

AMENDED IN ASSEMBLY AUGUST 15, 2016

AMENDED IN ASSEMBLY AUGUST 2, 2016

AMENDED IN ASSEMBLY JUNE 20, 2016

AMENDED IN ASSEMBLY AUGUST 26, 2015

SENATE BILL

No. 20

Introduced by Senator Pavley

December 1, 2014

An act to add Article 7 (commencing with Section 43890) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 20, as amended, Pavley. Low Carbon Fuels Council.

Existing law establishes the California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007, which includes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, and the Air Quality Improvement Program, administered by the State Air Resources Board. Existing law requires the emphasis of the Alternative and Renewable Fuel and Vehicle Technology Program to be to develop and deploy technology and alternative and renewable fuels in the marketplace, without adopting any one preferred fuel or technology. Existing law requires the primary purpose of the Air Quality Improvement Program to be the funding of projects to reduce criteria air pollutants, to improve air quality, and to fund research to determine and improve the air quality impacts of alternative transportation fuels and vehicles, vessels, and equipment technologies.

This bill would create the Low Carbon Fuels Council, as specified, which, among other things, would coordinate state agencies’ activities that are related to the acceleration and development of the instate production of low carbon fuels and very low carbon transportation fuels.

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. Article 7 (commencing with Section 43890) is
2 added to Chapter 4 of Part 5 of Division 26 of the Health and Safety
3 Code, to read:

4
5 Article 7. Low Carbon Fuels Council
6

7 43890. For purposes of this article:

8 (a) “Council” means the Low Carbon Fuels Council, established
9 pursuant to Section 43892.

10 (b) “Low carbon fuel” means a transportation fuel that will
11 contribute to the reduction in *the* carbon intensity of ~~California~~
12 *California’s* transportation fuels and to the achievement of the
13 state’s greenhouse gas *emissions* reduction goals.

14 (c) “Very low carbon transportation fuel” has the same meaning
15 as defined in Section 43870.

16 43892. (a) The Low Carbon Fuels Council is hereby
17 established.

18 (b) (1) The council shall consist of six members as follows:

19 (A) Chair of the state ~~board~~: *board or his or her designee.*

20 (B) Chair of the State Energy Resources Conservation and
21 Development ~~Commission~~: *Commission or his or her designee.*

22 (C) Director of the Governor’s Office of Business and Economic
23 Development: *Development or his or her designee.*

24 (D) One member appointed by the Senate Committee on Rules.

25 (E) One member appointed by the Speaker of the Assembly.

26 (F) One member appointed by the Governor, with the advice
27 and consent of the Senate.

28 (2) The members appointed pursuant to subparagraphs (D) and
29 (E) of paragraph (1) shall have a scientific, economic, or industry
30 professional background *with expertise in the—production*

1 *production, financing, distribution, or market development* of low
2 carbon fuels and very low carbon transportation fuels.

3 (3) The member appointed pursuant to subparagraph (F) of
4 paragraph (1) shall be a representative of a bona fide nonprofit
5 environmental justice organization that advocates for clean air and
6 pollution reductions.

7 (4) The members appointed pursuant to subparagraphs (D) to
8 (F), inclusive, of paragraph (1) shall serve for a term of four years
9 and may be reappointed.

10 (c) *The Chair of the State Energy Resources Conservation and*
11 *Development Commission or his or her designee shall serve as*
12 *chair of the council and shall provide all staff support required*
13 *by the council.*

14 (e)

15 (d) Except as provided in this subdivision, members of the
16 council shall serve without compensation. A member *appointed*
17 *pursuant to subparagraphs (D) to (F), inclusive, of paragraph (1)*
18 *of subdivision (b)* shall be reimbursed for actual and necessary
19 expenses incurred in the performance of his or her duties and shall
20 be compensated one hundred dollars (\$100) for each day during
21 which the member is engaged in the performance of his or her
22 official duties related to the council.

23 43894. (a) The council's meetings shall be open to the public
24 and comply with the Bagley-Keene Open Meeting Act (Article 9
25 commencing with Section 11120) of Chapter 1 of Part 1 of
26 Division 3 of Title 2 of the Government Code).

27 (b) *The council shall meet as frequently as the chair of the*
28 *council deems necessary, but not more than four times a year.*

29 43896. (a) The council shall do all of the following:

30 (1) Coordinate state agencies' activities that are related to the
31 acceleration and development of the instate production of low
32 carbon fuels and very low carbon transportation fuels.

33 (2) Identify and evaluate any gaps in existing programs, policies,
34 or activities that may impede the instate construction of new, or
35 the expansion of existing, low carbon fuel production facilities or
36 very low carbon transportation fuel production facilities.

37 (3) Make recommendations to the Legislature for changes in
38 the law needed to achieve the goals of this subdivision.

- 1 (b) The council may sponsor conferences, symposia, and other
- 2 public forums to seek a broad range of public advice.

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