

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN SENATE JUNE 28, 2006

AMENDED IN SENATE JUNE 13, 2006

AMENDED IN ASSEMBLY APRIL 17, 2006

AMENDED IN ASSEMBLY MARCH 21, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2015**

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**Introduced by Assembly Member Lieu**  
**(Coauthors: Assembly Members Jerome Horton, Koretz, and**  
**Oropeza)**  
(Coauthor: Senator Kuehl)

February 10, 2006

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An act to amend Section 40420 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2015, as amended, Lieu. Air quality: South Coast Air Quality Management District: board membership.

(1) Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District, in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the South Coast Air Basin, as the sole and exclusive local agency with the responsibility for comprehensive air pollution control within that basin. Existing law requires the south coast district to be governed by a district board consisting of 12 members, including 3 members appointed, one each, by the city

selection committees of Orange, Riverside, and San Bernardino Counties, one member appointed by cities in the western region of the County of Los Angeles, and one member appointed by the cities in the eastern region of the County of Los Angeles. Under existing law, the specified cities in the western and eastern regions of Los Angeles County are required to organize a city selection committee, one per region, and hold a public meeting to determine the appointment from each region. Existing law prescribes the cities, including Los Angeles, that comprise the western region of the County of Los Angeles, and provides that those cities not included in the western region are deemed to constitute the eastern region for the purpose of appointing members to the district board.

This bill would increase the number of members on the south coast district board from 12 to 13 by adding one new member appointed by the mayor of the City of Los Angeles from the members of the city council of the City of Los Angeles. The bill would add the Cities of Calabasas and Malibu to, and exclude Los Angeles from, the list of cities included in the western region of the County of Los Angeles. Because the bill would impose additional duties on cities within the south coast district, this bill would establish a state-mandated local program.

The bill would require, ~~except~~ under specified circumstances, the board member appointed by the city selection committee of the western region of Los Angeles County to be deemed to be the member appointed to the board by the Mayor of the City of Los Angeles, and that a new member be appointed from the western region, as specified.

~~(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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*(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.*

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. Section 40420 of the Health and Safety Code,  
2 as added by Section 2 of Chapter 686 of the Statutes of 2003, is  
3 amended to read:

4 40420. (a) The south coast district shall be governed by a  
5 district board consisting of 13 members appointed as follows:

6 (1) One member appointed by the Governor, with the advice  
7 and consent of the Senate.

8 (2) One member appointed by the Senate Committee on Rules.

9 (3) One member appointed by the Speaker of the Assembly.

10 (4) Four members appointed by the boards of supervisors of  
11 the counties in the south coast district. Each board of supervisors  
12 shall appoint one of these members, who shall be one of the  
13 following:

14 (A) A member of the board of supervisors of the county  
15 making the appointment.

16 (B) A mayor or member of a city council from a city in the  
17 portion of the county making the appointment that is included in  
18 the south coast district.

19 (5) Three members appointed by cities in the south coast  
20 district. The city selection committees of Orange, Riverside, and  
21 San Bernardino Counties shall each appoint one of these  
22 members, who shall be either a mayor or a member of the city  
23 council of a city in the portion of the county included in the south  
24 coast district.

25 (6) A member appointed by the cities of the western region of  
26 Los Angeles County, consisting of the Cities of Agoura Hills,  
27 Avalon, Beverly Hills, Calabasas, Carson, Compton, Culver City,  
28 El Segundo, Gardena, Hawthorne, Hermosa Beach, Hidden Hills,  
29 Inglewood, Lawndale, Lomita, Malibu, Manhattan Beach, Palos  
30 Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling  
31 Hills, Rolling Hills Estates, Santa Monica, Torrance, West  
32 Hollywood, and Westlake Village. These cities shall organize as  
33 a city selection committee for the purposes of subdivision (f), and  
34 shall be known as the city selection committee of the western  
35 region of Los Angeles County. The member appointed shall be

1 either a mayor or a member of the city council of a city in the  
2 western region.

