

AMENDED IN SENATE APRIL 14, 2015

SENATE BILL

No. 506

Introduced by Senator Fuller

February 26, 2015

~~An act to amend Section 38561 of the Health and Safety Code, relating to greenhouse gases. An act to add Chapter 4.5 (commencing with Section 13999) and Chapter 5 (commencing with Section 13999.20) to Part 4.7 of Division 3 of Title 2 of, and to add Article 6 (commencing with Section 65053.5) to Chapter 1.5 of Division 1 of Title 7 of, the Government Code, relating to economic development.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 506, as amended, Fuller. ~~California Global Warming Solutions Act of 2006: scoping plan. Economic development: military and aerospace.~~

Existing law establishes the Governor's Office of Business and Economic Development, which is administered by a director appointed by the Governor. The office serves the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law, the Military Base Reuse Authority Act, authorizes the creation of a military base reuse authority to plan, finance, and manage the transition of a military base from military to civilian use, as specified.

This bill would establish the Military and Aerospace Program in the Governor's Office of Business and Economic Development, and set forth the program's duties and authority with respect to state and local defense retention, conversion, and base reuse activities, including developing and recommending to the Governor and the Legislature a

strategic plan for state and local defense retention and conversion efforts. The bill would authorize the office to establish a Military Advisory Council with a specified membership to provide input, information, technical advice, or other comments to the program on military related matters. This bill also would authorize the office to apply for grants and seek private funds for the operations of the office. The bill would establish the Military and Aerospace Account in the Special Deposit Fund in the State Treasury and require that any private funds the office accepts be deposited into that account. The bill would authorize the office to expend moneys in the account, upon appropriation by the Legislature, for specified purposes of the office.

The bill would require the Governor's Office of Business and Economic Development to implement a space enterprise development program to foster activities that increase the competitiveness of space enterprise in California. The bill would authorize the director of the office to select a California nonprofit corporation to assist the office in its administration of space enterprise economic development activities, and would authorize the corporation to perform specified activities, including developing and implementing a state strategy for applying and commercializing technology to create jobs, respond to industry changes, and foster innovation and competitiveness in space enterprise. The bill would also establish the California Space Enterprise Competitive Grant Program within the office to provide funding, upon appropriation by the Legislature, for the development of space enterprise in California.

Existing law creates the Office of Planning and Research in the Governor's office to provide the Governor and his or her cabinet with long-range, land use planning and research and to serve as the comprehensive state planning agency.

This bill would require a local retention authority to be recognized for each active military installation, as defined, in the state, and would require the office to maintain a list of retention authorities or their successors, including, but not limited to, separate airport or port authorities recognized as the local retention authority for military installations.

~~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 also 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 state board, in developing the scoping plan, to take into account the relative contribution of each source or source category to statewide greenhouse gas emissions and the potential for adverse effects on small businesses.~~

~~This bill would additionally require the state board, in developing the scoping plan, to take into account the environmental benefits of renewable electrical generation facilities.~~

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. Chapter 4.5 (commencing with Section 13999)
2 is added to Part 4.7 of Division 3 of Title 2 of the Government
3 Code, to read:

4

5 CHAPTER 4.5. MILITARY AND AEROSPACE SUPPORT

6

7 13999. This chapter shall be known and may be cited as the
8 Military and Aerospace Support Act.

9 13999.1. The Legislature finds and declares all of the
10 following:

11 (a) There is potential for federal action to close or realign
12 additional military installations nationwide through the base
13 closure process, budget reductions, or internal United States
14 Department of Defense reorganizations.

15 (b) There is synergy between the aerospace industry and
16 Department of Defense activities in the state. Prior base closure
17 rounds have resulted in significant downsizing and loss of jobs in
18 the aerospace industry in California.

19 (c) There is potential growth in the aerospace industry, not only
20 in national defense applications, but in commercial and private
21 enterprises such as unmanned aerial vehicles, commercial space
22 flight, and commercial space launch vehicles and services.

