

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1431

Introduced by Assembly Member Hill

February 27, 2009

~~An act to add Section 44299.86 to the Health and Safety Code, relating to air quality. An act to amend Sections 6710 and 6711 of the Business and Professions Code, relating to geologists and geophysicists.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1431, as amended, Hill. ~~Air quality: Port of Oakland. Geologists and geophysicists.~~

Existing law establishes in the Department of Consumer Affairs a Board for Professional Engineers and Land Surveyors, consisting of 13 members. Existing law requires that membership to include 5 engineers, one land surveyor, and 7 public members. Existing law requires the Governor to appoint 5 of the public members and all of the professional members. The Senate Rules Committee and the Speaker of the Assembly are required to each appoint a public member.

Existing law requires the Board for Professional Engineers and Land Surveyors to administer the Geologists and Geophysicists Act.

This bill would rename the board as the Board for Professional Engineers, Land Surveyors, Geologists and Geophysicists. The bill would change the membership of the board to 14 to include a professional member licensed under the Geologists and Geophysicists Act.

~~Existing law establishes the California Port Community Air Quality Program in the Bay Area Air Quality Management District and the South Coast Air Quality Management District. The program requires those districts to provide grants to offset the advanced introduction costs of eligible projects that reduce onroad emissions of particulate matter within communities adjacent to marine terminals or ports within the jurisdiction of those districts.~~

~~This bill would require the Port of Oakland and entities involved in goods movement at the Port of Oakland to establish emission reduction strategies that are no less stringent than emission reduction strategies employed at the Port of Los Angeles and the Port of Long Beach. The bill requires the Bay Area Air Quality Management District to determine, after consultation with the South Coast Air Quality Management District and the State Air Resources Board, whether the Port of Oakland and those entities have complied. By requiring these local agencies to perform additional new duties, this bill would impose a state-mandated local program.~~

~~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.~~

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 6710 of the Business and Professions*
- 2 *Code is amended to read:*
- 3 6710. (a) There is in the Department of Consumer Affairs a
- 4 Board for Professional Engineers and Land Surveyors, *Geologists,*
- 5 *and Geophysicists* which consists of ~~13~~ *14* members.
- 6 (b) Any reference in any law or regulation to the Board of
- 7 Registration for Professional Engineers and Land Surveyors is
- 8 deemed to refer to the Board for Professional Engineers and Land
- 9 Surveyors, *Geologists, and Geophysicists.*
- 10 (c) This section shall become inoperative on July 1, 2011, and,
- 11 as of January 1, 2012, is repealed, unless a later enacted statute,

1 that becomes effective on or before January 1, 2012, deletes or
2 extends the dates on which it becomes inoperative and is repealed.
3 The repeal of this section renders the board subject to the review
4 required by Division 1.2 (commencing with Section 473).

5 *SEC. 2. Section 6711 of the Business and Professions Code is*
6 *amended to read:*

7 6711. Each member of the board shall be a citizen of the United
8 States. Five members shall be registered under this chapter. One
9 member shall be licensed under the Land Surveyors' Act, Chapter
10 15 (commencing with Section 8700) ~~of this division~~, *one member*
11 *shall be licensed under the Geologists and Geophysicists Act,*
12 *Chapter 12.5 (commencing with Section 7800), and seven shall be*
13 *public members who are not registered under this act, licensed*
14 *under the Geologists and Geophysicists Act, or licensed under the*
15 *Land Surveyors' Act. Each member, except the public members,*
16 *shall have at least 12 years active experience and shall be of good*
17 *standing in his profession. Each member shall be at least 30 years*
18 *of age, and shall have been a resident of this state for at least five*
19 *years immediately preceding his or her appointment.*

20 ~~SECTION 1. Section 44299.86 is added to the Health and~~
21 ~~Safety Code, to read:~~

22 ~~44299.86. (a) The Port of Oakland and entities involved in~~
23 ~~goods movement at the Port of Oakland shall establish emission~~
24 ~~reduction strategies that are no less stringent than emission~~
25 ~~reduction strategies employed at the Port of Los Angeles and the~~
26 ~~Port of Long Beach. For purposes of this section, "no less~~
27 ~~stringent" means achieving a comparable quantity of emissions~~
28 ~~reductions.~~

29 ~~(b) The Bay Area Air Quality Management District shall~~
30 ~~determine, after consultation with the South Coast Air Quality~~
31 ~~Management District and the State Air Resources Board, whether~~
32 ~~the Port of Oakland and the entities involved in goods movement~~
33 ~~at the Port of Oakland have complied with subdivision (a).~~

34 ~~SEC. 2. If the Commission on State Mandates determines that~~
35 ~~this act contains costs mandated by the state, reimbursement to~~
36 ~~local agencies and school districts for those costs shall be made~~
37 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
38 ~~4 of Title 2 of the Government Code.~~

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