

## Assembly Bill No. 2804

### CHAPTER 425

An act to add Section 40982 to the Health and Safety Code, relating to air resources, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 22, 2006. Filed with  
Secretary of State September 22, 2006.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2804, Salinas. Air resources: Sacramento Metropolitan Air Quality Management District.

(1) Existing law establishes the Sacramento Metropolitan Air Quality Management District, and provides for its governance by a district board with specified membership and duties.

This bill would require that each member of the Sacramento district board receive actual and necessary expenses incurred in the performance of board duties, and would authorize these members to receive compensation, to be determined by the Sacramento district board, not to exceed \$100 for each day attending the board meetings and committee meetings of the board, or upon authorization of the board, while on official business of the district. The bill would prohibit this compensation from exceeding \$6,000 in any one year. The bill would require the compensation authorized pursuant to the bill to be fixed by ordinance. Because the bill would create new duties for the Sacramento district, it would constitute a state-mandated local program.

(2) An existing provision of the California Constitution requires that a local or special statute is invalid in any case where a general statute can be made applicable.

This bill would express the finding and declaration of the Legislature that, due to the unique circumstances relating to the Sacramento district, a general statute cannot be made applicable and the enactment of the above 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.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 40982 is added to the Health and Safety Code, to read:

40982. Each member of the Sacramento district board shall receive actual and necessary expenses incurred in the performance of board duties, and may receive compensation, to be determined by the Sacramento district board, not to exceed one hundred dollars (\$100) for each day attending the meetings of the Sacramento district board and committee meetings thereof, or upon authorization of the Sacramento district board, while on official business of the Sacramento district, but the compensation shall not exceed six thousand dollars (\$6,000) in any one year. Compensation pursuant to this section shall be fixed by ordinance.

SEC. 2. The Legislature finds and declares that, due to the unique circumstances relating to the governing board of the Sacramento metropolitan Air Quality Management District, a general statute cannot be made applicable and the enactment of Section 1 of this act as a special statute is therefore necessary.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

To enable the Sacramento Metropolitan Air Quality Management District to comply with the provisions of Chapter 700 of the Statutes of 2005 at the earliest possible date, it is necessary that this act take effect immediately.