

## Assembly Bill No. 841

### CHAPTER 569

An act to add Section 40607 to the Health and Safety Code, relating to air quality.

[Approved by Governor October 6, 2005. Filed with  
Secretary of State October 6, 2005.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 841, Arambula. Air quality: San Joaquin Valley Unified Air Pollution Control District: particulate monitoring.

(1) 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. 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.

This bill would require the district to install one or more monitors for monitoring airborne fine particles smaller than 2.5 microns in diameter in the western region of the County of Fresno in areas that are primarily low-income and underserved. Because this bill would require the San Joaquin Valley Unified Air Pollution Control District to perform a specified function, this bill would impose a state-mandated local program. This bill would also make legislative findings and declarations as to the necessity of a special statute.

(2) 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.

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

SECTION 1. Section 40607 is added to the Health and Safety Code, to read:

40607. The district shall install one or more monitors for monitoring airborne fine particles smaller than 2.5 microns in diameter (PM 2.5) in primarily low-income and underserved areas in the western region of the County of Fresno.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of unique air quality issues faced by the County of Fresno.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.