23 13999.2. (a) In an effort to be proactive in retaining and
24 expanding these military facilities, the aerospace industry, and
25 the jobs and intellectual capital associated with them, the Military

1 *and Aerospace Program is hereby created in the Governor's Office*
2 *of Business and Economic Development.*

3 *(b) The purpose of the program consists of both of the following:*

4 *(1) Providing a central clearinghouse for all defense retention,*
5 *conversion, and base reuse activities in the state and interacting*
6 *and communicating with military installations in the state.*

7 *(2) Retaining and encouraging growth in the aerospace and*
8 *space flight industries through technical and regulatory advice,*
9 *grants as provided in Section 13999.22, and other programs*
10 *administered by the office or other state agencies.*

11 *(c) The office may organize and provide staffing for the*
12 *program, as necessary, to perform the duties in this chapter, and*
13 *may contract with other state or private agencies, nonprofit*
14 *corporations, universities, firms, or individuals to fulfill any of its*
15 *duties under this chapter.*

16 *(d) For purposes of this chapter, "office" means the Governor's*
17 *Office of Business and Economic Development.*

18 *13999.3. (a) The office may establish a Military Advisory*
19 *Council to provide input, information, technical advice, or other*
20 *comments to the program on military related matters, including,*
21 *but not limited to, active Department of Defense installations in*
22 *California and defense conversion issues. Participation by council*
23 *members is voluntary and there is no reimbursement for per diem*
24 *or expenses.*

25 *(b) The council may include, but is not limited to, representatives*
26 *from any legislative office, state agency, local government,*
27 *industry, and civic or research organizations that may have an*
28 *interest in defense related activities.*

29 *13999.4. The program shall do all of the following:*

30 *(a) Develop and recommend to the Governor and the Legislature*
31 *a strategic plan for state and local defense retention and*
32 *conversion efforts. The plan shall address the state's role in*
33 *assisting communities with potential base closures and those*
34 *impacted by previous closures. The office may coordinate with*
35 *other state agencies, local groups, and interested organizations*
36 *on this strategic plan to retain current Department of Defense*
37 *installations, facilities, bases, and related civilian activities.*

38 *(b) Conduct outreach to entities and parties involved in defense*
39 *retention and conversion across the state and provide a network*

1 *to facilitate assistance and coordination for all defense retention*
2 *and conversion activities within the state.*

3 *(c) Help develop and coordinate state retention advocacy efforts*
4 *on the federal level.*

5 *(d) (1) Conduct an evaluation of existing state retention and*
6 *conversion programs and provide the Legislature with*
7 *recommendations on the continuation of existing programs,*
8 *including, but not limited to, the possible elimination or alteration*
9 *of those programs and provide recommendations to the Legislature*
10 *on the necessity of new programs for defense retention and*
11 *adequate funding levels. This evaluation and resulting*
12 *recommendations shall be transmitted to each house of the*
13 *Legislature in accordance with Section 9795. This requirement to*
14 *submit an evaluation and recommendations is inoperative on*
15 *January 1, 2020, pursuant to Section 10231.5.*

16 *(e) Update the plan prepared by the Defense Conversion Council*
17 *as it existed on December 31, 1998, and any subsequent state*
18 *agency reports, with the goal to minimize California's loss of bases*
19 *and jobs in future rounds of base closures. This plan shall include,*
20 *but not be limited to, all of the following:*

21 *(1) Identify of major installations in California.*

22 *(2) Determine of how best to defend existing bases and base*
23 *employment in this state.*

24 *(3) Coordinate of retention activities with communities that may*
25 *face base closures.*

26 *(4) Develop of data and analyses on bases in this state.*

27 *(5) Coordinate with the state congressional delegation, the*
28 *Legislature, and the Governor. With the consent of the appropriate*
29 *authority, the office may temporarily borrow technical, policy,*
30 *and administrative staff from other state agencies, including the*
31 *Legislature.*

32 *(f) Serve as the primary state liaison with the Department of*
33 *Defense and its installations in this state. In order to maximize the*
34 *mission use of the installations, the program shall assist in*
35 *resolving any disputes or issues between the Department of Defense*
36 *and state entities.*

37 *(g) Review actions or programs by state agencies that may affect*
38 *or impact Department of Defense installations or the state's*
39 *military base retention and reuse activities, and recommend to the*

1 Governor and the Legislature actions that may be taken to resolve
2 or prevent similar problems in the future.

3 (h) If funds and resources are available, the office may
4 undertake all of the following activities:

5 (1) Provide a central clearinghouse for all base retention or
6 conversion assistance activities, including, but not limited to,
7 employee training programs and regulation review and permit
8 streamlining.