3 (7) A member appointed by the cities of the eastern region of  
4 Los Angeles County, consisting of the cities in Los Angeles  
5 County that are not listed in paragraph (6) or (8). These cities  
6 shall organize as a city selection committee for the purposes of  
7 subdivision (f), and shall be known as the city selection  
8 committee of the eastern region of Los Angeles County. The  
9 member appointed shall be either a mayor or a member of the  
10 city council of a city in the eastern region.

11 (8) A member appointed by the mayor of the City of Los  
12 Angeles from among the members of the Los Angeles City  
13 Council.

14 (b) All members shall be appointed on the basis of their  
15 demonstrated interest and proven ability in the field of air  
16 pollution control and their understanding of the needs of the  
17 general public in connection with air pollution problems of the  
18 South Coast Air Basin.

19 (c) The member appointed by the Governor shall be either a  
20 physician who has training and experience in the health effects of  
21 air pollution, an environmental engineer, a chemist, a  
22 meteorologist, or a specialist in air pollution control.

23 (d) Each member shall be appointed on the basis of his or her  
24 ability to attend substantially all meetings of the south coast  
25 district board, to discharge all duties and responsibilities of a  
26 member of the south coast district board on a regular basis, and  
27 to participate actively in the affairs of the south coast district. No  
28 member may designate an alternate for any purpose or otherwise  
29 be represented by another in his or her capacity as a member of  
30 the south coast district board.

31 (e) Each appointment by a board of supervisors shall be  
32 considered and acted on at a duly noticed, regularly scheduled  
33 hearing of the board of supervisors, which shall provide an  
34 opportunity for testimony on the qualifications of the candidates  
35 for appointment.

36 (f) The appointments by cities in the south coast district shall  
37 be considered and acted on at a duly noticed meeting of the  
38 applicable city selection committee, which shall meet in a  
39 government building and provide an opportunity for testimony  
40 on the qualifications of the candidates for appointment. Each

1 appointment shall be made by not less than a majority of all the  
2 cities in the portion of the county included in the south coast  
3 district having not less than a majority of the population of all the  
4 cities in the portion of the county included in the south coast  
5 district. Population shall be determined on the basis of the most  
6 recent verifiable census data developed by the Department of  
7 Finance. Persons residing in unincorporated areas or areas of a  
8 county outside the south coast district shall not be considered for  
9 the purposes of this subdivision.

10 (g) The members appointed by the Senate Committee on Rules  
11 and the Speaker of the Assembly shall have one or more of the  
12 qualifications specified in subdivision (c) or shall be a public  
13 member. None of those appointed members may be a locally  
14 elected official.

15 (h) All members shall be residents of the district.

16 SEC. 2. (a) Notwithstanding any other provision of law, the  
17 person who is the member of the board of the South Coast Air  
18 Quality Management District who was last appointed to the  
19 board by the city selection committee of the western region of  
20 Los Angeles County pursuant to paragraph (6) of subdivision (a)  
21 of Section 40420 of the Health and Safety Code ~~immediately~~  
22 prior to June 30, 2006, shall be deemed to be the member  
23 appointed to the board pursuant to paragraph (8) of subdivision  
24 (a) of Section 40420 of the Health and Safety Code for a term  
25 that expires on January 1, 2011. If that person ceases to be a  
26 member of the Los Angeles City Council, *that person also shall*  
27 *cease to be a member of the board and* the mayor of the City of  
28 Los Angeles shall appoint a new member pursuant to paragraph  
29 (8) of subdivision (a) of Section 40420 of the Health and Safety  
30 Code.

31 (b) Notwithstanding any other provision of law, the city  
32 selection committee of the western region of Los Angeles County  
33 shall convene promptly after January 1, 2007, to appoint a  
34 member to the board of the South Coast Air Quality Management  
35 District pursuant to Section 40420 of the Health and Safety Code,  
36 for a term that expires on January 1, 2010.

37 ~~SEC. 3.—If the Commission on State Mandates determines that~~  
38 ~~this act contains costs mandated by the state, reimbursement to~~  
39 ~~local agencies and school districts for those costs shall be made~~

1 pursuant to Part 7 (commencing with Section 17500) of Division  
2 4 of Title 2 of the Government Code.

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

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