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**Introduced by Senator Florez**

February 24, 2006

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An act to add Section 44013 to the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1835, as introduced, Florez. Solid waste facility permit: enforcement agency.

Existing law prohibits a person from operating a solid waste facility without a solid waste facilities permit if that facility is required to have a permit.

This bill would prohibit an enforcement agency from issuing a solid waste facilities permit and the California Integrated Waste Management Board from concurring in the issuance of a solid waste facilities permit for a solid waste facility approved by an initiative measure, unless the solid waste facility is consistent with local, state, and federal law, including, but not limited to, local planning, zoning, and development requirements.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 44013 is added to the Public Resources
- 2 Code, to read:
- 3 44013. Notwithstanding subdivision (d) of Section 44009, or
- 4 any other provision of this chapter, the enforcement agency shall

1 not issue a solid waste facilities permit and the board shall not  
2 concur in the issuance of a solid waste facilities permit for a solid  
3 waste facility approved by an initiative measure, unless the solid  
4 waste facility is consistent with local, state, and federal law,  
5 including, but not limited to, local planning, zoning, and  
6 development requirements.

7 SEC. 2. This act is an urgency statute necessary for the  
8 immediate preservation of the public peace, health, or safety  
9 within the meaning of Article IV of the Constitution and shall go  
10 into immediate effect. The facts constituting the necessity are:

11 In order to protect public health and safety and the  
12 environment, it is necessary for this act to take effect  
13 immediately.