. The law requires the plan to include a specified land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, and other categories of public and private uses of land. Existing law specifically requires the

legislative body of each city and county within the jurisdictional boundaries of the San Joaquin Valley Air Pollution Control District to amend appropriate elements of its general plan to include specified information to improve air quality. This bill would make a legislative finding that air pollution is a serious problem in this state. The bill additionally would require the legislative body of each city and county, including those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing element. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 45 (Alarcon) Intermodal marine terminals. (I-01/05/2005)

Status: 01/27/2005-To Com. on T. & H.

Current Location: 01/27/2005-S T. & H.

Summary: Existing law imposes special regulations on various business activities but does not specifically regulate detention and per diem charges imposed by intermodal terminals on intermodal equipment used by motor carriers. This bill would prohibit an intermodal marine equipment provider or marine terminal operator from imposing per diem or detention charges, as defined, or demurrage charges, on an intermodal motor carrier relative to transactions involving cargo shipped by intermodal transport under certain circumstances.

AQMD Position:

SB 52 (Chesbro) 2005-06 Budget. (I-01/10/2005)

Status: 01/10/2005-Introduced. Read first time. To Com. on B. & F.R.

Current Location: 01/10/2005-S B. & F.

Summary: This bill would make appropriations for support of state government for the 2005-06 fiscal year. This bill contains other related provisions.

AQMD Position:

SB 109 (Ortiz) Air pollution: minor violations: stationary sources: prosecution of violations. (I-01/20/2005)

Status: 02/10/2005-To Coms. on E.Q. and PUB. S.

Current Location: 02/10/2005-S E.Q.

Summary: 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, until January 1, 2006, requires the state board and each district to adopt a regulation or a rule that classifies certain violations as minor. 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 extend that minor violation classification requirement until January 1, 2012. The bill would repeal the provision precluding criminal prosecution following the recovery of civil penalties for the same offense, and would repeal the requirement that a civil action be dismissed upon the filing of a criminal complaint for the same offense. To the extent that this bill would increase the number of criminal or civil cases that would be prosecuted, it would impose a state-mandated local program. This bill contains other existing laws.

AQMD Position:

SB 153 (Chesbro) California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006. (I-02/08/2005)

Status: 02/24/2005-To Com. on N.R. & W.

Current Location: 02/24/2005-S N.R. & W.

Summary: Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006, which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources, as specified, the issuance,

pursuant to the State General Obligation Bond Law, of bonds in the amount of \$3,000,000,000.

AQMD Position:

SB 225 (Soto) Carl Moyer program. (I-02/15/2005)
Status: 02/24/2005-To Coms. on E.Q. and T. & H.
Current Location: 02/24/2005-S E.Q.

Summary: Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer program), which provides grants to offset the incremental cost of eligible projects that reduce oxides of nitrogen from heavy-duty mobile sources in the state. Existing law, until January 1, 2015, prohibits grants for projects with a cost-effectiveness of more than \$13,600 per ton of NOx reduced in California, and on and after that date reduces that dollar amount to \$12,000. This bill would allow the State Air Resources Board to determine a higher value that reflects state consumer price index adjustments.

AQMD Position:

SB 250 (Campbell) Vehicular air pollution control: hydrogen fuel. (I-02/15/2005)
Status: 02/24/2005-To Coms. on E.Q. and T. & H.
Current Location: 02/24/2005-S E.Q.

Summary: 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. This bill would require the California Environmental Protection Agency to facilitate a steady, sustainable transition to broadbased, renewable hydrogen fuel in this state, explore options to streamline the permitting process, and provide guidelines to local permitting agencies for hydrogen fuel codes and standards.

AQMD Position:

SB 275 (Torlakson) Transportation needs assessment. (I-02/16/2005)
Status: 02/24/2005-To Com. on T. & H.
Current Location: 02/24/2005-S T. & H.

Summary: Existing law creates the California Transportation Commission and makes it responsible for programming and allocating funds for the construction of transportation projects in the state. This bill would require the commission, working with the Department of Transportation, to submit before June 30, 2006, a 10-year needs assessment to the Legislature on the state's transportation system.

AQMD Position:

SB 289 (Battin) Political Reform Act of 1974: conflicts of interest. (I-02/16/2005)
Status: 02/24/2005-To Com. on RLS.
Current Location: 02/24/2005-S RLS.

Summary: Existing law provides that no public official, as specified, shall make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. This bill would make technical, nonsubstantive changes to this provision. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 309 (Torlakson) Energy resources: petroleum infrastructure projects: legislative findings and declarations. (I-02/16/2005)
Status: 02/24/2005-To Com. on RLS.
Current Location: 02/24/2005-S RLS.