9 (2) Provide technical assistance to communities with potential
10 or existing base closure activities.

11 (3) Provide a central clearinghouse for all defense retention
12 and conversion funding, regulations, and application procedures
13 for federal or state grants.

14 (4) Serve as a central clearinghouse for input and information,
15 including needs, issues, and recommendations from businesses,
16 industry representatives, labor, local government, and communities
17 relative to retention and conversion efforts.

18 (5) Identify available state and federal resources to assist
19 businesses, workers, communities, and educational institutions
20 that may have a stake in retention and conversion activities.

21 (6) Provide one-stop coordination, maintain and disseminate
22 information, standardize state endorsement procedures, and
23 develop fast-track review procedures for proposals seeking state
24 funds to match funding from federal defense conversion programs.

25 (7) Maintain and establish databases in fields such as
26 defense-related companies, industry organization proposals for
27 the state and federal defense industry, community assistance,
28 training, and base retention, and provide electronic access to the
29 databases.

30 13999.5. (a) The office may apply for grants and seek
31 contributions from private industry to fund its operations.

32 (b) The office may actively solicit and accept funds from
33 industry, foundations, or other sources to support its operations
34 and responsibilities under this chapter.

35 (c) Any private funds the office accepts shall be deposited into
36 the Military and Aerospace Account, which is hereby established
37 in the Special Deposit Fund in the State Treasury. The office may
38 expend moneys in the account, upon appropriation by the
39 Legislature in the annual Budget Act, for the purposes of this
40 chapter and for no other purpose. Records of funds received and

1 expenditures made pursuant to this section shall be subject to
2 public disclosure. A report describing the receipt and expenditure
3 of these funds shall be submitted to the Department of Finance,
4 the Assembly Committee on Budget, and the Senate Committee on
5 Budget and Fiscal Review at least biennially.

6 13999.6. The office shall establish a military support grant
7 program to grant funds to communities with Department of Defense
8 installations to assist them in developing a retention strategy. The
9 office may use grant criteria similar to those in any predecessor
10 grant criteria established pursuant to former Section 13998.8 or
11 existing defense conversion grant programs as a basis for
12 developing the grant program. To discourage multiple grant
13 applications for individual defense installations in a region, the
14 criteria shall be drafted to encourage a single application for grant
15 funds to develop, where appropriate, a single, regional defense
16 retention strategy. The structure, requirements, administration,
17 and funding procedures of the grant program shall be submitted
18 to the Legislature for review at least 90 days prior to making the
19 first grant disbursement. The office may make no grant award
20 without the local community providing at least 50 percent or more
21 in matching funds or in-kind services, with at least 50 percent of
22 that match being in the form of funding.

23 13999.7. The office shall adopt necessary regulations to
24 implement the programs authorized in this chapter. The office
25 shall adopt these regulations as emergency regulations in
26 accordance with Chapter 3.5 (commencing with Section 11340)
27 of Part 1, and for purposes of that chapter, including Section
28 11349.6, the adoption of the regulations shall be considered by
29 the Office of Administrative Law to be necessary for the immediate
30 preservation of the public peace, health and safety, and general
31 welfare. Notwithstanding subdivision (e) of Section 11346.1, the
32 regulations shall be repealed within 180 days after their effective
33 date, unless the office complies with Chapter 3.5 (commencing
34 with Section 11340) of Part 1 as provided in subdivision (e) of
35 Section 11346.1.

36 SEC. 2. Chapter 5 (commencing with Section 13999.20) is
37 added to Part 4.7 of Division 3 of Title 2 of the Government Code,
38 to read:

1
2 *CHAPTER 5. SPACE ENTERPRISE DEVELOPMENT ACT*
3

4 13999.20. *This chapter shall be known and may be cited as*
5 *the Space Enterprise Development Act.*

6 13999.21. *For purposes of this act, the following terms have*
7 *the following meanings:*

8 (a) *“Authority” means the California Spaceport Authority.*

9 (b) *“Date of designation” means the date that the spaceport*
10 *receives designation by the authority pursuant to Section 13999.23.*

