

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

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 343 (Huff) Utility user taxes: exemption. (A-03/29/2005)
Status: 03/30/2005-Re-referred to Com. on REV. & TAX.
Current Location: 03/30/2005-A REV. & TAX
Calendar Events: 04/04/05 1:30 p.m. - Room 126 ASM REVENUE AND TAXATION

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 natural gas by a local agency or a school district for transportation purposes if that natural gas is dispensed by a gas compressor that is separately metered and is dedicated to serve the local agency or the school district. 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. (A-03/17/2005)
Status: 03/29/2005-Re-referred to Com. on TRANS.
Current Location: 03/29/2005-A TRANS.
Calendar Events: 04/04/05 1:30 p.m. - Room 4202 ASM TRANSPORTATION

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 to an individual who meets the criteria in (1) above whose maximum income level is 225% of the federal poverty level, and to an individual who meets the criteria in

(2) above whose maximum income level is 250% of the federal poverty level . 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 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 451 (Yee) Local sales tax: jet fuel: place of sale. (A-03/29/2005)
Status: 03/30/2005-Re-referred to Com. on REV. & TAX.
Current Location: 03/30/2005-A REV. & TAX
Calendar Events: 04/11/05 1:30 p.m. - Room 126 ASM REVENUE AND TAXATION

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 .

AQMD Position:

AB 453 (Benoit) Grade separation projects. (A-03/29/2005)
Status: 03/30/2005-Re-referred to Com. on TRANS.
Current Location: 03/30/2005-A TRANS.
Calendar Events: 04/11/05 1:30 p.m. - Room 4202 ASM TRANSPORTATION

Summary: Existing law requires the California Transportation Commission to make allocations for grade separation projects, as defined. 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 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 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 721 (Nunez) Metal plating facilities: pollution reduction fund. (I-02/17/2005)
Status: 03/10/2005-Referred to Com. on E.S. & T.M.
Current Location: 03/10/2005-A E.S. & T.M.
Calendar Events: 04/12/05 1:30 p.m. - Room 444 ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

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.
Calendar Events: 04/18/05 3 p.m. - Room 437 ASM UTILITIES AND COMMERCE

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 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.

Calendar Events: 04/18/05 1:30 p.m. - Room 447 ASM NATURAL RESOURCES

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: 03/30/2005-Referred to Com. on E.S. & T.M.

Current Location: 03/30/2005-A E.S. & T.M.

Calendar Events: 04/12/05 1:30 p.m. - Room 444 ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

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 965 (Saldana) Solar energy systems. (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 Energy Resources Conservation and Development Commission to expand and accelerate development of alternative sources of energy including solar resources. This bill would state that it is the intent of the Legislature to enact legislation promoting the use of solar energy systems, as defined, in residences, state buildings, public works, and rural areas.

AQMD Position:**AB 993 (Canciamilla) Planning and forecasting: liquified natural gas. (I-02/22/2005)****Status:** 03/17/2005-Referred to Coms. on U. & C. and NAT. RES.**Current Location:** 03/17/2005-A U. & C.**Calendar Events:** 04/04/05 3 p.m. - Room 437 ASM UTILITIES AND COMMERCE

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:** 03/30/2005-Referred to Com. on TRANS.**Current Location:** 03/30/2005-A TRANS.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. 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 1165 (Bogh) Energy resources: certification: environmental documents. (I-02/22/2005)****Status:** 03/17/2005-Referred to Coms. on NAT. RES. and U. & C.**Current Location:** 03/17/2005-A NAT. RES.**Calendar Events:** 04/18/05 1:30 p.m. - Room 447 ASM NATURAL RESOURCES

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 1229 (Nation) Air pollution: new motor vehicles: air pollution label. (I-02/22/2005)

Status: 03/10/2005-Referred to Com. on TRANS.

Current Location: 03/10/2005-A TRANS.

Calendar Events: 04/11/05 Anticipated Hearing ASM TRANS.

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 are 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: 03/10/2005-Referred to Com. on NAT. RES.

Current Location: 03/10/2005-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, 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 1292 (Evans) School facilities: air quality. (I-02/22/2005)**Status:** 03/17/2005-Referred to Com. on ED.**Current Location:** 03/17/2005-A ED.