Summary: The existing Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission to implement and administer various energy generation and conservation programs in the state. This bill would make legislative findings and declarations related to the need to improve reliability and efficiency and increase energy production capacity in the state to meet the demand for cleaner burning transportation fuels and declare the intent of the Legislature to amend the act, as

specified.

AQMD Position:

SB 318 (Romero) Waste management. (I-02/16/2005)
Status: 02/24/2005-To Com. on E.Q.
Current Location: 02/24/2005-S E.Q.

Summary: The existing California Integrated Waste Management Act of 1989 requires the California Integrated Waste Management Board and local agencies to promote specified waste management practices, and to maximize the use of all feasible source reduction, recycling, and composting options in order to reduce the amount of solid waste that must be disposed of by transformation and land disposal. This bill would also require that the board and local agencies maximize the public awareness of all feasible source reduction, recycling, and composting options in order to reduce the amount of solid waste that must be disposed of by transformation and land disposal hereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 324 (McClintock) Highways: transportation gridlock emergencies. (I-02/16/2005)
Status: 02/24/2005-To Com. on T. & H.
Current Location: 02/24/2005-S T. & H.

Summary: Existing law authorizes the Governor to proclaim a state of emergency, as defined, in an area affected or likely to be affected by the existence of conditions of disaster or of extreme peril to the safety of persons and property caused by specified conditions. This bill would include a transportation gridlock emergency, as defined, within the definition of a "state of emergency." This bill contains other related provisions.

AQMD Position:

SB 354 (Escutia) Hazardous substances: brownfields cleanup study. (I-02/16/2005)
Status: 02/24/2005-To Com. on E.Q.
Current Location: 02/24/2005-S E.Q.

Summary: Under existing law, the Site Designation Committee in the California Environmental Protection Agency is authorized to designate an administering agency for oversight of a remedial action to a hazardous substance release. Existing law requires the administering agency to supervise the site investigation and remedial action conducted by the responsible party and, upon determining that the site investigation and remedial action has been satisfactorily completed, to issue a certificate of completion to the responsible party. This bill would require the agency to prepare and submit to the Legislature, by July 1, 2006, a study that includes specified information regarding the sites for which the Department of Toxic Substances Control or the California regional water quality control boards made a specified determination. The bill would require the agency to convene a brownfields steering committee composed of specified stakeholders and would require the study to include a recommendation by the committee determining whether the Department of Toxic Substances Control or the California regional water quality control boards would make the most efficient and effective lead agency.

AQMD Position:

AQMD Position:

SB 369 (Simitian) Ecological labeling. (I-02/17/2005)
Status: 02/24/2005-To Com. on E.Q.
Current Location: 02/24/2005-S E.Q.

Summary: Existing law provides labeling requirements for various products, including, but not limited to, prohibiting a person from selling a plastic bag that is labeled as "biodegradable," "compostable," "degradable," or as otherwise specified, unless, at the time of the sale, the plastic bag meets a current ASTM standard specification for the term used on the label. This bill would require the California Environmental Protection Agency to establish a Commission on Ecological Labeling to award the Green Bear Eco-Label to a product or service that meets the criteria adopted by the commission or is subject to a determination by a specified panel of experts. This bill contains other related provisions.

AQMD Position:

SB 393**(Ortiz) Special districts.** (I-02/17/2005)**Status:** 02/28/2005-Set for hearing April 6.**Current Location:** 02/24/2005-S L. GOV.**Calendar Events:** 04/06/05 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: 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 General Fund of up to \$600,000 for that purpose. This bill contains other related provisions and other existing laws.

AQMD Position:**SB 409****(Kehoe) General plans: air quality element.** (I-02/17/2005)**Status:** 02/28/2005-Set for hearing April 6.**Current Location:** 02/24/2005-S L. GOV.**Calendar Events:** 04/06/05 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT

Summary: The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. That law requires the plan to include a conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers, and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. It requires that portion of the conservation element that includes water to be developed in coordination with any countywide water agency and other specified public water agencies. This bill would, additionally, require that portion of the conservation element that includes waters to be correlated with the land use element. This bill contains other existing laws.

AQMD Position:**SB 411****(Alarcon) Solid waste: nonbiodegradable materials: landfills.** (I-02/17/2005)**Status:** 02/24/2005-To Com. on RLS.**Current Location:** 02/24/2005-S RLS.

Summary: The existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated waste management program. Under existing law, 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. This bill would make a statement of the Legislature's intent to enact legislation that would reduce the expansion of landfills by reducing the use of materials that do not biodegrade.