11 (c) *“Director” means the Director of the Governor’s Office of*
12 *Business and Economic Development.*

13 (d) *“Governing body” means the governing body of a city,*
14 *county, city and county, special district, or joint powers authority.*

15 (e) *“Launch” means to place, or attempt to place, a launch*
16 *vehicle into a ballistic, suborbital, or orbital trajectory, into Earth*
17 *orbit in outer space, or otherwise into outer space, and also is a*
18 *means of placing a commercial, civil, or military payload into*
19 *Earth orbit or beyond, including all activities involved in the*
20 *preparation of a launch vehicle for flight, including all processing,*
21 *servicing, and support activities that take place at a launch site*
22 *or at a California mission control support site for ocean launches.*

23 *A “launch” begins with the arrival of the launch vehicle or payload*
24 *at the launch site.*

25 (f) *“Launch site” means a location from which a space launch*
26 *or operation directly associated with a space launch takes place,*
27 *a location at which a launch vehicle or its payload, if any, is*
28 *intended to land, or as defined in the Commercial Space Launch*
29 *Act (51 U.S.C. Sec. 50901 et seq.). The site includes any*
30 *right-of-way directly associated with the space launch or reentry*
31 *operations and all facilities and support infrastructure related to*
32 *launch, reentry, or payload processing.*

33 (g) *“Launch vehicle” means a vehicle specifically designed and*
34 *built to operate in or place a payload in the upper atmosphere or*
35 *outer space. “Launch vehicles” include, but are not limited to,*
36 *expendable space launch vehicles and reusable launch vehicles.*

37 (h) *“Office” means the Governor’s Office of Business and*
38 *Economic Development.*

1 (i) “Operation of a launch site” means the conduct of approved
2 safety operations at a launch site to support the launching of
3 vehicles and payloads.

4 (j) “Operation of a reentry site” means the conduct of safety
5 operations at a fixed site on Earth at which a reentry vehicle and
6 its payload, if any, is intended to land.

7 (k) “Payload” means an object, including, but not limited to,
8 a satellite that a licensed launch site undertakes to place into outer
9 space by means of a launch vehicle, including components of the
10 vehicle specifically designed or adopted to support that activity.

11 (l) “Person” means any individual and any corporation,
12 partnership, joint venture, association, or other entity organized
13 or existing under the laws of any state or nation.

14 (m) “Reentry” means the return of any launch vehicle that has
15 been placed in a ballistic, suborbital, or orbital trajectory, and its
16 payload, if any, to the Earth. “Reentry” includes all activities
17 involved in the postflight ground operations. A “reentry” ends
18 when a launch vehicle or payload, if any, has completed its descent
19 to Earth and is retrieved.

20 (n) “Reentry site” means the location on Earth at which a
21 reentry is intended to occur, as defined in a license issued or
22 transferred by the United States Secretary of Transportation, and
23 any necessary support infrastructure related to reentry or payload
24 recovery.

25 (o) “Reusable launch vehicle” means a vehicle that is designed
26 to launch into an orbital or suborbital trajectory, into Earth orbit
27 in outer space, or otherwise into outer space, that returns to Earth
28 and is reused for a subsequent future launch.

29 (p) “Spaceport” means an entity that has been designated
30 pursuant to Section 13999.23.

31 13999.22. (a) Subject to the availability of funds appropriated
32 for that purpose, the Governor’s Office of Business and Economic
33 Development shall implement a space enterprise development
34 program to foster activities that increase the competitiveness of
35 space enterprise in California, including, but not limited to, the
36 commercial use of space, space vehicle launches, space launch
37 infrastructure, manufacturing, applied research, technology
38 development, economic diversification, and business development.

