

AMENDED IN ASSEMBLY JULY 15, 1999

AMENDED IN ASSEMBLY JULY 1, 1999

AMENDED IN SENATE APRIL 27, 1999

SENATE BILL

No. 1083

**Introduced by Senator Knight
(Coauthor: Senator Monteith)**

(Coauthors: Assembly Members Cardoza and House)

February 26, 1999

An act to amend Sections 44400 and ~~44401~~, 44401, and 44403 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1083, as amended, Knight. Commercial space programs.

(1) Existing law, the Commercial Space Program Permit Streamlining Act of 1996, which applies only to Santa Barbara County, Kern County, and San Luis Obispo County, provides that each commercial space program is a separate stationary air emission source if it meets certain requirements.

This bill would additionally make the act applicable to *Merced County and specified portions of Los Angeles County; and San Bernardino County, and Merced County* thereby imposing a state-mandated local program on local agencies located within those ~~counties~~ *areas*.

Existing law defines the terms "commercial space program," "facility," "space vehicle," "expendable space launch vehicle," and "space launch" for purposes of the act.

This bill would revise those definitions, and would define the term “reusable launch vehicle” for purposes of the act.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 44400 of the Health and Safety
2 Code is amended to read:

3 44400. This part applies only to Santa Barbara County,
4 Kern County, ~~Los Angeles County, San Bernardino~~
5 ~~County, Merced County, and San Luis Obispo County.~~
6 *San Luis Obispo County, Merced County, and those*
7 *portions of Los Angeles and San Bernardino Counties not*
8 *included within the jurisdiction of the south coast district.*
9 This part shall be known, and may be cited, as the
10 Commercial Space Program Permit Streamlining Act of
11 1996.

12 SEC. 2. Section 44401 of the Health and Safety Code
13 is amended to read:

14 44401. As used in this part, the following terms have
15 the following meanings:

16 (a) “Commercial space program” means all
17 nongovernmental activities at a facility, as defined in
18 subdivision ~~(b)~~ (c), that involve the manufacture or
19 assembly of space vehicles or satellites for purposes of
20 commercial space launch, or that engage in the
21 preparation for launch or the launch of those vehicles or
22 satellites, that have a Standard Industrial Classification
23 code other than national security, and that are the
24 responsibility of, and are controlled by, the owner or
25 operator of the facility.

26 (b) “Expendable space launch vehicle” means a
27 fabricated part, assembly of parts, or completed unit



1 designed to launch payload spacecraft into an orbital or
2 suborbital trajectory, into Earth orbit in outer space, or
3 otherwise into outer space, and that is consumed or
4 destroyed in the process of launching the payload from
5 the launchpad.

6 (c) “Facility” means every structure, appurtenance,
7 improvement, and any equipment that is located *at or*
8 *adjacent to a launch site* on one or more contiguous or
9 adjacent properties under the control of the same person,
10 or under the common control of the same persons.

11 (d) “Launch” or “space launch” means to place or
12 attempt to place a space vehicle into an orbital or
13 suborbital trajectory, into Earth orbit in outer space, or
14 otherwise into outer space.

15 (e) “Reusable launch vehicle” means a vehicle that is
16 designed to launch into an orbital or suborbital trajectory,
17 into Earth orbit in outer space, or otherwise into outer
18 space, that returns to Earth and is reused for a subsequent
19 future launch.

20 (f) “Space vehicle” means an expendable space
21 ~~launch vehicle, reusable launch vehicle, or any other~~
22 ~~vehicle designed to enter into an orbital or suborbital~~
23 ~~trajectory, into Earth orbit in outer space, or otherwise~~
24 ~~into outer space.~~ *launch vehicle or reusable launch*
25 *vehicle.*

26 SEC. 3. *Section 44403 of the Health and Safety Code*
27 *is amended to read:*

28 44403. ~~For~~ *To the extent permitted by federal law, for*
29 *the purposes of air pollution permitting pursuant to this*
30 *division, each commercial space program is a separate*
31 *stationary source if it meets the federal criteria for a*
32 *stationary source in Section 52.21 of Title 40 of the Code*
33 *of Federal Regulations and it is consistent with the state*
34 *implementation plan.*

35 SEC. 4. No reimbursement is required by this act
36 pursuant to Section 6 of Article XIII B of the California
37 Constitution because a local agency or school district has
38 the authority to levy service charges, fees, or assessments
39 sufficient to pay for the program or level of service



1 mandated by this act, within the meaning of Section 17556
2 of the Government Code.

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