AQMD Position:**SB 419****(Simitian) Hazardous waste transportation: railroad tank cars.** (I-02/17/2005)**Status:** 02/24/2005-To Com. on E.Q.**Current Location:** 02/24/2005-S E.Q.

Summary: Existing law prohibits any person from transporting hazardous waste in this state unless the person holds a valid registration issued by the Department of Toxic Substances Control. A violation of the laws regulating hazardous waste is a crime. This bill would require the department to adopt regulations prohibiting a person from transporting hazardous waste on the highways of this state, or delivering to a railroad or vessel, hazardous waste for transport, if that hazardous waste entered the state, or is being transported from the state, in a pressurized railroad tank car manufactured before January 1, 1989, except as specified. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AQMD Position:**SB 420****(Simitian) Waste management: local government assistance.** (I-02/17/2005)**Status:** 03/03/2005-To Com. on E.Q.**Current Location:** 03/03/2005-S E.Q.

Summary: The existing California Integrated Waste Management Act of 1989 required the California Integrated Waste Management Board to establish, on or before January 1, 1994, an office of local government assistance, and requires the office, to the maximum extent feasible, utilizing existing resources, to assist local agencies in the preparation, modification, and implementation of integrated waste management plans. This bill would delete the obsolete reference to that date on or before which the board was required to establish the office.

AQMD Position:

SB 426 (Simitian) California Alternative Energy and Advanced Transportation Financing Authority: renewable energy program. (I-02/17/2005)
Status: 03/03/2005-To Com. on E., U. & C.
Current Location: 03/03/2005-S E. U., & C.

Summary: Existing law requires the California Alternative Energy and Advanced Transportation Financing Authority to establish a renewable energy program, and requires that emergency regulations adopted by the authority for the program be repeal 180 days after their effective date unless specified conditions are met. This bill would instead require that the emergency regulations be repealed 190 days after their effective date unless those specified conditions are met.

AQMD Position:

SB 427 (Hollingsworth) California Environmental Quality Act: exemption: CAL-TRANS: right-of-ways. (I-02/17/2005)
Status: 03/03/2005-To Com. on E.Q.
Current Location: 03/03/2005-S E.Q.

Summary: The existing California Environmental Quality Act requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, as defined, unless the project is exempt from the act. This bill would exempt from those CEQA requirements the construction of any overpass, onramp, or offramp that is built on an existing State Department of Transportation (CAL-TRANS) right-of-way.

AQMD Position:

SB 431 (Battin) Electricity: repowering of facilities. (I-02/17/2005)
Status: 03/03/2005-To Com. on E., U. & C.
Current Location: 03/03/2005-S E. U., & C.

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law provides that subject to applicable contractual terms, energy prices paid to nonutility power generators by an electrical corporation based on the commission's "short run avoided cost energy methodology" are required to be determined by specified law. Existing law authorizes any nonutility power generator using renewable fuels that entered into a contract with an electrical corporation specifying fixed energy prices for electrical output prior to December 31, 2001, to negotiate an additional 5 years of fixed energy payments at a level to be determined by the commission. This bill would require the commission to develop and implement a program to foster the repowering of existing facilities for the generation of electricity from renewable energy resources by April 1, 2006, that imposes specified requirements on electrical corporations in connection with their contractual relations with owners of those facilities. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 459 (Romero) Air pollution: South Coast Air Quality Management District: emissions of air contaminants: locomotives. (I-02/18/2005)
Status: 03/03/2005-To Com. on E.Q.
Current Location: 03/03/2005-S E.Q.

Summary: 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 (south coast 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 authorize the south coast district to adopt a locomotive emission impact mitigation fee to be imposed on specified railroad companies that operate in whole or in part within the County of Los Angeles, the County of Orange, the County of Riverside, the County of San Bernardino, or any combination thereof, if specified requirements are met. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 467 (Lowenthal) Carl Moyer Memorial Air Quality Standards Attainment Program. (I-02/18/2005)

Status: 03/03/2005-To Com. on E.Q.

Current Location: 03/03/2005-S E.Q.

Summary: Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which provides grants to offset the incremental cost of eligible projects that reduce oxides of nitrogen from heavy-duty mobile sources in the state. Existing law requires the State Air Resources Board to establish or update grant criteria and guidelines consistent with the program for covered vehicle projects. This bill would require the state board to revise the grant criteria and guidelines to incorporate projects in which an applicant turns in a nonroad internal combustion engine vehicle or equipment that the applicant owns and which still has some useful life, coupled with the purchase of new electric equipment or a vehicle that is in a similar category or that can perform the same work. The bill would impose certain restrictions on the state board's evaluation of the cost-effectiveness of a project.