39 (b) The office may contract with other state or private agencies,
40 nonprofit corporations, universities, firms, or individuals for the

1 *performance of technical or specialized work, or for services*
2 *related to space enterprise development programs authorized by*
3 *this chapter.*

4 *(c) The director may select a California nonprofit corporation*
5 *to assist the office in its administration of space enterprise*
6 *economic development activities through programs, projects,*
7 *grants, partnerships, networks, and collaboration. The corporation*
8 *shall be selected through a solicitation process established by the*
9 *office. The solicitation process shall include criteria for selection*
10 *of the corporation, which shall include, but not be limited to,*
11 *demonstrated experience in space enterprise and the ability to*
12 *perform space enterprise development activities described in*
13 *subdivision (d).*

14 *(d) The corporation may perform one or more of the following*
15 *activities, as determined contractually between the office and the*
16 *corporation:*

17 *(1) Serve as the California Spaceport Authority with*
18 *responsibilities specified in Section 13999.23.*

19 *(2) Pursue grants from the federal government or from private*
20 *businesses, foundations, or individuals, for California space*
21 *enterprise activities, including, but not limited to, studies, services,*
22 *infrastructure improvements and modernization, and defense*
23 *transition programs, to the extent permitted by law.*

24 *(3) Identify science and technology trends that are significant*
25 *to space enterprise and the state and act as a clearinghouse for*
26 *space enterprise issues and information.*

27 *(4) Develop and implement a state strategy for applying and*
28 *commercializing technology to create jobs, respond to industry*
29 *changes, and foster innovation and competitiveness in space*
30 *enterprise.*

31 *(5) Provide information to the director relevant to changes in*
32 *federal, state, and local statutes and regulations that will enhance*
33 *the development of space enterprise in California.*

34 *(6) Provide information to the office regarding the development*
35 *of laws, regulations, decisions, or determinations affecting the*
36 *economic and employment impacts of space enterprise in*
37 *California.*

38 *(7) Provide recommendations to the director for appropriate*
39 *state funding mechanisms and amounts to promote development*

1 of space enterprise in California, including education and
2 workforce development.

3 (8) Provide recommendations to the director in the form of
4 strategic planning documents.

5 (9) Review applications for, and promote, the California Space
6 Enterprise Competitive Grant Program established by Section
7 13999.24.

8 (e) (1) The office and the corporation shall enter into an annual
9 contract specifying the activities to be performed by the
10 corporation.

11 (2) Pursuant to the contract, the corporation shall submit to
12 the office quarterly reports of its activities and finances. The
13 quarterly reports shall be of sufficient detail for the office to
14 determine whether the corporation is in compliance with the annual
15 contract between the office and the corporation.

16 (3) The annual contract shall include conflict of interest
17 requirements developed by the office.

18 (4) Failure of the corporation to comply with the conditions in
19 the annual contract, as evidenced in the quarterly reports and any
20 supplemental monitoring of the corporation by the office, shall
21 result in the cancellation of the annual contract and deselection
22 of the corporation. Upon the deselection of the corporation, the
23 office shall utilize the solicitation process set forth in subdivision
24 (c) to select a replacement corporation.

25 13999.23. (a) The California Spaceport Authority shall
26 designate spaceports for the operation of launch sites or reentry
27 sites.

28 (b) Any city, county, city and county, special district, joint
29 powers authority, or private entity, as appropriate, may apply to
30 the authority for designation as a spaceport.

31 (c) (1) The application described in subdivision (b) shall require
32 at least the following information to be submitted to the authority:

33 (A) A written notice of intent to apply for a federal launch site
34 operator's license from the United States Secretary of
35 Transportation under the authority of the Commercial Space
36 Launch Act (51 U.S.C. Sec. 50901 et seq.), to be received by the
37 authority no later than 60 days prior to the submission of the
38 application to the United States Secretary of Transportation.

1 (B) A copy of the perfected application submitted to the United
2 States Secretary of Transportation for a federal launch site
3 operator's license.

4 (C) A written notice of acceptance or denial by the United States
5 Secretary of Transportation for a federal launch site operator's
6 license. If acceptance is granted, a copy of the license shall be
7 included in the written notice.

8 (2) This subdivision shall not apply to any launch site operator
9 who is federally licensed on or before January 1, 2005.

10 (d) An entity located in California that has a federal launch site
11 operator's license from the United States Secretary of
12 Transportation under the authority of the Commercial Space
13 Launch Act (49 U.S.C. Sec. 7101 et seq.), shall receive a spaceport
14 designation under this section as long as they maintain their federal
15 designation and provide proof of their extension to the authority
16 upon request.

17 (e) The authority shall withdraw spaceport designation upon
18 receipt of notice from the Federal Aviation Administration that
19 the launch site operator of the spaceport no longer meets safety
20 requirements or that safety deficiencies in the spaceport have
21 remained uncorrected for a reasonable period of time after being
22 identified.