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:** 03/30/2005-From committee: Do pass, and re-refer to Com. on PUB. S. Re-referred. (Ayes 7. Noes 0.) (March 29).**Current Location:** 03/30/2005-A PUB. S.

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 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 1362 (Levine) Renewable energy: California Renewables Portfolio Standard Program: renewable energy credits. (I-02/22/2005)****Status:** 03/17/2005-Referred to Coms. on U. & C. and NAT. RES.**Current Location:** 03/17/2005-A U. & C.**Calendar Events:** 04/18/05 3 p.m. - Room 437 ASM UTILITIES AND COMMERCE

Summary: Existing law expresses the intent of the Legislature, in establishing the Renewable Energy Resources Program, to increase the amount of renewable electricity generated per year, so that it equals at least 17% of the total electricity generated for consumption in California per year by 2006. This bill would revise and recast that intent language so that the amount of electricity generated per year from renewable energy resources is increased to an amount that equals at least 20% of the total electricity

generated for consumption in California by 2010. The bill would make conforming changes consistent with this goal. This bill contains other related provisions and other existing laws.

AQMD Position:

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

Status: 03/30/2005-Referred to Com. on NAT. RES.

Current Location: 03/30/2005-A NAT. RES.

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

Status: 03/31/2005-Referred to Com. on E.S. & T.M.

Current Location: 03/31/2005-A E.S. & T.M.

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

Status: 03/14/2005-Referred to Coms. on U. & C. and NAT. RES.

Current Location: 03/14/2005-A U. & C.

Calendar Events: 04/18/05 3 p.m. - Room 437 ASM UTILITIES AND COMMERCE

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 1585 (Blakeslee) Renewable energy resources: California Renewables Portfolio

Standard. (I-02/22/2005)

Status: 03/17/2005-Referred to Coms. on U. & C. and NAT. RES.

Current Location: 03/17/2005-A U. & C.

Calendar Events: 04/18/05 3 p.m. - Room 437 ASM UTILITIES AND COMMERCE

Summary: Existing law expresses the intent of the Legislature, in establishing the Renewable Energy Resources Program, to increase the amount of renewable electricity generated per year, so that it equals at least 17% of the total electricity generated for consumption in California per year by 2006. This bill would declare the additional intent of the Legislature to increase the amount of electricity generated per year from renewable sources, so that it equals 20% of the total electricity sold to retail customers in California per year by the year 2010. This bill contains other related provisions and other existing laws.

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 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 1660 (Pavley) Vehicular air pollution: alternative fuel vehicle purchasing program. (I-02/22/2005)

Status: 03/30/2005-Referred to Com. on B. & P.

Current Location: 03/30/2005-A B. & P.

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 1736 (Committee on Utilities and Commerce) Renewable energy: renewables portfolio standard program. (I-02/24/2005)

Status: 03/30/2005-Referred to Coms. on U. & C. and NAT. RES.

Current Location: 03/30/2005-A U. & C.

Calendar Events: 04/11/05 Anticipated Hearing ASM U. & C.

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act imposes various duties and responsibilities on the commission with respect to the purchase of electricity and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, community choice aggregators, and electric service providers, but not including local publicly owned electric utilities, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year. This bill would revise the definition of "eligible renewable energy resource."

AQMD Position:

AJR 8 (Canciamilla) Marine pollution. (A-03/07/2005)

Status: 03/29/2005-In committee: Set, first hearing. Hearing canceled at the request of author.

Current Location: 03/08/2005-A E.S. & T.M.

Calendar Events: 04/12/05 1:30 p.m. - Room 444 ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

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 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 107 (Simitian) Renewable energy. (I-01/20/2005)****Status:** 03/31/2005-Set, first hearing. Hearing canceled at the request of author.**Current Location:** 02/10/2005-S E. U., & C.

Summary: Existing law expresses the intent of the Legislature, in establishing the Renewable Energy Resources Program, to increase the amount of renewable electricity generated per year, so that it equals at least 17% of the total electricity generated for consumption in California per year by 2006. This bill would revise and recast that intent language so that the amount of electricity generated per year from renewable energy resources is increased to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. The bill would make conforming changes related 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 369 (Simitian) Ecological labeling. (A-03/29/2005)****Status:** 03/31/2005-Hearing postponed by committee. (Refers to 3/30/2005 hearing)**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 and would require the commission to enter into a contract, using a competitive bid process, with a vendor, 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 419 (Simitian) Ultrahazardous materials: transportation: railroad tank cars. (A-03/31/2005)****Status:** 03/31/2005-From committee with author's amendments. Read second time. Amended. Re-referred to committee.