AQMD Position:

SB 475 (Runner) Air pollution inventory. (I-02/18/2005)

Status: 03/03/2005-To Com. on RLS.

Current Location: 03/03/2005-S RLS.

Summary: Existing law requires the State Air Resources Board to inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants, including, but not limited to, the contribution of specified sources of emissions. This bill would make a technical, nonsubstantive change in that provision.

AQMD Position:

SB 483 (Cedillo) Special districts. (I-02/18/2005)

Status: 03/03/2005-To Com. on L.GOV.

Current Location: 03/03/2005-S L. GOV.

Summary: Existing law requires special districts, as defined, to at least annually, disclose any reimbursement paid by the district during the preceding fiscal year of at least \$100 for each individual charge for services or product received. Existing law requires that disclosure to be made by publication or printing of a document at least annually and that is available for public inspection. This bill would alternatively authorize that disclosure to be made by posting the information on the special district's public Web site.

AQMD Position:

SB 497 (Simitian) Low-Emissions Contractor Incentive Program. (I-02/18/2005)

Status: 03/03/2005-To Coms. on E.Q. and T. & H.

Current Location: 03/03/2005-S E.Q.

Summary: Existing law requires the State Energy Resources Conservation and Development Commission, the Department of General Services, and the State Air 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 makes legislative findings with regard to the need to provide incentives to encourage the reduction of air pollution emissions from specified vehicles. 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 to reduce air pollution emissions from specified vehicles utilized in the performance of all state agency and department contracts for the construction of roads, highways, buildings, and other state infrastructure projects.

AQMD Position:**SB 519 (McClintock) Highways: exclusive-use or preferential-use lanes. (I-02/18/2005)****Status:** 03/03/2005-To Com. on T. & H.**Current Location:** 03/03/2005-S T. & H.

Summary: Existing law requires, prior to establishing exclusive-use or preferential-use traffic lanes for high-occupancy vehicles (HOV lanes), that the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, make competent engineering estimates of the effect of the lanes on safety, congestion, and highway capacity. This bill would request the University of California, on or before January 1, 2007, to conduct a study, in consultation with the Department of Transportation, to evaluate the effectiveness of use of different types of highway lanes. This bill contains other related provisions.

AQMD Position:**SB 554 (Alarcon) Local agency financing. (I-02/18/2005)****Status:** 03/03/2005-To Com. on RLS.**Current Location:** 03/03/2005-S RLS.

Summary: Existing law provides standards for the investment of surplus funds by local agencies. This bill would state the intent of the Legislature to enact legislation that would provide a clearer definition of the term "surplus" with respect to local government financing and budgets.

AQMD Position:**SB 563 (Alarcon) California certified green business program. (I-02/18/2005)****Status:** 03/03/2005-To Com. on RLS.**Current Location:** 03/03/2005-S RLS.

Summary: Existing law establishes various programs to reduce waste and protect the environment. This bill would declare the intent of the Legislature to enact legislation to establish a California certified green business program that will assist businesses that operate in California to protect the environment, conserve natural resources, and reduce pollution.

AQMD Position:**SB 577 (Figueroa) State government operations: reform. (I-02/18/2005)****Status:** 03/03/2005-To Com. on RLS.**Current Location:** 03/03/2005-S RLS.

Summary: Existing law establishes the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy to promote economy, efficiency, and improved service in the transaction of the public business in the various departments, agencies, and instrumentalities of the executive branch of the state government. This bill would declare the intent of the Legislature to enact legislation that would reform state government operations in an effort to improve the efficiency and accountability of government programs.

AQMD Position:**SB 578 (Escutia) Railroads: safety. (I-02/18/2005)****Status:** 03/03/2005-To Coms. on E., U. & C. and E.Q.**Current Location:** 03/03/2005-S E. U., & C.

Summary: Existing law establishes the safety division of the Public Utilities Commission. The safety division is responsible for inspection, surveillance, and investigation of the rights-of-way, facilities, equipment, and operations of railroads and public mass transit guideways, and for enforcing state and federal laws, regulations, orders, and directives relating to transportation of persons or commodities, or both, of any nature or description, by rail. This bill would replace references to the safety division with references to the consumer protection and safety division. This bill contains other related provisions and other existing laws.

AQMD Position:**SB 601 (Soto) Traffic congestion: bond measure. (I-02/18/2005)**

Status: 03/03/2005-To Com. on RLS.
Current Location: 03/03/2005-S RLS.