23 13999.24. (a) The California Space Enterprise Competitive
24 Grant Program is hereby established within the Governor's Office
25 of Business and Economic Development to provide funding, upon
26 appropriation by the Legislature, for the development of space
27 enterprise in California. For purposes of this section, space
28 enterprise activities include, but are not limited to, the commercial
29 use of space, space vehicle launches, space launch infrastructure,
30 manufacturing, applied research, technology development,
31 economic diversification, and business development. Entities
32 conducting activities in California intended to improve the
33 competitiveness of space enterprise in California, including public,
34 private, educational, commercial, nonprofit, or for-profit entities,
35 may apply for grants.

36 (b) (1) If program funding is appropriated by the Legislature,
37 the office, or the corporation selected pursuant to subdivision (c)
38 of Section 13999.22, shall, at least annually, issue solicitations.
39 A solicitation shall not be issued without the prior review and
40 approval by the office. If the corporation has not issued a

1 *solicitation within 180 days of the appropriation of funds, the office*
2 *shall issue the solicitation.*

3 *(2) Solicitations developed by the corporation shall include*
4 *minimum eligibility and requirements. Additional requirements*
5 *may be added to each year's grant solicitation. The solicitation*
6 *shall address at least all of the following:*

7 *(A) Jobs created and retained by the implementation of the*
8 *project.*

9 *(B) Cost sharing by other project participants, which should*
10 *include at least one of the following:*

11 *(i) A private sector company or companies.*

12 *(ii) One or more foundations, industry associations, or nonprofit*
13 *cooperative associations, or any combination thereof.*

14 *(iii) In-kind support, which may include staff and facilities.*

15 *(iv) Federal or local government funding.*

16 *(C) A condition that grant funds will not be used to supplant*
17 *other project funds.*

18 *(D) A demonstration that a majority of the project will be*
19 *undertaken in California.*

20 *(E) An agreement among all project participants as to*
21 *intellectual property rights relative to the project.*

22 *(F) The potential impact on the state's economy.*

23 *(G) The cost-effectiveness of the project.*

24 *(H) The importance of state funding for the viability of the*
25 *project.*

26 *(I) A demonstration of technical feasibility and an assessment*
27 *of programmatic risk.*

28 *(c) In evaluating grant proposals, the corporation shall establish*
29 *an impartial review panel composed of technical and scientific*
30 *experts and government representatives to review grant*
31 *applications. The panel shall be composed of members from*
32 *throughout the state who are knowledgeable about activities related*
33 *to space enterprise. No more than 30 percent of the panel members*
34 *shall be government representatives, and all other members shall*
35 *either be actively involved in, or be technical and scientific experts*
36 *in activities related to, space enterprise. No more than 30 percent*
37 *of the panel members shall be members of, or on the board of*
38 *directors of, the corporation.*

39 *(d) (1) The review panel shall review all applications received*
40 *by the deadline specified in the solicitation in order to determine*

1 *the applications that are complete and that meet the criteria set*
2 *forth in the solicitation. The review panel may rely on experts who*
3 *are not part of the panel in order to determine compliance with*
4 *one or more criteria.*

5 *(2) All applications meeting the criteria set forth in paragraph*
6 *(1) shall be submitted to the office.*

7 *(3) The office may remove one or more applications from those*
8 *submitted by the review panel upon a determination that the*
9 *application did not meet the criteria set forth in paragraph (1).*
10 *The office shall rank the grant applications received from the*
11 *review panel, minus any applications removed by the office because*
12 *of failure to meet the criteria. The ranking shall be based upon*
13 *criteria stated in the solicitation. The ranking shall include*
14 *recommendations as to the amount of state funding for each grant*
15 *application.*

16 *(e) The director shall award program grants based upon the*
17 *criteria stated in the solicitation.*

18 *(f) The funding determination shall be transmitted to the*
19 *Governor and the chairpersons of the Senate and Assembly fiscal*
20 *committees and shall be subject to the availability of funds*
21 *appropriated for that purpose.*

22 *(g) The solicitation process set forth in this section shall not be*
23 *subject to Chapter 3.5 (commencing with Section 11340) of Part*
24 *1.*

