

AMENDED IN SENATE SEPTEMBER 5, 2013

AMENDED IN SENATE AUGUST 12, 2013

AMENDED IN ASSEMBLY APRIL 15, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 418

Introduced by Assembly ~~Member Mullin~~ Members *Mullin and Eggman*

February 15, 2013

~~An act to add Section 6532.5 to the Government Code, relating to local government finance. An act relating to electric vehicles, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 418, as amended, Mullin. ~~Joint Exercise of Powers Act. Electric vehicles.~~

Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, reduction of criteria air pollutants and improvement of air quality. Existing law requires, until January 1, 2016, that a portion of the registration fees for motor vehicles and vessels be deposited into the Air Quality Improvement Fund and, upon appropriation, be expended for the implementation of the program. Pursuant to the Air Quality Improvement Program, the state board has established the Clean Vehicle Rebate Project to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets to purchase hybrid and zero-emission trucks and buses.

Existing law establishes the Vehicle Inspection and Repair Fund, which serves as a repository for fees collected by the Department of Consumer Affairs pursuant to the Automotive Repair Act.

This bill would require the Controller, upon the order of the Director of Finance, to transfer, as a loan, \$30,000,000 from the Vehicle Inspection and Repair Fund to the Air Quality Improvement Fund. The bill would appropriate to the state board \$30,000,000 from the Air Quality Improvement Fund for the Clean Vehicle Rebate Project and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, thereby making an appropriation.

~~The Joint Exercise of Powers Act generally authorizes 2 or more public agencies, by agreement, to jointly exercise any power common to them under specified conditions.~~

~~This bill would authorize the City/County Association of Governments of San Mateo County, subject to certain requirements of the California Constitution and approval by a majority of its membership, to impose a parcel tax, assessment, or property-related fee or charge on real property for the purpose of managing stormwater pollution.~~

~~This bill would make legislative findings and declarations as to the necessity of a special statute.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 SECTION 1. (a) The sum of thirty million dollars
 2 (\$30,000,000) is hereby appropriated from the Air Quality
 3 Improvement Fund to the State Air Resources Board for the Clean
 4 Vehicle Rebate Project and Hybrid and Zero-Emission Truck and
 5 Bus Voucher Incentive Project established pursuant to Article 3
 6 (commencing with Section 44274) of Chapter 8.9 of Part 5 of
 7 Division 26 of the Health and Safety Code.

8 (b) Upon the order of the Director of Finance, the sum of thirty
 9 million dollars (\$30,000,000) shall be transferred by the
 10 Controller, as a loan from the Vehicle Inspection and Repair Fund
 11 to the Air Quality Improvement Fund. No later than June 30, 2016,
 12 the loan shall be repaid with interest at the rate earned by the
 13 Pooled Money Investment Account at the time of the transfer.

14 SECTION 1. ~~Section 6532.5 is added to the Government Code,~~
 15 ~~to read:~~

1 ~~6532.5.—For the purpose of managing stormwater pollution as~~
2 ~~specified in an approved National Pollutant Discharge Elimination~~
3 ~~System permit issued pursuant to the Federal Water Pollution~~
4 ~~Control Act (33 U.S.C. Sec. 1251 et seq.) and upon the approval~~
5 ~~by a majority of its membership, the City/County Association of~~
6 ~~Governments of San Mateo County, with respect to real property,~~
7 ~~may do any of the following:~~

8 ~~(a) Subject to Section 4 of Article XIII A and to Article XIII C~~
9 ~~of the California Constitution, impose a parcel tax upon that real~~
10 ~~property in accordance with Article 3.5 (commencing with Section~~
11 ~~50075) of Chapter 1 of Part 1 of Division 1 of Title 5.~~

12 ~~(b) Subject to Article XIII D of the California Constitution.~~
13 ~~impose an assessment upon that real property.~~

14 ~~(c) Subject to Section 6 of Article XIII D of the California~~
15 ~~Constitution, impose a property-related fee or charge.~~

16 ~~SEC. 2.—The Legislature finds and declares that a special law~~
17 ~~is necessary and that a general law cannot be made applicable~~
18 ~~within the meaning of Section 16 of Article IV of the California~~
19 ~~Constitution because of the unique responsibilities of the~~
20 ~~City/County Association of Governments of San Mateo County~~
21 ~~with regard to managing stormwater pollution in accordance federal~~
22 ~~law.~~