Summary: Existing law, the Traffic Congestion Relief Act of 2000, creates the Traffic Congestion Relief Fund and continuously appropriates its revenue to the Department of Transportation for projects to relieve traffic congestion and to provide additional funding for local street and road deferred maintenance. This bill would state the Legislature's intent to enact a general obligation bond measure to fund projects to facilitate freight movement and to reduce traffic congestion on state highways.

AQMD Position:

SB 602 (Figueroa) **Standardized environmental data reports.** (I-02/18/2005)
Status: 03/03/2005-To Com. on RLS.
Current Location: 03/03/2005-S RLS.

Summary: Existing law requires the Secretary for Environmental Protection to establish a standardized electronic format and protocol for the exchange of electronic data for the purpose of meeting environmental data reporting or other usage requirements that are imposed pursuant to specified laws and regulations. This bill would make technical, nonsubstantive changes in those provisions.

AQMD Position:

SB 747 (Machado) **Private railroad car tax.** (I-02/22/2005)
Status: 02/24/2005-From print. May be acted upon on or after March 26.
Current Location: 02/22/2005-S PRINT

Summary: The Private Railroad Car Tax Law requires the State Board of Equalization to assess private railroad cars, as specified, at their full value, and imposes a tax as prescribed by that law. That law provides for estimated and escape assessments and reassessments, as provided. This bill would make technical, nonsubstantive changes to those provisions.

AQMD Position:

SB 757 (Kehoe) **Petroleum Demand Reduction Act.** (I-02/22/2005)
Status: 02/24/2005-From print. May be acted upon on or after March 26.
Current Location: 02/22/2005-S PRINT

Summary: Existing law requires the State Energy Resources Conservation and Development Commission to implement and administer various energy generation and conservation programs. This bill would enact the Petroleum Demand Reduction Act, which would declare that it is the policy of the state that state agencies should take all cost effective and technologically feasible actions needed to achieve a net zero increase in on road petroleum consumption by 2010, and a significant reduction in petroleum demand and oil consumption by 2020. The act would further declare that state agencies should take the state's petroleum reduction goals into account in adopting rules and regulations, including the findings and recommendations of the commission in the Integrated Energy Policy Report. This bill contains other related provisions.

AQMD Position:

SB 760 (Lowenthal) **Ports: congestion relief: security enhancement: environmental mitigation: user fee.** (I-02/22/2005)
Status: 02/25/2005-From print. May be acted upon on or after March 27.
Current Location: 02/22/2005-S PRINT

Summary: Existing law regulates the operation of ports and harbors. This bill would impose on each shipping container processed in the Port of Los Angeles and the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit (TEU), payable to the port by the marine terminal operator processing the container. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 761 (Lowenthal) **Air resources: Marine terminals.** (I-02/22/2005)
Status: 02/25/2005-From print. May be acted upon on or after March 27.
Current Location: 02/22/2005-S PRINT

Summary: Existing law requires each marine terminal in the state to operate in a manner that does not cause the engines on trucks to idle for more than 30 minutes while waiting to enter the terminal, among other requirements. Existing law provides for exemptions from that requirement if the marine terminal provides fully staffed receiving and delivery gates for specified amounts of time. Existing law specifies that if a marine terminal implements a scheduling or appointment system, as provided, the terminal shall only be subject to a fine for a truck that makes use of the system and that idles or queues for more than 30 minutes, as provided. This bill would additionally require each marine terminal in the state to operate in a manner that does not cause trucks to exceed a turn time, as defined, of 60 minutes while conducting business at a marine terminal, and would eliminate specified exemptions for marine terminals meeting certain operational requirements. This bill would also require each marine terminal to implement a scheduling or appointment system for trucks to enter the terminal, as provided. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 762 (Lowenthal) **Vehicular sources: California Intermodal Port Congestion and Environmental Quality.** (I-02/22/2005)
Status: 02/23/2005-From print. May be acted upon on or after March 25.
Current Location: 02/22/2005-S PRINT

Summary: Existing law requires each marine terminal in the state to operate in a manner that does not cause the engines on trucks to idle for more than 30 minutes while waiting to load or unload at the terminal. This bill would create the Los Angeles--Long Beach Area Intermodal Joint Powers Authority and the Oakland Area Intermodal Joint Powers Authority to oversee the functions of the Los Angeles--Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission (LAIPC) and the Oakland Area Regional Intermodal Port Congestion and Environmental Quality Commission (OAIPC), respectively, which are also established by this bill. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 763 (Lowenthal) **Ports: priority berthing program.** (I-02/22/2005)
Status: 02/24/2005-From print. May be acted upon on or after March 26.
Current Location: 02/22/2005-S PRINT

