

ASSEMBLY BILL

No. 2880

Introduced by Assembly Member Lieu

February 24, 2006

An act to add Section 40447.7 to the Health and Safety Code, relating to air quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2880, as introduced, Lieu. South Coast Air Quality Management District: refineries.

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 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 to meet with appropriate agencies and the public to develop a notification plan for flaring events at refineries, as provided. Because this bill would require the south coast district to perform an additional duty, this bill would impose a state-mandated local program.

This bill would 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.

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 40447.7 is added to the Health and
2 Safety Code, to read:

3 40447.7. The south coast district shall meet with appropriate
4 agencies and the public to develop a notification plan for flaring
5 events at refineries located within the south coast district.

6 SEC. 2. The Legislature finds and declares that a special law
7 is necessary and that a general law cannot be made applicable
8 within the meaning of Section 16 of Article IV of the California
9 Constitution because of the unique difficulties faced by the South
10 Coast Air Quality Management District in attempting in good
11 faith to preserve its air quality, and the uniquely severe public
12 consequences that would be faced by the counties within the
13 South Coast Air Basin in the absence of the relief provided by
14 this act.

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

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