

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2677**

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**Introduced by Assembly Member Rodriguez**

February 21, 2014

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An act to ~~amend Section 8670.46 of the Government Code~~ *add Section 7719 to the Public Utilities Code*, relating to oil spills.

LEGISLATIVE COUNSEL'S DIGEST

AB 2677, as amended, Rodriguez. ~~Oil Spill Response Trust Fund.~~  
*Oil spill: contingency plan: railroad.*

*Existing law requires the California Environmental Protection Agency, in consultation with specified entities, to develop a state railroad accident prevention and immediate deployment plan containing a comprehensive set of policies and directions to minimize the potential damage to the public health and safety, property, and the environment that might result from accidents involving railroad activities in the state.*

*This bill would require the agency, on or before January 1, 2017, and in consultation with specified entities, to develop and submit to the Governor and the Legislature a report containing recommendations for a comprehensive and coordinated oil spill contingency plan designed to address inland oil spills resulting from the transportation of crude oil by railroad.*

~~The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any~~

coordinated response efforts with the federal government. Existing law establishes the Oil Spill Response Trust Fund in the State Treasury. Moneys in the fund are continuously appropriated to the administrator generally for the purposes of covering costs of response, containment, and cleanup of oil spills into marine waters.

This bill would prohibit the use of moneys in the fund for any purpose other than the oil spill response and cleanup activities authorized by the administrator pursuant to these provisions.

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. Section 7719 is added to the Public Utilities Code,  
2 to read:

3 7719. (a) (1) On or before January 1, 2017, the California  
4 Environmental Protection Agency, in consultation with the State  
5 Fire Marshal, interested stakeholders, relevant local agencies,  
6 and all of the entities listed in paragraphs (1) to (16), inclusive,  
7 of subdivision (a) of Section 7718, shall develop and submit to the  
8 Governor and the Legislature a report containing  
9 recommendations for a comprehensive and coordinated oil spill  
10 contingency plan designed to address inland oil spills resulting  
11 from the transportation of crude oil by railroad.

12 (2) The report submitted to the Legislature pursuant to  
13 paragraph (1) shall be submitted in compliance with Section 9795  
14 of the Government Code.

15 (b) In developing the report, the Secretary for Environmental  
16 Protection shall consider which state or local agencies are best  
17 suited to serve as the primary responder for inland oil spill  
18 response.

19 SECTION 1. Section 8670.46 of the Government Code is  
20 amended to read:

21 8670.46. (a) The Oil Spill Response Trust Fund is hereby  
22 created in the State Treasury. Notwithstanding Section 13340, the  
23 money in the fund is continuously appropriated to the administrator  
24 for expenditure, without regard to fiscal years, for the purposes of  
25 this article.

26 (b) No loan, expenditure, or other use of moneys in the fund  
27 shall be made for any purpose other than the oil spill response and

- 1 clean up activities authorized by the administrator pursuant to this
- 2 article:
- 3 (e) ~~For the purposes of this article, “fund” refers to the Oil Spill~~
- 4 ~~Response Trust Fund.~~

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