Summary: Existing law regulates the operation of ports and harbors. This bill would require the Port of Los Angeles and the Port of Long Beach to develop a program to provide priority berthing to ocean-going vessels that use fuel with not more than 0.2% sulfur content. The bill would require the program to be implemented by the ports by June 1, 2006. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 764 (Lowenthal) **Air resources: South Coast Air Quality Management District: ports.** (I-02/22/2005)
Status: 02/25/2005-From print. May be acted upon on or after March 27.
Current Location: 02/22/2005-S PRINT

Summary: Existing law provides for the regulation of ports and harbors. Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District (south coast district) as the sole and exclusive local agency within those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino that are included within the South Coast Air Basin. This bill would require the Port of Los Angeles and the Port of Long Beach to develop a baseline for air quality for their respective ports, in consultation with specified agencies. This bill would require the air quality baseline to be based on the level of emissions from specified sources, and would require the Port of Los Angeles and the Port of Long Beach to hold public hearings on the baseline data and discuss potential mitigation and control measures to reduce emissions from sources at the port, develop a date for which it will meet their 2001 baseline for each source listed, which shall be no later than January 1, 2008, and report to the south coast district and the State Air Resources Board regarding the port's compliance, as specified. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 769 (Simitian) **Energy Reliability and Affordability Act.** (I-02/22/2005)
Status: 02/25/2005-From print. May be acted upon on or after March 27.
Current Location: 02/22/2005-S PRINT

Summary: Existing law requires the State Energy Resources Conservation and Development Commission to implement and administer various energy generation and conservation programs in the state. This bill would enact the Energy Reliability and Affordability Act, to increase energy reliability and affordability by reducing the demand for energy by residential customers. The bill would create the Energy Reliability and Affordability Fund in the State Treasury. The bill would provide that the moneys in the fund shall be continuously appropriated to the commission, without regard to fiscal year; and, would authorize the expenditure of moneys in the fund by the commission, for the purposes of the act, as provided. The bill would provide that the act shall be implemented by the commission to the extent that funds are available to the commission for the purposes of the bill.

AQMD Position:

SB 771

(Simitian) Oceangoing ships. (I-02/22/2005)

Status: 02/23/2005-From print. May be acted upon on or after March 25.

Current Location: 02/22/2005-S PRINT

Summary: Existing law prohibits a cruise ship, as defined, from conducting onboard incineration while operating within 3 miles of the California coast. This bill would also prohibit an oceangoing ship, as defined, from conducting onboard incineration while operating within 3 miles of the California coast. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 829

(Murray) Air quality: district plans. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources 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 requires each district that has been designated a nonattainment area for state ambient air quality standards for criteria pollutants to prepare and submit to the state board a plan for attaining and maintaining these air quality standards. Existing law requires each district plan to achieve a reduction in districtwide emissions of 5% or more per year for each nonattainment pollutant, unless an alternative measure of progress is approved. Existing law also permits a district to use an alternative emission reduction strategy which achieves less than an average of 5% or more per year reduction in districtwide emissions if the district demonstrates to the state board, and the state board concurs in, specified determinations. This bill would make technical, nonsubstantive changes to the provision permitting each district to use an alternative emission reduction strategy.

AQMD Position:

SB 849

(Escutia) Environmental health data tracking. (I-02/22/2005)

Status: 02/23/2005-From print. May be acted upon on or after March 25.

Current Location: 02/22/2005-S PRINT

Summary: Existing law establishes the Environmental Health Surveillance System through an interagency agreement between the State Department of Health Services, the California Environmental Protection Agency (Cal/EPA), 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 state the Legislature's intent to provide funding to the department and the Cal/EPA for those research scientist positions in the 2005-06 Budget Act. The bill would prescribe the office's objectives over a 3-year period and would require the office to complete certain duties for the 2005-06 fiscal year. The bill would require any additional funding for the office, beyond funding that the Legislature may appropriate for the research scientists, to come from federal or private sources.

AQMD Position:

SB 857

(Kuehl) Air quality: districts: rules and regulations. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law requires air pollution control districts and air quality management districts to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards, including, but not limited to, a process to approve alternative methods of complying with emission control requirements that provide equivalent emission reductions, emissions monitoring, or recordkeeping, and provision for the prevention and abatement of air pollution episodes that cause discomfort or health risks to, or damage to the property of, a significant number of persons or class of persons. This bill would make technical, nonsubstantive changes in the provision relating to the prevention and abatement of air pollution episodes that cause discomfort or health risks to, or damage to the property of, a significant number of persons or class of persons.

AQMD Position:

SB 863

(Florez) California Clean Air Bond Act. (I-02/22/2005)

Status: 02/24/2005-From print. May be acted upon on or after March 26.