25 *(h) The Legislature hereby finds and declares that the granting*
26 *of funds to private entities serves a public purpose by assisting an*
27 *industry vital to the health and welfare of the State of California.*

28 *13999.25. The office shall adopt necessary regulations to*
29 *implement the programs authorized in this chapter. The office*
30 *shall adopt these regulations as emergency regulations in*
31 *accordance with Chapter 3.5 (commencing with Section 11340)*
32 *of Part 1, and for purposes of that chapter, including Section*
33 *11349.6, the adoption of the regulations shall be considered by*
34 *the Office of Administrative Law to be necessary for the immediate*
35 *preservation of the public peace, health and safety, and general*
36 *welfare. Notwithstanding subdivision (e) of Section 11346.1, the*
37 *regulations shall be repealed within 180 days after their effective*
38 *date, unless the office complies with Chapter 3.5 (commencing*
39 *with Section 11340) of Part 1 as provided in subdivision (e) of*
40 *Section 11346.1.*

1 *SEC. 3. Article 6 (commencing with Section 65053.5) is added*
2 *to Chapter 1.5 of Division 1 of Title 7 of the Government Code,*
3 *to read:*

4
5 *Article 6. Single Local Retention Entities*
6

7 65053.5. (a) *As used in this article, the following terms have*
8 *the following meaning:*

9 (1) *“Military installation” means a base, camp, post, station,*
10 *yard, center, homeport facility for any ship, or other facility under*
11 *the jurisdiction of the United States Department of Defense, as*
12 *defined in paragraph (1) of subsection (g) of Section 2687 of Title*
13 *10 of the United States Code.*

14 (2) *“Affected local government” means any county or city*
15 *identified as located wholly or partly within the boundaries of a*
16 *military installation or as having a sphere of influence over any*
17 *portion of the installation with responsibility for local zoning and*
18 *planning decisions.*

19 (b) *The Legislature hereby finds and declares all of the*
20 *following:*

21 (1) *Because of the tremendous economic impact that military*
22 *installations have on the state, it is in the best interest of the state*
23 *to facilitate their retention.*

24 (2) *It is the intent of the Legislature to encourage cooperation*
25 *among affected local governments in their efforts to retain military*
26 *installations in this state by authorizing the creation of a joint*
27 *powers authority pursuant to this section.*

28 (3) *The Legislature also encourages affected local governments*
29 *to engage other community-based organizations in their retention*
30 *activities.*

31 (c) *For the purposes of this article, a local retention authority*
32 *shall be recognized for each active military installation in this*
33 *state.*

34 (d) *A list of retention authorities or their successors, including,*
35 *but not limited to, separate airport or port authorities recognized*
36 *as the local retention authority for the military installations, shall*
37 *be maintained by the Office of Planning and Research. If multiple*
38 *affected local governments are identified for a military installation*
39 *as described in paragraph (2) of subdivision (a), those affected*
40 *counties and cities may, by resolution, designate an existing joint*

1 powers authority or establish a joint powers authority for the
 2 purposes of this article pursuant to Chapter 5 (commencing with
 3 Section 6500) of Division 7 of Title 1.

4 (e) (1) The state shall recognize a local retention authority for
 5 each active military installation if resolutions acknowledging the
 6 authority as the local retention authority are adopted by all boards
 7 of supervisors and city councils for counties and cities identified
 8 as affected local governments as described in paragraph (2) of
 9 subdivision (a) and are forwarded to the Office of Planning and
 10 Research on or before October 1, 2016.

11 (2) If prior to January 1, 2004, a local government was awarded
 12 grant moneys pursuant to any predecessor to former Section
 13 13998.8 or former Section 65053.5 for a specific military
 14 installation and still qualifies as an affected local government as
 15 described in paragraph (2) of subdivision (a), the recipient local
 16 government shall be recognized by the state as the local retention
 17 authority unless resolutions acknowledging a different authority
 18 are adopted by all county boards of supervisors and city councils
 19 for counties and cities identified as affected local governments
 20 described in paragraph (2) of subdivision (a), and are forwarded
 21 to the Office of Planning and Research.

