

AMENDED IN ASSEMBLY APRIL 4, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

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 40520 to the *Public Resources Code*, relating to air quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2880, as amended, Lieu. ~~South Coast Air Quality Management District; refineries; California Integrated Waste Management Board; green buildings.~~

Existing law creates the California Integrated Waste Management Board in the California Environmental Protection Agency. Existing law, the California Integrated Waste Management Act of 1989, establishes a comprehensive program implemented by the board and local agencies to reduce, recycle, and reuse solid waste generated in the state in an efficient and cost-effective manner to conserve water, energy and other natural resources, and to protect the environment, among other purposes.

This bill would require the board, in consultation with the State Energy Resources Conservation and Development Commission and other relevant state agencies, to gather, analyze, and make available to the public, in part through a Website, public resources about green buildings, as defined. This bill would require the board to establish an advisory committee, as specified, and seek the advice of the advisory committee in developing, maintaining, and updating the Web site, as specified.

~~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-no*.~~

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

- 1 SECTION 1. Section 40520 is added to the Public Resources
- 2 Code, to read:
- 3 40520. (a) The board, in consultation with the State Energy
- 4 Resources Conservation and Development Commission and
- 5 other relevant state agencies, shall gather, analyze, and make
- 6 available to the public, resources about green buildings,
- 7 including, but not limited to, the following:
- 8 (1) Information on practitioners and suppliers in the green
- 9 building industry.
- 10 (2) Information on rebates, tax credits, and other incentives
- 11 for green buildings.

1 (3) Educational brochures, booklets, handbooks, and other
2 offerings on green buildings.

3 (4) Information about green building organizations.

4 (5) Model ordinances that deal with green buildings.

5 (6) All general information about green buildings that would
6 be useful to the public.

7 (b) By January 1, 2008, the board shall make the information
8 under subdivision (a) available on an easy to use, easily
9 accessible Web site.

10 (1) To the extent technologically and economically feasible,
11 the Web site shall allow users to search for green building
12 resources by building type, by entering a city name or zip code.

13 (2) The board shall promote the Web site using advertising,
14 public service announcements, flyers for use by local agencies,
15 Web links, and other means.

16 (c) (1) The board shall establish an advisory committee to
17 help the board ensure that the resources listed on the Web site
18 are credible and valid green building resources.

19 (2) The board shall consult with the advisory committee in
20 developing the Web site. On or before January 1, 2009, and
21 annually thereafter, the board shall consult with the advisory
22 committee to evaluate and update the Web site.

23 (3) The advisory committee shall include representatives of the
24 United States Green Building Council, the Collaborative for
25 High Performance Schools, local government, recognized
26 environmental advocacy groups, and the architecture and home
27 building industry groups that have established interests in the
28 field of green buildings. To the extent feasible, the advisory
29 committee shall include expertise in each of the principal
30 building types or industry sectors, including, but not limited to,
31 the commercial, residential, educational, and institutional
32 sectors, for which resources are listed.

33 (d) As used in this section, "green building" means a structure
34 that is designed, built, renovated, operated, or reused in an
35 ecological and resource efficient manner.

36 ~~SECTION 1. Section 40447.7 is added to the Health and~~
37 ~~Safety Code, to read:~~

38 ~~40447.7. The south coast district shall meet with appropriate~~
39 ~~agencies and the public to develop a notification plan for flaring~~
40 ~~events at refineries located within the south coast district.~~

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

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