Current Location: 02/22/2005-S PRINT

Summary: Under existing law, various bond acts have been approved by the voters to provide funds for projects, facilities, and programs. This bill would enact the California Clean Air Bond Act which, if adopted, would authorize, for purposes of financing an air quality program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$5,150,000,000. The bill would require the Secretary of State to submit the bond act to the voters at the November 14, 2006, statewide general election.

AQMD Position:

SB 870

(Escutia) Air quality: violations. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law vests local and regional authorities, defined as the governing body of any city, county, or air pollution control district or air quality management district with the primary responsibility for control of air pollution from all sources other than vehicular sources. This bill would make findings and declarations regarding the enforcement of air pollution control measures by those entities, and would declare the intent of the Legislature to enact legislation that will provide for mandatory minimum penalties in cases of serious and chronic stationary source violations of air pollution control laws, and that will allow a community-based air pollution control program to receive moneys derived from fines levied against those violators.

AQMD Position:

SB 931

(Florez) Pollution control authority: Confined Animal Facilities: Membership. (I-02/22/2005)

Status: 02/24/2005-From print. May be acted upon on or after March 26.

Current Location: 02/22/2005-S PRINT

Summary: Existing law authorizes the California Pollution Control Financing Authority to finance various pollution control projects to control and eliminate pollution hazards to the environment. Existing law defines the term "project" for purposes of this purpose, as any land, building, improvement thereto, work, property or structure, real or personal, providing or designed to provide for the control, reduction, abatement, elimination, remediation, or prevention of pollution, as specified. This bill would exclude from the definition of the term "project" a confined animal facility, as defined, if domesticated animals are corralled, penned, or otherwise caused to remain in restricted areas of that facility for commercial agricultural purposes and the feeding of those animals by means other than grazing. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 957

(Escutia) Generation facilities. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law relating to electrical restructuring requires the Public Utilities Commission to continue to regulate the facilities for the generation of electricity owned by any public utility before January 1, 1997, that are subject to commission regulation until the owner of those facilities has applied to the commission to dispose of those facilities and has been authorized by the commission to undertake that disposal. Existing law prohibits any facility for the generation of electricity owned by a public utility from being disposed of before January 1, 2006. This

bill would make technical, nonsubstantive changes to those provisions.

AQMD Position:

SB 975

(Ashburn) Air quality: biodiesel fuel. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various standards for gasoline and motor vehicle fuel. This bill would provide that any public agency or regulated utility that uses biodiesel fuel in a vehicle engine to comply with federal ambient air quality requirements is exempt from any requirement to retrofit that vehicle engine until the retrofit engine is approved for use with biodiesel fuel.

AQMD Position:

SB 976

(Ashburn) Air quality: stationary sources. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law establishes the Protect California Air Act of 2003 for the purpose of attaining and maintaining ambient air quality standards by the earliest practicable date, protecting public health and welfare from the adverse effects of air pollution, and ensuring that economic growth will occur in a manner consistent with the preservation of existing clean air resources. Existing law prohibits air pollution control districts and air quality management districts from amending or revising their new source review rules or regulations to be less stringent than those rules or regulations that existed on December 30, 2002, except under certain circumstances. This bill would exempt from the requirements of the Protect California Air Act of 2003 the replacement of any permitted stationary source on a military installation, provided that the actual emissions of the replacement stationary source, based on an enforceable condition on the replacement source, are at least 10% lower than the existing permitted source.

AQMD Position:

SB 984

(McClintock) Greenhouse gas emissions reductions: powerplants. (I-02/22/2005)

Status: 02/25/2005-From print. May be acted upon on or after March 27.

Current Location: 02/22/2005-S PRINT

Summary: Existing law establishes the State Energy Resources Conservation and Development Commission (Energy Commission), and requires the Energy Commission, among other things, to analyze the social, economic, and environmental consequences of trends in the consumption of energy. Existing law also requires the Energy Commission, in consultation with various entities, to update, by January 1, 2002, the inventory of greenhouse gas emissions from all sources located in the state, as identified in a specified report, and to acquire and develop data and information on global climate change and provide state, regional, and local agencies, utilities, business, industry, and other energy and economic sectors with information on the costs, technical feasibility, and demonstrated effectiveness of methods for reducing or mitigating the production of greenhouse gases from in-state sources. Existing law requires the Energy Commission to update its inventory every 5 years, and to report on the updated inventory to the Governor and the Legislature. This bill would require the Energy Commission to establish an inventory of existing zero emission powerplants, including powerplants located in the state that produce electricity using wind, solar, or nuclear technology. The inventory is required to include information that compares the annual emissions of zero emission powerplants, including the amount of greenhouse gases that are avoided by zero emissions powerplants, with the annual emissions of powerplants using state-of-the-art current gas generation technology to produce electricity.

