

AMENDED IN ASSEMBLY MARCH 26, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2050

Introduced by Assembly Member Quirk

February 20, 2014

An act to add and repeal Sections 38561.5 and 38561.7 ~~to~~ of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2050, as amended, Quirk. California Global Warming Solutions Act of 2006: scoping plan: advisory panel.

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The act requires the scoping plan to be updated at least once every 5 years.

This bill, until January 1, 2020, would require the state board to include specified elements when updating the scoping plan. The bill would require the state board, on or before January 1, ~~2019~~ 2020, to submit a report to the appropriate committees of the Legislature on those specified elements of the updated scoping plan.

This bill, until January 1, 2020, would establish the Scoping Plan Advisory Panel, as specified. The bill would require the panel, on or before January 1, 2019, to submit a report to the appropriate committees

of the Legislature evaluating and reporting key findings and recommendations on the update of the scoping plan.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California is responsible for less than 2 percent of the world’s
4 global greenhouse gas emissions and, thus, cannot mitigate the
5 effects of climate change with any meaningful solutions without
6 the participation of key states and nations.

7 (b) It is in the best interest of the state to ensure that the goals
8 to reduce greenhouse gas emissions are flexible and developed
9 with the intent to produce adaptable policies and programs that
10 other states and nations could reasonably adopt.

11 (c) Demonstrating effective climate change policy can increase
12 the likelihood that other states and nations will follow California’s
13 lead, which is necessary for the state to have a significant effect
14 on the global climate change problem.

15 SEC. 2. Section 38561.5 is added to the Health and Safety
16 Code, to read:

17 38561.5. (a) On or before January 1, 2019, for purposes of the
18 update of the scoping plan pursuant to subdivision (h) of Section
19 38561, the state board shall include, but not be limited to, all of
20 the following:

21 (1) A proposal for further reducing greenhouse gas emissions
22 by 2050, including intermediate goals.

23 (2) An evaluation of the emissions-reduction goals proposed
24 pursuant to paragraph (1) based on what technologies can be scaled
25 to the rest of the country and the world that ensure
26 cost-effectiveness and maintain local and systemwide reliability.

27 (3) The establishment of consistent metrics to ~~effectively~~
28 *accurately* quantify greenhouse gas emissions from technologies
29 that are designed to reduce greenhouse gases and retrofits that
30 increase overall efficiency for the purpose of reducing a carbon
31 footprint.

32 (b) (1) On or before January 1, ~~2019~~ 2020, the state board shall
33 submit to the appropriate committees of the Legislature the

1 elements of the update of the scoping plan included pursuant to
2 subdivision (a).

3 (2) A report to be submitted pursuant to this paragraph shall be
4 submitted in compliance with Section 9795 of the Government
5 Code.

6 (c) This section shall remain in effect only until January 1, 2020,
7 and as of that date is repealed, unless a later enacted statute, that
8 is enacted before January 1, 2020, deletes or extends that date.

9 SEC. 3. Section 38561.7 is added to the Health and Safety
10 Code, to read:

11 38561.7. (a) (1) The Scoping Plan Advisory Panel shall be
12 appointed to advise the state board on the update of the scoping
13 plan completed pursuant to Section 38561.5.

14 (2) The members of the panel shall be highly qualified and
15 professionally active or engaged in the economic development of
16 the technologies associated with the reduction and mitigation of
17 greenhouse gas emissions and shall be appointed as follows:

18 (A) Five members shall be appointed by the Secretary for
19 Environmental Protection, all of whom shall be qualified as ____.

20 (B) Two members shall be appointed by the Senate Committee
21 on Rules, both of whom shall be qualified as ____.

22 (C) Two members shall be appointed by the Speaker of the
23 Assembly, both of whom shall be qualified as ____.

24 (D) Members of the panel shall be appointed from a pool of
25 nominees submitted to each appointing body by the President of
26 the University of California. The pool shall include, at a minimum,
27 three nominees for each discipline represented on the panel.

28 (3) (A) On or before January 1, 2019, the panel shall evaluate
29 and report key findings and recommendations to the appropriate
30 committees of the Legislature on the update of the scoping plan
31 completed pursuant to Section 38561.5 and subdivision (h) of
32 Section 38561, including, but not limited to, both of the following:

33 (i) Any continuation, modification, or suspension of any program
34 reasoned to be appropriate.

35 (ii) An economic assessment that includes, but is not limited
36 to, a marginal cost curve analysis of each program contained in
37 the scoping plan to provide an assessment of cost-effectiveness.

38 (B) A report to be submitted pursuant to this paragraph shall be
39 submitted in compliance with Section 9795 of the Government
40 Code.

- 1 (4) The panel may utilize special consultants or establish ad hoc
2 committees, which may include other scientists, to assist the panel
3 in performing its functions.
- 4 (5) Any ad hoc committees or hearings conducted pursuant to
5 paragraph (4) shall be held at the Sacramento headquarters of the
6 California Environmental Protection Agency.
- 7 (6) Members of the panel, and any ad hoc committee established
8 by the panel, shall submit annually a financial disclosure statement
9 that includes a listing of income received within the preceding
10 three years, including investments, grants, and consulting fees
11 derived from individuals or businesses that might be affected by
12 regulatory actions undertaken by the state board pursuant to this
13 division. The financial disclosure statements submitted pursuant
14 to this subdivision are public information. Members of the panel
15 shall be subject to the disqualification requirements of Section
16 87100 of the Government Code.
- 17 (7) Members of the panel shall receive one hundred dollars
18 (\$100) per day for attending panel meetings and meetings of the
19 state board, or upon authorization of the chair of the state board
20 while on official business of the panel, and shall be reimbursed
21 for actual and necessary travel expenses incurred in the
22 performance of their duties.
- 23 (8) The panel shall receive sufficient resources, including, but
24 not limited to, technical, administrative, and clerical support.
- 25 (b) This section shall remain in effect only until January 1, 2020,
26 and as of that date is repealed, unless a later enacted statute, that
27 is enacted before January 1, 2020, deletes or extends that date.