Current Location: 02/24/2005-S E.Q.

Calendar Events: 04/11/05 3:30 p.m. - Room 2040 SEN ENVIRONMENTAL QUALITY

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. Existing law requires a railroad corporation transporting hazardous materials to submit to the Public Utilities Commission, a system map containing information, as specified, and to the Office of Emergency Services a copy of a publication that identifies emergency handling guidelines for surface transportation of hazardous material. This bill would require the Office of Emergency Services to adopt regulations prohibiting a person from transporting ultrahazardous material, as defined, on the highways of this state, or delivering to a railroad, vehicle transport facility, or vessel, ultrahazardous material for transport, if that ultrahazardous material entered the state, or is being transported from the state, in a pressurized railroad tank car manufactured before January 1, 1989, except as specified. The bill would prohibit the transportation of ultrahazardous material above certain threshold quantities, as specified, by rail, through an urban exclusion corridor, as defined, unless permitted by the office. The bill would require the office to provide a copy of a permit authorizing the transportation of ultrahazardous material, by rail, through an urban exclusion corridor to the unified program agency or the first responder having jurisdiction over areas through which the ultrahazardous material would pass within 24 hours of issuing the permit. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 427 (Hollingsworth) California Environmental Quality Act: exemption: CAL-TRANS: right-of-ways. (I-02/17/2005)

Status: 03/23/2005-Set for hearing April 18.

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

Calendar Events: 04/18/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

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 497 (Simitian) Cleaner Construction Program. (A-03/29/2005)

Status: 03/29/2005-From committee with author's amendments. Read second time. Amended. Re-referred to committee.

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

Calendar Events: 04/04/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

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 to implement the Cleaner Construction Program to reduce air pollution emissions from off - road equipment used in the performance of all state agency and department contracts for the construction of roads, highways, buildings, and other state infrastructure projects. This bill contains other related provisions.

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 669 (Battin) Electricity: cogeneration. (I-02/22/2005)

Status: 03/10/2005-To Com. on RLS.

Current Location: 03/10/2005-S RLS.

Summary: Existing law declares that the policy of the state is to encourage and support the development of cogeneration as an efficient, environmentally beneficial, competitive energy resource that enhances the reliability of local generation supply, and promotes local business growth. This bill would declare that it is the further policy of the state to encourage private capital investment in customer generation to increase the state's energy supply, to provide tools to customers to manage their energy costs, and to reduce the need for distribution and transmission investments.

AQMD Position:

SB 757 (Kehoe) Petroleum Demand Reduction Act. (I-02/22/2005)

Status: 03/17/2005-Set for hearing April 5.

Current Location: 03/10/2005-S E. U., & C.

Calendar Events: 04/05/05 9:30 a.m. - Room 3191 SEN ENERGY, UTILITIES AND COMMUNICATIONS

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 771 (Simitian) Oceangoing ships. (A-03/29/2005)

Status: 03/29/2005-From committee with author's amendments. Read second time. Amended. Re-referred to committee. (Corrected March 29.)

Current Location: 02/22/2005-S PRINT

Calendar Events: 04/04/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

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

Status: 03/17/2005-Set for hearing April 11.

Current Location: 03/10/2005-S E.Q.

Calendar Events: 04/11/05 3:30 p.m. - Room 2040 SEN ENVIRONMENTAL QUALITY

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) **Fish passages.** (A-03/29/2005)
Status: 03/31/2005-Set for hearing April 12.
Current Location: 03/10/2005-S RLS.
Calendar Events: 04/12/05 9 a.m. - Room 112 SEN NATURAL RESOURCES AND WATER

Summary: Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law authorizes the department to enter into major damage mitigation contracts to perform major damage repairs and operations on state highways caused by sudden, unforeseen events. Existing law requires work performed under these contracts to be limited to physical construction, demolition, debris removal, and traffic control. This bill would authorize work performed under these contracts to include remediation of barriers to fish passage. The bill would require the department, in collaboration with the Department of Fish and Game, to prepare an annual report to the Legislature describing the status of the department's progress in locating, assessing, and remediating barriers to fish passage, as defined, and to submit a list of priority sites for remediation on coastal streams to the Legislature, as specified. The bill would require the department also to complete assessments of potential barriers to anadromous fish prior to commencing any project using state or federal transportation funds. The bill would require the department to submit these assessments to the department of Fish and Game to be added to the CALFISH database. The bill would also require projects to be constructed without presenting barriers to fish passage. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 870 (Escutia) **Air quality: violations.** (I-02/22/2005)
Status: 03/10/2005-To Com. on RLS.
Current Location: 03/10/2005-S RLS.