AQMD Position:

SB 998

(Margett) Sales and use tax: exemptions: fuel and petroleum products. (I-02/22/2005)

Status: 02/24/2005-From print. May be acted upon on or after March 26.

Current Location: 02/22/2005-S PRINT

Summary: The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various

exemptions from that tax. This bill would, on and after January 1, 2008, provide an exemption from that tax for the sale of fuel and petroleum products to air common carriers for immediate shipment outside this state for consumption in the conduct of their business, as specified. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 999 (Machado) San Joaquin Unified Air Pollution Control District: district board membership. (I-02/22/2005)
Status: 02/24/2005-From print. May be acted upon on or after March 26.
Current Location: 02/22/2005-S PRINT

Summary: 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 with all staff under one centralized management structure that is able to implement programs on a basinwide basis. Existing law requires the district to be governed by a district board composed of a total of 11 voting members. Of those members, existing law requires 8 members to be appointed by each of the Counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. This bill would increase the membership of the district board to 15 members. The bill would require 7 members to be appointed by each of the Counties of Fresno, Kern, Merced, San Joaquin, Stanislaus, and Tulare, and would require one member to be appointed by mutual consent between the Counties of Kings and Madera. The bill would require 5 city members to be appointed to the district board, and would require the City Council of Fresno to appoint 2 of those members, and the City Councils of Bakersfield, Modesto, and Stockton to each appoint one of those members. The bill would require 3 public members to be appointed to the district board, and would establish a process for nominating and selecting those public members. The bill would require the district board to select the 3 public members in compliance with that process by April 30, 2006, and would provide an alternate means of selection of those public members if the district board does not select those members by that date. Because of the additional duties this bill would require of the district, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 1001 (Ashburn) Income and corporation tax credits: qualified property. (I-02/22/2005)
Status: 02/24/2005-From print. May be acted upon on or after March 26.
Current Location: 02/22/2005-S PRINT

Summary: The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the the taxes imposed by those laws, including a credit for the sales and use tax paid for the purchase of qualified property, as defined, used by a qualified taxpayer, as defined, in a targeted tax area. Among other things, the credit is for the total cost of qualified property purchased and placed in service in any taxable year in an amount not to exceed \$1,000,000 under the Personal Income Tax Law and \$20,000,000 under the Corporation Tax Law. This bill would increase the limitation to \$5,000,000 under the Personal Income Tax Law and to \$50,000,000 under the Corporation Tax Law. This bill contains other related provisions.

AQMD Position:

SCA 5 (McClintock) State finances: Budget Act. (I-02/03/2005)
Status: 02/10/2005-To Coms. on B. & F.R. and E., R. & C.A.
Current Location: 02/10/2005-S B. & F.

Summary: The California Constitution provides that if, following the enactment of the Budget Bill, the Governor determines that, for that fiscal year, General Fund revenues will decline substantially below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase substantially above that estimate of General Fund revenues, or both, the Governor may issue a proclamation declaring a fiscal emergency and cause the Legislature to assemble in special session. The proclamation is required to identify the nature of the fiscal emergency and be accompanied by proposed legislation to address the fiscal emergency. If the Legislature fails to pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, the Legislature is prohibited from acting on any other bill or adjourning for a joint recess, until that bill or those bills have been passed and sent to the Governor. This measure would eliminate the requirement that actions of the Governor be based on a substantial decline in General Fund revenues or a substantial increase in General Fund expenditures, and would instead require a decline in General Fund revenues or an increase in General Fund expenditures before the Governor may take action. This bill contains other related provisions and other existing laws.

AQMD Position:**SCA 7 (Torlakson) Loans of transportation revenues and funds. (I-02/15/2005)****Status:** 02/24/2005-To Coms. on T. & H. and E., R. & C.A.**Current Location:** 02/24/2005-S T. & H.

Summary: The California Constitution restricts the expenditure of certain motor vehicle fuel and vehicle-related revenues to specified transportation purposes, but authorizes these revenues to be loaned to the General Fund under certain conditions. The California Constitution further provides that the trust funds in the Public Transportation Account in the State Transportation Fund may be loaned to the General Fund under certain conditions. This measure would require any loan of these motor vehicle fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at a specified rate. The measure would provide that a loan of these funds may also be made to other state funds or accounts under the conditions applicable to loans to the General Fund.

AQMD Position:

Total Position Forms: 154