22 (f) If the necessary resolutions are not adopted and forwarded
 23 before October 1, 2016, the Office of Planning and Research, in
 24 consultation with Governor's Office of Business and Economic
 25 Development, shall recognize a local retention authority for each
 26 military installation.

27 65053.6. The local retention authority shall be recognized by
 28 all state agencies as the local retention planning authority for the
 29 military installation. The state shall encourage the federal
 30 government and other local jurisdictions to recognize similarly
 31 the authorities designated pursuant to Section 65053.5 for the
 32 purposes of retention activities.

33 ~~SECTION 1. Section 38561 of the Health and Safety Code is~~
 34 ~~amended to read:~~

35 ~~38561. (a) (1) On or before January 1, 2009, the state board~~
 36 ~~shall prepare and approve a scoping plan, as that term is understood~~
 37 ~~by the state board, for achieving the maximum technologically~~
 38 ~~feasible and cost-effective reductions in greenhouse gas emissions~~
 39 ~~from sources or categories of sources of greenhouse gases by 2020~~
 40 ~~under this division.~~

1 ~~(2) The state board shall consult with all state agencies with~~
2 ~~jurisdiction over sources of greenhouse gases, including the Public~~
3 ~~Utilities Commission and the State Energy Resources Conservation~~
4 ~~and Development Commission, on all elements of its plan that~~
5 ~~pertain to energy-related matters including, but not limited to,~~
6 ~~electrical generation, load-based standards or requirements, the~~
7 ~~provision of reliable and affordable electrical service, petroleum~~
8 ~~refining, and statewide fuel supplies to ensure the greenhouse gas~~
9 ~~emissions reduction activities to be adopted and implemented by~~
10 ~~the state board are complementary, nonduplicative, and can be~~
11 ~~implemented in an efficient and cost-effective manner.~~

12 ~~(b) The plan shall identify and make recommendations on direct~~
13 ~~emissions reduction measures, alternative compliance mechanisms,~~
14 ~~market-based compliance mechanisms, and potential monetary~~
15 ~~and nonmonetary incentives for sources and categories of sources~~
16 ~~that the state board finds are necessary or desirable to facilitate~~
17 ~~the achievement of the maximum feasible and cost-effective~~
18 ~~reductions of greenhouse gas emissions by 2020.~~

19 ~~(c) In making the determinations required by subdivision (b),~~
20 ~~the state board shall consider all relevant information pertaining~~
21 ~~to greenhouse gas emissions reduction programs in other states,~~
22 ~~localities, and nations, including the northeastern states of the~~
23 ~~United States, Canada, and the European Union.~~

24 ~~(d) The state board shall evaluate the total potential costs and~~
25 ~~total potential economic and noneconomic benefits of the plan for~~
26 ~~reducing greenhouse gases to California's economy, environment,~~
27 ~~and public health, using the best available economic models,~~
28 ~~emission estimation techniques, and other scientific methods.~~

29 ~~(e) In developing its plan, the state board shall take into account~~
30 ~~the relative contribution of each source or source category to~~
31 ~~statewide greenhouse gas emissions, including the environmental~~
32 ~~benefits of renewable electrical generation facilities, and the~~
33 ~~potential for adverse effects on small businesses, and shall~~
34 ~~recommend a de minimis threshold of greenhouse gas emissions~~
35 ~~below which emissions reduction requirements will not apply.~~

36 ~~(f) In developing its plan, the state board shall identify~~
37 ~~opportunities for emissions reduction measures from all verifiable~~
38 ~~and enforceable voluntary actions, including, but not limited to,~~
39 ~~carbon sequestration projects and best management practices.~~

1 ~~(g) The state board shall conduct a series of public workshops~~
 2 ~~to give interested parties an opportunity to comment on the plan.~~
 3 ~~The state board shall conduct a portion of these workshops in~~
 4 ~~regions of the state that have the most significant exposure to air~~
 5 ~~pollutants, including, but not limited to, communities with minority~~
 6 ~~populations, communities with low-income populations, or both.~~
 7 ~~(h) The state board shall update its plan for achieving the~~
 8 ~~maximum technologically feasible and cost-effective reductions~~
 9 ~~of greenhouse gas emissions at least once every five years.~~

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CORRECTIONS:
 Text—Pages 3, 8, 11, and 12.