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 975 (Ashburn) **Air quality: biodiesel fuel.** (A-03/30/2005)
Status: 03/30/2005-From committee with author's amendments. Read second time. Amended. Re-referred to committee.
Current Location: 03/17/2005-S E.Q.
Calendar Events: 04/18/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

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 may use

biodiesel or biodiesel blended fuel in a qualified retrofitted diesel engine certified by the state board to comply with federal ambient air quality requirements , federal energy policy_statutes, federal executive orders, and other federal energy security mandates .

AQMD Position:

SB 976 (Ashburn) Air quality: stationary sources. (I-02/22/2005)

Status: 03/23/2005-Set for hearing April 18.

Current Location: 03/17/2005-S E.Q.

Calendar Events: 04/18/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

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 1017 (Campbell) Solar energy: taxation. (I-02/22/2005)

Status: 03/17/2005-To Com. on REV. & TAX.

Current Location: 03/17/2005-S REV. & TAX

Summary: The Personal Income Tax Law and the Bank and Corporation Tax Law authorize various credits against the taxes imposed by those laws. Existing law allows a credit against those taxes for taxable years beginning on and after January 1, 2004, and before January 1, 2006, for certain amounts relating to the use of solar or wind energy systems, as defined. This bill would make that credit applicable for taxable years beginning on and after January 1, 2004, and before January 1, 2017. This bill contains other related provisions and other existing laws.

AQMD Position:

SB 1048 (Machado) Electrical restructuring: distributed energy resources. (I-02/22/2005)

Status: 03/17/2005-To Com. on E., U. & C.

Current Location: 03/17/2005-S E. U., & C.

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law pertaining to electrical restructuring requires the commission to impose requirements upon electrical corporations to facilitate customer generation of electricity from distributed energy resources and ultraclean and low-emission distributed generation. Existing law defines "distributed energy resources" to mean any electric generation technology that meets certain criteria, including: (1) having commenced initial operation between May 1, 2001, and June 1, 2003, except that gas-fired distributed energy resources that are not operated in a combined heat and power application must commence operation no later than September 1, 2002, and (2) being 5 megawatts or smaller in aggregate capacity. Existing law defines "ultraclean and low-emission distributed generation" as an electric

generation technology that produces zero emissions during operation or that produces emissions that are equal to or less than limits established by the State Air Resources Board, if the electric generation technology commences operation between January 1, 2003, and December 31, 2008. That definition requires that technologies operating by combustion operate in a combined heat and power application with a 60% system efficiency on a higher heating value. This bill would change the criteria for distributed energy resources to include electric generation technology that commences initial operation between May 1, 2001, and December 31, 2010, and has 40 megawatts or smaller in aggregate capacity. The bill would modify the definition of "ultraclean and low-emission distributed generation" as an electric generation technology that produces zero emissions during operation or that produces emissions that are equal to or less than the limits established by the State Air Resources Board, if the electric generation technology commences operation between January 1, 2003, and December 31, 2010. The bill would make other conforming changes.

AQMD Position:

SB 1056 (Florez) Air pollution: districts: permits. (I-02/22/2005)

Status: 03/23/2005-Set for hearing April 18.

Current Location: 03/17/2005-S E.Q.

Calendar Events: 04/18/05 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY

Summary: Existing law authorizes an air pollution control district board or air quality management district board to establish, by regulation, a permit system that requires a person to obtain a permit before the person builds, erects, alters, replaces, operates, or uses any article, machine, equipment, or other contrivance that may release air contaminants. Existing law authorizes the regulations to provide that a permit is valid only for a specified period. This bill would require, rather than permit, every district board to establish, by regulation, a permit system, and would require the regulations to provide that a permit is valid only for a specified period. This bill contains other related provisions and other existing laws.

AQMD Position:

Total Position Forms: 67