

ASSEMBLY BILL

No. 2501

Introduced by Assembly Member Lieu

February 23, 2006

An act to add Section 40458.7 to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2501, as introduced, Lieu. South Coast Air Quality Management District: stationary sources.

(1) 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 south coast district, on or before January 1, 2008, and in cooperation with the state board, to conduct an environmental assessment of the cumulative health impacts of emissions from stationary sources located in the south coast district and would thereby impose a state-mandated local program.

(2) This bill would make findings and declarations that a general statute cannot be made applicable within the meaning of Section 16 or Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:
3 (a) Continual exposure to air toxins exponentially increases
4 the risk of respiratory diseases, cancers, and other diseases.
5 (b) Studies show that stationary sources emit toxins that are
6 potentially harmful to the residents of adjacent communities.
7 SEC. 2. Section 40458.7 is added to the Health and Safety
8 Code, to read:
9 40458.7. On or before January 1, 2008, the south coast
10 district shall, in cooperation with the state board, conduct an
11 environmental assessment of the cumulative health impacts of
12 emissions from stationary sources located in the south coast
13 district.
14 SEC. 3. The Legislature finds and declares that due to the
15 unique circumstances relating to air quality in the South Coast
16 Air Quality Management District, a statute of general
17 applicability cannot be enacted within the meaning of
18 subdivision (b) of Section 16 of Article IV of the California
19 Constitution.
20 SEC. 4. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 a local agency or school district has the authority to levy service
23 charges, fees, or assessments sufficient to pay for the program or
24 level of service mandated by this act, within the meaning of
25 Section 17556 of the Government Code.